

CITY OF KEIZER MISSION STATEMENT

KEEP CITY GOVERNMENT COSTS AND SERVICES TO A MINIMUM BY PROVIDING CITY SERVICES TO THE COMMUNITY IN A COORDINATED, EFFICIENT AND LEAST COST FASHION

A G E N D A
KEIZER CITY COUNCIL
EXECUTIVE SESSION

Tuesday, September 2, 2014

6:30 p.m.

**Keizer Civic Center
Keizer, Oregon 97303**

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. DISCUSSION**
 - a. Pursuant to ORS 192.660(2)(e) – *To conduct deliberations with persons designated by the governing body to negotiate real property transactions.***
 - b. ORS 192.660(2)(f) -. *To consider information or records that are exempt by law from public inspection.***
- 4. ADJOURN**

Upon request, auxiliary aids and/or special services for those with disabilities will be provided. To request services, please contact us at (503) 390-3700 or through Oregon Relay 1-800-735-2900 at least two working days(48 hours) in advance.

The Oregon Public Meeting Law authorizes governing bodies to meet in executive session in certain limited situations. An executive session is defined as any meeting or part of a meeting of a governing body which is closed to certain persons for deliberations on certain matters as defined by ORS 192.660. These sessions are closed to the public. The media may attend the session, unless the Oregon State Statutes specifically prohibits media attendance. The governing body is not allowed to take any final action or make any final decisions during the executive sessions. Any final action or decision must be made after returning or at the next regularly scheduled meeting.

AGENDA
KEIZER CITY COUNCIL
REGULAR SESSION
Tuesday, September 2, 2014
7:00 p.m.
Robert L. Simon Council Chambers
Keizer, Oregon

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **PLEDGE OF ALLEGIANCE**
4. **PUBLIC TESTIMONY**

This time is provided for citizens to address the Council on any matters other than those on the agenda scheduled for public hearing.

5. **PUBLIC HEARINGS**

- a. **Comprehensive Plan Change/Zone Change/Lot Line Adjustment – Property at 4800 and 4900 block of Verda Lane**

6. **ADMINISTRATIVE ACTION**

- a. **ORDINANCE** – Amending the Urban Growth Boundary (UGB) to include approximately 58 acres in and near Keizer Rapids Park - Amending Ordinance No. 87-077 (Case No. CP2014-05)
ORDINANCE – in the Matter of the Application of the City of Keizer to Annex a Portion of Property Located at 1990 Chemawa Road N and the Property Identified on the Marion County Tax Assessor Maps as Township 7 South, Range 3 West, Section 04, Tax lot 01201, Keizer Oregon to the City Limits of the City of Keizer (Case No. CP2014-05)
ORDINANCE – In the Matter of the Application of the City of Keizer for a Comprehensive Plan Map Change to Park and a Zone Change to Public for an Approximate 58 Acre Parcel Located at 1590 Chemawa Road North, 1990 Chemawa Road North, and 2010 Chemawa Road North (Portion of Keizer Rapids Park) (Case No. CP2014-05)
- b. **ORDINANCE** – Adopting the Keizer Medical Marijuana Facility Permit Process
- c. **Request for Waiver of Fees for Use of Keizer Rotary Amphitheater for Movie in the Park**

7. **CONSENT CALENDAR**

- a. **RESOLUTION** – Purchase of K23 Equipment and Surplus of Property
- b. Approval of August 4, 2014 Regular Session Minutes
- c. Approval of August 18, 2014 Regular Session Minutes

8. **COMMITTEE REPORTS**

- a. **PROCLAMATION** – Constitution Week
- b. Appointment to the Keizer Budget Committee
- c. Appointment to the Keizer Points of Interest Committee
- d. Appointment to the Keizer Festival and Events Services Team
- e. Appointment to the Keizer Arts Commission

9. **OTHER BUSINESS**

This time is provided to allow the Mayor, City Council members, or staff an opportunity to bring new or old matters before the Council that are not on tonight's agenda.

- a. New Business or Old Business Issues

10. **WRITTEN COMMUNICATIONS**

To inform the Council of significant written communications.

11. **AGENDA INPUT**

September 8, 2014

5:45 p.m. – City Council Work Session

- City Council /Parks Board Tour

September 15, 2014

7:00 p.m. – City Council Regular Session

October 6, 2014

7:00 p.m. – City Council Regular Session

12. **ADJOURNMENT**

Upon request, auxiliary aids and/or special services will be provided. To request services, please contact us at (503)390-3700 or through Oregon Relay at 1-800-735-2900 at least two working days (48 hours) in advance.

COUNCIL MEETING: Sept 2, 2014
AGENDA ITEM NUMBER: _____

TO: MAYOR CHRISTOPHER AND CITY COUNCIL MEMBERS
THROUGH: CHRIS EPPLEY, CITY MANAGER
NATE BROWN, COMMUNITY DEVELOPMENT DIRECTOR
FROM: SAM LITKE, SENIOR PLANNER

SUBJECT: Comprehensive Plan Change / Zone Change / Lot Line Adjustment

Attachments:

Staff report, with attachments 1-18 and Hearings officer's decision

ISSUE:

Whether to approve a request for a comprehensive plan / zone change / lot line adjustment for property located in the 4800 and 4900 block of Verda Lane.

DISCUSSION:

The Hearings Officer issued a decision recommending that the City Council approve the application of Herber Farm, LLC to amend the Comprehensive Plan designation from Low Density Residential to Medium and High Density Residential; to change the zone from Single Family Residential (RS) to Medium Density Residential (RM); and, through the Lot Line Adjustment process, consolidate the existing 14 lots into one large parcel on 7.5 acres that fronts along Verda Lane / Dearborn Avenue / Chemawa Road.

Approximately 100 people attended the public hearing with 26 providing testimony. The testimony fell into four general categories. These are:

- Those who wanted the property to continue to be used as a cow pasture and liked its open space qualities.
- Concerns relating to increased traffic
- Concerns regarding the density of the project and the need for more apartments
- Other – increased crime, impacts on schools, police and other resources, creek water qualities

❖ ***Historical use of site***

Within the city limits there are 4 zones that allow commercial agricultural uses, the Exclusive Farm Use (EFU), Special Agriculture (SA), Urban Transition (UT), and Public (P) zones. Since the RS zone does not permit agricultural uses, the use of the property is a nonconforming use. The property is not on the fringe of the urban area but is very much near the center of the city and surrounded by urban uses and has been for many years recognized that it would be developed with residential uses. The property was approved in the mid-1950s for a single family subdivision that was platted and created the 14 existing lots, but was never built on. While there are members of the community who prefer to see the property continued to be used as a pasture for cows, this is not supported by its location, availability of all public

services, zoning which does not permit commercial farming, or the fact that it has always been planned and in fact approved to be developed with residential uses.

With regard to the property's open space attributes while it is an undeveloped property it is not designated in the comprehensive plan as an open space resource. The Parks and Recreation Master Plan indicates that while there are opportunities to expand the park by acquiring a portion of the property on the east side of the Claggett Creek Park, the city has not pursued that option. The development of the subject property is proposed to be confined to the upper portion and not on the lower portion along the creek which will not preclude the potential for it to be acquired for park/open space, or for any riparian and water quality enhancements to be added. Since the lower portion is not part of this application it will require a separate discussion between the city and the property owner.

❖ ***Traffic***

The applicant has submitted a Transportation Planning Rule Analysis that studied the impact that the proposed development would have on the nearby intersections. It found that the proposed development would result in 84 AM peak hour trips and 102 PM peak hour trips. The analysis determined that slightly more of this new traffic will use the Chemawa Road / Verda Lane intersection than the Verda Lane / Dearborn Avenue intersection. The analysis projected that the result of the new development would be that the Verda Lane / Chemawa Road intersection will have a 2033AM peak hour Level of Service (LOS B) and a 2033 PM peak hour LOS C and indicated that the Verda Lane / Dearborn Avenue intersection will have an AM peak hour LOS C and a PM peak hour LOS D. Each intersection will operate within the city's adopted LOS E for these intersections so no additional intersection improvements will be needed as a result of the proposed development. However, the applicant will be responsible for providing additional right of way dedication and some street improvements along the three streets fronting the site. This will include sufficient dedication to accommodate the planned round-about at the Verda Lane / Chemawa Road intersection, and additional dedication to allow a 6 foot wide sidewalk to be provided by the development along both Verda Lane and Dearborn Avenue.

❖ ***Need***

The proposed comprehensive plan change to Medium and High Density Residential will result in the site being developed with 120 units on the property. As proposed, the site would have an approximate density of 16 dwelling units per acre which is consistent with the proposed RM zone designation. If the subject property were developed consistent with the RS standard, it could potentially allow up to 60 dwelling units, if developed at the maximum 8 units per acre, as permitted in the RS zone. If the property were developed under the Planned Unit Development (PUD) provisions, and the lower property were included there could easily be over the proposed 120 units.

The Hearings Officer noted that the proposal will provide land to allow the city to be able to meet a portion of its projected residential needs as was documented in the HNA, a required periodic review task. The adoption of the HNA resulted in the city completing its periodic review. The periodic review was then acknowledged by DLCD. The result of this analysis established that there is a lack of land to meet the projected residential needs of Keizer for the next 20 year period. The HNA documented a deficit of 267 acres to meet the needs of the residential needs category. It further documented that only 5.7 acres of land designated for multi-family are currently available to meet this type of need. It noted that this is insufficient to meet the projected need for multi-family housing. This proposal will result in the city being able to meet 7.5 acres of the projected need of 267 acres needed for all residential uses, and in particular the projected need for 1,437 dwelling units for multi-family development. The increased density will result in the site being used to help offset some of the identified residential land need that is forecast.

❖ ***Public services impacts***

Police and administrative services will be provided by the City of Keizer. The Salem-Keizer School District commented that they had reviewed the application and that sufficient school capacity exists in the elementary and middle schools but not at the high school under the existing student allocation (which would require them to adjust their allocation). Both Verda Lane and Chemawa Road are transit routes. The Police Department has indicated that apartments do not necessarily generate any more service burden than other housing types—that other factors such as property management have a much greater affect.

Staff supports this request for the following reasons:

- Provides for a greater amount of housing, consistent with adopted Housing Needs Analysis.
- Is close or adjacent to public services, park, and commercial areas.
- Central to the City.
- Served by major transportation network, transit, and within walking distance from basic needs.
- Though obviously affecting some residences, it is not directly adjacent to densely developed, established residential areas (surrounded on three sides by major streets, and the fourth by flood plain.
- Provides for significant improvements to the transportation system.

It is completely understandable that this proposal would generate anxiety about negative impacts to the neighborhood. This anxiety is based on assumptions about what the existing zoning would allow – picturing nothing but single family homes on large lots. The existing zoning, however, allows small lot development – perhaps down to 4,000 square feet for zero lot line development. The existing zoning also allows the development of a PUD, attached homes, and density increases for increased open space. The actual potential of what could be developed under the existing zoning is far denser, with far more negative impacts than what is generally thought of. The property owner

could today, without any land use action, build 14 homes/shared housing units with individual driveways, no street improvements or other mitigating measures; no design review, or other public input. The impact of individual 14 individual driveways alone would be a significant negative impact to the transportation system (today's standards would not permit such a plan).

The outcome to the community could be improved with street improvements, landscaping, traffic mitigations, and design control—if the council chose to place significant mitigations on the proposal. Such additional mitigation measures available for Council consideration might include such things as greatly increased design standards and review process addressing such things as building design, landscaping, traffic mitigation, etc.

The Hearings Officer reviewed the proposal and found that it complies with the city's comprehensive plan; zone change, and lot line adjustment review criteria and so recommended that it be approved subject to meeting the proposed conditions of approval that are found at the end of the recommendation.

RECOMMENDATION:

That City Council open the public hearing to consider the proposal, receive public comment and direct staff to: prepare mitigation measures that would address the negative impacts to neighborhood compatibility presented in the hearing.

Litke, Sam

Exhibit '19'

From: Marilyn <mbielaga@gmail.com>
Sent: Wednesday, August 27, 2014 7:44 PM
To: Litke, Sam
Subject: Fwd: Public Hearing Case No. 2014-11

CORRECTED VERSION - Corrected Date

August 27, 2014

Mr. Sam Litke
Senior Planner
City of Keizer

Dear Mr. Litke:

In regard to the public hearing for Comprehensive Plan Map Amendment/ Zone Change/ Lot Line Adjustment Case No.2014-11, I am opposed to changing the zoning.

Verda Lane NE is quite busy already and there is not a complete sidewalk system, as some areas just have bicycle lanes. Students from Claggett Creek Middle School are unsafe walking to and from school along this street as it is, and to add more traffic will only make it worse. Other pedestrians are in the same predicament. There is considerable traffic and the speed limit is too high at 35 mph.

The idea of driving along Chemawa Rd NE or Dearborn Av NE, going up the hill towards Verda, with 3 story apartments up above Claggett Creek Park certainly does not have aesthetic appeal to me. I feel they will loom large and the alteration of the visual environment will be a detriment to the area. Please do not allow 3 story apartments on this land.

Sincerely,

Marilyn Bielaga
4906 15th Ave N
Keizer, OR 97303

HAVE A COMMENT OR QUESTION?

WE'D LIKE TO HEAR FROM YOU - !!

CRE

Exhibit '16'

Thanks

Credit Card #

Print Name

Signature

Expiration Date: ____ / ____ / ____
MO YR

We accept Visa, MasterCard & Discover.

There is no good reason there
can't be 14 driveups on Verda
between Alcarhorn & Chennawa.
There are 28 including both
sides on the other side of
Verda in same or less distance
& they do fine. There are now 10
including the streets - Kenjo, May, Dujon
& Alcarhorn so that would be 24 units
the new 14 single homes. No reason
it would not work. Thanks

Your Name

Contact Phone

Litke, Sam

From: Dave And Karen Okada <dkokada1@comcast.net>
Sent: Monday, August 04, 2014 11:12 AM
To: Litke, Sam
Cc: Witham, Shane
Subject: Cow property - trees cut down

Hi Sam,

This is Karen Okada. I live at 4705 Verda Lane, and I wrote one of the letters about the "cow pasture" property that is under review by the city.

I spoke with Shane Friday afternoon, and told him that several trees had been cut down on the property last week. He was very helpful - you have a great department! He asked me to send you an email to let you know. Apparently there is a two year look-back period once a property has zone changes, etc. I don't know if the city has a "tree plan" for the property. I thought it was part of the documents that the family submitted as part of the zoning change, but it was not posted on the website.

Looking from the street, I think one of the trees would count as a "significant tree," or whatever the language is :). There was a photo in the file that showed some trees, but I don't know the date of the photo.

At zillow.com, I typed in my address, and there is a view of my house from a satellite. I don't know the date of the photo, but it is at least two years old (before we moved in) and maybe up to five years older, based on the landscaping! But, you can move it around, and then look at the cow property to see the trees on that property. I don't know how many trees (if any) have been cut around the houses and barns. I just noticed the very large tree, maybe more than one (couldn't tell) that is close to Dearborn was being cut down last week.

I hope this all makes sense! If you need any further information, please write back or call, and I will try to help you out.

Thanks in advance for your help!

Karen Okada :)
503-390-7887
[Dkokada1@comcast.net](mailto:dkokada1@comcast.net)

Litke, Sam

Exhibit '18'

From: Brown, Nate
Sent: Thursday, August 21, 2014 12:01 PM
To: Litke, Sam
Subject: FW: Apartments and Calls for Police Service

Here you go.

From: Teague, John
Sent: Thursday, August 21, 2014 11:42 AM
To: Brown, Nate
Subject: Apartments and Calls for Police Service

Nate,

Apartments *per se* are no more likely to demand police resources than single family dwellings. Apartments and rentals can generally be correlated with demands for services, but they are not causal. What is causal is irresponsible ownership and management. I suggest that zoning for low-income housing is strongly correlated with calls for police service, but, again, that is due to irresponsible ownership and management. In Dallas, to the contrary, public, low-income housing was strictly and carefully managed and placed much less demand upon the police department than some zones of lower-density single family dwellings.

John Teague
Chief of Police
PO Box 21000
Keizer, Oregon 97307

503-390-3713
TeagueJ@Keizer.org

THE CITY OF KEIZER HEARINGS OFFICER

In the Matter of the	)	Case No.	2014-11
	)		
Application of:	)		
	)	Comprehensive Plan Amendment/Zone	
Herber Farm, LLC	)	Change and Lot Line Adjustment	

RECOMMENDATION

I. Nature of the Application

This matter comes before the City of Keizer Hearings Officer on the application of Herber Family LLC to amend the Comprehensive Plan designation from Low Density Residential (LDR) to Medium and High Density Residential (MHRD), to change the zone from Single Family Residential (RD) to Medium Density Residential (RM), and through the Lot Line Adjustment process, consolidate the existing 14 lots into one large parcel on an approximate 7.5 acre parcel located in the 4800 and 4900 block of Verda Lane, Keizer, Oregon. The property is identified on the Marion County Tax Assessor Map as Township 7 South; Range 3 West; Section 02AD; Lots 6700 and 7300.

II. Relevant Criteria

The standards and criteria relevant to this application are found in Oregon Revised Statutes Chapters 197 and 227; Statewide Planning Goals; Chapter 660 of the Oregon Administrative Rules; in Chapter 660; the City of Keizer's Comprehensive Plan (KCP), and the City of Keizer's Zoning Ordinance (KZO), especially KZO 3.109, 3.110, and 3.106.

III. Public Hearing

A public hearing was duly held on this application on June 12, 2014. At the hearing, the Planning Division file was made part of the record as was the audio recording of the hearing. The following persons appeared at the hearing and provided testimony on the application:

- | | | |
|-----|------------------|---|
| 1. | Sam Litke | Senior Planner, Keizer |
| 2. | Bill Peterson | Traffic Engineer, Keizer |
| 3. | Nate Brown | Director of Community Development, Keizer |
| 3. | Mark Grenz | Multi/Tech Engineering for Applicant |
| 4. | Larry Odel | Opponent |
| 5. | Eric Castillo | Opponent |
| 6. | Carl Crooks | Opponent |
| 7. | Marylin Prothero | Opponent |
| 8. | Matthew Garza | Opponent |
| 9. | Nikki Hoffman | Opponent |
| 10. | John Rizzo | Opponent |
| 11. | David Bevens | Opponent |

11.	Aigul Aubanova	Opponent
12.	Brandon Baldwin	Opponent
13.	Estella Rieban	Opponent
14.	Deanna Fuller	Opponent
15.	Bailey Scales	Opponent
16.	Jade Rayne	Opponent
16.	Drew Grosche	Opponent
17.	Robert Earhart	General
18.	Nikki Hoffman	Opponent
19.	Deborrah Blair	Opponent
20.	Mika Webb	Opponent
21.	Susan Kendal	Opponent
22.	Juli Bonogorski	Opponent
23.	Debbie Crooks	Opponent
24.	Judith Odel	Opponent
25.	Laura Scales	Opponent
26.	David Rieban	Opponent

No objections were raised as to notice, jurisdiction, conflicts of interest, or to evidence or testimony presented at the hearing. At the hearing, the following documents were offered and entered into the record.

Exhibit 9	Staff's Rough Proportionality analysis
Exhibit 10	Undated letter from Rod and Joanne Swinehart
Exhibit 11	June 12, 2014 letter from David and Karen Okada
Exhibit 12	June 12, 2014 email from Suezq Smith
Exhibit 13	March 31, 2014 email from Brandie Dalton
Exhibit 14	Document from Craig and Cory Budrow, undated and unsigned
Exhibit 15	Power point documents submitted by the Applicant

IV. Findings of Fact

The hearings officer, after careful consideration of the testimony and evidence in the record, issues the following findings of fact:

1. The subject property consists of approximately 7.5 acres. Two homes and two outbuildings are currently located on the property. The remainder of the property is undeveloped. The property is designated Low Density Residential on the Comprehensive Plan map and is zoned Single Family Residential (RS). Part of the property is used for cattle grazing, an agricultural use. The use is a nonconforming use in the SR zone. A nonconforming use is a use that was lawful at one time, but currently is not a lawful use in the zone.

2. The property is located in the 4800 and 4900 block of Verda Lane and is identified in the Marion County Tax Assessor map as Township 7 South; Range 3 West; Section 02AD; Lots 6700 and 7300.
3. Surrounding property includes single-family homes on lands to the east, north, and south that are zoned Residential Single Family (RS). To the west, across Claggett Creek, is Claggett Creek Park, on land that is zoned Pubic. The southeast corner of the Chemawa Road / Verda Lane intersection is zoned Medium Density Residential (RM) and is developed with a church.
4. The proposal is to re-designate the Comprehensive Plan map from Low Density Residential to Medium and High Density Residential; rezone the property from Single Family Residential (RS) to Medium Density Residential (RM); and, through the Lot Line Adjustment process consolidate the existing 14 lots into one large parcel. The Applicant provided a site plan, statement, and Transportation Planning Rule Analysis and attached the documents as Exhibit 1 with the application.
5. City of Keizer Planning requested comments on this matter from various governmental agencies.

Keizer Public Works reviewed the proposal and provided the following comments:

“The application is for a Comprehensive plan Amendment, a Zone Change, and a Lot Line Adjustment involving 7.5 acres. The subject property is surrounded by Chemawa Road, Verda Lane, Dearborn Avenue, and an unimproved street, Philip Street. It appears from the applicant’s submittals that the property is made up of 14 tax lots. The lot line adjustment would remove the tax lot lines and result in one parcel. The parcel is proposed to be developed as Medium High Density Residential, which is a change from the existing Low Density Zone. A development plan has not been submitted for review at this time. Public and private facilities will be necessary for the development of the parcel as listed below.

No building permits will be issued until the required public improvements listed below are completed.

SANITARY SEWERS:

The subject property is located within the original Keizer Sewer District. Therefore a sanitary sewer trunk line acreage fee will not be required.

- a.) City of Salem approval for local sewer permits will need to be issued prior to construction. Prior to submitting plans to the City of Salem for approval, the developer’s engineer shall submit plans to the City of Keizer for review and determination of compliance with the City’s Master Sewer Plan for the area.

- b.) Connecting to existing sewers that serve the general area will be the responsibility of the developer of the property. Appropriate easements for any public sewer mains located within the subject property if located outside platted right of ways will need to be recorded, which meets the City of Salem Design Standards.

WATER SYSTEM:

- a.) A master water system plan showing proposed routes of public water mains, fire hydrants and individual services shall be prepared prior to submission of construction plans for the development. Appropriate easements for all public water mains and fire hydrants will be required if construction is to be outside of public right of way. Any system development charges for water system improvements will be those in place at the time of individual service connections.
- b.) Final development plans shall be reviewed by the Keizer Fire District with regard to access and adequate location of fire hydrants prior to any issuance of building permits by the City of Keizer.
- c.) Any existing wells on the subject property are to be abandoned. The developer shall provide evidence that any abandonment of existing wells has been completed in accordance with the rules of the Oregon State Water Resources Department.
- d.) Location of all meters to be approved by Keizer Water Department.

STREET AND DRAINAGE IMPROVEMENTS:

- a.) Street improvements will be required to provide an adequate transportation system that will serve the proposed development. Right of way dedication will be required along Verda Lane. The minimum acceptable right of way will result in 34 feet from the existing centerline of Verda Lane. Right of way dedication along the easterly 125 feet of Dearborn Avenue will be required to eliminate the existing jog in the right of way line. Additionally, a right of way line radius of 30 feet shall be dedicated at the intersection of Verda Lane and Dearborn Avenue. The local Transportation System Plan has identified the need for a turning circle to be developed at the intersection of Verda Lane and Chemawa Road NE. Attached is a file of the required right of way dedication, labeled Attachment A, which indicates the required right of way necessary at the intersection shall be shown on the proposed Lot Line Adjustment Plat. An Autocad file is available at the City Engineer's office. Public street improvements will be required prior to any development of the subject property. At a minimum, public street improvements will include street widening of Verda Lane with a 6 foot wide property line sidewalk, and widening of Dearborn Avenue including a property

line 6 foot wide sidewalk on the north side of the street. Public Street improvements will require appropriate drainage swales if necessary to comply with city water quality standards. A 10 foot wide public utility easement will be required to be dedicated on the Lot Line Adjustment Plat along Chemawa Road, Dearborn Ave., and Verda Lane. No access will be allowed to Philip Street from the subject property.

- b.) The developers engineer shall submit an overall storm drainage plan that will provide service to this development consistent with the City Master Storm Drain Plan for this area of Keizer. An existing public storm drain line is located on the subject property near the tax lot lines shown as 3200 and 3300 on the applicant's submittal. The applicant's surveyor will be required to locate the storm drain line and plat on appropriate easement consistent with the City of Keizer's Public Works Standards on the proposed Lot Line Adjustment Plat.

Storm water detention for the proposed development shall be required. All storm water and roof drains are to be connected to an approved system designed to provide adequate drainage for the proposed new driveways and other hard surfaces. Storm water quality improvements will be required.

- c.) A grading and drainage plan shall be developed for the subject property. Details shall include adequate conveyance of storm water from adjacent property across the subject property. This plan shall be submitted and approved by the Department of Public Works prior to the issuance of any permits for street or storm drainage for the subject property. Grading and drainage plans shall be in conformance with the City of Keizer Public Works Standards. Additional information regarding street grades, site grading, inverts, etc., will be required for review prior to any plan approval. The drainage plan for the development shall comply with the Keizer Development Code.

OTHER

- a.) Construction permits are required by the Department of Public Works prior to any public facility construction.
- b.) A Pre-design meeting with the City of Keizer Department of Public Words will be required prior to the Developer's Engineer submitting plans to either the city of Keizer or the City of Salem for review.
- c.) Street opening permits are required for any work within the City Right of Way that is not covered by a Construction permit.

- d.) A Pre-construction conference shall be required prior to commencement of any construction under permits issued by the city”.

Marion County Surveyor's office commented that the Property Line Adjustment within a recorded subdivision or partition plat requires a re-plat and must comply with the provisions of ORS 92.185(2); that it must be surveyed per ORS 92.050 and the plat must be submitted for review; that checking fee, second mylar fee, and recording are required; and that a current or updated title report must be submitted at the time of review.

Salem-Keizer Public Schools commented that sufficient school capacity currently exists at the elementary and middle school level but not at the high school level as the high school is already over capacity. The report stated that the method used to make the computations was the Student Rate per Dwelling method as set out in the District's Long-term Facilities Plan for years 2008-2015. Additional comments were related to access to the schools and transportation issues.

Keizer Fire District commented on requirements for access, fire hydrants, water and fire flow for buildings.

All other agencies or governmental entities contacted did not provide comments.

6. Several comments were received from the general public who commented on traffic, safety, the size of the proposed development, the aesthetics of the area, and the livability of the area.

V. Additional Findings of Fact and Conclusions of Law

1. Applicants have the burden of proving that all relevant standards and criteria are met.
2. All comprehensive plan amendments and goal exceptions are subject to review by DLCD. DLCD was notified as required by state law but did not comment.

COMPREHENSIVE PLAN AMENDMENT

1. This comprehensive plan amendment application involves a single ownership of a 7.5 acre parcel. The application includes a plan amendment and a zone change request as well as a request for a lot line adjustment.
2. The Review Criteria for a Comprehensive Plan change are found in Section 3.109. Section 3.109.04 states that the, “Comprehensive Plan map amendment proposals shall be approved if the applicant provides evidence substantiating the following:
 - A. Compliance is demonstrated with the statewide land use goals that apply to the subject properties or to the proposed land use designation. If the proposed

designation on the subject property requires an exception to the Goals, the applicable criteria in the LCDC Administrative Rules for the type of exception needed shall also apply.

Goal 1 – Citizen Involvement: The proposal has included notice to interested parties, a public process of decision making involving public hearings, deliberation, and ordinance adoption. A public hearing was held before the Hearings Officer on June 12, which was well attended with over 20 people providing testimony. Individuals that could not attend the hearing provided written comments. A second public hearing will be held before the Keizer City Council. The public will also be able to testify at that hearing and the hearing will be televised. This process is consistent with the provision for providing an opportunity for citizens to be involved in all phases of this planning process as required by this goal and implementing administrative rules within Oregon Administrative Rules, and consistent with the City of Keizer development code and comprehensive plan.

Goal 2 – Land Use Planning: The purpose of this goal is to establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual basis for such decisions and actions. Under this goal, each plan and related implementation measure shall be coordinated with the plans of affected governmental units. Affected governmental units are those local governments, state and federal agencies and special districts which have programs, land ownerships, or responsibilities within the area included in the plan. Implementation measures can be site specific. Applicants propose a site-specific comprehensive plan amendment. Keizer notified the various governmental agencies including the City of Keizer Public Works, the Keizer Fire District, and Salem-Keizer School District.

This proposal will amend the city's comprehensive plan map. The adoption proceeding was conducted in a manner consistent with requirements of the City's Comprehensive Plan, Development Code, and applicable state law. The city's comprehensive plan has been acknowledged by the Department of Land Conservation and Development. A public hearing was held before the Hearings Officer and a public hearing will be held before the City Council. Both public hearings provide an opportunity for verbal and written testimony. All written testimony that was submitted to staff was forwarded to the Hearings Officer and will be forwarded to the City Council. The Hearings Officer will forward a recommendation to the City Council. The Council will then make a written decision in the form of an adopted ordinance with findings supporting the decision. Any appeal of the City Council's decision is provided in ORS 197. The city's review and decision includes an adequate factual base and is consistent with this statewide planning goal and administrative rules.

Goal 3 – Farm Land - The purpose of this goal is to protect lands that are designated for agricultural uses. Within the city limits the Exclusive Farm Use (EFU), Special Agriculture (SA), Urban Transition (UT), and Public (P) zone allow commercial agricultural uses. However, within the city limits only the city's SA zone is a state recognized EFU qualifying zone. The comprehensive plan map amendment involves land that is within the boundaries of the city limits of Keizer. The proposal only involves land that is designated inside the city limits and is proposed to allow for residential development. It will not affect land that is designated either

EFU or SA, or lawful uses occurring on those lands. Although the current use of the subject property is a nonconforming agricultural use, maintaining a small herd of cattle, the property has been specially assessed by the Marion County Tax Assessor's Office. The city does not consider that this property's only viable use is to continue to be used for farm uses. This determination is based on several facts. First, the property is within the city limits and surrounded by urban uses. The property is zoned RS which allows for residential single family development as its primary use and not commercial farm operations. The property was approved in the mid-1950s for a single family subdivision that was platted and created the 14 existing lots, but was never built. While the property is specially assessed, it is not recognized as an EFU qualifying zone. These reasons all support that the proposed comprehensive plan map change will not adversely affect any commercial farming operations that exist outside the city limits on lands designated by Marion County as EFU. Therefore, the proposed comprehensive plan map amendment will comply with the Farm Land Goal and with any implementing administrative rules.

Goal 4 – Forest Land: The intent of this goal is to protect lands that are designated for commercial forest uses. There are no zone districts that are specifically designated within the city limits that allow for commercial forestry. There are no commercial forest lands near, or adjacent to the city limits of Keizer. There are no commercial forest lands on the site. The proposal does not involve any land which is designated as forest land, nor will it impact the use of any forest lands. The comprehensive plan map amendment will only involve land that is designated inside the city limits and that is designated to allow for residential development. It will not affect lands which allow for commercial forestry or lawful uses occurring on lands outside the city limits. Therefore, this Goal and implementing administrative rules are not applicable to the proposed comprehensive plan map amendment.

Goal 5 – Natural Resources: The intent of the Natural Resources Goal is to protect various natural resources such as wetlands, waterways, floodplain, big game habitat, etc. The city established overlay zones to maintain, preserve and protect the natural resources that are identified within the comprehensive plan. The proposed amendment to the comprehensive plan map will not hamper the ability of the city to continue to provide natural resource protection regulations. The City of Keizer has a number of Goal 5 protections already in place. These include an inventory of wetlands within the city limits, floodplain development regulations, and Willamette River Greenway regulations. The site included in this application is not located along the Willamette River so the Willamette River Greenway regulations do not apply. The site is shown on the floodplain maps as being outside the 100 year floodplain that is adjacent to Claggett Creek. The floodplain boundary appears to be either along the base of the embankment or slightly above the base of the embankment. Any use or development within this floodplain area will be required to be done in accordance to all applicable floodplain regulations. According to the Salem-Keizer Local Wetlands Inventory, June 1998, there appears to be wetland soils along and adjacent to the riparian area along Claggett Creek on a portion of the adjacent parcel that is to the west of Philip Street and not part of this proposal. Because the property is within the city limits, it is not identified as being in a big game (bear, elk, etc) habitat area as are found in the coast or cascade mountain ranges. Because the site does not contain any identified natural resources as protected by the city, the amendment to the city's comprehensive plan map is

consistent with this goal and with administrative rules designed to implement this goal.

Goal 6 – Air, Water and Land Quality: The intent of this goal is to protect the city's air, water and land qualities. The city has a number of regulations in place to protect, maintain and enhance its natural resources such as air, water and land. To that end the city has land use regulations which are geared to protecting the quality of land. This is done through the development code regulations. The City of Keizer provides its residents with water from groundwater sources. The city monitors the water quality of the drinking water to ensure that it complies with all state and federal regulations. Since the proposal is to develop the subject property with multi-family apartments, the new buildings will be required to be connected to the municipal sanitary sewer line thereby eliminating the possibility of groundwater contamination from new on-site septic systems.

The city has been developing stormwater regulations to protect water quality and the proposed development will be required to meet the city's stormwater drainage requirements. It is not known if the cattle that are currently on both the subject property and the adjacent tax lot will remain after this site is developed. Raising cattle seems to be incompatible with the development of an apartment complex. If the cattle are removed, the runoff from this small cattle operation will be eliminated and will create a positive effect on the water quality of Claggett Creek. The City of Keizer is regulated by DEQ for the contribution of pollutants from the City that discharge into the Willamette River. The pollutants of concern that impact beneficial uses in the Willamette River are bacteria, mercury, and temperature. Water quality in Claggett Creek is impacted by the proximity of the cows on the subject property.

Claggett Creek tops the existing channel and floods the lower portion of the subject property during most high or lengthy precipitation events. Through this routine occurrence, manure can be washed into the stream raising bacteria levels. Mercury levels also increase with soil disturbance which occurs during high water events. Finally, expanding the riparian corridor would provide shade and bank stabilization to the creek. Expanding the riparian corridor would address elevated water temperature.

Onsite backyard burning is regulated by the local fire department and air regulations are enforced by the state Department of Environmental Quality. The revision to the city's comprehensive plan map will not adversely impact the ability of the city to continue to protect the quality of air, water, or land resources. As such, the proposal complies with this goal and with administrative rules that implement this goal.

Goal 7 – Natural Hazards: The purpose of this goal is to protect life and property from hazards resulting from flooding, steep slopes or other natural occurrences. The City of Keizer has adopted floodplain regulations that govern the placement of structures within identified 100-year floodplains and which have been reviewed by state and federal authorities and been deemed to be compliant with adopted goals and objectives. A floodplain is the area that is adjacent to a body of water which may be subject to periodic inundation. In Keizer, these are primarily located

along the Willamette River and smaller streams such as Claggett Creek. The floodplains have been mapped by the federal government. With the exception of areas removed from the 100-year floodplain through the Letter of Map Amendment, the 100-year floodplain is the natural hazard area of greatest concern. This area is referred to as a 100-year floodplain because it has a statistical probability of having a 1% chance of flooding in any one year. The last major 100 year flood event was the 1964 flood. By contrast, the 1996 flood was not classified as a 100 year flood event for Keizer, although clearly there was a significant amount of water flowing through parts of Keizer during that flood event. The intent of the floodplain regulations is to minimize the loss of life and property damage by preventing development, elevating structures above the flood elevation, or flood proofing structures in the floodplain. Only in the area identified as a floodway will most forms of development be prohibited. The floodway is the area that is generally the channels of rivers and streams that during a flood event experience very significant water depth and velocity flows. According to Flood Insurance Rate Map (FIRM) 41047C0332G, dated January 19, 2000 the subject property involved in this application is outside the floodplain area. The floodplain boundary appears to be located either along the base of the embankment or slightly above the base of the embankment. While the proposal is to develop the flat upper portion of the subject property adjacent to Verda Lane, if any development within the floodplain area is contemplated, it will need to comply with the city's floodplain regulations. The site where development is proposed is flat. There is a steep embankment that forms a natural barrier from the lower portion of the site near the creek. There are no other identified natural hazards associated with the subject property. The revision to the city's Comprehensive Plan map will be consistent with this goal and any administrative rules.

Goal 8 – Recreation: This goal requires the city to identify and plan for the current and future recreation needs of the residents of the city. There are a number of parks, playgrounds, and other recreational opportunities within the city as identified in the City's Parks and Recreation Master Plan. This plan inventoried 92 acres of parks within the city and another 120 acres (Keizer Rapids Park) under the city's jurisdiction but outside the UGB. This is comprised of one large incorporated park (Keizer Rapids Park); one large 10.6 acre city park; 10 small city parks ranging in size from 1.3 acres to 5.9 acres; three waterfront parks ranging in size from 1.5 acres to 11.2 acres; one 15.4 acre special use park; two natural area parks ranging from 3.7 acres to 9.5 acres; and one 6.1 acre undeveloped park. The needs assessment determined that there are gaps in park level of service coverage; that the general west Keizer area is underserved and that additional park land is needed. The adopted master plan established a level of service of 5 acres per 1,000 residents. The Regional Housing Needs Analysis (HNA), which was a two year analysis that began in 2011, identified a need of 43 acres to help meet future park and recreation land needs. The pending proposal to add an additional 28 acres to the Keizer Rapids Park will significantly work towards meeting most of the projected deficit. While there will be a slight (15 acres) deficit in reaching full compliance with the projected park land needs, almost 20 years are left in the planning period for that to be accomplished. There is adequate capacity in the city's park system to accommodate the future residents of the subject property.

Just to the west of the site, across Claggett Creek, is Claggett Creek Park which can conveniently provide for the recreational needs of the proposed residents of this site. Claggett

Creek Park is a 10.6 acre park that has a variety of features such as soccer and baseball fields, a small basketball court, horseshoes, playground equipment and picnic area. The Parks and Recreation Master Plan indicates that there are opportunities to expand the park by acquiring a portion of the property that is on the east side of the park. At this time, the city has not actively pursued that option. The development of the subject property will not preclude the potential for the tax lot that is adjacent to the creek to one day be included as part of the park. However, this area is not included as part of this application and will require separate discussions between the city and the property owner before it can either be included as part of the park or any riparian and water quality enhancements are added to the land. The proposed amendment to the Comprehensive Plan map complies with this goal and any related rules.

Goal 9 – Economic Development: The intent of this goal is to provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens. This goal addresses commercial and industrial development, primarily in urban areas. Under OAR 660-009-0010(1), OAR Chapter 660, Division 9 applies to comprehensive plans for areas within urban growth boundaries.

The City of Keizer, along with the cities of Salem and Turner, and Polk and Marion Counties developed a regional economic opportunities analysis which identified the economic potentials and constraints within the Salem – Keizer regional area. This planning effort had the goal to enhance local economies. A follow up to that study, the Keizer Economic Opportunities Analysis (EOA), was undertaken and documented the economic trends and economic opportunities which are geared specifically to Keizer. This study was adopted by the City Council in June 2013 as part of Periodic Review and was acknowledged by the state. This proposal for a comprehensive plan map amendment will be strictly for residential uses and will not be for any commercial or industrial uses. Therefore, it will not have any adverse impact on the economic development activities or uses within the city. The proposal is to locate 120 dwelling units on the site. This will strengthen the economic vitality of the community and will result in more potential employees and consumers of local goods and services.

The EOA documented the composition of employment by industry in Keizer and exhibits several large deviations from the statewide composition. The deviations represent Keizer's competitive advantages in the economy, which fall largely in population-driven services with industry classifications such as Retail Trade, Education & Health, and Food Service & Drinking Places having a high representation locally. These well-represented industries, in combination with economic development goals and input from the stakeholders, were used to devise potential future target industries. After discussing and ranking industries based on local aspirations and current representation of that industry in Keizer, the City Council determined that the following list of target industries are appropriate for Keizer to target:

- Medical facilities, including research, development and support
- Information technology/back office
- Educational services, including educational research and job training

Professional services, including corporate headquarters
Sporting events

Current employment levels by industry were projected forward based on regional job growth estimates and the above target industry goals. The growth forecast calls for a total of 3,774 new jobs over the next 20 years, representing growth of 55% over current levels. The EOA estimated the need for 160 gross acres of land to accommodate the projected employment growth. An inventory of 123 acres of buildable land designated for commercial and industrial categories are within the city boundary. However, there is no land available that is well-suited for the institutional category, which includes hospitals, higher education facilities, and other uses that figure heavily into the city's economic development strategy. Finally, the EOA documented that there is a net need for commercial and institutional lands amounting to 63.3 gross acres above and beyond what the city's remaining buildable employment lands can accommodate. This need is in addition to the projected need for additional residential land to serve the expected population growth. The proposal is for residential development and there will not be any commercial or industrial uses on the site. The only employment that will be associated with the site will be construction and perhaps property management employees. The construction jobs will be short term and any property management will be small in operation. Therefore, the overall economic impact associated from the proposal will be minor and will not adversely impact this goal. Therefore, the proposal is consistent with this goal.

Goal 10 – Housing: The intent of this goal is to provide for the housing needs of citizens of this state.

The City of Keizer with Marion County, Polk County, and the City of Salem developed a regional housing needs analysis for the upcoming 20 year planning period. In a follow up to the regional study the city adopted its own local Housing Needs Analysis as part of the city's periodic Review that was geared specifically to Keizer and identified the projected 20 year housing needs for the city. The HNA was adopted by the City Council in June 2013 as part of periodic review update and was acknowledged by the Department of Land Conservation and Development (DLCD).

The HNA indicated that over the upcoming 20-year period, that there will be a growth in the number of non-group households by 4,366 households which will represent a population growth of 11,833 new residents. This is consistent with Keizer's adopted 2032 forecast. When the housing needs of the projected 2033 population is compared to the current housing supply, the analysis projects the need for 4,513 new units to house the future population.

The HNA documented that the largest share (56%) of one housing type is projected to be single-family detached or attached homes, with approximately 40% classified as multi-family dwelling units. Fifty-four percent are projected to be ownership units, while 46% are projected to be rental units. The inventory of buildable residential lands found that there was a supply of 315.2 total acres which are vacant, partially vacant or re-developable. These acres can hold an estimated 2,422 units. The total 20-year unit need (4,513 units) minus this remaining buildable capacity

(2,422 units), leaves a remainder of 2,090 units which must be accommodated beyond the City's remaining capacity within its current boundary. The HNA documented that there was approximately 24 acres of vacant RM land available for development. According to the HNA, this would be approximately 362 units of RM land to meet projected multi-family needs. This was based on a calculated multi-family need of 38 dwelling units for duplex; 351 dwelling units for three and four plexes; and, 1,437 dwelling units for multi-family developments containing 5 or more dwelling units. Single family dwelling units were calculated to be 2,524 (Figures 15 through 18 HNA).

When this remaining land need is apportioned to Keizer's residential zones, the HNA estimates a 20-year need for 267 gross acres of residential land, to be accompanied by 43.5 acres of new land for parks to serve this new population, and 10 acres of land for new school facilities. This is a total of 385 gross acres.

The comprehensive plan identified that there is only a small amount of land that is vacant (5.7 acres) and that is zoned for multi-family development. The Comprehensive Plan notes that "Lands devoted to multi-family residential uses are insufficient to meet forecasted need for multi-family units. Therefore, the city will:

"Permit rezoning to higher intensity residential uses to meet the identified housing needs, provided such proposals are consistent with the policies of this plan.

Consider rezoning parcels to higher residential density to meet identified multi-family housing needs, provided such proposals are consistent with the policies of this plan.

Parcels to be considered for rezoning should have access to major transportation corridors that are served by transit, are served (or can be served) by all urban services, including parks and recreational facilities, and are in close proximity to opportunities for shopping, employment and schools."

The existing neighborhood consists of single family housing and the surrounding properties are zoned for single family development. The proposed comprehensive plan change to Medium and High Density Residential will result in the site being developed with multi-family dwellings. The applicant's site plan indicates that 120 units will be constructed on the property. The proposed RM zone will allow up to a maximum of 22 units per acre which would result in a maximum of 165 dwelling units on the site. For comparison, if the site were developed as was platted, it would result in 14 dwelling units with a density of 1.8 dwelling units per acre. If the subject property consisting of 7.5 acres were developed consistent with the RS standard, it could potentially allow up to 60 dwelling units if developed at the maximum 8 units per acre as permitted in the RS zone. As proposed the site could result in an approximate density of 16 dwelling units per acre. This is consistent with the proposed zone designation of RM that the applicant seeks. The increased density will result in the site being used to help offset some of the identified residential land need that is forecast.

The subject property can be served by all urban services including sanitary sewer through an agreement with the city of Salem; administration; police and water by the city of Keizer; and fire service provided by the Keizer Fire District. The subject property is located very close to Claggett Creek Park which provides a wide range of recreation amenities. There are a number of

schools nearby, and there are nearby shopping and employment opportunities along the River Road corridor to the west as well as in Keizer Station to the east. This proposal will be consistent with the city's Comprehensive Plan and also with this goal and any related rules.

Goal 11- Public Facilities and Services: The intent of this goal is to develop a timely, orderly and efficient arrangement of public facilities and services necessary to serve the residents of the county. The City of Keizer provides its residents with water, sanitary sewer (through an arrangement with the city of Salem), an established street system, administrative, police and public safety. The proposed development is located in an area where these services are readily available.

Transportation is discussed elsewhere in this recommendation.

The city provides water through a system that utilizes groundwater. There are existing water lines in each of the three streets fronting the property. The city's water system has adequate capacity to provide service to the site and can serve the level of development as proposed.

Sanitary sewer service is provided through an intergovernmental agreement by the City of Salem.

There are sanitary sewer lines in each of the streets fronting the property and there is sufficient capacity to be able to provide service to the site and serve the level of development as proposed.

The site is located within the original Keizer Sewer District so a sanitary sewer trunk line acreage fee will not be required. City of Salem approval for local sewer permits will need to be issued prior to construction. Prior to submitting plans to the City of Salem for approval, the developer's engineer will be required to submit plans to the City of Keizer for review and determination of compliance with the City's Master Sewer Plan for the area.

Connecting to existing sewers that serve the general area will be the responsibility of the developer of the property. Appropriate easements for any public sewer mains located within the subject property if located outside platted right of ways will need to be recorded to meet the City of Salem Design Standards. A master water system plan showing proposed routes of public water mains, fire hydrants and individual services will be required prior to submission of construction plans for the development. Appropriate easements for all public water mains and fire hydrants will be required if construction is to be outside of public right of ways. Any system development charges for water system improvements will be those in place at the time of individual service connections. Final development plans will be required to be reviewed by the Keizer Fire District with regard to access and location of fire hydrants prior to the issuance of any building permits by the City of Keizer. Any existing wells on the subject property are to be abandoned. The developer will be required to provide evidence that any abandonment of existing wells has been completed in accordance with the rules of the Oregon State Water Resources Department. The Keizer Water Department will need to approve the location of all meters.

Police and administrative services are provided by the City of Keizer and will serve the subject property. Educational services are provided by both the Salem-Keizer School District (K through 12) and Chemeketa Community College (post high school). The Salem-Keizer School District

commented that they had reviewed the application and that sufficient school capacity exists in the elementary and middle schools but not at the high school. Both Verda Lane and Chemawa Road are transit routes. The Salem-Keizer Transit District is responsible for providing transit service. Other services such as trash pick-up, telephone, electrical, etc. are all provided by private providers and there is no indication that there would be any issues with any of these services. The proposed Comprehensive Plan map amendment will not impact the city's public facilities and services, and so this goal and any rules are satisfied.

Goal 12 – Transportation: The intent of this goal is to provide and encourage a safe, convenient and economic transportation system.

The City of Keizer has an adopted Transportation and System Plan (TSP) (2008) that documents the city's transportation systems and plans for future transportation improvements over the coming 20-year planning period. This TSP includes streets, transit, bike, rail, and pedestrian transportation systems. Verda Lane and Chemawa Road are each classified in the City's TSP as minor arterials. Chemawa Road is an improved 36 foot wide street within an 85 foot wide right of way. It has an existing sidewalk along the frontage of the site. Verda Lane is a 32 foot wide street within a 46 foot wide right of way and there is no sidewalk along the Verda Lane frontage. Rather, there is a striped shared bicycle / pedestrian lane. Dearborn Avenue is classified as a collector road in the TSP and is a 47 foot wide street within a 60 foot wide right of way which tapers down to 33 feet near the creek. It has a shared bicycle/pedestrian lane along the frontage of the site.

In addition to the three streets that physically exist there is a fourth street, Philip Street, which is a platted 60 foot wide right of way that borders the site to the west, however this street does not physically exist. While this street is technically not part of this application, it should be noted that this street, in all likelihood, never will be constructed since it would result in a street intersection that would be too close to the pending round-about at the Chemawa Road / Verda Lane intersection and the Verda Lane / Dearborn Avenue intersection. If constructed, the street would thereby adversely affect the operation of each intersection. Since the city has no plans for its construction staff recommends that the applicant submit a street vacation application to eliminate this right of way. This would need to be a separate application.

The Chemawa Road / Verda Lane intersection is in the process of a significant upgrade that will include a new round-about at this intersection. This intersection improvement has been identified as a street improvement project in the TSP and is in the design process with construction slated to commence in 2015. This intersection was determined to have a Level of Service (LOS) C in 2007 and projected to have a LOS F in 2031. This intersection improvement project will greatly improve the am and pm travel times at this intersection as it will allow for a constant flow of traffic and eliminate the stopping and queuing of vehicles. With the completion of the round about this intersection is projected to operate at LOS B in the am peak hour and LOS C in the pm peak hour. The pending intersection improvement will include road widening, curbs, sidewalks, bike lanes and storm drainage facilities at this intersection. Both Verda Lane

and Chemawa Road are transit routes and there is an existing transit stop at the site. The Salem -- Keizer Transit District is responsible for providing transit service.

The applicant states that with the consolidation of the existing 14 lots into one large parcel will eliminate the possibility of each one of the existing lots having its own driveway onto Verda Lane. This would be replaced with only needing 3 driveways onto Verda Lane to access the subject property. The reduction of the number of driveways that could potentially be located along Verda Lane will have a positive impact on the operation and function of the street as it will minimize the number of vehicles turning onto and turning off of the road along this stretch of Verda Lane.

A Transportation Planning Rule Analysis was submitted as part of the application. This analysis studied the impact that the proposed development would have on the nearby intersections. It documented the existing conditions and then input the new development. It found that the proposed development would result in 84 am peak hour trips and 102 pm peak hour trips. The analysis determined that slightly more of this new traffic will use the Chemawa Road / Verda Lane intersection than the Verda Lane / Dearborn Avenue intersection. The analysis projected that the result of the new development would be that the Verda Lane / Chemawa Road intersection will have a 2033 a.m. peak hour LOS B and a 2033 p.m. peak hour LOS C and indicated that the Verda Lane / Dearborn Avenue intersection will have an a.m. peak hour LOS C and a p.m. peak hour LOS D. Each intersection will operate within the city's adopted LOS E for these intersections; so no additional intersection improvements will be needed as a result of the proposed development. It should be noted that this analysis assumed a density of 165 dwelling units as allowed in the zone code. However, the site plan indicates that only 120 units are proposed, which will result in a slight reduction in the number of vehicles entering or exiting the site.

Public Works has commented that as part of the development of the property, street improvements will be required to provide an adequate transportation system that will serve the proposed development. Right of way dedication will be required along Verda Lane. The minimum acceptable right of way will result in 34 feet from the existing centerline of Verda Lane. Right of way dedication along the easterly 125 feet of Dearborn Avenue will be required to eliminate the existing jog in the right of way line. Additionally, a right of way line radius of 30 feet shall be dedicated at the intersection of Verda Lane and Dearborn Avenue. The local Transportation System Plan has identified the need for a turning circle to be developed at the intersection of Verda Lane and Chemawa Road NE. The required right of way necessary at the intersection shall be shown on the proposed Lot Line Adjustment Plat.

Public street improvements will be required prior to any development of the subject property. At a minimum, public street improvements will include street widening of Verda Lane with a 6 foot wide property line sidewalk, and widening of Dearborn Avenue including a property line 6 foot sidewalk on the north side of the street. Public Street improvements will require appropriate drainage swales if necessary to comply with city water quality standards. A 10 foot wide public utility easement will be required to be dedicated on the Lot Line Adjustment Plat along

Chemawa Road, Dearborn Avenue, and Verda Lane. No access will be allowed to Philip Street from the subject property. As conditioned the proposed comprehensive plan map change will be consistent with this goal and all applicable rules will be met.

Goal 13 – Energy Conservation: This goal seeks to maximize the conservation of energy. All new construction requires compliance with all the current applicable energy conservation standards which will be part of the review for any building permit on the subject property. The availability of transit so close to the subject property will increase the likelihood that some of the residents will travel by bus rather than using their own cars thereby reducing vehicles miles travelled and saving energy. Requirement that all new construction will comply with all the current applicable energy conservation standards will ensure that the proposed comprehensive plan map amendment will be consistent with this goal and any of the implementing administrative rules.

Goal 14 – Urbanization: The intent of this goal to provide for an orderly and efficient transition from rural to urban land use. The city has an adopted Comprehensive Plan and zone code. Both comply with this goal and aim to utilize land that is within the urban area before seeking to develop land that is outside of the city's urban area. The subject property is neither outside of the city's urban growth boundary nor is it on the fringe of the urban area. Rather the site is within the developed urban area and in a part of the city in which public facilities are adjacent to the site and can readily serve the site. This will result in an orderly and efficient connection to existing urban services and facilities. The subject property is proposed to be developed with multi-family residential dwelling units that will result in no impact on lands that are outside the city limits. The result of the recent EOA and HNA was the documentation that the city has a deficit of lands to meet future employment and residential needs. This means that the city must consider a number of options in an effort to provide for future land needs. The options can include increasing the efficiency of land uses and development within the urban area, expanding the urban growth boundary to meet this need, or some combination thereof and in addition other possible scenarios that can be successfully utilized.

The requested comprehensive plan change will result in the conversion from 7.5 acres of land that is now designated to allow for single family development to the designation of Medium and High Density Residential. The applicant's site plan shows 120 dwelling units on the site. This conversion will enable the city to meet some of its projected residential land needs on land that is inside the city limits without having to expand the UGB for this same amount. If the site were developed as previously approved, it would result in there being 14 dwelling units on the site for an overall density of 1.8 dwelling units per acre. The RS zone allows for a minimum density of 4 units per acre and a maximum of 8 units per acre. Therefore, the site would allow for development in a manner that is inconsistent with the intent of the zone code and would be contrary with the focus of the HNA and a number of comprehensive plan policies that seek to increase the efficiency of the development of land within the urban area. This type of land development pattern would result in the city having to meet more of its projected residential need by expanding the UGB.

The proposal allows for increased density on the site so that there might be 120 units on the site for an overall density of 16 units per acre. For these reasons the proposal is consistent with this goal and with its implementing administrative rules.

Goal 15 – Willamette River: This goal seeks to protect, conserve, and maintain the natural, scenic, historical, agricultural, economic and recreational qualities of lands along the Willamette River. The Willamette River is located along the western flanks of Keizer. The City of Keizer has its own Willamette River Greenway regulations. The site involved in this application is not along the Willamette River so these regulations are not applicable. The proposal will have no impact on this goal as it is not applicable.

Goal 16 (Estuarine Resources), Goal 17 (Coastal Shorelands), Goal 18 (Beaches and Dunes), and Goal 19 (Ocean Resources) govern areas along the ocean. Since Keizer is located in the Willamette Valley and not along the Oregon coast Goals 16 to 19 are not applicable.

The proposal to change the Comprehensive Plan designation from Low Density Residential to Medium and High Density Residential complies with the comprehensive plan criterion.

CITY OF KEIZER POLICIES AND GOALS

4. **Section 3.109.04** sets out the criteria for approval and provides that:
Comprehensive Plan map amendments proposals shall be approved if the applicant provides evidence substantiating the following:
 - A. Compliance is demonstrated with the statewide land use goals that apply to the subject properties or to the proposed land use designation. If the proposed designation on the subject property requires an exception to the Goals, the applicable criteria in the LCDC Administrative Rules for the type of exception shall also apply.
 - B. Consistency with the applicable goals and policies in the Comprehensive Plan is demonstrated.
 - C. The plan does not provide adequate areas in appropriate locations for uses allowed in the proposed land use designation and the addition of this property to the inventory of lands so designated is consistent with projected needs for such lands in the Comprehensive Plan.
 - D. The Plan provides more than the projected need for lands in the existing land use designation.
 - E. The proposed land use designation will not allow zones or uses that will destabilize the land use pattern in the vicinity.

- F. Uses allowed in the proposed designation will not significantly adversely affect existing or planned uses on adjacent lands.
 - G. Public facilities and services necessary to support uses allowed in the proposed designation are available or are likely to be available in the near future.
- 5. The applicant has demonstrated that they are in compliance with all of the applicable statewide planning goals and that no goal exception is needed. Section 3.109.04A. is satisfied.
 - 6. **Section 3.109.04B** discusses the relationship between the proposal and the City of Keizer Comprehensive Plan goals and policies or objective. Only the goals and policies that are applicable to this application are discussed below.
 - 7. **Residential Development Goal 2: Encourage the location of residential development where full urban services, public facilities, and routes of public transportation are available.**

The subject property is located within the city limits and can be fully served by all urban services. City water and sanitary sewer are located in each of the three streets that front the site. Verda Lane and Chemawa Road are each classified in the TSP as minor arterial streets. Chemawa Road has an existing sidewalk along the frontage of the site, while there is none on the Verda Lane frontage. Rather, there is a striped shared bicycle / pedestrian lane. Dearborn Avenue is classified as a collector road and has a shared bicycle/pedestrian lane along the frontage of the site. The Chemawa Road / Verda Lane intersection is in the process of a significant upgrade that will include a new round-about at this intersection. This intersection improvement has been identified as a street improvement project in the TSP and is in the design process with construction slated to commence in 2015. As previously noted both Chemawa Road and Verda Lane are transit routes and there is a transit stop at the site so the site can be served by public transportation. Therefore, that proposal complies with this goal.

- 8. **Residential Development Objective 2.1: Coordinate new residential development with the provision of an adequate level of services and facilities, such as sewers, water, transportation facilities, schools and parks.**

The site is located within the city limits that can be fully served by all urban services. City water and sanitary sewer are located in each of the three streets that front the site. Verda Lane and Chemawa Road are each classified in the TSP as minor arterial streets. Chemawa Road has an existing sidewalk along the frontage of the site, while there is none on the Verda Lane frontage. Rather, there is a striped shared bicycle / pedestrian lane. Dearborn Avenue is classified as a collector road and has a shared bicycle/pedestrian lane along the frontage of the site. The Chemawa Road / Verda Lane intersection is in the process of a significant upgrade that will include a new round-about

at this intersection. This intersection improvement has been identified as a street improvement project in the TSP and is in the design process with construction slated to commence in 2015. Both Chemawa Road and Verda Lane are transit routes and that there is a transit stop at the subject property so the site can be served by public transportation. Educational services are provided by the Salem-Keizer School District and by Chemeaka Community College. As part of their review, the school district commented that they had reviewed the application and that sufficient school capacity exists in the elementary and middle schools but not at the high school.

The city has an adopted Parks and Recreation Master Plan. The adopted master plan established a level of service of 5 acres per 1,000 residents. The HNA identified a need of 43 acres to help meet future projected park and recreation land needs. The pending land use proposal to add additional land (28 acres) to the Keizer Rapids Park will help to offset a significant amount of the projected deficit. While there will be a slight (15 acres) deficit in reaching full compliance with the projected park land needs, almost 20 years are left in the planning period for that to be accomplished. There is adequate capacity in the city's park system to accommodate the future residents of this property. To the west of the subject property, across the creek is the Claggett Creek Park. This park has a wide range of recreation and park features and can provide convenient access for park use to the future residents of this site. Therefore, that proposal complies with this objective.

9. **Residential Development Policy 2.1: (2) Consider rezoning parcels to higher residential density to meet identified multi-family housing needs provided such proposals are consistent with the policies of this Plan and implementing ordinances. Parcels to be considered for rezoning should have access to major transportation corridors that are served by transit; are served, or can be served, by all urban services, including parks and recreational facilities; and are in close proximity to opportunities for shopping, employment and/or schools.**

The proposed rezoning will meet the need for additional land to meet forecasted residential land needs. The HNA documented that there is a deficit of 267 acres to meet the projected residential land needs of the city over the coming 20 year planning period. In addition, the HNA notes that there is a limited amount of vacant land zoned for multi-family development. Therefore, there is insufficient land to meet the city's needs for multi-family development. The subject property is located in an area that is within the city limits that is fully served by all urban services. All services can meet the needs of the proposed development. City water and sanitary sewer are located in each of the three streets that front the site. Verda Lane and Chemawa Road are each classified in the TSP as minor arterial streets, Chemawa Road has an existing sidewalk along the frontage of the site. However, Verda Lane frontage has no sidewalks. Rather, there is a striped shared bicycle / pedestrian lane. Dearborn Avenue is classified as a collector road and has a shared bicycle/pedestrian lane along the frontage of the site. The Chemawa Road / Verda Lane intersection is in the process of a significant upgrade that will include a new roundabout at this intersection. This intersection improvement has been identified as a street

improvement project in the TSP and is in the design process with construction slated to commence in 2015. Each of these streets are considered as major transportation corridors. Verda Lane and Chemawa Road are both served by transit and there is a transit stop at the site. The site is located across the creek from Claggett Creek Park which has a variety of recreational facilities in it that are available to the public. To the west of the site, approximately ½ mile, is the River Road commercial corridor which has ample opportunities for shopping and employment. In addition, approximately 2/3 miles to the east is Keizer Station which also has ample opportunities for shopping and employment. The proposal complies with this policy.

10. Residential Development Goal 3: Stabilize and protect the essential characteristics of residential environments, including natural features.

The proposed comprehensive plan change will result in the site being changed to Medium and High Density Residential so that the site can then be developed with multi-family dwelling units. The development of the site will be required to comply with the standards within the RM zone district with regard to density, building setback, landscaping, building design, parking and driveway location to ensure that it minimizes any impacts on the characteristics of the surrounding area. The lower portion of the Heber property is a separate tax lot and is not proposed to be developed. It will remain in its natural condition and there will be no adverse impacts to the environment from the proposed development. In fact, the removal of the cows from the property will result in a positive impact to the creek by eliminating animal waste runoff from the property. As noted previously, this will also have a positive impact on allowing the city to meet water quality issues for the Willamette River and its tributaries. As the lower portion along the creek is not part of this proposal, the result will be that the lower portion will remain in a natural undeveloped state and be an additional buffer to the adjacent park to the west and to Claggett Creek. This goal will be satisfied.

11. Residential Development Objective 3.1: Ensure compatibility among all types of new and existing residential uses, and between residential and non-residential uses.

The focus of this objective is to ensure compatibility between uses. Single family uses are located to the south across Dearborn Ave, to the north across Chemawa Road, and virtually along the east side of Chemawa Road, although there is RM designated land across the street from the subject property. This RM designated land includes a church and apartments to the east of the church. There is a park across Claggett Creek to the west, and north of the park across Chemawa Road is a manufactured dwelling park on land designated RM. The developer will be required to comply with the standards within the RM zone district with regard to density, building setback, landscaping, etc. to ensure that it minimizes any impacts on the surrounding area. The building setback of 20 feet to the street combined with the width of each street will result in the placement of any building not being in close proximity to any nearby residence. The buildings will likely be located no closer than 100 feet from any adjacent residence. Many of the proposed

buildings that are shown on the site plan, are located along the western portion of the site and are significantly further than 100 feet from any adjacent buildings. In addition to the required building setbacks there are also landscaping requirements that will ensure that the development is buffered and screened. The developer will be required to meet density requirements, building height and building design requirements to ensure compatibility with adjacent land uses. The site is separated from Claggett Creek Park by the adjacent tax lot, which is not part of this application. This additional separation will further assure that the proposed dwellings are placed as far from the park as possible. The proposal complies with this objective.

12. **Residential Development Policy 3.1 (1): Protect existing and proposed residential areas from conflicting non-residential land uses while providing for compatible mixed-use development (residential and non-residential).**

No mixed use developments will be permitted. This policy is not applicable.

13. **Residential Development Goal 4: Provide and allow for appropriate levels of residential development consistent with comprehensive plan designations.**

The HNA indicated that over the next 20-year period, there will be a growth in the number of non-group households by 4,366 households. This will represent a population growth of 11,833 new residents. This is consistent with Keizer's adopted 2032 forecast.

When the housing needs of the projected 2033 population is compared to the current housing supply, the analysis projects the need for 4,513 new units to house the future population.

The HNA documented that the largest share (56%) of one housing type is projected to be single-family detached or attached homes, with approximately 40% classified as multi-family dwelling units. Fifty-four percent are projected to be ownership units, while 46% are projected to be rental units. The inventory of buildable residential lands found that there was a supply of 315.2 total acres which are vacant, partially vacant, or re-developable. These acres can hold an estimated 2,422 units. The total 20-year unit need (4,513 units) minus this remaining buildable capacity (2,422 units), leaves a remainder of 2,090 units which must be accommodated beyond the City's remaining capacity within its current boundary. The HNA documented that there was approximately 24 acres of vacant RM land available for development which according to the HNA for approximately 362 units of RM land to meet projected multi-family needs. This was based on a calculated multi-family need of 38 dwelling units for duplexes; 351 dwelling units for three and four plexes; and, 1,437 dwelling units for multi-family developments containing 5 or more dwelling units. Single family dwelling units were calculated to be 2,524.

The comprehensive plan identified that there is only a small of amount of vacant land (5.7 acres) that is zoned for multi-family development. The Comprehensive Plan notes that "Lands devoted to multi-family residential uses are insufficient to meet forecasted need

for multi-family units. Therefore, the City will:

Permit rezoning to higher intensity residential uses to meet the identified housing needs, provided such proposals are consistent with the policies of this plan.

Consider rezoning parcels to higher residential density to meet identified multi-family housing needs, provided such proposals are consistent with the policies of this plan.

Parcels to be considered for rezoning should have access to major transportation corridors that are served by transit, are served (or can be served) by all urban services, including parks and recreational facilities, and are in close proximity to opportunities for shopping, employment and schools.”

The proposed comprehensive plan change to Medium and High Density Residential will result in the site being developed with multi-family dwellings. The applicant’s site plan indicates that 120 units will be constructed on the property. The proposed RM zone will allow up to a maximum of 22 units per acre which would result in a maximum of 165 dwelling units on the site. For comparison, if the site were developed as was platted, it would result in 14 dwelling units with a density of 1.8 dwelling units per acre. If the 7.5 acres were developed consistent with the RS standards, it could potentially allow up to 60 dwelling units if developed at the maximum 8 units per acre as permitted in the RS zone.

As proposed the site will result in an approximate density of 16 dwelling units per acre. This is consistent with the proposed zone designation of RM that the applicants seek. The increased density will result in the site being used to help offset some of the identified residential land need that is forecasted.

14. Plan Diagram and Special Land Use Policy 1: Provide appropriately designated vacant buildable land in adequate quantities to meet the forecast needs of Keizer to 2033.

The Comprehensive Plan indicates that lands devoted to multi-family residential uses are insufficient to meet forecasted need for multi-family units. It identifies four strategies for the city to pursue. These are:

- (a) Plan for medium and high density residential uses consistent with the 20 year housing demand analysis.
- (b) Permit rezoning to higher intensity residential uses to meet the identified housing needs, provided such proposals are consistent with the policies of this plan.
- (c) Consider rezoning parcels to higher residential density to meet identified multi-family housing needs, provided such proposals are consistent with the policies of this plan. Parcels to be considered for rezoning should have access to major transportation corridors that are served by transit, are served (or can be served) by

all urban services, including parks and recreational facilities, and are in close proximity to opportunities for shopping, employment and schools.

- (d) In the medium and high density residential designation, allow a mix of housing types in two general levels of residential density; medium density (from 8 to 16 units per acre), and high density (over 16 units per acre), and identify criteria and locations for these two sub-categories in the Keizer Development Code.

Consistent with the comprehensive plan, the city has identified that a deficit exists to meet projected housing needs, including those needed for future multi-family needs. The proposed rezoning is located along two minor arterial streets (Verda Lane and Chemawa Road) and one collector (Dearborn Avenue) and is considered a major transportation corridor. The site is readily served by transit as both Verda Lane and Chemawa Road are transit routes. In addition, there is a transit stop at the subject property. Sanitary sewer lines and water service lines are located in the streets fronting the site and there is capacity in the systems to allow the connection of the subject property to these facilities. City services such as police and administration will be provided. To the west, across Claggett Creek, is Claggett Creek Park which provides many recreational opportunities to the general public and to the subject property. Approximately ½ mile to the west is the River Road commercial corridor which provides ample opportunities for shopping and employment. To the east, approximately 2/3 mile is Keizer Station which also provides for a variety of shopping and employment opportunities. Nearby schools include Kennedy Elementary School located two blocks to the east; Claggett Creek Middle School to the south; and, McNary High School to the west down Chemawa Road. The proposed comprehensive plan change to Medium and High Density Residential will conform to the density provisions of this policy. This policy is satisfied.

- 15. **Urban Growth Policy 1: Contain urban development within planned urban areas where basic services such as sewers, water facilities, police and fire protection can be efficiently and economically provided.**

This proposal is to change the comprehensive plan designation to Medium and High Density Residential. This will allow the property that is located within the city limits to be developed with a multi-family apartment complex. The site can be served by all city services. Water lines and sanitary sewer lines are located in the streets fronting the subject property and they have the capacity to serve the site. Police and administration will be provided by the city. Fire service will be provided by the Keizer Fire District. Allowing the comprehensive plan amendment will help to offset some of the needed land to meet future residential needs thereby minimizing the need to expand the city's UGB. This policy is satisfied.

- 16. **Urban Growth Policy 2: Conserve resources by encouraging orderly development of land by adopting efficiency measures that will further allow for the efficient use of urban land.**

The city has adopted efficiency measures as part of the recent periodic review update and the previous update of the city's TSP. Because this application involves land that is proposed to be used for residential use, the efficiency measures are applicable and will be useful to assist the city in the future in determining how efficient the city's land supply is being used. The efficiency measures seek to increase the pedestrian, bicycle, transit and land use and funding measures. The developer of the site will be responsible for providing frontage improvements that are currently lacking, including sidewalk and bicycle lanes along the frontage of the property. In addition, the development will be located along a transit corridor and will be consistent with the measures since it will increase the number of dwelling units located within a ¼ mile of a transit stop. This will allow the potential new residents to use the transit system rather than relying only on their cars for transportation. The proposal will allow for the efficient use of the land and will meet with this policy.

17. Urban Growth Policy 3: Preserve farmland and open space not needed for urban growth.

The proposal will allow land that is within the city limits to be developed with multi-family dwelling units. Because the land is within the city limits, it will allow the city to meet some of its projected residential land needs inside the urban area and avoid the need to place needed residential units on land located outside the city limits. While this property has historically been used for a small cattle operation, the property is not designated for commercial farm uses. The property is designated for Single Family Residential and commercial farms are not listed as a permitted use, special use, or conditional use within the RS zone. However, since the farm use on the site has been occurring for many years it, has been considered as a non-conforming use. The intent of the non-conforming section is that at some point the use that is non-conforming will cease and the property will then conform to city regulations. The property was approved in the mid-50's for a residential subdivision that would allow development of single family homes. However, it was always considered that residential uses and not commercial farm uses were consistent with the city's regulations.

The subject property is adjacent to Claggett Creek Park and, due to its undeveloped nature, the community has enjoyed the open space qualities associated with it. However, it is not identified in the comprehensive plan as needed for open space. The Comprehensive Plan has recognized for some time that this site would be developed at some point. The lower portion of the property is a separate tax lot from the upper portion and is not proposed for development. This will result in the area adjacent to the creek being left undeveloped and retaining its open space qualities. This is consistent with the

Natural Resources and Open Space policy which seeks to protect and preserve open space along the Willamette River and Claggett Creek. The proposal complies with this policy.

18. **Urban Growth Policy 4: Make more economical use of local tax dollars in locating facilities and providing services for the benefit of all citizens within the urban growth area.**

This proposal will allow for the subject property to change the comprehensive plan designation to Medium and High Density Residential. Because water lines and sanitary sewer lines are located adjacent to the site, and there is sufficient capacity in these facilities to serve the site, no expensive extensions will be necessary. Police and administration will be provided by the city of Keizer and fire safety services will be provided by the Keizer Fire District. With the exception of the Verda Lane / Chemawa Road intersection improvement, the applicant will be required to provide frontage improvements that are currently along the site with Verda Lane and Dearborn Avenue. The Verda Lane / Chemawa Road intersection is already been approved for funding by the state. The proposal reflects an economical use of city facilities and services. Because the city has an identified deficit of residential land to meet its future needs, the site will help to offset this identified need. This policy is satisfied.

19. **Urban Growth Policy 9: Maintain an adequate land supply to meet the needs of the city.**

As part of the recent EOA and HNA, the city documented that there is a need for 267 acres of residential land to meet the future needs of the city as noted in the table below.

Category of Land	Gross Acreage
	Remaining Need
Commercial:	21.6
Industrial:	0
Institutional:	41.8
Residential:	267.6
Parks and Recreation:	43.5
Schools:	10
Total New 20-Year Land Need:	384.5

Figure 12: Vacant Buildable Summary

	<u>Zoning</u>	<u>Vacant</u>	<u>Partially Vac.</u>	<u>Redevelopable</u>	<u>Total</u>
T	<u>Single family</u>	<u>49</u>	<u>143</u>	<u>7</u>	<u>199</u>
h	<u>Multifamily</u>	<u>5.7</u>		<u>18</u>	<u>24</u>
i	<u>Urban</u>	<u>9</u>	<u>41</u>		<u>51</u>
s	<u>transition</u>				
	<u>Industrial</u>	<u>17</u>	<u>=</u>	<u>33</u>	<u>50</u>
w	<u>Commercial</u>	<u>9</u>	<u>2</u>	<u>23</u>	<u>42</u>
a	<u>Mixed use</u>	<u>17</u>	<u>2</u>	<u>23</u>	<u>42</u>

This was based on an adopted 20 year population forecast that was consistent with Marion County's coordinated 20 year population projection for the county. The HNA documented that there is a very limited amount of land available for multi-family development. Figure 12 of the HNA indicates that there is only 5.7 acres of land that is vacant and zoned for multi-family development. This is less than the applicant seeks to develop. Because of the lack of alternative sites within the city limits that could meet this projected need, the proposal demonstrates a lack of viable alternatives that could meet this need and provide land to meet the projected land needs for projected multi-family use. The proposal satisfies this policy.

20. **Urban Growth Policy 9a: Future urban development will be contained within the geographical limits of an urban growth boundary unless it is demonstrated that there is not sufficient land within the UGB to accommodate forecasted growth.**
While the proposal has demonstrated there is not sufficient land within the city limits, the proposed comprehensive plan amendment seeks to change the designation in an effort to help meet some of the need and will not involve any request to amend the city's urban growth boundary. The proposal satisfies this policy.
21. **Urban Growth Policy 9h: Development of land with existing urban services will be encouraged before the conversion of urbanizable lands to urban uses.**
The subject property is located within the City of Keizer and services are readily available to the subject property. This policy is satisfied.
22. Section 3.109.04B is satisfied.
24. **Section 3.109.04C** discusses the need for appropriate locations for uses allowed in the proposed land use designation and the addition of the subject property to the inventory of designated lands to be consistent with the future need for such lands in the Comprehensive Plan.

The proposal will provide land to allow the city to be able to meet a portion of its projected residential needs as was documented in the HNA, a required periodic review task. The adoption of the HNA resulted in the city completing its periodic review. The periodic review was then acknowledged by DLCD. The result of this analysis established that there

is a lack of land to meet the projected residential needs of Keizer for the next 20 year period. The HNA documented a deficit of 267 acres to meet the needs of the residential needs category. It further documented that only 5.7 acres of land designated for multi-family are currently available to meet this type of need. It noted that this is insufficient to meet the projected need for multi-family housing. This proposal will result in the city being able to meet 7.5 acres of the projected need of 267 acres needed for all residential uses, and in particular the projected need for 1,437 dwelling units for multi-family development. This criterion is satisfied.

25. **Section 3.109.04.D.** states that, "The Plan provides more than the projected need for lands in the existing land use designation".

The proposal will provide land that will allow the city to meet a portion of its project residential needs as determined by the HNA periodic review. The adoption of the HNA resulted in the city completing its periodic review and the state then acknowledged the city's update. The result of this analysis indicated a lack of land to meet the projected needs for the next 20 year period. This proposal will result in the city being able to meet part of its projected residential lands need. However, it should be noted that the intent of this criterion is to demonstrate a need for specific land use types without removing needed land use types from the existing inventory. The proposal is consistent with the requirement of providing adequate land for specified land use types and, therefore, is consistent with this criterion. This criterion is satisfied.

26. **Section 3.109.04.E.** states, "The proposed land use designation will not allow zones or uses that will destabilize the land use pattern in the vicinity."

The proposed comprehensive plan designation is Medium and High Density Residential and the appropriate zone designation will be RM. The intent of this designation is to allow the development of the site with a multi-family apartment complex. Adjacent properties to the south across Dearborn Avenue, to the east of Verda Lane, and to the north of Chemawa Road are developed with residential uses and are within the city limits. The property at the southeast corner of the Chemawa Road / Verda Lane intersection is undeveloped and is part of the church property and is designated RM. There are apartments just to the east of the church also on land zoned RM. To the west land is within Claggett Creek Park and across the street from the park is a manufactured dwelling park on land that is designated RM. The required building setbacks from the streets combined with the right of widths of the streets and the building setback on the lots across from the site will help ensure that proposed development will not be located up against or near any property line. In addition to the required building setbacks, landscaping requirements will further buffer and screen the development from surrounding properties. The new development will be required to meet building height, design and density standards. The subject property is separated from the park by an intervening tax lot. This will ensure that no buildings will be situated up against either the park or the creek adjacent to the park. Located across the street from the subject property is a multi-family zone and a RM zone is located slightly to the northwest of the

subject property and a park is to the west. These factors indicate that while there are many single family uses in the area, there is also a variety of other land uses in the immediate vicinity. The area is not exclusively a single family neighborhood. The subject property is located along a transportation corridor. Verda Lane and Chemawa Road are classified as arterial streets and Dearborn Avenue classified as a collector street. These streets are designed to handle larger volumes of traffic. The site is also located near shopping areas, and employment and schools all exist nearby. These factors are indicators that the site can be developed in a manner that will not destabilize the existing land use pattern in the vicinity and so therefore, the proposal complies with this criterion.

27. **Section 3.109.04.F.** states, "Uses allowed in the proposed designation will not significantly adversely affect existing or planned uses on adjacent lands."

The proposed comprehensive plan designation will be Medium and High Density Residential and the appropriate zone designation will be RM. The intent of this designation is to allow the development of the site with a multiple family complex. Adjacent properties to the south across Dearborn Avenue, to the east of Verda Lane, and to the north of Chemawa Road are developed with residential uses and are within the city limits. The property at the southeast corner of the Chemawa Road / Verda Lane intersection is undeveloped and part of the church property. It is designated RM. Apartments are located just to the east of the church on land that is zoned RM. To the west, land is within Claggett Creek Park. Across the street from the park is a manufactured dwelling park on land that is designated RM. The required building setbacks from the streets combined with the right of widths of the streets and the building setback on the lots across from the site will help ensure that proposed development will not be located up against or near any property line. In addition to the required building setbacks, landscaping requirement will provide a further buffer and screen the development from surrounding properties. The subject property is separated from the park by an intervening tax lot. No buildings will be situated in close proximity to either the park or the creek adjacent to the park. Nearly all of the surrounding properties are developed with their respective uses. Therefore, only a very limited number of undeveloped parcels exist.

Several individuals expressed concerns regarding the potential increase in traffic that may result from the proposed development. As stated earlier, a traffic improvement project to the Chemawa Road / Verda Lane intersection will result in significantly improving the flow of traffic through this intersection and along both Verda Lane and Chemawa Road. The round-about is designed to keep traffic moving and eliminate the queuing of vehicles at the existing 4-way stop intersection. This improvement will have a positive effect on the area. In addition, the developer of the site will be responsible for making improvements along the frontage of the subject property. The developer will be required to construct sidewalks and bike lanes along the Verda Lane and Dearborn Avenue frontage. These improvements will improve that movement of not only vehicles but also pedestrians and bicyclists along the frontage of the site. Currently, if each of the 14 lots had its own driveway, there would be many opportunities for ingress and egress to and from the lots that further slow the

movement of traffic along Verda Lane. The development of the site will result in the placement of new driveways that will conform to Public Works standards. The design and function of the new round-about will allow traffic along Verda Lane to move smoother and more efficiently. The site can be developed in a manner that will not adversely affect the existing or planned uses on adjacent lands. This criterion is satisfied.

28. **Section 3.109.04.G.** provides, "Public facilities and services necessary to support uses allowed in the proposed designation are available or are likely to be available in the near future."

The city currently provides city water to the adjacent properties and waterlines are located in the streets along the site. Sanitary sewer lines are located in the street right of way in each of the streets fronting the site. There is adequate capacity in both the water and sanitary sewer systems to be able to serve the site. Stormwater facilities can also be served. Due to the size of the subject property, detention basins and swales could be utilized if needed. The site has frontage along Chemawa Road and Verda Lane, each minor arterial streets, and Dearborn Avenue is a collector street. Each street has nearly sufficient right of way and pavement widths, however, Public Works has commented that some improvements will be necessary.

Public Works has commented that street improvements will be required to provide an adequate transportation system to serve the proposed development. Right of way dedication will be required along Verda Lane. The minimum acceptable right of way will result in 34 feet from the existing centerline of Verda Lane. Right of way dedication along the easterly 125 feet of Dearborn Avenue will be required to eliminate the existing jog in the right of way line. Additionally, a right of way line radius of 30 feet shall be dedicated at the intersection of Verda Lane and Dearborn Avenue. The local Transportation System Plan has identified the need for a turning circle to be developed at the intersection of Verda Lane and Chemawa Road NE. Public Works submitted an attachment, labeled Attachment A to their comments. Attachment A sets forth the required right of way dedication that indicates the required right of way necessary at the intersection that shall be shown on the proposed Lot Line Adjustment Plat. An Autocad file is available at the City Engineer's office. Public street improvements will be required prior to any development of the subject property. At a minimum, public street improvements will include street widening of Verda Lane with a 6 foot wide property line sidewalk, and widening of Dearborn Avenue including a property line 6 foot sidewalk on the north side of the street. Public Street improvements will require appropriate drainage swales if necessary to comply with city water quality standards. A 10 foot wide public utility easement will be required to be dedicated on the Lot Line Adjustment Plat along Chemawa Road, Dearborn Ave., and Verda Lane. No access will be allowed to Philip Street from the subject property. Police protection will continue to be provided by the Keizer Police Department. The Keizer Fire District will provide fire safety protection. The city can provide all of these services in an efficient manner. This criterion is satisfied.

The proposal complies with the requirements of the comprehensive plan amendment criteria in Section 3.109.

ZONE CHANGE CRITERIA

29. Section 3.110 of the KDC discusses the process and criteria involved in a zone change. Section 3.110.04 lists the criteria for approval and states that the zone change proposal shall be approved if the applicant provides evidence substantiating the following:
- A. The proposed zone is appropriate for the Comprehensive Plan land use designation on the property and is consistent with the description and policies for the applicable Comprehensive Plan land use classification.
 - B. The uses permitted in the proposed zone can be accommodated on the proposed site without exceeding its physical capacity.
 - C. Allowed uses in the proposed zone can be established in compliance with the development requirements in this Ordinance.
 - D. Adequate public facilities, services, and transportation networks are in place or are planned to be provided concurrently with the development of the property.
 - E. For residential zone changes, the criteria listed in the purpose statement for the proposed zone shall be met.
 - F. The following additional criteria shall be addressed:
 - 1. The supply of vacant land in the proposed zone is inadequate to accommodate the projected rate of development of uses allowed in the zone during the next 5 years, or the location of the appropriately zoned land is not locationally or physically suited to the particular uses proposed for the subject property, or lack site specific amenities required by the proposed use.
 - 2. The supply of vacant land in the existing zone is adequate, assuming the zone change is granted, to accommodate the projected rate of development of uses allowed in the zone during the next 5 years.
 - 3. The proposed zone, if it allows uses more intensive than other zones appropriate for the land use designation, will not allow uses that would destabilize the land use pattern of the area or significantly adversely affect adjacent properties.
30. **Section 3.110.04.A.** The proposed zone designation is Medium Density Residential (RM) which is appropriate and consistent for the proposed comprehensive plan designation of Medium and High Density Residential. The Medium and Density Residential designation

will allow more than 16 dwelling units per gross acre and the RM zone will allow up to a maximum of 22 dwelling units per acre. The applicant's site plan shows that there will be density of 16 dwelling units per acre. The requested zone is consistent with the Comprehensive Plan designation and with the Medium and Density Residential policies. The RM zone allows for the development of the site with an apartment complex. This criterion is satisfied.

31. **Section 3.110.04.B.** The proposed zone designation is RM which will allow the development of an apartment complex on the subject property. The site is flat and the western edge is generally on the top of an embankment. The applicant is not proposing any development in the lower portion that is a separate tax lot. The two tax lots are separated by Philip Avenue so the issues relating to development in a floodplain, floodway, and or wetland soils will not be applicable to development of the site. Although the sloped portion of the subject property has not been identified as a potential hazard area, the applicant has indicated that no development will take place part of the property. The applicant will be required to connect the residential units to the city's water line and to the City of Salem's sanitary sewer lines. This will allow development to be more compact since there will not be the need to include any private wells or septic system on the site. The requirement for connecting to the municipal sewer line will eliminate the possibility of any contamination from any failing on-site septic system.

The RM zone has a maximum density of 22 dwelling units per acre which will assure that the site is not developed in a manner that will exceed its capacity. The applicant has submitted a site plan that shows that 120 dwelling units are intended to be located on the site. This will result in an approximate density of 16 dwelling units per acre which is within the density provisions of the RM zone. At the time of building permit submittal, a Design Review will be done to ensure that the development complies with density, building setbacks, building height, landscaping, parking, driveway, and building design requirements. Therefore, the proposal will not exceed its physical capacity and this criterion will be satisfied.

32. **Section 3.110.04.C.** The proposed use of the site is for multi-family development. This type of use is permitted within the RM zoning district. Development on the site will be reviewed for compliance during the city's Development Review process at the time of building permit submittal. This will ensure that the requirements of the code will be met. With this placed as a condition of approval, this criterion will be satisfied.
33. **Section 3.110.04.D.** The City of Keizer provides its residents with water, sanitary sewer (through an arrangement with the city of Salem), has an established street system, administrative and police and public safety is also provided by the city. Verda Lane and Chemawa Road are each classified in the City Transportation and System Plan (TSP) as minor arterials. Chemawa Road is an improved street within an 85 foot wide right of way. It has an existing sidewalk along the frontage of the site. Verda Lane is an improved street within a 60 foot wide right of way but there is no sidewalk along the

Verda Lane frontage. Instead, there is a striped shared bicycle / pedestrian lane. Dearborn Avenue is classified as a collector road in the TSP and has a 60 to 70 foot wide right of way. It has a shared bicycle/pedestrian lane along the frontage of the site.

The city provides water through a system that utilizes groundwater. There are existing water lines in each of the three streets fronting the property. There is adequate capacity in the city's water system to provide service to the site and can serve the level of development as proposed. Sanitary sewer service is provided through an intergovernmental agreement by the City of Salem. There are sanitary sewer lines in each of the streets fronting the property and there is sufficient capacity to be able to provide service to the site at the level of service required for the proposed development. The site is located inside of the original Keizer Sewer District so a sanitary sewer trunk line acreage fee will not be required. City of Salem approval for local sewer permits will need to be issued prior to construction. Prior to submitting plans to the City of Salem for approval, the developer's engineer shall submit plans to the City of Keizer for review and determination of compliance with the City's Master Sewer Plan for the area.

Connecting to existing sewers that serve the general area will be the responsibility of the developer of the property. Appropriate easements for any public sewer mains located within the subject property if located outside platted right of ways will need to be recorded as required to meet the City of Salem Design Standards. A master water system plan showing proposed routes of public water mains, fire hydrants and individual services shall be prepared prior to submission of construction plans for the development.

Appropriate easements for all public water mains and fire hydrants will be required if construction is to be outside of public right of ways. Any system development charges for water system improvements will be those in place at the time of individual service connections. Final development plans shall be reviewed by the Keizer Fire District with regard to access and to adequate location of fire hydrants prior to the issuance of any building permits by the City of Keizer. Any existing wells on the subject property are to be abandoned. The developer shall provide evidence that any abandonment of existing wells has been completed in accordance with the rules of the Oregon State Water Resources Department.

Location of all meters will be required to be approved by Keizer Water Department. Each of these services can be used to provide service to the site.

Police and administrative services are provided by the city of Keizer and can serve the site. Educational services are provided by both the Salem-Keizer School District (K through 12) and Chemeketa Community College (post high school). The Salem-Keizer School District commented that they had reviewed the application and commented that sufficient school capacity exists in the elementary and middle schools but not at the high school. Both Verda Lane and Chemawa Road are transit routes. The Salem -Keizer Transit District is responsible for providing transit service. Other services such as trash pick-up, telephone, electrical, etc. are all provided by private providers. All of these

services can be provided in an efficient manner. As conditioned, the criteria in this section will be satisfied.

34. **Section 3.110.04.E.** The proposal involves a zone change to RM which is one the city's residential zones, so this section is applicable. The RM zone is primarily intended for multiple family development on a parcel, or attached dwellings on separate lots, at medium residential densities. Other uses compatible with residential development are also appropriate. RM zones are located in areas designated Medium and High Density Residential in the Comprehensive Plan. They are suited to locations near commercial areas and along collector and arterial streets where limited access is necessary so that traffic is not required to travel on local streets through lower density residential areas.

These are not criteria in the strict sense but they offer guidance that can be useful in determining if a location is suitable for the proposed RH zone designation. The concurrent request for a comprehensive plan map change to Medium and High Density Residential will result in the proposed RM zone designation being consistent with the comprehensive plan designation. The site has frontage along Chemawa Road and Verda Lane which are each designated in the TSP as minor arterial streets. Dearborn Avenue is designated as a collector road in the city's TSP which is consistent with the intent of the provision. The ingress and egress to the site off Verda Lane will eliminate the use of any local street within residential neighborhoods and will meet with this aspect of the purpose section. The term "near" is not defined in either the development code or the TSP. The Merriam Webster dictionary defines near as: "at, within, or to a short distance or time". The proposed site is to be zoned RM and is not adjacent to any commercial uses. It is located approximately 1/2 mile to the east of the commercial corridor along River Road and also is approximately 2/3 mile to the west of Keizer Station which also has ample commercial shopping and employment opportunities. There is a complete sidewalk system along Chemawa Road from the site west to River Road and a sidewalk system along almost the entire length of Dearborn Avenue. This is considered to be "near" with regard to allowing convenient pedestrian connections from the commercial area to the west and the site. Currently, there is an incomplete sidewalk from the subject property to Keizer Station. However, there are plans for the eventual completion of this facility that is timed to construction in Area C of the Keizer Station. The allowance for this to be considered near is also consistent with Transit District standards for 1/2 mile as a standard for people to walk to transit stops. This criterion is satisfied.

35. **3.110.04.F.1.** The HNA indicated that over the next 20-year period, the growth in non-group households will increase by 4,366 households which will represent a population growth of 11,833 new residents. This is consistent with Keizer's adopted 2032 forecast. When the housing needs of the projected 2033 population is compared to the current housing supply, the analysis projects the need for 4,513 new units to house the future population.

The HNA documented that the largest share (56%) of one housing type is projected to be single-family detached or attached homes, with approximately 40% classified as multi-family dwelling units. Fifty-four percent are projected to be ownership units, while 46% are projected to be rental units. The inventory of buildable residential lands found that the current supply is 315.2 total acres which are vacant, partially vacant or re-developable. These acres can hold an estimated 2,422 units. The total 20-year unit need (4,513 units) minus this remaining buildable capacity (2,422 units), leaves a remainder of 2,090 units which must be accommodated beyond the city's remaining capacity within its current boundary.

The HNA documented that there was approximately 24 acres of vacant or re-developable RM land and only 5.7 acres of vacant RM zoned land available for development. According to the HNA this will result in approximately 362 units of RM land to meet projected multi-family needs. This was based on a calculated multi-family need of 38 dwelling units for duplex; 351 dwelling units for three and four plexes; and, 1,437 dwelling units for multi-family developments containing 5 or more dwelling units. Single family dwelling units were calculated to be 2,524 (Figures 15 thru 18 HNA).

When this remaining land need is apportioned to Keizer's residential zones, the HNA estimates a 20-year need for 267 gross acres of residential land, to be accompanied by 43.5 acres of new land for parks to serve this new population, and 10 acres of land for new school facilities. This is a total of 385 gross acres. The proposal will meet some of the city's projected needs for RM land need and, therefore, the proposal satisfies this criterion.

36. **Section 3.110.04.2.** This proposal involves land that is needed for residential use. The comprehensive plan identified that there is only a small amount of land that is vacant (5.7 acres) and that is zoned for multi-family development. The Comprehensive Plan notes that "Lands devoted to multi-family residential uses are insufficient to meet forecasted need for multi-family units. Therefore, the City will:

Permit rezoning to higher intensity residential uses to meet the identified housing needs, provided such proposals are consistent with the policies of this plan.

Consider rezoning parcels to higher residential density to meet identified multi-family housing needs, provided such proposals are consistent with the policies of this plan.

Parcels to be considered for rezoning should have access to major transportation corridors that are served by transit, are served (or can be served) by all urban services, including parks and recreational facilities, and are in close proximity to opportunities for shopping, employment and schools."

The proposed comprehensive plan change to Medium and High Density Residential will result in the site being developed with multi-family dwellings. The applicant's site plan

indicates that 120 dwelling units will be constructed on the property. The proposed RM zone will allow up to a maximum of 22 units per acre which would result in a maximum of 165 dwelling units on the site. For comparison, if the site were developed as platted, it would result in 14 dwelling units with a density of 1.8 dwelling units per acre. If the 7.5 acres were developed consistent with the RS standards, it could potentially allow up to 60 dwelling units if developed at the maximum 8 units per acre as permitted in the RS zone. The applicant's site plan indicates that there would be an approximate density of 16 dwelling units per acre. This is consistent with the proposed zone designation of RM that the applicants seek. The increased density will result in the site being used to help offset some of the identified residential land need that is forecast for the city. This criterion is satisfied.

37. **Section 3.110.04.3.** The proposed comprehensive plan designation will be Medium and High Density Residential and the appropriate zone designation will be RM. Adjacent properties to the east, south, and north are developed with residential uses. To the west is the Claggett Creek Park which is designated Public. The intent of the applicant is to allow the development of the site with an apartment complex and not any of the other uses that might be permitted within the RM zone.

Adjacent properties to the south across Dearborn Avenue, to the east of Verda Lane, and to the north of Chemawa Road are developed with residential uses and are within the city limits. The property at the southeast corner of the Chemawa Road / Verda Lane intersection is undeveloped and is part of the church property and is designated RM. There are apartments just to the east of the church on land zoned RM. To the west land is within Claggett Creek Park. Across the street from the park is a manufactured dwelling park on land that is designated RM. The required building setbacks from the streets combined with the right of widths of the streets and building setback on the lots across from the site will result in the proposed development not being located too close to any property lines. In addition to the required building setbacks, landscaping requirements will further buffer and screen the proposed development from surrounding properties. The new development will be required to meet building height, design and density standards. The site is separated from the park by an intervening tax lot and no buildings will be too close to either the park or the creek adjacent to the park. Located across the street from the subject property is property that is designated as multi-family and a RM zone is located slightly to the northwest of the site. A park is located to the west of the subject property. This factors indicated that there are a variety of other land uses in the immediate vicinity and that the area is not exclusively a single family neighborhood. The proposed zone will not allow uses that would destabilize the land use pattern of the area and will not significantly adversely affect adjacent properties. This section is satisfied.

38. The applicant has satisfied the criteria for a zone change as requested.

LOT LINE ADJUSTMENT

39. The applicant requested to partition the subject property to replat the existing 14 lots into one large lot.
40. In essence the procedure to follow to accomplish the applicant's goal is a lot line adjustment. Section 3.106 of the KDC sets for the criteria and procedure for a lot line adjustment.
41. **Section 3.106.04** sets forth the criteria for a lot line adjustment and provides that the a lot line adjustment may be granted in accordance with the Type I-B review procedures provided that the applicant provides evidence of the following:
 - A. The adjustment of lot lines results in no more parcels than originally existed.
 - B. The proposed lot line adjustment results in parcels that meet all area and dimension standards of this Code; and
 - C. The proposed lot line adjustment does not locate lot lines in violator of the setback and height provisions of the Code relative to existing structures and improvements.
 - D. The proposed lot line adjustment does not result in two parcels which meet the criteria for an Infill Development Parcel, as defined in Section 2. 316.03 Infill Development Criteria.
42. **Section 3.106.04.A.** The proposal is to consolidate 14 existing lots into one parcel that can then be developed as one lot. The city does not have a consolidation or re-plat process. Historically the city has processed similar types of land use applications as a lot line adjustment provided that no new parcels are created and that all of the Marion County's Surveyors procedures are followed. The proposal will not result any additional parcels but will reduce the number of lots. The lots were created with the platting of the Heber's Addition Subdivision in the 1950s. The Marion County Surveyor commented that a property line adjustment within a recorded subdivision plat will require a re-plat which must comply with ORS 92.185(6); that it must be surveyed and platted consistent with ORS 92.050; and, that all fees and an updated title report is submitted at time of review. These requirements will be conditions of approval. As conditioned, this criterion is met.
43. **Section 3.106.04.B.** The proposal will consolidate 14 legally established lots into one parcel that will be 7.5 acres in size. The result of this action is that the lot will exceed the city's minimum dimensional lot sizes standard of 9,000 square feet for multi-family, and will also exceed the minimum lot dimension standards average width minimum 50 feet. The site has an approximate 1,300 foot width; and an average depth of 80 feet; and the site has a depth of approximately 240 feet within the RM zone. This criterion is satisfied.

44. **Section 3.106.04.C.** Presently two single family dwellings are located on the site along with couple of outbuildings. The elimination of the existing lot lines will not result in any violations to building setback requirements as the separate lot lines will be eliminated. The applicant stated that the two dwellings will be removed and this will further eliminate any setback or improvements issues. All new construction will be required to adhere to all building setback and height standards. As conditioned, this criterion will be satisfied.
45. **Section 3.106.04.D.** The proposal will consolidate 14 legally established lots into one parcel that will be 7.5 acres in size. This will exceed 2 acres in size and will not be considered as an infill parcel as defined in Section 2.316.03. Therefore, this section is not applicable.
46. The applicant has met the criteria for a lot line adjustment.
47. **Rough Proportionality.** Improvements or dedications required as a condition of development approval, when not voluntarily accepted by the applicant, shall be roughly proportional to the impact of the development. Finds in the development approval shall indicate how the required improvements or dedications are roughly proportional to the impact.

The City has a legitimate governmental interest in assuring the development does not cause inadequate, unsafe and inefficient public transportation facilities. This is done by requiring that adequate streets logically continue the city's street system in order to avoid traffic generation that exceeds the street system's carrying capacity, and then causes dangerous or hazardous traffic conditions.

The applicant proposes a zone change / comprehensive plan change / lot line adjustment that will, if approved allow for multi-family development. The necessary improvements for streets are identified in Keizer Development Code Section 2.302.04. The table set forth in such section indicates the minimum improvement and right of way widths required.

It shall be the responsibility of the applicant to provide street improvements deemed necessary to provide a safe and convenient transportation network to serve the residents of the proposed development. The Keizer Development Code requires that new developments make road improvements to bring the road frontage up to the road classification and construction standards. The legislative adoption of the street standards require road improvements and road construction to be provided by the developer as it occurs in proportion to its impacts. The residents of the development will utilize road systems constructed by other developments at no cost to them or the applicant. Other benefits which necessarily flow to the future residents of this development from the completion of the street improvements include access for vehicles, bicyclists and pedestrians to the arterial road system serving this area of the city and improved access for emergency vehicles to the subject property and its residents.

Verda Lane and Chemawa Road are each classified in the City's TSP as minor arterials. Chemawa Road is an improved 36 foot wide street within an 85 foot wide right of way. It has an existing sidewalk along the frontage of the site. Verda Lane is a 32 foot wide street within a 46 foot wide right of way and there is no sidewalk along the Verda Lane frontage. Rather, there is a striped shared bicycle / pedestrian lane. Dearborn Avenue is classified as a collector road in the TSP and is a 47 foot wide street within a 60 foot wide right of way which tapers down to 33 feet near the creek. It has a shared bicycle/pedestrian lane along the frontage of the site. Functional classification is established in order to ensure that the streets have adequate carrying capacity for the traffic which will utilize it to avoid traffic generation that would cause dangerous or hazardous traffic conditions.

The Chemawa Road / Verda Lane intersection is in the process of a significant upgrade that will include a new round-about at this intersection. This intersection improvement has been identified as a street improvement project in the TSP and is in the design process with construction slated to commence in 2015. This intersection was determined to operate at a Level of Service (LOS) C in 2007 and projected to have a LOS F in 2031. This intersection improvement project will greatly improve the a.m. and p.m. travel times at this intersection as it will allow for a constant flow of traffic and eliminate the stopping and queuing of vehicles. With the completion of the round about, this intersection is projected to operate at LOS B in the a.m. peak hour and LOS C in the p.m. peak hour. The pending intersection improvement will include road widening, curbs, sidewalks, bike lanes and storm drainage facilities at this intersection. Both Verda Lane and Chemawa Road are transit routes and there is an existing transit stop at the site. The Salem –Keizer Transit District is responsible for providing transit service.

A Transportation Planning Rule Analysis was submitted as part of the application. This analysis studied the impact that the proposed development would have on the nearby intersections. It documented the existing conditions and then input the new development. It found that the proposed development would result in 84 a.m. peak hour trips and 102 p.m. peak hour trips. The analysis determined that slightly more of the new traffic will use the Chemawa Road / Verda Lane intersection than the Verda Lane / Dearborn Avenue intersection. The analysis projected that the result of the new development would be that the Verda Lane / Chemawa Road intersection will have a 2033 a.m. peak hour LOS B and a 2033 p.m. peak hour LOS C and indicated that Verda Lane / Dearborn Ave intersection will have an a.m. peak hour LOS C and a p.m. peak hour LOS D. Each intersection will operate within the city's adopted LOS E for these intersections. Therefore, no additional intersection improvements will be needed as a result of the proposed development.

The applicant will be responsible for dedicating an approximate 4 foot by 1,300 foot strip along the frontage of the site with Verda Lane; a strip along the frontage with Dearborn Avenue; and, a portion of the site in the northeast corner at the Chemawa Road / Verda Lane intersection. The dedication of Verda Lane will be approximately 5,200 square feet, or approximately 8.6% of the identified impacted area along Verda Lane (calculated by

assuming a 60 foot wide right of way and a 1,300 foot length of the collector portion of Verda Lane). There are approximately 280 units which are located along both sides of this segment of Verda Lane that can be viewed to be dependent upon this segment (Chemawa Road to Dearborn Avenue) for access. The proposed development would add a total of 120 new dwelling units. The proposed units are slightly less than 43% of these lots. These calculations indicate that a dedication and improvement of approximately 8.6% of the overall area of the street segment is less than 43% of the calculated impact area and therefore would be roughly proportional. The applicant will be responsible for dedicating a slight portion of the frontage along Dearborn Avenue. The area the applicant shall dedicate in the northeast corner of the site is approximately 2,000 square feet. While the round about design has been completed, the project will not be started until 2015.

Because the TPR analysis indicates that there will be an impact on this intersection caused by the proposed development, the applicant will be required to dedicate, but not to provide any level of improvements, as the improvements have already been funded. This analysis concludes that the dedication and improvements along Chemawa Road / Verda Lane / Dearborn Avenue are roughly proportional to the impacts associated with the development of the property.

VI. Recommendation

It is hereby found that the applicant has met the burden of proving the applicable standards and criteria for approval to redesignate the Comprehensive Plan map from Low Density Residential to Medium and High Density Residential; rezone the property from Single Family Residential to Medium Density Residential; and through the Lot Line Adjustment process consolidate the existing 14 lots into one parcel. Therefore, it is recommended that the Comprehensive Plan map Amendment, Zone Change and Lot Line adjustment be **APPROVED**. If the Keizer City Council approves the recommendation, the following conditions are suggested. These conditions are necessary for the public health, safety and welfare.

1. Comprehensive Plan map designation is allowed to be changed from Low Density Residential to Medium and High Density Residential.
2. Zone map designation is allowed to be changed from Single Family Residential (RS) to Medium Density Residential (RM).
3. All requirements of the Marion County Surveyor's office must be met. In order to complete the property line adjustment, a replat in the form of a partition plat will be required. The following requirements must be met to accomplish the replat:
 - a) Must comply with all provisions per ORS 92.185(6);
 - b) Must be surveyed and platted per ORS 92.050, and the plat submitted for review;
 - c) Checking fee, second mylar fee, and recording fee required; and

- d) A current or updated title report must be submitted at the time of review.
- 4. The property line adjustment shall timely be recorded with the Marion County Clerk. After the property adjustment is recorded, no alteration of property lines shall be permitted without first obtaining approval from the Zoning Administrator.
- 5. The property must comply with the minimum lot size and dimensional standards of the Medium Density Residential (RM) zone.
- 6. No building permits will be issued until the required public improvements listed below are completed.
- 7. Any development of the site shall comply with all requirements in the RM zone and Section 2.315 (Design Standards) of the KDC.
- 8. SANITARY SEWERS:
 - a) The subject property is located within the original Keizer Sewer District. Therefore a sanitary sewer trunk line acreage fee will not be required.
 - b) City of Salem approval for local sewer permits will need to be issued prior to construction. Prior to submitting plans to the City of Salem for approval, the developer's engineer shall submit plans to the City of Keizer for review and determination of compliance with the City's Master Sewer Plan for the area.
 - c) Connecting to existing sewers that serve the general area will be the responsibility of the developer of the property. Appropriate easements for any public sewer mains located within the subject property if located outside platted right of ways will need to be recorded which meets the City of Salem Design Standards.
- 9. WATER SYSTEM:
 - a.) A master water system plan showing proposed routes of public water mains, fire hydrants and individual services shall be prepared prior to submission of construction plans for the development. Appropriate easements for all public water mains and fire hydrants will be required if construction is to be outside of public right of ways. Any system development charges for water system improvements will be those in place at the time of individual service connections.

- b.) Final development plans shall be reviewed by the Keizer Fire District with regard to access and adequate location of fire hydrants prior to any issuance of building permits by the City of Keizer.
- c.) Any existing wells on the subject property are to be abandoned. The developer shall provide evidence that any abandonment of existing wells has been completed in accordance with the rules of the Oregon State Water Resources Department.
- d.) Location of all meters to be approved by Keizer Water Department.

10. STREET AND DRAINAGE IMPROVEMENTS:

- a) Street improvements will be required to provide an adequate transportation system that will serve the proposed development. Right of way dedication will be required along Verda Lane. The minimum acceptable right of way will result in 34 feet from the existing centerline of Verda Lane. Right of way dedication along the easterly 125 feet of Dearborn Avenue will be required to eliminate the existing jog in the right of way line. Additionally, a right of way line radius of 30 feet shall be dedicated at the intersection of Verda Lane and Dearborn Avenue. The local Transportation System Plan has identified the need for a turning circle to be developed at the intersection of Verda Lane and Chemawa Road NE. Attached is a file of the required right of way dedication, labeled Attachment A, which indicates the required right of way necessary at the intersection that shall be shown on the proposed Lot Line Adjustment Plat. An Autocad file is available at the City Engineer's office. Public street improvements will be required prior to any development of the subject property. At a minimum, public street improvements will include street widening of Verda Lane with a 6 foot wide property line sidewalk, and widening of Dearborn Avenue including a property line 6 foot sidewalk on the north side of the street. Public Street improvements will require appropriate drainage swales if necessary to comply with city water quality standards. A 10 foot wide public utility easement will be required to be dedicated on the Lot Line Adjustment Plat along Chemawa Road, Dearborn Ave., and Verda Lane. No access will be allowed to Philip Street from the subject property.
- b) The developers engineer shall submit an overall storm drainage plan that will provide service to this development consistent with the City Master Storm Drain Plan for this area of Keizer. An existing public storm drain line is located on the subject property near the tax lot lines shown as 3200 and 3300 on the applicant's submittal. The applicant's surveyor will be required to locate the storm drain line and plat an appropriate easement consistent with the City of Keizer's Public Works Standards on the proposed Lot Line Adjustment Plat.

Storm water detention for the proposed development shall be required. All storm water and roof drains are to be connected to an approved system designed to provide adequate drainage for the proposed new driveways and other hard surfaces. Storm water quality improvements will be required.

- c.) A grading and drainage plan shall be developed for the subject property. Details shall include adequate conveyance of storm water from adjacent property across the subject property. This plan shall be submitted and approved by the Department of Public Works prior to the issuance of any permits for street or storm drainage for the subject property. Grading and drainage plans shall be in conformance with the City of Keizer Public Works Standards. Additional information regarding street grades, site grading, inverts, etc, will be required for review prior to any plan approval. The drainage plan for the development shall comply with the Keizer Development Code.

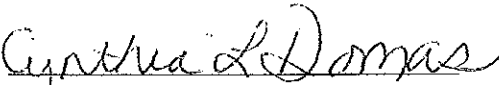
11. OTHER:

- a.) Construction permits are required by the Department of Public Works prior to any public facility construction.
 - b.) A Pre-design meeting with the City of Keizer Department of Public Works will be required prior to the Developer's Engineer submitting plans to either the city of Keizer or the City of Salem for review.
 - c.) Street opening permits are required for any work within the City Right of Way that is not covered by a Construction Permit.
 - d.) A Pre-construction conference shall be required prior to commencement of any construction under permits issued by the city.
12. Applicant shall submit a street vacation application for the vacation of Philip Street right of way.
13. The applicant should consider engaging with the city in discussion relating to Tax Lot 073W02AA 2900, adjacent to Claggett Creek about the possibility of it being available for any expansion of Claggett Creek Park or riparian water stream quality enhancement measures.

REFERRAL

This document is a recommendation to the City Council of Keizer. The Council will make the final determination on this application after holding a public hearing. Community Development will notify all parties of the hearing date.

DATED: July 8, 2014


Cynthia L. Domas
City of Keizer Hearings Officer

Herber Property

June 12, 2014

Multi/Tech Engineering

Paved walkway to Keizer Station





CHEMAWA LP NE

1199

5065

1602

5000

CHEMAWA RD NE

13TH AV NE

CLAGGETT CREEK

VERDA LN NE

Claggett Creek Park

DEARBORN AV NE

4799











ROUGH PROPORTIONALITY. IMPROVEMENTS OR DEDICATIONS REQUIRED AS A CONDITION OF DEVELOPMENT APPROVAL, WHEN NOT VOLUNTARILY ACCEPTED BY THE APPLICANT, SHALL BE ROUGHLY PROPORTIONAL TO THE IMPACT OF DEVELOPMENT. FINDINGS IN THE DEVELOPMENT APPROVAL SHALL INDICATE HOW THE REQUIRED IMPROVEMENTS OR DEDICATIONS ARE ROUGHLY PROPORTIONAL TO THE IMPACT.

FINDINGS: The City has a legitimate governmental interest in assuring the development does not cause a public problem of inadequate, unsafe and inefficient public transportation facilities. This is done by ensuring that adequate streets that logically continue the City's street system are provided in order to avoid traffic generation that exceeds the street system's carrying capacity, which then causes dangerous or hazardous traffic conditions. The applicant proposes a zone change / comprehensive plan change / lot line adjustment that will, if approved allow for multi-family development. The necessary improvements for streets are identified in Keizer Development Code Section 2.302.04. The table set forth in such section indicates the minimum improvement and right of way widths required.

The improvement of streets adjacent to new development shall be responsible to provide for lacking facilities as determined to be necessary to provide a safe and convenient transportation network to serve the residents of the applicant's development. The Keizer Development Code requires that new development make road improvements to bring their road frontage up to the road classification and construction standards. The legislative adoption of the street standards require road improvements and the road construction to be provided by the development as it occurs in proportion to its impacts. The residents of the development will utilize road systems constructed by other developments at no cost to them or the applicant. Other benefits which necessarily flow to the future residents of this development from the completion of the street improvements include access for vehicles, bicyclists and pedestrians to the arterial road system serving this area of the City and improved access for emergency vehicles to the subject property and its residents.

Verda Lane and Chemawa Road are each classified in the City's TSP as minor arterials. Chemawa Road is an improved 36 foot wide street within an 85 foot wide right of way. It has an existing sidewalk along the frontage of the site. Verda Lane is a 32 foot wide street within a 46

foot wide right of way and there is no sidewalk along the Verda Lane frontage. Rather, there is a striped shared bicycle / pedestrian lane. Dearborn Avenue is classified as a collector road in the TSP and is a 47 foot wide street within a 60 foot wide right of way which tapers down to 33 feet near the creek. It has a shared bicycle/pedestrian lane along the frontage of the site. Functional classification is established in order to ensure that the streets have adequate carrying capacity for the traffic which will utilize it to avoid traffic generation that would cause dangerous or hazardous traffic conditions.

The Chemawa Road / Verda Lane intersection is in the process of a significant upgrade that will include a new round-about at this intersection. This intersection improvement has been identified as a street improvement project in the TSP and is in the design process with construction slated to commence in 2015. This intersection was determined to operate at a Level of Service (LOS) C in 2007 and projected to have a LOS F in 2031. This intersection improvement project will greatly improve the am and pm travel times at this intersection as it will allow for a constant flow of traffic and eliminate the stopping and queuing of vehicles. With the completion of the round about this intersection is projected to operate at LOS B in the am peak hour and LOS C in the pm peak hour. The pending intersection improvement will include road widening, curbs, sidewalks, bike lanes and storm drainage facilities at this intersection. Both Verda Lane and Chemawa Road are transit routes and there is an existing transit stop at the site. The Salem –Keizer Transit District is responsible for providing transit service.

A Transportation Planning Rule Analysis was submitted as part of the application. This analysis studied the impact that the proposed development would have on the nearby intersections. It documented the existing conditions and then input the new development. It found that the proposed development would result in 84 am peak hour trips and 102 pm peak hour trips. The analysis determined that slightly more of this new traffic will use the Chemawa Road / Verda Lane intersection than the Verda Lane / Dearborn Ave intersection. The analysis projected that the result of the new development would be that the Verda Lane / Chemawa Road intersection will have a 2033 am peak hour LOS B and a 2033 pm peak hour LOS C and indicated that Verda Lane / Dearborn Ave intersection will have an am peak hour LOS C and a pm peak hour LOS

D. Each intersection will operate within the city's adopted LOS E for these intersections and so no additional intersection improvements will be needed as a result of the proposed development.

The applicant will be responsible for dedicating an approximate 4 foot by 1,300 foot strip along the frontage of the site with Verda Lane and also a strip along the frontage with Dearborn Ave; and, also a portion of the site in the northeast corner at the Chemawa Road / Verda Lane intersection. The dedication of Verda Lane will be approximately 5,200 square feet, or approximately 8.6% of the identified impacted area along Verda Lane (calculated by assuming a 60 foot wide right of way and a 1,300 foot length of the collector portion of Verda Lane). There are approximately 280 units which are located along both sides of this segment of Verda Lane that can be viewed to be dependent upon this segment (Chemawa Road to Dearborn Ave) for access. With the proposed development there would be a total of 120 new dwelling units. The proposed units are slightly less than 43% of these lots. These calculations indicate that a dedication and improvement of approximately 8.6% of the overall area of the street segment is less than 43% of the calculated impact area and therefore would be roughly proportional. Also, the applicant will be responsible for dedicating a slight portion of the frontage along Dearborn Ave. The area the applicant shall dedicate in the northeast corner of the site is approximately 2,000 square feet. While the round about design has been done the project has not commenced any further. Because the TPR analysis indicates that there will be an impact on this intersection caused by the proposed development the applicant will be required to dedicate but not to provide any level of improvements as the improvements have already been funded. This analysis concludes that the dedication and improvements along Chemawa Road / Verda Lane / Dearborn Ave are roughly proportional to the impacts associated with the development of the property.

Re: 4800 & 4900 Block of Verda Lane

COMMUNITY DEVELOPMENT

Thank you for allowing us to voice our opinion on the upcoming changes proposed for the Herber Property. We appreciate your consideration of our thoughts.

Although Verda Lane is a thoroughfare for Keizer, from the Parkway to Lockhaven, it is also home to one of Keizer's oldest neighborhoods. Many of the homes built in the 40's are still lived in and loved, and some have even been passed on to second and third generations. Verda Lane has seen many changes along with all of Keizer, and yet it has kept its close neighborhood appeal to its occupants.

We have attached pictures taken along Verda Lane this week. What is plain to see is greenery, lots and lots of mature trees and shrubs that soften the look of this busy street. (Please see page 2 & 3)

With the proposal of 120 to 160 apartments being built on what has always been "a touch of country" to this North East Neighborhood we would like to petition for a few considerations:

1. We would like that the apartments not be allowed to be over two stories high. Any higher and they would not be consistent with this well established neighborhood.
2. That there be significant trees and shrubbery (not just a row of arborvitae) planted around the grounds to keep this stretch consistent with the rest of Verda Lane.
3. We would like to see the same sidewalk improvements as the City has done recently with Chemawa Road.
4. Nice looking privacy fence, not just chain link or slatted chain link, would be an asset to the apartment dwellers as well as neighbors. This type of fencing makes it feel like a prison and uninviting.
5. We ask that the apartment buildings have some aesthetic qualities to them, that they not be just large gray or tan boxes.
6. We hope that these apartments, which will be in full view from Claggett Park, Chemawa Road and Dearborn traffic be built of solid quality. Please see the attached pictures on page 3, which show the only two apartment buildings on Verda Lane as eyesores, once inferior quality buildings are built, they just deteriorate over time.
7. We expect much higher bus usage, so we would like to see a Cherriot bus pull off area, to help keep the much increased traffic flowing.

We really want Keizer to continue to be a beautiful friendly place to live and raise a family, cramming as many people in a space as possible without regard to what it is like to actually live there and what it might become in the future is a big planning mistake which we sincerely hope will be prevented now.

Respectfully submitted,

Rod & Joanne Swinehart

4715 Verda Lane



on Verda
Looking Toward
the Parkway



Claxter Rd.



4400 blk



4500
& 4600 blk

Traveling on Verda Lane
What you see & notice
are trees, many beautiful
trees and greenery -
All the way through
From the Parkway to
Lock Haven.



4700 block



3100 block



5400 block



5500 Block
Looking
at
Lockhaven

The only two Apartment buildings on Verda Lane
are unkempt eyesores - and certainly not what
we want the new apartments to become. "

Pg 3



4724 VERDA ↑



To: Hearings Officer, City of Keizer, Community Development Dept.

COMMUNITY DEVELOPMENT

Re: Comprehensive Plan Change/Zone Change/Lot Line Adjustment Case number 2014-11.

Date: June 12, 2014

To the Hearing Officer,

My name is Karen Okada, and my family lives at 4705 Verda Lane NE, in Keizer. We live down the street from the property that is being reviewed at this public hearing.

I have read all of the reports that have been posted on the website for this property zone change request. Attached to the letter are comments and concerns about the proposed changes.

My husband and I own land in Keizer that can be partitioned and developed, if we choose to do so. I understand the desires of the family to make the maximum use of the land that they own. If I owned a very large parcel of land, I would do exactly the same thing. However, there are several concerns that I believe need to be addressed by you, the planning department and the City Council.

Keizer is a beautiful community, and the goal should be to add housing in a thoughtful way, not just because it can be added. We all have the ability to make positive changes in our community, and these efforts should be used to ensure that additional housing meets a high standard in regards to safety, landscaping, livability, and adds to the quality of housing built in our town.

Thank you in advance for your review of my letter and attachments. If you have any questions, please feel free to contact me.

Again, thank you for your time and consideration of my concerns.

Sincerely,



Karen and David Okada
4705 Verda Lane NE
Keizer, OR 97303
Dkokada1@comcast.net
503-390-7887 home phone

Comments on the Keizer Verda Lane TPR (Transportation planning Rule) Analysis Report:

The entire property currently could have up to 60 houses on the property. According to the report, table 3, the engineering company estimates that there would be 45 trips in/out of the property during the a.m. peak time, or .75 trips/unit. For the p.m. peak time, it is estimated there would be 60 trips in/out of the property - 1.01 trips/unit. This is essentially 45 cars in the morning, and 60 cars in the evening. So, this would be one car for each house that would be traveling during these peak times,

Under the current proposal to change the zoning from Single Family Residential (RS) to Medium Density Residential (RM), the property could be built up with 165 apartment units. The data in Table 3 estimates that 84 in/out trips would be made during the peak a.m. time - .51 trips/unit. This would be one car for every two apartment units that would be in/out of the complex during the a.m. peak time. During the p.m. peak time, the report estimates 102 in/out trips from the property - .62 trips/unit. This is only slightly higher, but still close to the a.m. numbers - one car for every two apartment units.

These figures for a 165 unit apartment complex seem very low. While there might be a "scientific basis" for the numbers based on references and calculations based on government reports, common sense would indicate that one car for every two apartment units is not a valid assumption in making land use planning decisions. It is true that some families will not have a car, so they will use the city bus system, walk, or find other means of transportation. For a one - bedroom apartment unit, it would seem logical that many of these renters would be single, so there would only be one car/unit. Even for a two- bedroom unit, a single parent with children would again also have one car/unit. A more realistic number would be one car/unit would be traveling in/out of the apartment complex during both a.m. and p.m. peak hours. Many, if not a majority of the units, would have two cars/unit. This would significantly increase the traffic in the neighborhood.

As part of the zoning change application, there is a drawing for a proposed 120 unit apartment complex. This drawing was prepared by Multi-Tech Engineering Consultants. For 120 housing units, there are 244 total parking stalls. This would allow each unit to have 2 cars, and some additional spots for visitor parking. While this drawing is only in draft form, and has not been approved as any type of final plan, the number of parking stalls are obviously based on similar apartments that have been built locally. **A developer would not build a 120 car complex with 120 parking stalls - they are proposing 240 parking stalls. If one car/unit drove during peak traffic times, this would be 120 trips during a.m. and p.m. times. This is significantly more than the currently zoned property trip estimates of 45 a.m. trips and 60 p.m. trips. It is almost double what is currently allowed with 60 houses on the property.**

Comments on the Salem Keizer School District Summary of Comments:

The Salem Keizer School District (SKSD) was asked to review the application and comment on the effects on the three schools in the attendance area: Kennedy Elementary, Claggett Creek Middle School, and McNary High Schools.

Their report indicated that Kennedy School would increase by 16 students, Claggett Creek by 6 students, and McNary would increase by 6 students. This is a total of 28 students, for an apartment complex of 120 apartments.

These numbers were obtained using a 2006 COG Study - Student Density by Housing Type. A new report from the COG is in the recently approved budget for 2014-2015 SKSD.

I met with the manager of the Keizer Terrace Apartments, Tammi Allen, on June 11, 2014. These apartments are located directly across the street from Kennedy Elementary School. There are a total of 153 units at this apartment complex. There are 53 2-bedroom 1 ½ bath townhome units, and 100 apartments: 24 1-bedroom (probably no children in these units), 28 2-bedroom, and 48 3-bedroom.

I then spoke on the phone with David Fridenmaker, Manager of the Facilities and Planning Department for the SKSD. I asked if the school district could determine the number of children attending the three local schools that lived in the Keizer Terrace Apartment Complex.

I received an email from him on June 12, 2014. There are 70 elementary students, 31 middle school students, and 23 high school students from the Keizer Terrace Area. This is a total of 124 students, which all walk to school from their homes.

So, 124 students from a 153 unit complex currently attend three local Keizer schools. A new, proposed 120 unit development is only estimated to have 28 students? Again, while there might be a "scientific basis" for the numbers based on references and calculations based on government reports, common sense would indicate that a very similar housing complex, located a few blocks from an elementary school, and walking distance to all three schools, would have more than 28 students.

The ratio of students to housing units at Keizer Terrace Apartments is 81%. For the proposed new housing complex, a ratio of 81% would be 97 new students, not 28. Estimated changes in student enrollment would be 54 students for Kennedy Elementary, 24 students for Claggett Creek Middle School, and 18 students for McNary High School. With these increased numbers, sufficient school capacity does exist at the elementary and middle schools, but McNary would be at 108% of capacity – more students enrolled than the current school capacity. All the students in the elementary and middle schools will eventually move on to the high school, worsening the capacity issue at McNary.

Kids Walking to School:

With the addition of 28 students, or up to 97 students, from the proposed new housing complex, safety concerns should be reviewed, as all of the children will be walking to school.

Will any part of Verda Lane be designated as a school zone? Portions of Wheatland Road are designated school zones, even though the school is not visible from Wheatland Road. This would change the speed to 20 mph, which could back up traffic coming off of the roundabout.

Will a crosswalk be added at Keizer Street, which would cross Verda, and extend into the parking lot? Keizer Street appears to be very close to the new roundabout, and cars will be moving quickly when they leave the roundabout and continue to drive down Verda Lane. The presence of a crossing guard would help, but this would impact traffic significantly during the peak a.m. times.

Keizer Street is the only small street that has sidewalks that lead to Kennedy Elementary. May and Dixon Streets do not have sidewalks, so students would be walking on the street, or in someone's yard.

Adding up to 97 students walking to school, even with new sidewalks on a small portion of Verda Lane, is a safety issue that should be addressed at this time. Possible traffic delay issues should also be addressed at this time. These issues were not addressed in the traffic study for the property.

Roundabout:

The long-awaited roundabout has not yet been built at the Chemawa Road/Verda Lane intersection. Therefore, it is somewhat difficult to determinate some of the actual effects of the changes to the roads in this area. Traffic with a roundabout will change, in that traffic is constantly moving around and down the four streets. Currently, the traffic is 'stop and go,' which does allow for pauses in the stream of traffic. These pauses allow cars from the side streets to safely enter Verda Lane in both directions.

The current site plan drawing submitted by the applicant shows three exits from the property, which line up with the three streets on the other side: Keizer, May and Dixon. However, the Keizer street exit does appear to be very close to the roundabout.

Is it possible to have this exit signed as "right turn only" or "right turn only during certain hours?" A sign similar to this is placed at Whiteaker Middle School at the exit from the lower parking lot. Cars are not allowed to turn left onto Lockhaven during certain morning and evening hours, as there is too much one-way traffic on Lockhaven at these peak times. Crossing Lockhaven to turn left would cause even more time delays, and possible accidents at this location during those hours.

Geological Assessment:

The application states that landslide hazard do not exist on the site. However, if half a dozen two story apartment buildings are built close to the ledge, common sense would suggest that an engineering study should be done to ensure that the property and ledge can hold the weight of all these buildings.

Trees and Application Requirements:

The application stated that the applicant has provided a tree plan, identifying the location and size of all existing trees on the site. **This tree plan was not posted on the website, and the City of Keizer does not appear to have this tree plan on file.**

There are some vague comments in the staff report that the applicant will be need to follow landscaping requirements so the land will be buffered and screened. There are no specific comments in regards to the trees that are currently on the parcel of land.

Other staff reports for land use applications have listed much more specific details in regards to sections of the development code, findings, and how the applicant will need to meet these criteria. Partition Case No. 2012-02, to partition one parcel into two parcels, has approximately 14 pages that state multiple things the applicant must do as part of the request to partition the land. The staff report for this application has five pages of Recommendations and Conditions for Application. (Pages 48 – 52)

Areas that do not appear to be addressed in the current case 2014 -11 proposal include: landscaping requirements (removal of significant trees – Section 2.309), street lighting (Section 2.307), and installation of utility lines and facilities (Section 2.307) with minimal disruption to the surrounding area. There is a statement that "Any development of this site shall comply with all requirements in the RM zone and Section 2.325 Design Standards." However, much smaller land use request approvals have used much more detailed language, with specific criteria that the applicant must meet as part of the approval. **A proposal of this magnitude should have more than five pages of boiler-plate language for the "Recommendations and Conditions for Application."**

Litke, Sam

From: Suezq Smith <suezqsmith@yahoo.com>
Sent: Thursday, June 12, 2014 11:29 AM
To: Litke, Sam
Subject: Re: notice signs

I can't be at the meeting. Going to Portland Airport to deliver my daughter. However, please let it be known that I vote against it!

Thank You
suez Smith

Sent: Thursday, June 12, 2014 10:12 AM
Subject: RE: notice signs

I do not know the intent of the property owners on this but I assume if the zoning is allowed to change and it gets developed that the cows would not be allowed to roam freely through any new development.

Sam Litke,
Senior Planner
503-856-3442

From: Suezq Smith [mailto:suezqsmith@yahoo.com]
Sent: Wednesday, June 11, 2014 11:25 PM
To: Litke, Sam
Cc: Suez Smith
Subject: Re: notice signs

Sam. Thank You. so, this won't involve the cows leaving our area?

Blessings,

Suez Smith

From: "Litke, Sam" <LitkeS@Keizer.org>
To: "suezqsmith@yahoo.com" <suezqsmith@yahoo.com>
Sent: Wednesday, June 11, 2014 10:31 AM
Subject: notice signs

The signs at the property at Verda / Chemawa / Dearborn indicate that there will be a public hearing on 6-12-14 at 6pm in the council chambers at city hall. The property owners are requesting a zone change from single family to multiple family.

Sam Litke,
Senior Planner
503-856-3442

Brandie Dalton

From: Brandie Dalton [bmd@multitech.ws]
Sent: Monday, March 31, 2014 9:44 AM
To: 'Litke, Sam'
Subject: HerberPropertyCPCZC.#5725.Keizer.docx
Attachments: HerberPropertyCPCZC.#5725.Keizer.docx

Sam,

I went through and made a few changes to my narrative. Unfortunately, I only have access to the HNA dated May 2013 that went before Council. Please let me know if you think I need to beef up my narrative. I have no problem doing so.

Thank you,

Brandie Dalton- Land-Use Planner
Multi/Tech Engineering Services, Inc.
1155 13th Street SE
Salem, Oregon 97302
Phone: (503) 363-9227

Exhibit '13'

Comprehensive Plan Change- *Zone Change* ***Revised-3-31-2014***

BACKGROUND/PROPOSAL

The subject property is approximately 7.5 acres in size and located on the west side of Verda Lane, the east side of Philip Street, and the south side of Chemawa Road (073W02AA/Tax Lots 3000 through 3600 and 073W02AD/Tax Lots 6700 through 7300). The subject property is zoned Single Family Residential (RS). The subject property is designated as "Low Density Residential" on the Comprehensive Plan Map.

The property also includes 073W02AA/Tax Lot 2900 (4.93 acres in size). However, Tax Lot 2900 is not part of this application proposal and will remain vacant.

The applicant is proposing to rezone the subject property from Single Family Residential (RS) to High Density Residential (RH) and change the comprehensive plan designation from "Low Density Residential (LDR)" to "Medium and High Density Residential (MHDR)".

In the 1950's, the subject property was originally subdivided into a 14 lot subdivision. In order to eliminate those lots, the applicant is also requesting to replat the 14 lots into one large property about 7.5 acres in size. The applicant is proposing to replat the properties by applying for a Partition. See Site Plan and Partition application.

The subject property is not located within an established Neighborhood Association. However, a meeting with the Keep Keizer Livable Group and adjacent property owners will be held prior to a decision being issued for this CPC/ZC. This meeting will allow adjacent property owners and interested citizens the opportunity to ask questions and provide comments regarding the proposal.

EXISTING SITE CONDITIONS

The property has street frontage on Verda Lane to the east, Chemawa Road to the north, Philip Street to west (which is unimproved and will not be used), and Dearborn Avenue to the south. The subject property has several structures located throughout. The existing structures will be removed prior to development of the site.

Vicinity Information:

The vicinity map is attached as shown. The surrounding land uses within the vicinity are zoned and used as follows and as shown.

North: Across Chemawa Road, Single Family Residential (RS); existing single family dwellings located to the north

East: Across Verda Lane, Single Family Residential (RS) zone; existing single family dwellings

South: Across Dearborn Avenue, Single Family Residential (RS) zone; existing single family dwellings

West: Across Philip Street, Single Family Residential (RS) (Tax Lot 2900); vacant land

APPLICANT'S REASONS ADDRESSING THE COMPREHENSIVE PLAN CHANGE CRITERIA

Section 3.109.01 defines a comprehensive plan change: "A Comprehensive Plan Map Amendment Request allows a property owner to amend the Comprehensive Plan Land Use Map that is allowed with the new Comprehensive Plan Land Use Map designation for the property."

This plan change involves only land that the applicant owns. The plan change is consistent with the overall objectives of the Keizer Comprehensive Plan.

Criterion A: The following Statewide Planning Goals apply to this proposal:

The request is in conformance with State Wide Planning and all applicable land use standards imposed by state law and administrative regulation, which permit applications to be filed. Development of the subject property can meet the minimum standards of the zone code and the Transportation System Plan. The proposal complies with the applicable intent statements of the Comprehensive Plan as addressed in this report. The applicant has presented evidence sufficient to prove compliance with these standards.

Goal 1 – Citizen Involvement:

The City's adopted Comprehensive Plan General Development Goal and Policies, and its adopted zone code, implement the Statewide Citizen Involvement Goal. This application will be reviewed according to the public review process established by the City of Keizer. The City's Plan is acknowledged to be in compliance with this Goal. Notice of the proposal will be provided to property owners and public agencies. The published notice will identify the applicable criteria. A public hearing to consider the request will be held by the Hearing's Officer. Through the notification and public hearing process all interested parties are afforded the opportunity to review the application, comment on the proposal, attend the public hearing, and participate in the decision.

The subject property is not located within an established Neighborhood Association. However, a meeting with the Keep Keizer Livable Group and adjacent property owners will be held prior to a decision being issued for this CPC/ZC. This meeting will allow adjacent property owners and interested citizens the opportunity to ask questions and provide comments regarding the proposal.

These procedures meet the requirements of this Goal for citizen involvement in the land use planning process.

Goal 2 – Land Use Planning:

The City's adopted Comprehensive Plan implements the Statewide Land Use Planning Goal. The Keizer Comprehensive Plan is acknowledged to be in compliance with the Statewide Planning Goals. This proposal is made under the goals, policies and procedures of the Keizer Comprehensive Plan and its implementing ordinance. A description of the proposal in relation to the intent of the Plan, its applicable goals and policies, the comprehensive plan change/zone change criteria is part of this review. Facts and evidence have been provided that support and justify the proposed comprehensive plan/zone change, along with findings and evidence to support the replatting (partition application) and zone change applications. For these reasons, the proposal conforms to the land use planning process established by this Goal.

Goal 5 – Natural Resources, Scenic and Historic Areas, and Open Spaces:

The City's adopted General Development, Scenic and Historic Areas, Natural Resources and Hazards Goals and Policies address the Statewide Goal. The City's adopted General Development, Scenic and Historic Areas, Natural Resources and Hazards Goals and Policies address the Statewide Goal. According to City maps there is a floodplain overlay located on the lower portion of the site. The floodplain area will not be affected by the development of the property. The City's applicable floodplain development standards will apply at the time of development and will ensure compliance with Goal 5 and this policy.

Landslide hazards do not exist on the site. Therefore, a geological assessment is not required.

There are no significant historic buildings on the subject property. The applicant has taken the opportunity to consider existing conditions and influences that enables him to explore potential development. The City has standards in place to address access, internal circulation, topography, drainage, public facilities, overall site design and layout.

Goal 6 – Air, Water and Land Resources Quality:

The City's adopted Comprehensive Plan, Scenic and Historic Areas, Natural Resources and Hazards, Commercial, Industrial and Transportation Goals and Policies along with adopted facilities plans implement this Goal.

Development is required to meet applicable State and Federal requirements for air and water quality. The proposal to redevelop is reviewed by the City and any applicable outside agencies for impacts on environment and compliance to applicable standards and regulations. Development is required to meet applicable water, sewer, and storm drainage system requirements. Upon redevelopment, the City is responsible for assuring that wastewater discharges are treated to meet the applicable standards for environmental quality.

The City has identified the process through which water; sewer and storm drainage will be supplied to the site as stated in previous meetings with the applicant.

The proposed site is outside the noise contours of the air traffic, and that the facility will nevertheless utilize building materials that mitigate such noise, if any.

The major impact to air quality in the vicinity is vehicle traffic along the boundary streets. The traffic generated from the site will be minor compared to the total volume of traffic in this area, and will not create a significant additional air quality impact.

A Traffic Impact Analysis is currently being worked on and will be submitted to the City in a timely manner.

The site is vacant. The proposed change will have no significant impact on the quality of the land. Considering the location of the site within the city, the availability of public facilities to provide water, sewage disposal and storm drainage services, and the surrounding transportation system, the proposal will have no significant impacts to the quality of the air, water or land. The City's adopted facility plans implement Goal 6.

Goal 8 – Recreational Needs:

The City's adopted Comprehensive Plan Activity Centers, Parks and Recreation Goal and Policies implements the Statewide Recreation Needs Goal by encouraging conservation and identification of existing and needed park resources and funding mechanisms. At the time of development, the proposal will provide improved public pedestrian connections via hard-surfaced sidewalks. Claggett Park is located about two blocks to the west (Adjacent Tax Lot 2900) of the site on Chemawa Road.

Northview Park is located to the southeast of the subject property. These two sites provide adequate parks and recreation within the area. However, at the time of development, the multi-family development on the site will have common open space and private open space for the residents. Therefore, the proposal complies with this Goal.

Goal 9-Economic Development:

The proposed zone change will have a positive impact on the economy of the City of Keizer. The rezone will allow the underdeveloped property to be developed, which will create employment along with a housing type that is a less expensive option for families.

The proposal will provide a location for residential uses along with new opportunity for the local labor force to obtain employment. The subject property is currently underutilized. The site is currently unproductive and returns little value to the City. Redevelopment contributes to the economic base of the urban area, which is consistent with this Goal. The site will offer economic diversification because it will provide for the expansion of new residential. It will provide an opportunity to encourage hiring of local unemployed, skilled and unskilled local residents.

Goal 10 – Housing:

The City of Keizer has an adopted housing needs analysis, "Keizer Housing Needs Analysis 2013-2033", that is dated May 2013. The City has projected a need for residential units in the City's "Housing Needs Analysis" to address State Land Use Goals 10 by establishing population projections. The Housing Needs Analysis reevaluates the housing needs for all residential types. According to the study, Keizer is in need of 362 multi-family units within the RM and RH zoned residential land in order to help fill the deficit for multi-family housing.

The Housing Needs Analysis looks at both multi-family residential and single family dwelling. Both housing types are needed in Keizer and both housing types provide housing. The Keizer Housing Needs Analysis and Comprehensive Plan Goals and Policies encourage developers to provide all types of housing opportunities. This proposal will provide a needed multi-family housing type in this part of Keizer.

The applicant's proposal is to rezone the site from RS and RH to allow a higher density to be built on the site. As stated above, according to the Housing Needs Analysis, Keizer has a deficit of 362 dwelling units in Multi-Family units. The rezone helps maximize the density while helping to meet housing needs within the City of Keizer.

The housing needs also shows a need of 1,183 single family residential dwellings. However, due to traffic and access issues, this is not an ideal site for single family homes. With single family homes there will be about 14 driveways that would access directly onto Verda Lane. Whereas with a multi-family development 2 driveways (3 driveways max) are needed onto Verda Lane. The development of multi-family on the site is a safer and more efficient use of this site. Proposed subdivisions within the City of Keizer will make up for the loss of this 14 single family lots/dwellings.

The development will also be located in an area in close proximity to existing and proposed services. There are at least two parks located within a mile or less of the site. Commercial services are currently available to the west along Chemawa Road and River Road N.

The existing neighborhood consists of single family housing. The surrounding properties are zoned for single family development. In order to provide an alternative housing pattern while being consistent with the neighborhood, the proposed development will provide a higher density of needed housing in this area of Keizer. In order to maintain the character of the neighborhood, the site will be developed in compliance with required Design Standards and provide bufferyards along property lines.

The City's adopted Comprehensive Plan, Residential, Transportation Goals and Policies and applicable adopted facilities plans implement the Statewide Housing Goal.

The City's subdivision and land use processes implement applicable Housing Goals and Policies. There is a deficit in multi-family residential land in the City of Keizer.

FIGURE 14: PROJECTED NEW UNIT NEED MINUS REMAINING BLI CAPACITY, KEIZER (2033)

Zoning Designation			Capacity of Vacant Lands (In Units) ¹	NEW UNITS NEEDED (2033) vs. CAPACITY						
				S.F. Detached	S.F. Attached	Duplex	3- or 4-plex	5+ Units MFR	Mobile home	Total Units
				2,269	255	38	351	1,437	162	4,513
RS	Single Family Residential	1,183	1,064	120	-	-	-	-	1,183	← New Units Needed (2032)
RL	Limited Density Residential	-	-	-	-	-	-	0		
RL-LU	Limited D.R. - Limited Use	-	-	-	-	-	-	0		
RM (Medium)	Medium Density Residential	-	-	-	-	-	-	0		
RM (Medium High)	Medium Density Residential	362	-	-	-	-	362	-	362	← Distribution of Remaining BLI Capacity
RM-LU	MDR - Limited Use	-	-	-	-	-	-	0		
RH	High Density Residential	-	-	-	-	-	-	0		
UT	Urban Transition	310	279	31	-	-	-	-	310	← Total Capacity of Buildable Lands
MU	Mixed Use (Keizer Station)	153	-	-	-	-	153	-	153	
MU	Mixed Use (Other)	314	-	-	-	-	314	-	314	
Totals/Averages:		2,322	1,343	151	0	0	829	0	2,322	← Remaining Unit Need
Accessory Dwelling Unit Assumption:				62	33				100	
				926	42	0	351	609	162	

Sources: City of KEIZER, MWVCOG, Johnson Reid LLC

"As Figure 14 shows, the projected number of future housing units exceeds the capacity of buildable lands by and estimated 2,090 units. Therefore, there is a projected need for an additional residential land in order to accommodate this additional need for housing by 2033."

The proposal will help provide additional housing units within the City of Keizer.

FIGURE 15: PROJECTED NEW RESIDENTIAL LAND NEED, KEIZER (2033)

Zoning Designation		REMAINING UNIT NEED, AFTER BLI BUILD-OUT							Target Density (Units/ Net Acre) ¹	Net Acreage Needed	Gross Acreage Needed
		S.F. Detached	S.F. Attached	Duplex	3- or 4- plex	5+ Units MFR	Mobile home	Total Units			
		926	42	0	351	609	162	2,090			
RS	Single Family Residential	926					162	1,088	6.6	164.9	206.2
RL	Limited Density Residential							0	-	-	-
RL-LU	Limited D.R. - Limited Use							0	-	-	-
RM (Medium)	Medium Density Residential							0	-	-	-
RM (Medium High)	Medium Density Residential		42					42	15.0	2.8	3.5
RM-LU	MDR - Limited Use							0	-	-	-
RH	High Density Residential				281	487		768	22.0	34.9	43.6
UT	Urban Transition							0	-	-	-
MU	Mixed Use (Keizer Station)							0	-	-	-
MU	Mixed Use (Other)				70	122		192	16.8	11.4	14.3
Totals/Averages:		926	42	0	351	609	162	2,090	9.8	214.1	267.6

Sources: City of KEIZER, MWVCOG, Johnson Reid LLC

Goal 11 - Public Facilities and Services:

The City's adopted Comprehensive Plan, residential, and Transportation Goal and Policies and adopted Stormwater and Water Master Plans implement the Statewide Public Facilities and Services Goal by requiring development to be served by public services. The proposal is for revitalized urban development in an area where future extensions of those services can be provided in the most feasible, efficient and economical manner. All necessary and appropriate public services and facilities essential for development will be provided to this property at levels that are adequate to serve the proposed use.

The City maintains an infrastructure of public services that includes sewer, water, and storm drainage facilities. The City will specify any needed changes to the existing service levels at the time building permits are requested.

Sidewalks are or will be provided throughout the site to connect to the public sidewalk system. The location along a major transportation corridor facilitates access to a transit route (Route 15 on

Verda Lane and Route 18 on Chemawa Road), bicycle and pedestrian access, provides significant opportunity to reduce vehicle miles traveled. The vehicle, transit, bicycle, and pedestrian circulation systems will be designed to connect major population and employment centers in this Keizer area, as well as provide access to local neighborhood residential, shopping, schools, and other activity centers.

Traffic from this site is diverted away from residential areas and has convenient access to the existing streets. Aesthetics and landscaping will be considered in the design of the circulation system to cut down on headlight glare, heat, and improved traffic direction.

The Salem-Keizer School District provides public education facilities. The education district's master plan provides for growth in the district and has options to meet the demand. The education district reviews the population factors to determine planning, funding and locating new schools or providing additional facilities on the sites of existing schools.

Other private service providers supply garbage, telephone, television, postal and internet services as needed by the development. The required public services and facilities to serve new development will be determined by the City at the time development permits are requested. By providing adequate public facilities and services for the proposed use, the requirements of this Goal are met.

Goal 12 – Transportation:

The City's adopted Comprehensive Plan Transportation Goals and Policies and the adopted Transportation Plan implements the Statewide Transportation Goal by encouraging a safe, convenient and economic transportation system. The subject property is located along Chemawa Road and Verda Lane. The major streets are in place due to previous development.

The development of multi-family units on this site is a safer and more convenient way to development the site. The multi-family development will provide two driveways within and throughout the site onto Verda Lane. Whereas the single family lots would require 14 driveways onto Verda Lane. Therefore, from a traffic and safety standpoint, the development of this site as apartments is safer.

A Traffic Impact Analysis is currently being worked on and will be submitted to the City in a timely manner.

Criterion B: Comprehensive Plan Goals and Policies

The intent of Keizer Comprehensive Plan (KCP) Residential Development goals is to promote a variety of housing and opportunities for all income levels. The comprehensive plan change/zone change will allow the property to be developed at a higher density, therefore, meeting the intent of the residential goals.

Residential Development Policies

General Policies 1 & 2:

The applicant's proposal is to rezone the property from RS to RH to allow a higher density to be built on the site. As stated above, according to the Housing Needs Analysis, Keizer has a deficit of capacity in the multi-family designation, with a deficit of 47 gross acres of multi-family residential land. The rezone helps maximize the density while helping to meet housing needs within the City of Keizer.

The rezoning of the subject property will help to provide a variety of housing other than single family dwellings. This is a growing area that already has more than a sufficient amount of single family land for development. Multi-family development will provide a needed housing type in the area while helping to meet housing needs as well. Therefore, establishing a mixture of residential uses within the area.

General Policies 3 & 4:

The City's adopted Comprehensive Plan Transportation Goal and Policies and the adopted Keizer Transportation System Plan implements the Statewide Transportation Goal by encouraging a safe, convenient and economic transportation system. The subject property is located along Chemawa Road and Verda Lane. The major streets are in place due to previous development. Sidewalks and needed improvements will be made to Verda Lane, Philip Street, Chemawa Road, Dearborn Avenue if required.

The City's adopted Comprehensive Plan, residential, and Transportation Goal and Policies and adopted Stormwater and Water Master Plans implement the Statewide Public Facilities and Services Goal by requiring development to be served by public services. The proposal is for revitalized urban development in an area where future extensions of those services can be provided in the most feasible, efficient and economical manner. All necessary and appropriate public services and facilities essential for development will be provided to this property at levels that are adequate to serve the proposed use.

The City maintains an infrastructure of public services that includes sewer, water, and storm drainage facilities. The City will specify any needed changes to the existing service levels at the time building permits are requested.

General Policies 5 & 6:

As stated above, the rezoning of the subject property will help to provide a variety of housing other than single family dwellings. This is a growing area that already has more than a sufficient amount of single family land for development. Multi-family development will provide a needed housing type in the area while helping to meet housing needs as well.

The development will also be located in an area in close proximity to existing and proposed services. There are at least two parks located within a mile or less of the site. Commercial Services are currently available to the west along Chemawa Road and River Road N.

General Policies 7, 8, & 9:

The subject property has several structures located throughout. The existing structures will be removed prior to development of the site.

In order to provide a mixture of housing in the area, the applicant is requesting a zone change. The comprehensive plan encourages a mixture of housing types within a neighborhood. The infill development will encourage a type of needed housing along Verda Lane and Chemawa Road.

The development will also be located in an area in close proximity to existing and proposed services. There are at least two parks located within a mile or less of the site. Commercial Services are currently available to the west along Chemawa Road and River Road N.

The existing neighborhood consists of single family housing. The surrounding properties are zoned for single family development. In order to provide an alternative housing pattern while being consistent with the neighborhood, the proposed development will provide a higher density of needed housing in this area of Keizer. In order to maintain the character of the neighborhood, the site will be developed in compliance with required Design Standards and provide bufferyards along property lines.

The comprehensive plan change/zone change will promote infill development with the development of a property that is already served by City Services and all transportation to be developed with a higher density of housing that is needed in this area.

General Policy 10:

The development will also be located in an area in close proximity to existing and proposed services. The development will also be located in an area in close proximity to existing and proposed services. There are at least two parks located within a mile or less of the site. Commercial Services are currently available to the west along Chemawa Road and River Road N.

General Policy 13:

The subject property is located along Verda Lane (east), Chemawa Road (north), Dearborn Avenue (south), and Philip Street (west). Sidewalks and needed improvements will be made if required. The major streets are in place due to previous development and the subject property is surrounded by right-of-way. Therefore, there will not be any through traffic to existing neighborhoods.

General Policy 15, 18, & 19:

The City of Keizer has an adopted housing needs analysis, "Salem-Keizer Housing Needs Analysis 2012-2023", that is dated May 2011. The Housing Needs Analysis re-evaluates the housing needs for all residential types. According to the study, Keizer is in need of 47 acres of RM and RH zoned residential land in order to help fill the deficit for multi-family housing.

The applicant's proposal is to rezone the site from RS and RH to allow a higher density to be built on the site. As stated above, according to the Housing Needs Analysis, "Keizer has a deficit of capacity in the Multi-Family designation, with a deficit of 362 dwelling units and a deficit of 47 gross acres of residential land. The rezone helps maximize the density while helping to meet housing needs within the City of Keizer.

The development will also be located in an area in close proximity to existing and proposed services. There are at least two parks located within a mile or less of the site. Commercial Services are currently available to the west along Chemawa Road and River Road N.

The existing neighborhood consists of single family housing. The surrounding properties are zoned for single family development. In order to provide an alternative housing pattern while being consistent with the neighborhood, the proposed development will provide a higher density of needed housing in this area of Keizer. In order to maintain the character of the neighborhood, the site will be developed in compliance with required Design Standards and provide bufferyards along property lines.

The City's adopted Comprehensive Plan, Residential, Transportation Goals and Policies and applicable adopted facilities plans implement the Statewide Housing Goal.

The City's subdivision and land use processes implement applicable Housing Goals and Policies. There is a deficit in multi-family residential land in the City of Keizer.

General Policy 16:

Development is required to meet applicable State and Federal requirements for air and water quality. The proposal to redevelop is reviewed by the City and any applicable outside agencies for impacts on environment and compliance to applicable standards and regulations. Development is required to meet applicable water, sewer, and storm drainage system master plan requirements. Upon redevelopment, the City is responsible for assuring that wastewater discharges are treated to meet the applicable standards for environmental quality.

The proposed site is outside the noise contours of the air traffic, and that the facility will nevertheless utilize building materials that mitigate such noise, if any.

The major impact to air quality in the vicinity is vehicle traffic along the boundary streets. The traffic generated from the site will be minor compared to the total volume of traffic in this area, and will not create a significant additional air quality impact. The TIA identifies the traffic needs for the site and mitigation measures.

General Policy 17:

The City's adopted General Development, Scenic and Historic Areas, Natural Resources and Hazards Goals and Policies address the Statewide Goal. According to City map there is a floodplain overlay located on the lower portion of the site. The floodplain area will not be affected by the development of the property. The City's applicable floodplain development standards will apply at the time of development and will ensure compliance with Goal 5 and this policy.

The applicant has provided a tree plan, identifying the location and size of all existing trees on the site.

Landslide hazards do not exist on the site. Therefore, a geological assessment is not required.

The applicant has taken the opportunity to consider existing conditions and influences that enables him to explore potential development. The City has standards in place to address access, internal circulation, topography, drainage, public facilities, overall site design and layout.

General Policy 21:

The cumulative effect of all new residential development in the Keizer Urban Area should average 6.5 dwelling units per gross acre of residential development. The comprehensive plan change/zone change will allow the property to be developed at a higher density, therefore, meeting or exceeding the dwelling average.

Criterion C: Alternative sites

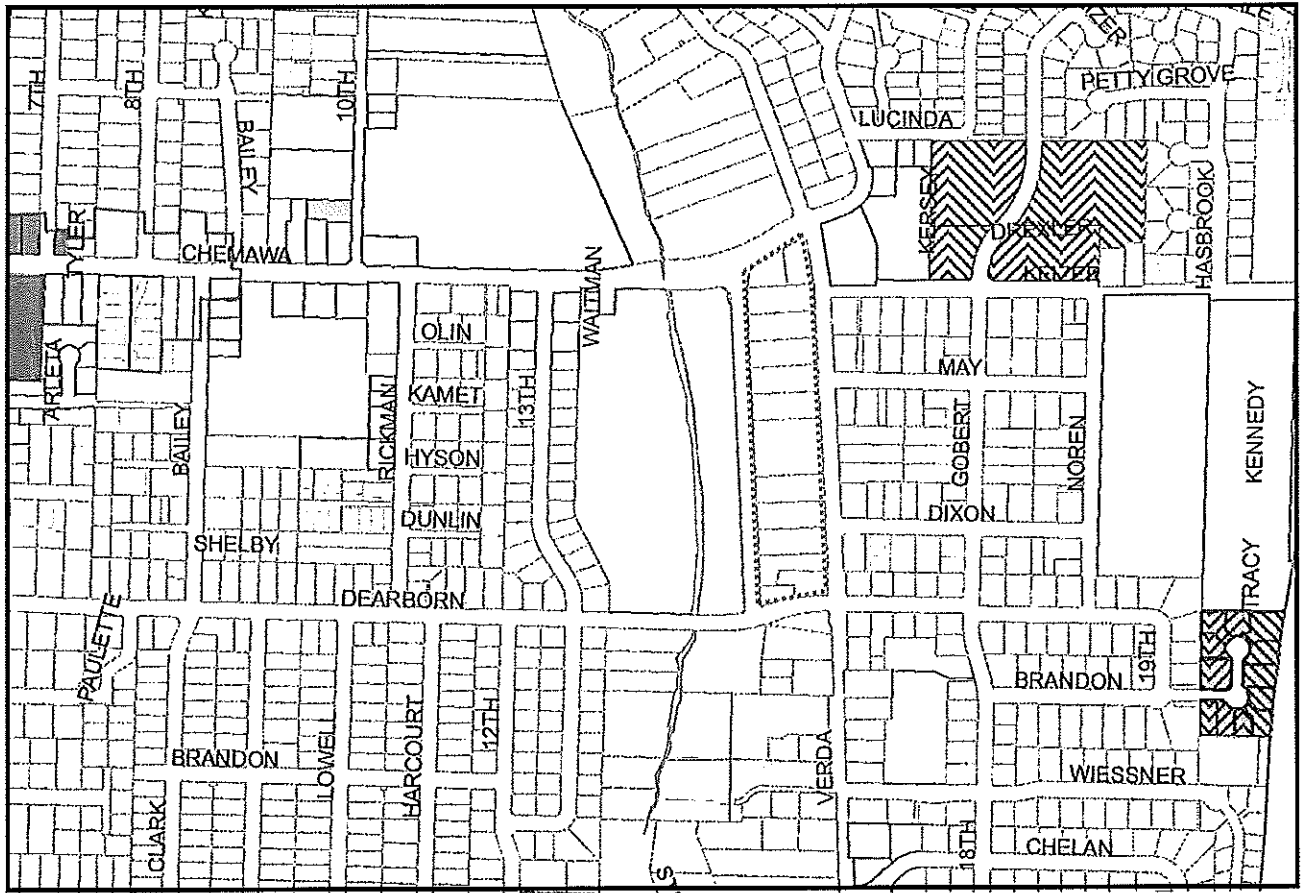
There is a lack of appropriately designated vacant RM and RH sites within this vicinity. This site gives the applicant the ability to provide mixed housing within this area along Chemawa Road and Verda Lane. There is land zoned and designated for Medium High Residential Density. However, these designated properties along Chemawa Road are fully developed.

As shown on the City land zone map there is no property contiguous to the existing site that is vacant, and there is none in the area. The only appropriately designated properties within the necessary proximity to the existing site are located on Chemawa Road and are developed.

According to the Housing Needs Analysis, Keizer has a deficit of capacity in the MF designation, with a deficit of 47 gross acres of medium and high zoned residential land. With a multi-family designation, the subject property can be developed as multi-family dwellings; the rezone helps maximize the density while helping to meet housing needs within the Keizer Urban Area.

The subject property will not only be a site that will contribute to the multi-family housing needs, but it is also a site that can help improve the transportation circulation in the area. The development of the site will encourage a mixture of housing types and higher densities within an infill lot along Chemawa Road.

There are no appropriately designated alternative sites within the vicinity for the proposed use that are currently vacant. Therefore, the proposal satisfies this criterion met.



Criterion D: Projected Needs

The proposed rezoning will provide 7.5 acres of multi-family (RH) zoned property within the Keizer Urban Area, where a total of 362 units of multi-family dwellings are needed in order to meet the City of Keizer housing needs.

The existing zone is RS. If developed as RS, the site will provide 14 single family lots, where 1,183 lots are needed in order to meet the housing needs. Fourteen lots don't help the housing needs of this area. Furthermore, currently there are several subdivisions with in Keizer that have been approved and will more than make up for the loss of these 14 lots.

The HNA shows that there is a total of 250 acres of RS and UT zoned property (vacant and partially vacant) available for the development of single family dwellings. Whereas, there is only 24.1 acres of medium to high density (RM and RH) land available within Keizer for the development of multi-family units. This indicates that there is a great need for vacant land zoned for the development of multi-family units within the City of Keizer.

Also, due to the requirements of the Comprehensive Plan to provide a mixture of housing types, the need for multi-family housing in this area is greater than the need for single family housing. There are currently a wider range of housing opportunities for single family dwellings in the area than for multi-family units.

This criterion is met, by establishing a use that is consistent with the future residential needs in the area, by addressing how residential needs of the Keizer area are being met by this proposal, and by providing higher density for housing needs and a logical transition along Chemawa Road and Verda Lane.

FIGURE 13: RESIDENTIAL COMPREHENSIVE PLAN DESIGNATIONS, CITY OF KEIZER

ZONING DESIGNATION		Net Vacant Buildable Acres	Observed Density (Units/ Net Acre)	Target Density (Units/ Net Acre) ⁵	Capacity of Vacant Lands (Units)	Underlying Comp Plan Designation
RS (Vacant, Redev.)	Single Family Residential	56.1	6.6	6.6 det. 8.0 att.	378	Low Density Residential
RS (Partially vacant) ¹	Single Family Residential	142.7	no	6.6 det.	805 ¹	Low Density Residential
RL	Limited Density Residential	0	4.8	-	-	Medium D.R. or Medium High D.R.
RL-LU	Limited D.R. - Limited Use	0	9.6	-	-	Medium High Density Res.
RM (Medium) ¹	Medium Density Residential	0	no	-	-	(See footnote)
RM (Medium High)	Medium Density Residential	24.1	9.6	15.0	362	Medium High Density Res.
RM-LU	MDR - Limited Use	0	9.6	-	-	Medium High Density Res.
RH ¹	High Density Residential	0	no	-	-	(See footnote)
UT (Vacant, Redev.)	Urban Transition	9.4	6.6	6.6 det. 8.0 att.	63	Low Density Residential
UT (Partially vacant) ¹	Single Family Residential	41.4	no	6.6 det.	247 ¹	Low Density Residential
MU ⁴	Mixed Use (Keizer Station)	22.8	6.7	6.7	153	Mixed Use
MU	Mixed Use (Other)	18.7	16.8	16.8	314	Mixed Use
Accessory Dwelling Unit Assumption:					100	
Totals/Averages:		315.2		9.3	2,422	

Sources: MWVCOG, City of KEIZER, Johnson Reid LLC

Criterion E and Criterion F: Lane Use Patterns and Adjacent Land

The subject property is currently vacant. In order to provide a mixture of housing in the area, the applicant is requesting a zone change. A majority of the properties along Chemawa Road are zoned for single family development and all the properties along Verda Lane are zoned for single family development.

The existing neighborhood consists of single family housing and some multi-family dwellings. In order to maintain the character of the neighborhood, the site will be developed in compliance with required Design Standards.

There are no foreseeable adverse effects of the proposal to adjacent properties. The adjacent properties have public street frontage on and access to major streets. Therefore, this criterion is met.

Criterion G: Public Facilities and Services

The City's adopted Comprehensive Plan Transportation Goal and Policies and the Transportation System Plan implements the Statewide Transportation Goal by encouraging a safe, convenient and economic transportation system. The subject property is located Chemawa Road (north), Verda Lane (east), Philip Street (west), and Dearborn Avenue (south). The major streets are in place due to previous development. Sidewalks and needed improvements will be made to if required.

The City's adopted Comprehensive Plan, residential, and Transportation Goal and Policies and adopted Stormwater and Water Master Plans implement the Statewide Public Facilities and Services Goal by requiring development to be served by public services. The proposal is for revitalized urban development in an area where future extensions of those services can be provided in the most feasible, efficient and economical manner. All necessary and appropriate public services and facilities essential for development will be provided to this property at levels that are adequate to serve the proposed use.

The City maintains an infrastructure of public services that includes sewer, water, and storm drainage facilities. The City will specify any needed changes to the existing service levels at the time building permits are requested.

APPLICANT'S REASONS ADDRESSING THE ZONE CHANGE CRITERIA

The subject property is currently zoned RS but is underdeveloped. The proposed RH zone will implement the requested "Multi-Family Residential" Comprehensive Plan map designation.

Criterion (a) is addressed as follows:

As stated above, the proposed zone is appropriate for the Comprehensive Plan Land Use designation and is consistent with the applicable Comprehensive Plan policies.

Residential Development Policies

General Policies 1 & 2:

The applicant's proposal is to rezone the property from RS to RH to allow a higher density to be built on the site. As stated above, according to the Housing Needs Analysis, Keizer has a deficit of capacity in the multi-family designation, with a deficit of 47 gross acres of multi-family residential land. The rezone helps maximize the density while helping to meet housing needs within the City of Keizer.

The rezoning of the subject property will help to provide a variety of housing other than single family dwellings. This is a growing area that already has more than a sufficient amount of single family land for development. Multi-family development will provide a needed housing type in the area while helping to meet housing needs as well. Therefore, establishing a mixture of residential uses within the area.

General Policies 3 & 4:

The City's adopted Comprehensive Plan Transportation Goal and Policies and the adopted Keizer Transportation System Plan implements the Statewide Transportation Goal by encouraging a safe, convenient and economic transportation system. The subject property is located along Chemawa Road and Verda Lane. The major streets are in place due to previous development. Sidewalks and needed improvements will be made to Verda Lane, Philip Street, Chemawa Road, Dearborn Avenue if required.

The City's adopted Comprehensive Plan, residential, and Transportation Goal and Policies and adopted Stormwater and Water Master Plans implement the Statewide Public Facilities and Services Goal by requiring development to be served by public services. The proposal is for revitalized urban development in an area where future extensions of those services can be provided in the most feasible, efficient and economical manner. All necessary and appropriate public services and facilities essential for development will be provided to this property at levels that are adequate to serve the proposed use.

The City maintains an infrastructure of public services that includes sewer, water, and storm drainage facilities. The City will specify any needed changes to the existing service levels at the time building permits are requested.

General Policies 5 & 6:

As stated above, the rezoning of the subject property will help to provide a variety of housing other than single family dwellings. This is a growing area that already has more than a sufficient amount of single family land for development. Multi-family development will provide a needed housing type in the area while helping to meet housing needs as well.

The development will also be located in an area in close proximity to existing and proposed services. There are at least two parks located within a mile or less of the site. Commercial Services are currently available to the west along Chemawa Road and River Road N.

General Policies 7, 8, & 9:

The subject property is currently vacant. In order to provide a mixture of housing in the area, the applicant is requesting a zone change. The comprehensive plan encourages a mixture of housing types within a neighborhood. The infill development will encourage a type of needed housing along Verda Lane and Chemawa Road.

The development will also be located in an area in close proximity to existing and proposed services. There are at least two parks located within a mile or less of the site. Commercial Services are currently available to the west along Chemawa Road and River Road N.

The existing neighborhood consists of single family housing. The surrounding properties are zoned for single family development. In order to provide an alternative housing pattern while being consistent with the neighborhood, the proposed development will provide a higher density of needed housing in this area of Keizer. In order to maintain the character of the neighborhood, the site will be developed in compliance with required Design Standards and provide bufferyards along property lines.

The comprehensive plan change/zone change will promote infill development with the development of a property that is already served by City Services and all transportation to be developed with a higher density of housing that is needed in this area.

General Policy 10:

The development will also be located in an area in close proximity to existing and proposed services. The development will also be located in an area in close proximity to existing and proposed services. There are at least two parks located within a mile or less of the site. Commercial Services are currently available to the west along Chemawa Road and River Road N.

General Policy 13:

The subject property is located along Verda Lane (east), Chemawa Road (north), Dearborn Avenue (south), and Philip Street (west). Sidewalks and needed improvements will be made if required. The major streets are in place due to previous development and the subject property is surrounded by right-of-way. Therefore, there will not be any through traffic to existing neighborhoods.

General Policy 15, 18, & 19:

The City of Keizer has an adopted housing needs analysis, "Salem-Keizer Housing Needs Analysis 2012-2023", that is dated May 2011. The Housing Needs Analysis reevaluates the housing needs for all residential types. According to the study, Keizer is in need of 47 acres of RM and RH zoned residential land in order to help fill the deficit for multi-family housing.

The applicant's proposal is to rezone the site from RS and RH to allow a higher density to be built on the site. As stated above, according to the Housing Needs Analysis, "Keizer has a deficit of capacity in the Multi-Family designation, with a deficit of 362 dwelling units and a deficit of 47 gross acres of residential land. The rezone helps maximize the density while helping to meet housing needs within the City of Keizer.

The development will also be located in an area in close proximity to existing and proposed services. There are at least two parks located within a mile or less of the site. Commercial Services are currently available to the west along Chemawa Road and River Road N.

The existing neighborhood consists of single family housing. The surrounding properties are zoned for single family development. In order to provide an alternative housing pattern while being consistent with the neighborhood, the proposed development will provide a higher density of needed housing in this area of Keizer. In order to maintain the character of the neighborhood, the site will be developed in compliance with required Design Standards and provide bufferyards along property lines.

The City's adopted Comprehensive Plan, Residential, Transportation Goals and Policies and applicable adopted facilities plans implement the Statewide Housing Goal.

The City's subdivision and land use processes implement applicable Housing Goals and Policies. There is a deficit in multi-family residential land in the City of Keizer.

General Policy 16:

Development is required to meet applicable State and Federal requirements for air and water quality. The proposal to redevelop is reviewed by the City and any applicable outside agencies for impacts on environment and compliance to applicable standards and regulations. Development is required to meet applicable water, sewer, and storm drainage system master plan requirements. Upon redevelopment, the City is responsible for assuring that wastewater discharges are treated to meet the applicable standards for environmental quality.

The proposed site is outside the noise contours of the air traffic, and that the facility will nevertheless utilize building materials that mitigate such noise, if any.

The major impact to air quality in the vicinity is vehicle traffic along the boundary streets. The traffic generated from the site will be minor compared to the total volume of traffic in this area, and will not create a significant additional air quality impact. The TIA identifies the traffic needs for the site and mitigation measures.

General Policy 17:

The City's adopted General Development, Scenic and Historic Areas, Natural Resources and Hazards Goals and Policies address the Statewide Goal. According to City map there is a floodplain overlay located on the lower portion of the site. The floodplain area will not be affected by the development of the property. The City's applicable floodplain development standards will apply at the time of development and will ensure compliance with Goal 5 and this policy.

The applicant has provided a tree plan, identifying the location and size of all existing trees on the site.

Landslide hazards do not exist on the site. Therefore, a geological assessment is not required.

The applicant has taken the opportunity to consider existing conditions and influences that enables him to explore potential development. The City has standards in place to address access, internal circulation, topography, drainage, public facilities, overall site design and layout.

General Policy 21:

The cumulative effect of all new residential development in the Keizer Urban Area should average 6.5 dwelling units per gross acre of residential development. The comprehensive plan change/zone change will allow the property to be developed at a higher density, therefore, meeting or exceeding the dwelling average.

Criterion (b) is addressed as follows:

An RH development should have a positive effect on the neighborhood by providing a needed housing type in the area, while recognizing the physical capacity of the site and the necessary provisions of public facilities and services. All necessary public facilities are required to be made available to the subject property, and adequate transportation facilities are already in place.

An overall positive finding can be made that the effects of the proposal are appropriate considering the impact on the existing single family-density neighborhood, the physical characteristics and capacity of the site, and the availability of public facilities and services to be extended upon development. The development will take an undeveloped site and create a development that is visual appealing to the neighborhood. At the time of building permits, Design Standards will be in place to help eliminate any impacts to the neighborhood and create a positive development.

Criterion (c) is addressed as follows:

The proposed RH zone can be established in compliance with the development requirements of this Code. The applicant will be required to obtain building permits. The building permits will be reviewed for compliance with the Code.

New development on the site will be according to City standards which are the minimum community development standards established by the City. By meeting these requirements at the development stage, the development will meet the City's development standards which are designed to make abutting land uses compatible with each other. The redevelopment of this

site is subject to City codes as well as market forces which dictate an attractive, easily accessible project in order to attract both investors and customers.

The Cities Development Code will help implement direction of outdoor lighting, bufferyards, improved access, street improvements, paved parking lots and paved surfaces to limit dust. The applicant will work with staff to assure that the City of Keizer Design Standards and Code requirements are met prior to development of the site.

Criterion (d) is addressed as follows:

The City's adopted Comprehensive Plan, residential, and Transportation Goal and Policies and adopted Stormwater and Water Master Plans implement the Statewide Public Facilities and Services Goal by requiring development to be served by public services. The proposal is for revitalized urban development in an area where future extensions of those services can be provided in the most feasible, efficient and economical manner. All necessary and appropriate public services and facilities essential for development will be provided to this property at levels that are adequate to serve the proposed use.

The City maintains an infrastructure of public services that includes sewer, water, and storm drainage facilities. The City will specify any needed changes to the existing service levels at the time building permits are requested.

Sidewalks are or will be provided throughout the site to connect to the public sidewalk system. The location along a major transportation corridor facilitates access to a transit route (Route 15 on Verda Lane and Route 18 on Chemawa Road), bicycle and pedestrian access, provides significant opportunity to reduce vehicle miles traveled. The vehicle, transit, bicycle, and pedestrian circulation systems will be designed to connect major population and employment centers in this Keizer area, as well as provide access to local neighborhood residential, shopping, schools, and other activity centers.

Traffic from this site is diverted away from residential areas and has convenient access to the existing streets. Aesthetics and landscaping will be considered in the design of the circulation system to cut down on headlight glare, heat, and improved traffic direction.

The Salem-Keizer School District provides public education facilities. The education district's master plan provides for growth in the district and has options to meet the demand. The education district reviews the population factors to determine planning, funding and locating new schools or providing additional facilities on the sites of existing schools.

Other private service providers supply garbage, telephone, television, postal and internet services as needed by the development. The required public services and facilities to serve new development will be determined by the City at the time development permits are requested. By providing adequate public facilities and services for the proposed use, the requirements of this goal are met.

Criterion (e) is addressed as follows:

The applicant is proposing to rezone the subject property to RH (High Density Residential). The purpose of the RH zone is to encourage high residential densities for multifamily dwellings. The applicant is proposing to develop the site with the maximum multi-family dwellings allowed. The rezone will allow the applicant to develop the site at a higher density than allowed under the current zone. The development of apartment units on the site will meet the intent of the RH zone.

Criterion (f) is addressed as follows:

The City of Keizer has an adopted housing needs analysis, "Salem-Keizer Housing Needs Analysis 2012-2023", that is dated May 2013. The Housing Needs Analysis evaluates the housing needs for all residential types. According to the study, Keizer is in need of 47 acres of RM and RH zoned residential land in order to help fill the deficit for multi-family housing.

The applicant's proposal is to rezone the site from RS and RH to allow a higher density to be built on the site. As stated above, according to the Housing Needs Analysis, Keizer has a deficit of capacity in the Multi-Family designation, with a deficit of 362 dwelling units and a deficit of 47 gross acres of multi-family residential land. The rezone helps maximize the density while helping to meet housing needs within the City of Keizer.

The development will also be located in an area in close proximity to existing and proposed services. There are at least two parks located within a mile or less of the site. Commercial Services are currently available to the west along Chemawa Road and River Road N.

The existing neighborhood consists of single family housing. The surrounding properties are zoned for single family development. In order to provide an alternative housing pattern while being consistent with the neighborhood, the proposed development will provide a higher density of needed housing in this area of Keizer. In order to maintain the character of the neighborhood, the site will be developed in compliance with required Design Standards and provide bufferyards along property lines.

The City's adopted Comprehensive Plan, Residential, Transportation Goals and Policies and applicable adopted facilities plan implement the Statewide Housing Goal.

The City's subdivision and land use processes implement applicable Housing Goals and Policies. There is a deficit in multi-family residential land in the City of Keizer.

APPLICANT'S REASONS ADDRESSING THE PARTITION CRITERIA

The applicant is requesting a concurrent partition. The partition will replat the existing 14 lots into one large lot consisting of 7.5 acres.

The lot will be of size to accommodate a large apartment development. At the time of development the parcel will have safe and efficient access onto Verda Lane. All services will be in place for the development of the site.

At this time, the applicant is not proposing the removal of any trees on the site. If the applicant decides to remove trees, a tree removal permit will be applied for prior to development of the site.

The partition/replatting of the site is in compliance with the requirements of the Keizer Code. See attached site plan.

CONCLUSION

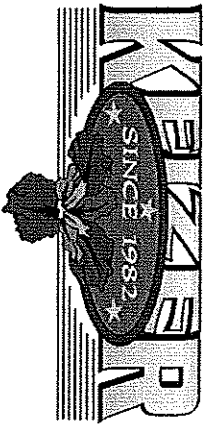
We believe that the requested Comprehensive Land Plan Change/Zone Change/Partition applications are appropriate for the subject property for the reasons described herein. The proposal is consistent and in compliance with the applicable goals and policies of the Comprehensive Plan and the Statewide Planning Goals, and satisfies all applicable criteria. As demonstrated herein, the "Multi-Family Residential" land use designation and corresponding RH zoning designation is appropriate for the subject property.

We believe that the materials submitted address all the relevant City criteria for a Comprehensive Plan Change/Zone Change/Partition. For these reasons, we believe that the proposal is warranted and that the Planning Staff has sufficient findings to grant the proposal as requested.

1. There is also questionable data regarding how this improves the environment. All these extra vehicles have the potential of oil and/or antifreeze leakage on the parking lot and discharge to catch basins then directed to the creek/river vs. grass and 12 to 20 cows on 7.5 acres. The Bioswale was put in on Dearborne & Chemawa roads at a cost of resident's front yards and money. Now you are saying that pavement is better than bioswale (i.e. grass field). Too much speculation in documentation. Where is the information on the environmental impact study of grass vs. pavement?
2. 120 unit apartment complex provides employees for area? Not logical. 120 unit at 1 to 2 adults per unit to do what jobs? There is no big industry in Keizer. River Rd is small businesses, not able to sustain an additional 120 to 240 persons looking for employment.
3. 120 unit complex will add 28 new students for local schools (16 elementary, 6 middle school and 6 high school). That is not a realistic demographic for apartment complex families.
4. 120 unit, up to 240 more adults. Will you be adding more police officers?
5. 120 unit complex will add 1 to 2 vehicles per unit for 120 to 240 additional vehicles traveling on an already over crowded road. This will likely increase traffic accidents. Round about is proposed at Chemawa and Verda. This is not yet installed, so it has not yet proven to alleviate the traffic that is already backed-up. It is all hypothetical and speculative.
6. Pamphlets should have been mailed to local residents. Insufficient information has been given to local residents.
7. Claggett Creek middle school has insufficient parking spaces for events as it is. Attended the 8th grade promotion on Tuesday June 10th. People were parked all the way back on the fields behind the school. It took close to 45 minutes to get out of the parking lot. Also, the number of families in attendance with 3 or more children in tow was at least 70% of those in attendance. How then will adding 120 units only increase the total school population by 26 students?
8. The neighborhood already is looking degraded (i.e., unfinished paving along Dearborne east of Verda, 18th Ave and Brandon Ct from a storm water line upgrade). Extra large apartment complex will not improve the neighborhood appearance.
9. 120- units has the potential of 1 to 2 vehicles per unit for a total of 120 to 240 vehicles leaving/entering the driveway. How is this less impact on Verda than the unimproved 14 SR parcels. This is not logical or realistic.
10. Page 58 of report has non-sequitur logic. Apartment construction provides work for unemployed yet apartment complex for low cost to provide more employees for local jobs. These two are contradictory. On the one you are saying we need more employees.

On the other you are saying apartment units provides jobs for the unemployed. Which is it, we need jobs or employees? Where do these jobs exist?

11. In general terms/feelings, Keizer's North View Terrace area is already crowded enough. More people in a crowded area means lower quality of life for all. Lowers our property value, raises our taxes, increases traffic, increases crime (vandalism, theft, etc), decreases public safety.
12. Are these units intended for low income housing?



PUBLIC HEARING SIGN UP SHEET

Land Use CASE NO. 2014-11

Applicant: Heber Family, LLC

DATE: June 12, 2014 TIME: 6:00 p.m. AGENDA ITEM # 1

BEFORE THE: HEARINGS OFFICER PLACE: ROBERT L. SIMON COUNCIL CHAMBERS
(PLEASE PRINT)

NAME	ADDRESS	GENERAL	PROPONENT	OPPONENT
Please print legibly				
Mark Greene ✓	1155 13th St SE Salem, 97302 ✓		X	
Barb Griffith	1497 Greenwood Dr. NE 97303			
Larry Goble ✓	4820 Verde Ln. NE 97303			X
THEODORE STALEY	1301 MENDOTA NE 97303 ✓			
Eric Castill				
ERIC CASTILL	3830 patting 97303			
Carl Crooks ✓	5065 Verda Lane NE 97303			X
Laura Johnson ✓	5355 Lancers Ct NE 97303			
Matthew Goss ✓	1880 Keizer rd NE 97303			✓
Nicki Hoffmann ✓	920 Cade Ave Keizer 97303			—
John Kizzo ✓	1772 Talawa St Keizer 97303		X ✓	—
DAVID BEVENS ✓	5067 8th Ave NE Keizer 97303			—

Over for additional signature lines.

(PLEASE PRINT)

NAME	ADDRESS	GENERAL	PROPONENT	OPONENT
ESTHER REBERT	1510 Lakess St NE Keizer, OR			X
David Ziebert	1000 " " " "			✓
Alvin Ziebert	" " " "			✓
Cristina Taylor	5045 Alameda Way NE #106 Keizer			✓
DEAN FILLER	1967 CHELAN ST. NE. KEIZER			✓
Joseph & Katrina D. Reza	2005 Alameda Way NE			✓
Larry Alvin	978 London View St NE			✓
Katie & Rick Esch	5177 Peach St NE			✓
John Smith	4838 13th Ave NE Keizer			✓
Ray Scales	4838 13th Ave NE Keizer			✓
Mike Hansen	17th Kelly St NE Keizer			✓
Dele Rayner	1395 Junior St. N Keizer			X
Bobbie Rogers	4895 13th Ave NE			X
Brian Grisch	5017 Elizabeth St N. Keizer			X
Philip Malcott	4789 12th Ave Keizer			✓
Robert Enhart	5135 7th Ave NE Keizer OR	✓		
Carle Dush	4773 Lowell Ave Keizer OR			✓
DAVID JUSTIS	" "			✓
Simon Justis	" "	✓		
Roman Justis	" "			✓
Dorothy Blair	" "			✓
Doug Warner	P.O. Box 1094 Salem OR 97308	X		

(PLEASE PRINT)

NAME	ADDRESS	GENERAL	PROPONENT	OPPONENT
Gindy Schnurbusch	1384 Dearborn Ave NE			✓
Dan Schnurbusch	1384 Dearborn Ave NE			✓
Tatiana Schnurbusch	1510 Lawless St NE			✓
Ariqul Huqanaova	1010 Donnan Pl. NE			✓
Maria Bushels	4650 Thorman Ave NE			✓
Matt Perkins	654 Rosepark LNE			✓
Elizabeth Perkins	654 Rose Park LNE			✓
Kelly Jackson	888 Auburn Ave SE			Q
CHAS ALLENBAULT	215 CHESTNUT RD N			✓
Daniel Harrison	1728 Kelly St N			✓
Justin Fredrickson	1730 Keizer Rd NE			✓
E. PEIL	KEIZER RD. NE			X
Shady Irwin	5080 Nevada Lane NE			X
Don Irwin	11			X
Diane Edwards	1057 Fir Cone Lane NE			X
Chase Cota	4784 12th Ave Keizer			X
Shawn Spordan	724 Linde Ave NE Keizer	✓		
Thomas Begman	4630 Thorman Ave NE, Keizer			✓
Jeff Hermann	5198 Nevada Lane NE, Keizer			✓
Travis Michie	5198 Nevada Lane NE, Keizer			✓
Graig Cori Budrow	4771 18th Ave NE, Keizer			✓
Barbara Van	5066 Alameda way			✓

SIGN IN

PLEASE
PRINT

<u>Name</u>	<u>Address</u>	PROPOSER	OPPOSER
Mika Webb	1830 Chemawa Rd NE		X
Susan Kendall	4180 Verda Lane NE	Keizer	X
Aigul Aybano	1010 Donnan Place NE		X
Barley Soaks	Springtime Ct 1703	✓	X
Julii Bonogorski	5085 Bailey Rd		X
Debbie Crooks	5065 Verde Lane		X
Quentin Ose			X
Dalton Lindsey	5068 4th Pl N	Keizer 97303	X
Alicia Capuchine	5151 Harbrook Ave NE	Keizer 97303	✓
JULIE NICHOLSON	4225 Bathing St NE	Keizer 97303	



KEIZER COMMUNITY DEVELOPMENT DEPARTMENT

STAFF RECOMMENDATION

Case 2014-11

TO: Hearing Officer
FROM: Sam Litke, Senior Planner
SUBJECT: Comprehensive Plan / Zone Change / Lot Line Adjustment
DATE: June 4, 2014

The Community Development staff reviewed the above referenced case and offers the following comments.

I. GENERAL INFORMATION

- A. APPLICANT:** Mark Grenz, Multi-tech Engineering
- B. PROPERTY OWNER:** Tyrene Denlinger on behalf of the Herber Family, LLC
- C. PROPERTY LOCATION:** The property is located in the 4800 and 4900 block of Verda Lane and is identified on Marion County Tax Assessor Map as Township 7 South; Range 3 West; Section 02AA; Lots 3000 and 3600; and, also Township 7 South; Range 3 West; Section 02AD; Lots 6700 and 7300.
- D. EXISTING PARCEL SIZE:** The site contains approximately 7.5 acres.
- E. EXISTING DEVELOPMENT AND PUBLIC FACILITIES:** A portion of the site is developed with two single family homes and two outbuildings and the remainder of the property is undeveloped.

- F. PLAN DESIGNATION AND ZONING:** The property is designated Low Density Residential on the Comprehensive Plan map and is zoned Single Family Residential (RS).
- G. ADJACENT ZONING AND LAND USES:** Single-family homes on lands to the east, north, and south are zoned Residential Single Family (RS). To the west, across Claggett Creek, is Claggett Creek Park, on land that is zoned Pubic. The southeast corner of the Chemawa Road / Verda Lane intersection is zoned Medium Density Residential (RM) and is developed with a church.
- H. PROPOSAL:** The proposal is to re-designate the Comprehensive Plan map from Low Density Residential to Medium and High Density Residential; rezone the property from Single Family Residential (RS) to Medium Density Residential (RM); and, through the Lot Line Adjustment process consolidate the existing 14 lots into one large parcel. The site plan, applicant's statement, and Transportation Planning Rule Analysis is attached as Exhibit '1'.
- I. NOTICE:** Public notice was mailed, published and posted consistent with notice requirements in KDC § 3.204.

II. COMMENTS

AGENCY COMMENTS:

- A.** PGE provided comments that development costs per current tariff and service requirements; and, that a 10 foot Public utility easement required on all front street lots (Exhibit '2').
- B.** Marion County Surveyor commented that a property line adjustment within a recorded subdivision plat will require a replat which must comply with ORS 92.185(6); that it

must be surveyed and platted consistent with ORS 92.050; and, that all fees and an updated title report is submitted at time of review (Exhibit '3').

- C. Public Works submitted comments relating to public services including sanitary sewer, water, street and drainage improvements (Exhibit '4').
- D. Salem-Keizer School District indicated that they had reviewed the application and commented that sufficient school capacity exists in the elementary and middle schools but not at the high school (Exhibit '5').
- E. Keizer Fire District provided comments related to the applicable fire codes that will need to be adhered to as part of any eventual development of the site (Exhibit '8').

CITIZEN COMMENTS:

Written comments were received from Sylvia Wengenroth, 5070 Verda Lane, who expressed concerns relating to increased traffic (Exhibit '6').

A letter signed by Dee Sloan, 1382 Dearborn Ave, Josh Huhn, 5423 Verda Lane, Cindy and Dan Schuerhusch, 1384 Dearborn Ave commented that the changed will result in more traffic particularly on Verda Lane and the adjacent streets and adverse impacts to the environment (Exhibit '7').

Staff response:

Impacts on traffic and nearby streets as well on the environment are discussed further in this report under the appropriate sub-headings.

III. FINDINGS

The Review Criteria for a Comprehensive Plan change are found in Section 3.109 (Comprehensive Plan Map Amendments); Zone change criteria are found in Section 3.110 (Zone Change); and, the Lot Line Adjustment review criteria is within Section 3.106 (Lot Line Adjustments) of the Keizer Development Code (KDC).

Comprehensive Plan map Criteria

Comprehensive Plan map amendment proposals shall be approved if the applicant provides evidence substantiating the following:

Section 3.109.04.A. Compliance is demonstrated with the statewide land use goals that apply to the subject properties or to the proposed land use designation. If the proposed designation on the subject property requires an exception to the Goals, the applicable criteria in the LCDC Administrative Rules for the type of exception needed shall also apply.

FINDINGS:

Goal 1 – Citizen Involvement: The proposal has included notice to interested parties, a public process of decision making involving public hearings, deliberation, and ordinance adoption. Public notice was provided and public hearings were held before the Hearings Officer on June 12, 2014, and before the City Council. Citizens have been afforded the opportunity to participate in the public process either in person or through written testimony. The City Council meetings are televised, further providing an avenue for awareness of the issue. Written letters that were received were forwarded to the Hearings Officer and also included in the material that was presented to the City Council. This process is consistent with the provision for providing an opportunity for citizens to be involved in all phases of this planning process as required by this

goal and with implementing administrative rules within Oregon Administrative Rules, and consistent with City of Keizer development code and comprehensive plan.

Goal 2 – Land Use Planning: This proposal will amend the city’s comprehensive plan map. The adoption proceeding was conducted in a manner consistent with requirements of the City’s Comprehensive Plan, Development Code, and applicable state law. The city’s comprehensive plan has been acknowledged by the Department of Land Conservation and Development. A public hearing was conducted before the Hearings Officer and also before the City Council which each afforded an opportunity for both verbal and written testimony was provided. In addition, all written testimony that was submitted to staff was forwarded to both Hearings Officer and the City Council. Both the Hearings Officer and the City Council considered such testimony in rendering their respective decisions. The Hearings Officer will forward a recommendation to the City Council. The Council will then make a written decision in the form of an adopted ordinance with findings supporting the decision. Any appeal of the City Council’s decision is provided in ORS 197. The city’s review and decision includes an adequate factual base and therefore, the proposed is consistent with this statewide planning goal and administrative rules.

Goal 3 –Farm Land - The purpose of this goal is to protect lands that are designated for agricultural uses. Within the city limits the Exclusive Farm Use (EFU), Special Agriculture (SA), Urban Transition (UT), and Public (P) allow commercial agricultural uses. However, within the city limits only the city’s SA zone is a state recognized EFU qualifying zone. The comprehensive plan map amendment involves land that is within the boundaries of the city limits of Keizer. Since the proposal will only involve land that is designated inside the city limits and which is proposed to allow for residential development, it will not affect and land that is designated either EFU or the SA, or lawful uses occurring on those lands. Although the property has been specially assessed by the Marion County Tax Assessor’s Office, owing to the fact that for many years there has been a small cattle raising activity occurring on the property,

the city does not consider that this property's only viable use is to continue to be used for farm uses. This determination is based on several facts. First, the property is within the city limits and surrounded by urban uses. The property is zoned RS which allows for residential single family development as its primary use and not commercial farm operations. The property was approved in the mid-1950s for a single family subdivision that was platted and created the 14 existing lots, but was never built. While the property is specially assessed it is not recognized as an EFU qualifying zone. These reasons all support that the proposed comprehensive plan map change will not adversely any commercial farming operations that exist outside the city limits on lands designated by Marion County as EFU. Therefore, the proposed comprehensive plan map amendment will comply with the Farm Land Goal and with any implementing administrative rules.

Goal 4 – Forest Land: The intent of this goal is to protect lands that are designated for commercial forest uses. There are no zone districts that are specifically designated within the city limits that allow for commercial forestry. Also, there are no commercial forest lands near, or adjacent to the city limits of Keizer. There is no commercial forest lands on the site. The proposal does not involve any land which is designated as forest land, nor will it impact the use of any forest lands. The comprehensive plan map amendment will only involve land that is designated inside the city limits and which is designated to allow for residential development, it will not affect lands which allow for commercial forestry or lawful uses occurring on lands outside the city limits. Therefore, this Goal and implementing administrative rules are not applicable to the proposed comprehensive plan map amendment.

Goal 5 – Natural Resources: The intent of the Natural Resources Goal is to protect various natural resources such as wetlands, waterways, floodplain, big game habitat, etc. The city established overlay zones to maintain, preserve and protect the natural resources that are identified within the comprehensive plan. The proposed amendment to the comprehensive plan map will not hamper the ability of the city to continue to provide natural resource protection

regulations. The City of Keizer has a number of Goal 5 protections already in place. These include an inventory of wetlands within the city limits, floodplain development regulations, and Willamette River Greenway regulations. The site included in this application is not located along the Willamette River so the Willamette River Greenway regulations do not apply. The site is shown on the floodplain maps as being outside the 100 year floodplain that is adjacent to Claggett Creek. The floodplain boundary appears to be either along the base of the embankment or slightly above the base of the embankment. Any use, or development within this floodplain area, will be required to be done in accordance to all applicable floodplain regulations. According to the Salem-Keizer Local Wetlands Inventory, June 1998, there appears to be wetland soils along and adjacent to the riparian area along Claggett Creek on a portion of the adjacent parcel which is to the west of Phillips Street and not part of this proposal. Because the property is within the city limits it is not identified as being in a big game (bear, elk, etc) habitat area as are found in the coast or cascade mountain ranges. Because the site does not contain any identified natural resources as protected by the city the amendment to the city's comprehensive plan map is consistent with this goal and with administrative rules designed to implement this goal.

Goal 6 – Air, Water and Land Quality: The intent of this goal is to protect the city's air, water and land qualities. The city has a number of regulations in place which aim to protect, maintain and enhance its natural resources such as air, water and land. To that end the city has land use regulations which are geared to protecting the quality of land. This is done through the development code regulations. The City of Keizer provides its residents with water from groundwater sources. The city monitors the water quality of the drinking water to ensure that it complies with all state and federal regulations. Since the land in this application is proposed to be development with multi-family apartments the new buildings will be required to be connected to the municipal sanitary sewer line thereby eliminating the possibility of groundwater contamination from new on-site septic systems.

The city has been developing stormwater regulations that are aimed to protect water quality and the proposed development will be required to meet the city's stormwater drainage requirements.

It is not known if the cattle that have been allowed to be placed on both this site as well as the adjacent tax lot will continue after this site is developed. On the assumption that the presence of the cattle may be incompatible with the development of the upper property with an apartment complex will likely result in the removal of the 12 to 20 cattle from the property. This will mean that the runoff from this small cattle operation will be eliminated and this will thereby have a positive effect on the water quality of the creek. The City of Keizer is regulated by DEQ for the contribution of pollutants from the City that discharge to the Willamette River. The pollutants of concern that impact beneficial uses in the Willamette River are bacteria, mercury, and temperature. Water quality in Claggett Creek is impacted by the proximity of the cows on the subject property.

Claggett creek tops the existing channel and floods the lower portion of the subject property during most high or lengthy precipitation events. Through this routine occurrence, manure can be washed into the stream raising bacteria levels. Mercury levels also increase with soil disturbance which occurs during high water events. Finally, expanding the riparian corridor would provide shade and bank stabilization to the creek. Expanding the riparian corridor would address elevated water temperature.

Onsite backyard burning which is regulated by the local fire department air regulations are enforced by the state Department of Environmental Quality. The revision to the city's comprehensive plan map will not adversely impact the ability of the city to continue to protect the quality of air, water, or land resources. As such, the proposal complies with this goal and with administrative rules that implement this goal.

Goal 7 – Natural Hazards: The purpose of this goal is to protect life and property from hazards resulting from flooding, steep slopes or other natural occurrences. The City of Keizer has adopted floodplain regulations that govern the placement of structures within identified 100-year floodplains and which has been reviewed by state and federal authorities and been deemed to be compliant with adopted goals and objectives. A floodplain is the area that is adjacent to a body of water which may be subject to periodic inundation. In Keizer, these are primarily located

along the Willamette River and smaller streams such as Claggett Creek. The floodplains have been mapped by the federal government. With the exception of areas removed from the 100-year floodplain through the Letter of Map Amendment, the 100-year floodplain is the natural hazard area of greatest concern. This area is referred to as a 100-year floodplain it is because it has a statistical probability of having a 1% chance of flooding in any one year. The last major 100 year flood event was the 1964 flood. By contrast, the 1996 flood was not classified as a 100 year flood event for Keizer, although clearly there was a significant amount of water flowing through parts of Keizer during that flood event. The intent of the floodplain regulations is to minimize the loss of life and property damage by preventing development, elevating structures above the flood elevation, or flood proofing structures in the floodplain. Only in the area identified as a floodway will most forms of development be prohibited. The floodway is that area that is generally the channels of rivers and streams which during a flood event will experience very significant water depth and velocity flows. According to FIRM map 41047C0332G, dated January 19, 2000 the site involved in this application is outside the floodplain area. The floodplain boundary appears to be located either along the base of the embankment or slightly above the base of the embankment. While the proposal is develop the flat upper portion adjacent to Verda Lane if any development within the floodplain area is contemplated it will need to be done consistent with the city's floodplain regulations. The site where development is proposed is flat. There is a steep embankment that forms a natural barrier from the lower portion of the site near the creek. It is not known is this embankment constitutes a steep slope which might require specialized engineering. There are no other identified natural hazards associated with the site. The revision to city's Comprehensive Plan map will be consistent with this goal and any administrative rules.

Goal 8 – Recreation: This goal requires the city to identify and plan for the current and future recreation needs of the residents of the city. There are a number of parks, playgrounds, and other recreational opportunities within the city as identified in the City's Parks and Recreation Master Plan. This plan inventoried 92 acres of parks within the city and another 120 acres (Keizer Rapids Park) under the city's jurisdiction but is outside the UGB. This is comprised of one large incorporated park (Keizer Rapids Park); one large 10.6 acre city park; 10 small city parks ranging in size from 1.3 acres to 5.9 acres; three water front parks ranging in size from 1.5 acres

to 11.2 acres; one 15.4 acre special use park; two natural area parks ranging from 3.7 acres to 9.5 acres; and one 6.1 acre undeveloped park. The needs assessment determined that there are gaps in park level of service coverage; that the general west Keizer area is under served and that additional park land is needed. The adopted master plan established a level of service of 5 acres per 1,000 residents. The HNA identified a need of 43 acres to help meet future park and recreation land needs. With the pending proposal to add additional land (28 acres) to the Keizer Rapids Park will significantly work towards meeting most of this projected deficit. While there will be a slight (15 acres) deficit it reaching full compliance with the projected park land needs there is still almost 20 years left in the planning period for that to be accomplished. For this reason there is adequate capacity in the city's park system to accommodate the future residents of this property.

Just to the west of the site, across Claggett Creek, is Claggett Creek Park which can conveniently provide for the recreational needs of the proposed residents of this site. Claggett Creek Park is a 10.6 acre park that has a variety of features such as soccer and baseball fields, a small basketball court, horseshoes, playground equipment and picnic area. The Parks and Recreation Master Plan indicates that there are opportunities to expand the park by acquiring a portion of the property that is on the east side of the park. Although at this time the city has not actively pursued that option. The development of this site will not preclude the potential for the tax lot that is adjacent to the creek to one day be included as part of the park. However, this area is not included as part of this application and will require separate discussions between the city and the property owner before it can either be included as part of the park or any riparian and water quality enhancements are added to the land. The proposed amendment to the Comprehensive Plan map complies with this goal and any related rules.

Goal 9 – Economic Development: The intent of this goal is to ensure that the city plans for its overall economic vitality. The City of Keizer, along with the cities of Salem and Turner, and Polk and Marion Counties developed a regional economic opportunities analysis which identified the economic potentials and constraints within the Salem – Keizer regional area. This planning effort had the goal to enhance local economies. A follow up to that study, the Keizer

Economic Opportunities Analysis, was undertaken and documented the economic trends and economic opportunities which are geared specifically to Keizer. This study was adopted by the Council in June 2013 as part of Periodic Review and was acknowledged by the state.

This proposal for a comprehensive plan map amendment will be strictly for residential uses and will not be for any commercial or industrial uses. Therefore, it will not have any adverse impact on the economic development activities or uses within the city. Given that the proposal is to locate 120 dwelling units on the site will strengthen the economic vitality of the community in that it will result in more potential employees and consumers of local goods and services since this will result in potentially 318 new residents (120 x 2.65 resident per dwelling).

The EOA documented the composition of employment by industry in Keizer exhibits several large deviations from the statewide composition. The deviations represent Keizer's competitive advantages in the economy, which fall largely in population-driven services. Industry classifications such as Retail Trade, Education & Health, and Food Service & Drinking Places have a high representation locally. These well-represented industries, in combination with economic development goals and input from the stakeholders, were used to devise potential future target industries. After discussing and ranking industries based on local aspirations and current representation of that industry in Keizer, the City Council determined that the following list of target industries are appropriate for Keizer to target:

- Medical facilities, including research, development and support
- Information technology/back office
- Educational services, including educational research and job training
- Professional services, including corporate headquarters
- Sporting events

Current employment levels by industry were projected forward based on regional job growth estimates and the above target industry goals. The growth forecast calls for a total of 3,774 new jobs over the next 20 years, representing growth of 55% over current levels. The EOA estimated the need for 160 gross acres of land to accommodate the projected employment growth. An

inventory of 123 acres of buildable land designated for commercial and industrial categories are within the city boundary. However, there is no land available that is well-suited for the institutional category, which includes hospitals, higher education facilities, and other uses that figure heavily into the City's economic development strategy. Finally, the EOA documented that there is a net need for commercial and institutional lands amounting to 63.3 gross acres above and beyond what the City's remaining buildable employment lands can accommodate. This need is in addition to the projected need for additional residential land to serve the expected population growth. The proposal is for residential development and there will not be any commercial or industrial uses on the site. The only employment that will be associated with the site will be construction and perhaps property management employees. The construction jobs will be short term and any property management will be small in operation. Therefore, the overall economic impact associated from the proposal will be minor and so not adversely impact this goal. Therefore, the proposal is consistent with this goal.

Goal 10 – Housing: This goal requires the county to plan and provide for the housing needs of its residents. The City of Keizer with Marion County, Polk County, and the City of Salem developed a regional housing needs analysis for the upcoming 20 year planning period. In a follow up to the regional study the city adopted its own local Housing Needs Analysis (HNA) as part of the city's periodic Review that was geared specifically to Keizer and identified the projected 20 year housing needs for the city. The HNA was adopted by the City Council in June 2013 as part of periodic review update and was acknowledged by the Department of Land Conservation and Development (DLCD).

The HNA indicated that over the upcoming 20-year period, that there will be a growth in the number of non-group households by 4,366 households which will represent a population growth of 11,833 new residents. This is consistent with Keizer's adopted 2032 forecast. When the housing needs of the projected 2033 population is compared to the current housing supply, the analysis projects the need for 4,513 new units to house the future population.

The HNA documented that the largest share (56%) of one housing type is projected to be single-family detached or attached homes, with approximately 40% classified as multi-family dwelling units. 54% are projected to be ownership units, while 46% are projected to be rental units. The inventory of buildable residential lands found that there was a supply of 315.2 total acres which are vacant, partially vacant or re-developable. These acres can hold an estimated 2,422 units. The total 20-year unit need (4,513 units) minus this remaining buildable capacity (2,422 units), leaves a remainder of 2,090 units which must be accommodated beyond the City's remaining capacity within its current boundary. The HNA documented that there was approximately 24 acres of vacant RM land available for development which according to the HNA for approximately 362 units of RM land to meet projected multi-family needs. This was based on a calculated multi-family need of 38 dwelling units for duplex; 351 dwelling units for three and four plexes; and, 1,437 dwelling units for multi-family developments containing 5 or more dwelling units. Single family dwelling units were calculated to be 2,524 (Figures 15 thru 18 HNA).

When this remaining land need is apportioned to Keizer's residential zones, the HNA estimates a 20-year need for 267 gross acres of residential land, to be accompanied by 43.5 acres of new land for parks to serve this new population, and 10 acres of land for new school facilities. This is a total of 385 gross acres.

The comprehensive plan identified that there is only a small amount of land that is vacant (5.7 acres) and that is zoned for multi-family development. The Comprehensive Plan notes that "Lands devoted to multi-family residential uses are insufficient to meet forecasted need for multi-family units. Therefore, the City will:

- Permit rezoning to higher intensity residential uses to meet the identified housing needs, provided such proposals are consistent with the policies of this plan.
- Consider rezoning parcels to higher residential density to meet identified multi-family housing needs, provided such proposals are consistent with the policies of this plan.
- Parcels to be considered for rezoning should have access to major transportation corridors that are served by transit, are served (or can be served) by all urban services, including

parks and recreational facilities, and are in close proximity to opportunities for shopping, employment and schools.”

The proposed comprehensive plan change to Medium and High Density Residential will result in the site being developed with multi-family dwellings. The applicant’s site plan indicates that 120 units will be constructed on the property. The proposed RM zone will allow up to a maximum of 22 units per acre which would result in a maximum of 165 dwelling units on the site. For comparison, if the site were developed as was platted it would result in 14 dwelling units with a density of 1.8 dwelling units per acre. Although if the 7.5 acres were developed consistent with the RS standards it could potentially allow up to 60 dwelling units if developed at the maximum 8 units per acre as permitted in the RS zone. As proposed the site could result in an approximate density of 16 dwelling units per acre as is proposed. This is consistent with the proposed zone designation of RM that the applicants seek. The increased density will result in the site being used to help offset some of the identified residential land need that is forecast.

As previously discussed the site can be served by all urban services including sanitary sewer through an agreement with the city of Salem, administration, police and water by the city of Keizer, fire service will continue be provided by the Keizer Fire District, the site is very close to Claggett Creek Park which provides a wide range of recreation amenities, there are a number of schools nearby, and there are nearby shopping and employment opportunities along the River Road corridor to the west as well as in the Keizer Station that is located to the east. This proposal will be consistent with the city’s Comprehensive Plan and also with this goal and any related rules.

Goal 11- Public Facilities and Services: The intent of this goal is to develop a timely, orderly and efficient arrangement of public facilities and services necessary to serve the residents of county. The City of Keizer provides its residents with water, sanitary sewer (through an arrangement with the city of Salem), has an established street system, administrative and police and public safety is also provided by the city. Verda Lane and Chemawa Road are each classified in the City Transportation and System Plan (TSP) as minor arterials. Chemawa Road is an improved street within an 85 foot wide right of way. It has an existing sidewalk along the

frontage of the site. Verda Lane is an improved street within a 60 foot wide right of way and there is no sidewalk along the Verda Lane frontage. Rather, there is a stripped shared bicycle / pedestrian lane. Dearborn Avenue is classified as a collector road in the TSP and has a 60 to 70 foot wide right of way. It has a shared bicycle/pedestrian lane along the frontage of the site.

The city provides water through a system that utilizes groundwater. There are existing water lines in each of the three streets fronting the property. There is adequate capacity in the city's water system to be able to provide service to the site and can serve the level of development as proposed. Sanitary sewer service is provided through an intergovernmental agreement by the City of Salem. There are sanitary sewer lines in each of the streets fronting the property and there is sufficient capacity to be able to provide service to the site and can serve the level of development as proposed. The site is located outside of the original Keizer Sewer District so a sanitary sewer trunk line acreage fee will not be required. City of Salem approval for local sewer permits will need to be issued prior to construction. Prior to submitting plans to the City of Salem for approval, the developer's engineer shall submit plans to the City of Keizer for review and determination of compliance with the City's Master Sewer Plan for the area.

Connecting to existing sewers that serve the general area will be the responsibility of the developer of the property. Appropriate easements for any public sewer mains located within the subject property if located outside platted right of ways will need to be recorded which meets the City of Salem Design Standards. A master water system plan showing proposed routes of public water mains, fire hydrants and individual services shall be prepared prior to submission of construction plans for the development. Appropriate easements for all public water mains and fire hydrants will be required if construction is to be outside of public right of ways. Any system development charges for water system improvements will be those in place at the time of individual service connections. Final development plans shall be reviewed by the Keizer Fire District with regard to access and adequate location of fire hydrants prior to any issuance of building permits by the City of Keizer. Any existing wells on the subject property are to be abandoned. The developer shall provide evidence that any abandonment of existing wells has been completed in accordance with the rules of the Oregon State Water Resources Department. Location of all meters to be approved by Keizer Water Department.

Police and administrative services are provided by the city of Keizer and can serve the site. Educational services are provided by both the Salem-Keizer School District (K through 12) and Chemeaka Community College (post high school). The Salem-Keizer School District commented that they had reviewed the application and commented that sufficient school capacity exists in the elementary and middle schools but not at the high school. Both Verda Lane and Chemawa Road are transit routes. The Salem –Keizer Transit District is responsible for providing transit service. Other services such as trash pick-up, telephone, electrical, etc are all provided by private providers and there is no indication that there would be any issues with any if these services. The proposed Comprehensive Plan map amendment will not impact the city’s public facilities and services, and so this goal and any rules are satisfied.

Goal 12 – Transportation: The City of Keizer has an adopted Transportation and System Plan (TSP) (2008) that documents the city’s transportation systems and plans for future transportation improvements over the coming 20-year planning period. This TSP includes streets, transit, bike, rail, and pedestrian transportation systems. Verda Lane and Chemawa Road are each classified in the City’s TSP as minor arterials. Chemawa Road is an improved 36 foot wide street within an 85 foot wide right of way. It has an existing sidewalk along the frontage of the site. Verda Lane is a 32 foot wide street within a 46 foot wide right of way and there is no sidewalk along the Verda Lane frontage. Rather, there is a stripped shared bicycle / pedestrian lane. Dearborn Avenue is classified as a collector road in the TSP and is a 47 foot wide street within a 60 foot wide right of way which tapers down to 33 feet near the creek. It has a shared bicycle/pedestrian lane along the frontage of the site. In addition to the three streets that physically exist there is a fourth street, Phillips Street, which is a platted 60 foot wide right of way that borders the site to the west, however this street does not physically exist. While this street is technically not part of this application it should be noted that given the fact that this street in all likelihood never will be constructed since it would result in a street intersection that would be too close to the pending round-about at the Chemawa Road / Verda Lane intersection and also the Verda Lane / Dearborn Ave intersection that it would thereby adversely affect the operation of each intersection. Since the city has no plans for its construction staff recommends that the applicant submit a street

vacation application to eliminate this right of way, although that would need to be separate application.

The Chemawa Road / Verda Lane intersection is in the process of a significant upgrade that will include a new round-about at this intersection. This intersection improvement has been identified as a street improvement project in the TSP and is in the design process with construction slated to commence in 2015. This intersection was determined to have a LOS C in 2007 and projected to have a LOS F in 2031. This intersection improvement project will greatly improve the am and pm travel times at this intersection as it will allow for a constant flow of traffic and eliminate the stopping and queuing of vehicles. With the completion of the round about this intersection is projected to operate at LOS B in the am peak hour and LOS C in the pm peak hour. The pending intersection improvement will include road widening, curbs, sidewalks, bike lanes and storm drainage facilities at this intersection. Both Verda Lane and Chemawa Road are transit routes and there is an existing transit stop at the site. The Salem –Keizer Transit District is responsible for providing transit service.

The applicant has indicated that with the consolidation of the existing 14 lots into one large parcel will eliminate the alternative of each one of the existing lots having its own driveway onto Verda Lane. This would be replaced with only needing 3 driveways onto Verda Lane to access the site. The reduction of the number of driveways that could potentially be located along Verda Lane will have a positive impact on the operation and function of the street as it will minimize the number of vehicles turning onto and turning off the road along this stretch of Verda Lane.

A Transportation Planning Rule Analysis was submitted as part of the application. This analysis studied the impact that the proposed development would have on the nearby intersections. It documented the existing conditions and then input the new development. It found that the proposed development would result in 84 am peak hour trips and 102 pm peak hour trips. The analysis determined that slightly more of this new traffic will use the Chemawa Road / Verda Lane intersection than the Verda Lane / Dearborn Ave intersection. The analysis projected that the result of the new development would be that the Verda Lane / Chemawa Road intersection will have a 2033 am peak hour LOS B and a 2033 pm peak hour LOS C and the the indicated that Verda Lane / Dearborn Ave intersection will have an am peak hour LOS C and a pm peak

hour LOS D. Each intersection will operate within the city's adopted LOS E for these intersections and so no additional intersection improvements will be needed as a result of the proposed development. It should be noted that this analysis assumed a density of 165 dwelling units as allowed in the zone code. With the site plan indicating that only 120 units are proposed will result in a slight reduction in the number of vehicles entering or exiting the site.

Public Works has commented that as part of the development of the property that street improvements will be required to provide an adequate transportation system that will serve the proposed development. Right of way dedication will be required along Verda Lane. The minimum acceptable right of way will result in 34 feet from the existing centerline of Verda Lane. Right of way dedication along the easterly 125 feet of Dearborn Avenue will be required to eliminate the existing jog in the right of way line. Additionally, a right of way line radius of 30 feet shall be dedicated at the intersection of Verda Lane and Dearborn Avenue. The local Transportation System Plan has identified the need for a turning circle to be developed at the intersection of Verda Lane and Chemawa Road NE. Attached is a file of the required right of way dedication, labeled Attachment A, which indicates the required right of way necessary at the intersection that shall be shown on the proposed Lot Line Adjustment Plat. An Autocad file is available at the City Engineer's office. Public street improvements will be required prior to any development of the subject property. At a minimum, public street improvements will include street widening of Verda Lane with a 6 foot wide property line sidewalk, and widening of Dearborn Avenue including a property line 6 foot sidewalk on the north side of the street. Public Street improvements will require appropriate drainage swales if necessary to comply with city water quality standards. A 10 foot wide public utility easement will be required to be dedicated on the Lot Line Adjustment Plat along Chemawa Road, Dearborn Ave., and Verda Lane. No access will be allowed to Philip Street from the subject property. With this placed as a condition will ensure that the proposed comprehensive plan map change will be consistent with this goal and all applicable rules will be met.

Goal 13 – Energy Conservation: This goal seeks to maximize the conservation of energy. All new construction requires compliance with all the current applicable energy conservation

standards which will part of the review for any building permit on the subject property. With the availability of transit so close to the site will increase the likelihood that some of the residents will opt to travel by bus rather than using their own cars thereby reducing vehicles miles travelled and saving energy. With this requirement placed as a requirement of the building permit process will ensure that the proposed comprehensive plan map amendment will be consistent with this goal and any of the implementing administrative rules.

Goal 14 – Urbanization: The intent of this goal to provide for an orderly and efficient transition from rural to urban land use. The city has an adopted Comprehensive Plan and zone code that each comply with this goal and which aim to utilize land that is within the urban area before seeking to develop land that is outside of the city’s urban area. To that end this site is neither outside of the city’s urban growth boundary nor is it on the fringe of the urban area. Rather the site is within the developed urban area and in a part of the city in which public facilities are adjacent to the site and can readily serve the site. This will result in an orderly and efficient connection to existing urban services and facilities. With the site proposed to be developed with multi-family residential dwelling units will result in there being no impact on lands that are outside the city limits. The result of the recent EOA and HNA was the documenting that the city has a deficit of lands to meet future employment and residential needs. This means that the city must consider a number of options in an effort to provide for this future land need. The options can include increasing the efficiency of land uses and development within the urban area, expanding the urban growth boundary to mean this need, or some combination along with other scenarios that can be successfully utilized. The requested comprehensive plan change will result in the conversion from 7.5 acres of land that is now designated to allow for single family development to the designation of Medium and High Density Residential. The applicant’s site plan shows 120 dwelling units on the site. This conversion will enable the city to meet some of its projected residential land needs on land that is inside the city limits without having to expand the UGB for this same amount. If the site were developed as previously approved it would result in there being 14 dwelling units on the site for an overall density of 1.8 dwelling units per acre. The RS zone allows for a minimum density of 4 units per acre and a maximum of 8 units per

acre. So the site would allow for the development of the site in a manner that is inconsistent with the intent of the zone code and would be contrary with the focus of the HNA and a number of comprehensive plan policies which seek to increase the efficiency of development of land within the urban area. This type of land development pattern would result in the city to meet more of its projected residential by expanding the UGB. The proposal would allow for increased density on the site such that there might be 120 units on the site for an overall density of 16 units per acre. For these reasons the proposal is consistent with this goal and with its implementing administrative rules.

Goal 15 – Willamette River: This goal seeks to protect, conserve, and maintain the natural, scenic, historical, agricultural, economic and recreational qualities of lands along the Willamette River. The Willamette River is located along the western flanks of Keizer. The City of Keizer has its own Willamette River Greenway regulations. The site involved in this application is not along the Willamette River so these regulations are not be applicable. Therefore, this proposal will have no impact on this goal as it is not applicable.

Goal 16 (Estuarine Resources), Goal 17 (Coastal Shorelands), Goal 18 (Beaches and Dunes), and Goal 19 (Ocean Resources) govern areas along the ocean. Since Keizer is located in the Willamette Valley and not along the Oregon coast Goals 16 to 19 are not applicable.

In consideration of these findings the proposal to change the Comprehensive Plan designation from Low Density Residential to Medium and High Density Residential complies with this comprehensive plan criterion.

Section 3.109.04.B. Consistency with the applicable goals and policies in the Comprehensive Plan is demonstrated.

- a. ***Residential Development Goal 2: Encourage the location of residential development where full urban services, public facilities, and routes of public transportation are available.***

FINDINGS:

The site is located within the city limits and can be fully served by all urban services. City water and sanitary sewer are located in each of the three streets that front the site. Verda Lane and Chemawa Road are each classified in the TSP as minor arterial streets. Chemawa Road has an existing sidewalk along the frontage of the site, while there is none on the Verda Lane frontage. Rather, there is a stripped shared bicycle / pedestrian lane. Dearborn Avenue is classified as a collector road and has a shared bicycle/pedestrian lane along the frontage of the site. The Chemawa Road / Verda Lane intersection is in the process of a significant upgrade that will include a new round-about at this intersection. This intersection improvement has been identified as a street improvement project in the TSP and is in the design process with construction slated to commence in 2015. As previously noted both Chemawa Road and Verda Lane are transit routes and there is a transit stop at the site so the site can be served by public transportation. Therefore, that proposal complies with this goal.

- b) ***Residential Development Objective 2.1 Coordinate new residential development with the provision of an adequate level of services and facilities, such as sewers, water, transportation facilities, schools and parks.***

FINDINGS:

The site is located within the city limits that can be fully served by all urban services. City water and sanitary sewer are located in each of the three streets that front the site. Verda Lane and Chemawa Road are each classified in the TSP as minor arterial streets. Chemawa Road has an existing sidewalk along the frontage of the site, while there is none on the Verda Lane frontage. Rather, there is a stripped shared bicycle / pedestrian lane. Dearborn Avenue is classified as a collector road and has a shared bicycle/pedestrian lane along the frontage of the site. The Chemawa Road / Verda Lane intersection is in the process of a significant upgrade that will include a new round-about

at this intersection. This intersection improvement has been identified as a street improvement project in the TSP and is in the design process with construction slated to commence in 2015. Both Chemawa Road and Verda Lane are transit routes and that there is a transit stop at the site so the site can be served by public transportation. Educational services are provided by the Salem-Keizer School District and also be Chemeaka Community College. As part of their review the school district commented that they had reviewed the application and commented that sufficient school capacity exists in the elementary and middle schools but not at the high school.

The city has an adopted Parks and Recreation Master Plan. The adopted master plan established a level of service of 5 acres per 1,000 residents. The HNA identified a need of 43 acres to help meet future projected park and recreation land needs. With the pending land use proposal to add additional land (28 acres) to the Keizer Rapids Park will help to offset a significant amount of this projected deficit. While there will be a slight (15 acres) deficit it reaching full compliance with the projected park land needs there is still almost 20 years left in the planning period for that to be accomplished. For this reason there is adequate capacity in the city's park system to accommodate the future residents of this property. To the west of the site, across the creek is the Claggett Creek Park which has a wide range of recreation and park features and can provide convenient access for park use for the future residents of this site. Therefore, that proposal complies with this objective.

- c) Residential Development Policy 2.1: (2) Consider rezoning parcels to higher residential density to meet identified multi-family housing needs provided such proposals are consistent with the policies of this Plan and implementing ordinances. Parcels to be considered for rezoning should have access to major transportation corridors that are served by transit; are served, or can be served, by all urban services, including parks and recreational facilities; and are in close proximity to opportunities for shopping, employment and/or schools.***

FINDINGS:

The proposed rezoning will meet a need for additional land to meet forecasted residential land needs. The HNA document that there is a deficit of 267 acres to meet the project residential land needs of the city over the coming 20 year planning period. In addition the HNA notes that there is a limited amount of vacant land zoned for multi-family development which is insufficient to meet the land needs of the city for multi-family development. The site is located in an area that is within the city limits that is fully served by all urban services and which can all serve the site with its proposed level of development. City water and sanitary sewer are each located in each of the three streets that front the site. Verda Lane and Chemawa Road are each classified in the TSP as minor arterial streets. Chemawa Road has an existing sidewalk along the frontage of the site, while there is none on the Verda Lane frontage. Rather, there is a stripped shared bicycle / pedestrian lane. Dearborn Avenue is classified as a collector road and has a shared bicycle/pedestrian lane along the frontage of the site. The Chemawa Road / Verda Lane intersection is in the process of a significant upgrade that will include a new roundabout at this intersection. This intersection improvement has been identified as a street improvement project in the TSP and is in the design process with construction slated to commence in 2015. Each of these streets are considered as major transportation corridors. Verda Lane and Chemawa Road are both served by transit and there is a transit stop at the site. The site is located across the creek from Claggett Creek Park which has a variety of recreational facilities in it that are available to the public. The west of the site, approximately ½ mile, is the River Road commercial corridor which has ample opportunities for shopping and employment. In addition, approximately 2/3 miles to the east is the Keizer Station which also has ample opportunities for shopping and employment. Therefore, the proposal complies with this policy.

- d) Residential Development Goal 3: Stabilize and protect the essential characteristics of residential environments, including natural features.***

FINDINGS:

The proposed comprehensive plan change will result in the site being changed to Medium and High Density Residential so that the site can then be developed with multi-family dwelling units. The development of the site will be required to comply with the standards within the RM zone district with regard to density, building setback, landscaping, building design, parking and driveway location to ensure that it minimizes any impacts on the characteristics of the surrounding area. The lower portion of the Heber property is a separate tax lot and is not proposed to be developed and will remain in its natural condition and so there will be no adverse impacts to the environment from this development. In fact, with the removal of the cows from the property will result in a positive impact to the creek given that the runoff from the property from animal waste will be eliminated. As noted previously this will have a positive impact on allowing the city to meet water quality issues for the Willamette River and its tributaries. With the lower portion along the creek not part of this proposal will result in it remaining in a natural undeveloped state and thereby being additional buffer to the adjacent park to the west and also to Claggett Creek, and so will satisfy this goal.

- e) Residential Development Objective 3.1: Ensure compatibility among all types of new and existing residential uses, and between residential and non-residential uses.*

FINDINGS:

The focus of this objective is to ensure compatibility between uses. In this case single family uses are located to the south across Dearborn Ave, to the north across from Chemawa Road, and virtually along the east side of Chemawa Road, although there is RM designated land across the street from the site. This RM designated land includes a church and apartments located to the east of the church. There is a park across Claggett Creek to the west, and north of the park across Chemawa Road is a manufactured dwelling park on land designated RM. The development of the site will be required to comply with the standards within the RM zone district with regard to density, building

setback, landscaping, etc to ensure that it minimizes any impacts on the surrounding area. The building setback of 20 feet to the street combined with the width of each street will result in the placement of any building not being placed so that it will be in close proximity to any nearby residence. The buildings will likely be located no closer than 100 feet from any adjacent residence, and many of the proposed buildings are shown on the site located along the western portion of the site and thereby significantly further than that. In addition to the required building setbacks there are also landscaping requirements that will ensure that the development is buffered and screened. The development will also be required to meet density requirements, building height and building design requirements that will need to be met all aimed to ensure compatibility with adjacent land uses. With the site separated from Claggett Creek Park by the adjacent tax lot that is not part of this application will further assure that the proposal is placed as far from the park as possible. For these reasons the proposal complies with this objective.

- f) Residential Development Policy 3.1 (1) Protect existing and proposed residential areas from conflicting non-residential land uses while providing for compatible mixed-use development (residential and non-residential).***

FINDINGS:

Since only residential development is sought no mixed use developments will be permitted so this policy is not applicable.

- g) Residential Development Goal 4: Provide and allow for appropriate levels of residential development consistent with comprehensive plan designations.***

FINDINGS:

The HNA indicated that over the upcoming 20-year period, that there will be a growth in the number of non-group households by 4,366 households which will represent a population growth of 11,833 new residents. This is consistent with Keizer's adopted 2032 forecast. When the housing needs of the projected 2033 population is compared to

the current housing supply, the analysis projects the need for 4,513 new units to house the future population.

The HNA documented that the largest share (56%) of one housing type is projected to be single-family detached or attached homes, with approximately 40% classified as multi-family dwelling units. 54% are projected to be ownership units, while 46% are projected to be rental units. The inventory of buildable residential lands found that there was a supply of 315.2 total acres which are vacant, partially vacant or re-developable. These acres can hold an estimated 2,422 units. The total 20-year unit need (4,513 units) minus this remaining buildable capacity (2,422 units), leaves a remainder of 2,090 units which must be accommodated beyond the City's remaining capacity within its current boundary. The HNA documented that there was approximately 24 acres of vacant RM land available for development which according to the HNA for approximately 362 units of RM land to meet projected multi-family needs. This was based on a calculated multi-family need of 38 dwelling units for duplex; 351 dwelling units for three and four plexes; and, 1,437 dwelling units for multi-family developments containing 5 or more dwelling units. Single family dwelling units were calculated to be 2,524.

The comprehensive plan identified that there is only a small amount of land that is vacant (5.7 acres) and that is zoned for multi-family development. The Comprehensive Plan notes that "Lands devoted to multi-family residential uses are insufficient to meet forecasted need for multi-family units. Therefore, the City will:

- Permit rezoning to higher intensity residential uses to meet the identified housing needs, provided such proposals are consistent with the policies of this plan.
- Consider rezoning parcels to higher residential density to meet identified multi-family housing needs, provided such proposals are consistent with the policies of this plan.
- Parcels to be considered for rezoning should have access to major transportation corridors that are served by transit, are served (or can be served) by all urban services, including parks and recreational facilities, and are in close proximity to opportunities for shopping, employment and schools."

The proposed comprehensive plan change to Medium and High Density Residential will result in the site being developed with multi-family dwellings. The applicant's site plan indicates that 120 units will be constructed on the property. The proposed RM zone will allow up to a maximum of 22 units per acre which would result in a maximum of 165 dwelling units on the site. For comparison, if the site were developed as was platted it would result in 14 dwelling units with a density of 1.8 dwelling units per acre. Although if the 7.5 acres were developed consistent with the RS standards it could potentially allow up to 60 dwelling units if developed at the maximum 8 units per acre as permitted in the RS zone. As proposed the site will result in an approximate density of 16 dwelling units per acre. This is consistent with the proposed zone designation of RM that the applicants seek. The increased density will result in the site being used to help offset some of the identified residential land need that is forecast.

- h) Plan Diagram and Special Land Use Policy 1: Provide appropriately designated vacant buildable land in adequate quantities to meet the forecast needs of Keizer to 2033.***

FINDINGS:

The Comprehensive Plan indicates that lands devoted to multi-family residential uses are insufficient to meet forecasted need for multi-family units. It identifies four strategies for the city to pursue. These are:

- (a) Plan for medium and high density residential uses consistent with the 20 year housing demand analysis.
- (b) Permit rezoning to higher intensity residential uses to meet the identified housing needs, provided such proposals are consistent with the policies of this plan.
- (c) Consider rezoning parcels to higher residential density to meet identified multi-family housing needs, provided such proposals are consistent with the policies of this plan. Parcels to be considered for rezoning should have access to major transportation corridors that are served by transit, are served (or can be served) by

all urban services, including parks and recreational facilities, and are in close proximity to opportunities for shopping, employment and schools.

- (d) In the medium and high density residential designation, allow a mix of housing types in two general levels of residential density; medium density (from 8 to 16 units per acre), and high density (over 16 units per acre), and identify criteria and locations for these two sub-categories in the Keizer Development Code.

Consistent with the comprehensive plan the city has identified that a deficit exists to meet projected housing needs, including those needed for future multi-family needs. The proposed rezoning is located along two minor arterial streets (Verda Lane and Chemawa Road) and one collector (Dearborn Avenue) and is considered a major transportation corridor. The site is readily served by transit as both Verda Lane and Chemawa Road are transit routes. In addition, there is a transit stop at the site. Sanitary sewer lines and water service lines are located in the streets fronting the site and there is capacity in the systems to allow the connection of the site to these facilities. City services such as police and administration will be provided. To west, across Claggett Creek, is Claggett Creek Park which provides many recreational opportunities to the general public and also to the site. Approximately ½ mile to the west is the River Road commercial corridor which provides for ample opportunities for shopping and employment, and to the east, approximately 2/3 mile is the Keizer Station which also provides for a variety of shopping and employment opportunities. Nearby schools include Kennedy Elementary School located two blocks to the east; Claggett Creek Middle School to the south; and, McNary High School is located to the west down Chemawa Road. The proposed comprehensive plan change to Medium and High Density Residential will conform with the density provisions of this policy.

- i) ***Urban Growth Policy 1: Contain urban development within planned urban areas where basic services such as sewers, water facilities, police and fire protection can be efficiently and economically provided.***

FINDINGS:

This proposal to change the comprehensive plan designation to Medium and High Density Residential will allow for the property that is located within the city limits to be developed with a multi-family apartment complex. The site can be served by all city services. Water lines and sanitary sewer lines are located in the streets fronting the site and have capacity to serve the site. Police and administration will be provided by the city. Fire service will be provided by the Keizer Fire District. Allowing the comprehensive plan change will help to offset some of the needed land to meet future residential needs thereby minimizing the need to expand the city's UGB, and so meets with this policy.

- j) ***Urban Growth Policy 2: Conserve resources by encouraging orderly development of land by adopting efficiency measures that will further allow for the efficient use of urban land.***

The city has adopted efficiency measures as part of the recent periodic review update and the previous update of the city's TSP. Because this application involves land that is proposed to be used for residential use the efficiency measures are applicable and will be useful to assist the city in the future in determining how efficient the city's land supply is being used. The efficiency measures seek to increase the pedestrian, bicycle, transit and land use and funding measures. With the development of the site responsible for providing lacking frontage improvements that will include sidewalk and bicycle lanes along the frontage of the property with the fronting streets will be consistent with the measures. In addition, with the site located along a transit corridor will also be consistent with the measures since it will increase the number of dwelling units located within a ¼ mile of a transit stop thereby allowing for the potential for the new residents to use the

transit system rather than relying only on their cars for transportation. For these reasons it will allow for the efficient use of the land and so will meet with this policy.

k) *Urban Growth Policy 3: Preserve farmland and open space not needed for urban growth.*

The proposal will allow land that is within the city limits to be developed with multi-family dwelling units. Because the land is within the city limits it will allow the city to meet some of its projected residential land needs inside the urban area thereby avoiding the need to place needed residential units on land that is located outside the city limits. While this property has historically been used for a small cattle operation the property is not designated for commercial farm uses. The property is designated for Single Family Residential and commercial farms are not listed as a permitted use, special use, or conditional use within the RS zone. However, since the farm use on the site has been occurring for many years it has been considered as a non-conforming use. The intent of the non-conforming section is that at some point the use that is non-conforming will cease thereby allowing the property to conform with city regulations. With the property approved in the mid-50's for a residential subdivision that would allow the development with single family homes it was always considered that residential uses and not commercial farm uses were consistent with the city's regulations.

While the site is adjacent to Claggett Creek Park and due to its undeveloped nature the community has enjoyed the open space qualities associated with it is not identified in the comprehensive plan as needed for open space. In fact it is recognized that this site would be developed at some time. With the lower portion of the property a separate tax lot from the upper portion not proposed for development will result in the area that is adjacent to the creek being left undeveloped and thereby retaining its open space qualities. This is consistent with the Natural Resources and Open Space policy which seeks to protect and preserve open space along the Willamette River and Claggett Creek. For this reason the proposal complies with this policy.

l) Urban Growth Policy 4: Make more economical use of local tax dollars in locating facilities and providing services for the benefit of all citizens within the urban growth area.

This proposal will allow for the site to change the comprehensive plan designation to Medium and High Density Residential. Because water lines and sanitary sewer lines are located adjacent to the site and there is sufficient capacity in these facilities to serve the site no expensive extensions will be necessary. Police and administration will be provided by the city of Keizer and fire safety services will be provided by the Keizer Fire District. With the exception of the Verda Lane / Chemawa Road intersection improvement the applicant will be required to provide lacking frontage improvements along the site with Verda Lane and Dearborn Ave. The Verda Lane / Chemawa Road intersection is already been approved for funding by the state. The proposal reflects an economical use of city facilities and services. Because the city has an identified deficit of residential land to meet its future needs and the site will help to offset this identified need and so will meet this policy.

m) Urban Growth Policy 9: Maintain an adequate land supply to meet the needs of the city.

As part of the recent EOA and HNA the city documented that there is a need for 267 acres of residential land to meet the future needs of the city as noted in the table below.

Category of Land	Gross Acreage
	Remaining Need
Commercial:	21.6
Industrial:	0
Institutional:	41.8
Residential:	267.6
Parks and Recreation:	43.5
Schools:	10
Total New 20-Year Land Need:	384.5

Figure 12: Vacant Buildable Summary

<u>Zoning</u>	<u>Vacant</u>	<u>Partially Vac.</u>	<u>Redevelopable</u>	<u>Total</u>
<u>Single family</u>	<u>49</u>	<u>143</u>	<u>7</u>	<u>199</u>
<u>Multifamily</u>	<u>5.7</u>		<u>18</u>	<u>24</u>
<u>Urban transition</u>	<u>9</u>	<u>41</u>		<u>51</u>
<u>Industrial</u>	<u>17</u>	<u>2</u>	<u>33</u>	<u>50</u>
<u>Commercial</u>	<u>9</u>	<u>2</u>	<u>23</u>	<u>42</u>
<u>Mixed use</u>	<u>17</u>	<u>2</u>	<u>23</u>	<u>42</u>

This was based on an adopted 20 year population forecast that was consistent with Marion County's coordinated 20 year population projection for the county. The HNA documented that there is only a very limited amount of land available for multi-family development. Figure 12 of the HNA indicates that there is only 5.7 acres of land that is vacant and zoned to allow for multi-family development. This is less than the applicant's seek to be able to develop. Because of the lack of alternative sites within the city limits that could meet this projected need the proposal demonstrates

that there is a lack of viable alternatives that could meet this projected need and provide land to meet the projected land needs for projected multi-family use. Therefore, this proposal meets with this policy.

- n) ***Urban Growth Policy 9a: Future urban development will be contained within the geographical limits of an urban growth boundary unless it is demonstrated that there is not sufficient land within the UGB to accommodate forecasted growth.***

While the proposal has demonstrated that there is not sufficient land within the city limits the proposed comprehensive plan change seeks to change the designation in an effort to help meet some of this need and will not involve any request to amend the city's urban growth boundary. The proposal to change the comprehensive plan designation is consistent with the intent of this policy.

- o) ***Urban Growth Policy 9h: Development of land with existing urban services will be encouraged before the conversion of urbanizable lands to urban uses.***

While the proposal has demonstrated that there is not sufficient land within the city limits the proposed comprehensive plan change seeks to change the designation in an effort to help meet some of this need and will not involve any request to amend the city's urban growth boundary. The proposal to change the comprehensive plan designation is consistent with the intent of this policy.

The result of this analysis is the proposal will satisfy this comprehensive plan criterion.

Section 3.109.04.C. The Plan does not provide adequate areas in appropriate locations for uses allowed in the proposed land use designation and the addition of this property to the inventory of lands so designated is consistent with projected needs for such lands in the Comprehensive Plan.

FINDINGS:

The proposal will provide for land to allow the city to be able to meet a portion of its projected residential needs as was documented in the HNA which was a required periodic review task. The adoption of the HNA resulted in the city completing its periodic review and which the state (DLCD) then acknowledged the city's update. The result of this analysis established that there is a lack of land to meet the projected residential needs for the up-coming 20 year period. The HNA documented that there is a deficit of 267 acres of land to meet the needs of this land category. It further documented that only 5.7 acres of land designated for multi-family are currently available to meet this type of need. It noted that this is insufficient to meet projected need for multi-family needs. This proposal will result in the city being able to meet 7.5 acres of the projected need of 267 acres need for all residential uses, and in particular the projected need for 1,437 dwelling units for multi-family development. Therefore, the proposal which will result in the land being designated Public to allow for its use as a park is consistent with this criterion.

Section 3.109.04.D. The Plan provides more than the projected need for lands in the existing land use designation.

FINDINGS:

The proposal will provide for land to allow the city to be able to meet a portion of its projected residential needs as was determined as part of the HNA which was a required periodic review task. The adoption of the HNA resulted in the city completing its periodic review and which the state then acknowledged the city's update. The result of this analysis is that there is a lack of land to meet the projected needs for the up-coming 20 year period. This proposal will result in the city being able to meet part of its projected need for residential land. However, it should be noted that the intent of this criterion is to demonstrate a need for specific land use types without removing needed land use types from the existing inventory. With this purpose in mind, the proposal is consistent with the requirement of providing adequate land for specified land use types and therefore is consistent with this criterion.

Section 3.109.04.E. The proposed land use designation will not allow zones or uses that will destabilize the land use pattern in the vicinity.

FINDINGS:

The proposed comprehensive plan designation is Medium and High Density Residential and the appropriate zone designation will be RM. The intent of this designation is to allow the development of the site with a multi-family apartment complex. Adjacent properties to the south across Dearborn Ave, to the east of Verda Lane, and to the north of Chemawa Road are developed with residential uses and are within the city limits. The property at the southeast corner of the Chemawa Road / Verda Lane intersection is undeveloped and is part of the church property and is designated RM. There are apartments just to the east of the church also on land zoned RM. To the west land is within Claggett Creek Park and across the street from the park is a manufactured dwelling park on land that is designated RM. In consideration of the required building setbacks from the streets combined with the right of widths of the streets and building setback on the lots across from the site will result in the proposed development not being located up against or even near any particular property line. This will avoid any of the buildings from being too close to any adjacent property and appearing to loom over any adjacent property. In addition to the required building setbacks there will be requirements for landscaping which will further buffer and screen the development from surrounding properties and that new development meet building height, design and density standards. With the site separated from the park by an intervening tax lot will mean that no buildings will be situated up against either the park or the creek adjacent to the park. In consideration of the fact that there is a multi-family zone across the street from the site and a RM zone also slightly to the northwest of the site and that there is a park to the west all indicate that while there are many single family uses in the area there is also a variety of other land uses in the immediate vicinity and that the area is not exclusively a single family neighborhood. The fact that the site is along a transportation corridor with streets such Verda Lane and Chemawa Road classified as arterial streets and Dearborn Ave classified as a collector street means that they are designed to handle larger volumes of traffic. The site is also nearby shopping, employment and schools all exist all support the fact that the site can be developed in a manner that will not

destabilize the existing land use pattern in the vicinity and so therefore, the proposal complies with this criterion.

Section 3.109.04.F. Uses allowed in the proposed designation will not significantly adversely affect existing or planned uses on adjacent lands.

FINDINGS:

The proposed comprehensive plan designation will be Medium and High Density Residential and the appropriate zone designation will be RM. The intent of this designation is to allow the development of the site with a multiple family complex. Adjacent properties to the south across Dearborn Ave, to the east of Verda Lane, and to the north of Chemawa Road are developed with residential uses and are within the city limits. While the property at the southeast corner of the Chemawa Road / Verda Lane intersection is undeveloped and part of the church property it is designated RM and there are apartment just to the east of the church also on land that is zoned RM. To the west land is within Claggett Creek Park and across the street from the park is a manufactured dwelling park on land that is designated RM. In consideration of the required building setbacks from the street combined with the right of widths of the streets and building setbacks on the lots across from the site will result in the proposed development not being located up against or even near any particular property line. In addition to the required building setbacks there will be requirements for landscaping which will further buffer and screen the development from surrounding properties and that building design, building height, parking, and driveway locations, and density standards are met. With the site separated from the park by an intervening tax lot will mean that no buildings will be situated up against either the park or the creek adjacent to the park. With the nearby properties essentially all developed with their respective uses means that there are very limited number of parcels that are not already developed in one form or another.

The concern of increased traffic was raised by several people who provided written testimony. The pending improvement to the Chemawa Road / Verda Lane intersection will result in significantly improving the flow of traffic through this intersection and also along both Verda Lane and Chemawa Road. The round-about is designed to keep traffic moving and eliminate the queuing of

vehicles at the existing 4-way stop intersection. This improvement will have a positive effect on the area. Also, with the developer of the site responsible for making improvements along the frontage of the site where they are lacking will further provide for a safer travel environment as new sidewalk and bike lanes will be constructed by the developer of the site where they currently do not exist along the Verda Lane and Dearborn Ave frontage. These improvements will improve that movement of not only vehicles but also pedestrians and bicyclists along the frontage of the site. Currently each of the 14 lots could have its own driveway with the result of this being that there would be many opportunities for ingress and egress to and from the lots further slowing the movement of traffic along Verda Lane. The development of the site will result in the placement of new driveways that will conform with Public Works standards and with the design and function of the new round-about which will allow for traffic along Verda Lane to move smoother and more efficiently. In consideration of these facts the site can be developed in a manner that will not adversely affect the existing or planned uses on adjacent lands and so therefore, the proposal complies with this criterion.

Section 3.109.04.G. Public facilities and services necessary to support uses allowed in the proposed designation are available or are likely to be available in the near future.

FINDINGS:

The city currently provides city water to the adjacent properties and waterlines are located in the streets along the site. Sanitary sewer lines are located in the street right of way in each of the streets fronting the site. There is adequate capacity in both the water and sanitary sewer systems to be able to serve the site. Stormwater facilities can also be served, although given the ample space on the site that it could make use of detention basins and swales as determined to be needed. The site has frontage along Chemawa Road and Verda Lane, each minor arterial streets, and Dearborn Ave is a collector street. Each street has almost sufficient right of way and pavement widths although Public Works has commented that some improvements will be necessary. Public Works has commented that as part of the development of the property that street improvements will be required to provide an adequate transportation system that will

serve the proposed development. Right of way dedication will be required along Verda Lane. The minimum acceptable right of way will result in 34 feet from the existing centerline of Verda Lane. Right of way dedication along the easterly 125 feet of Dearborn Avenue will be required to eliminate the existing jog in the right of way line. Additionally, a right of way line radius of 30 feet shall be dedicated at the intersection of Verda Lane and Dearborn Avenue. The local Transportation System Plan has identified the need for a turning circle to be developed at the intersection of Verda Lane and Chemawa Road NE. Attached is a file of the required right of way dedication, labeled Attachment A, which indicates the required right of way necessary at the intersection that shall be shown on the proposed Lot Line Adjustment Plat. An Autocad file is available at the City Engineer's office. Public street improvements will be required prior to any development of the subject property. At a minimum, public street improvements will include street widening of Verda Lane with a 6 foot wide property line sidewalk, and widening of Dearborn Avenue including a property line 6 foot sidewalk on the north side of the street. Public Street improvements will require appropriate drainage swales if necessary to comply with city water quality standards. A 10 foot wide public utility easement will be required to be dedicated on the Lot Line Adjustment Plat along Chemawa Road, Dearborn Ave., and Verda Lane. No access will be allowed to Philip Street from the subject property. Police protection will continue to be provided by the Keizer Police Department. The Keizer Fire District will provide fire safety protection. All of these services the city can provide in an efficient manner and so meets with this criterion.

For these reasons the proposal complies with the requirements outlined with the comprehensive plan amendment criteria in Section 3.109.

Zone change Criteria

Zone change proposals shall be approved if the applicant provides evidence substantiating the following:

Section 3.110.04.A. The proposed zone is appropriate for the Comprehensive Plan land use designation on the property and is consistent with the description and policies for the applicable Comprehensive Plan land use classification.

FINDINGS:

The proposed zone designation is Medium Density Residential (RM) which is appropriate and consistent for the proposed comprehensive plan designation of Medium and High Density Residential. The Medium and Density Residential designation will allow more than 16 dwelling units per gross acre and the RM zone will allow up to a maximum of 22 dwelling units per acre. The applicant's site plan shows that there will be density of 16 dwelling units per acre. So the requested zone is consistent with the Comprehensive Plan designation and with the Medium and Density Residential policies. The RM zone allows for the development of the site with an apartment complex. Therefore, the proposed zone designation of RM is consistent with this criterion.

Section 3.110.04.B. The uses permitted in the proposed zone can be accommodated on the proposed site without exceeding its physical capacity.

FINDINGS:

The proposed zone designation is RM which will allow the development of the site with an apartment complex. The site is flat and along the western edge is generally on the top of an embankment. The applicant is not proposing any development in the lower portion that is a separate tax lot separated from the upper portion by Phillips Avenue so the issues relating to development in a floodplain, floodway, and or wetland soils will not be applicable to development of the site. Also, while the sloped portion of the site is not identified as any potential slope hazard the applicant will not be developing on the embankment which will further not constrain its use or development. The development will be required to connect the residential units to the city's water line and to the city of Salem's sanitary sewer lines. This will allow development to be more

compact since there will not be the need to include any private wells or septic system on the site. The requirement for connecting to the municipal sewer line will eliminate the possibility of any contamination from any failing on-site septic system. The RM zone has a maximum density of 22 dwelling units per acre which will assure that the site is not developed in a manner that will exceed its capacity. The applicant has submitted a site plan that shows that 120 dwelling units are intended to be located on the site. This will result in an approximate density of 16 dwelling units per acre which is within the density provisions of the RM zone. At the time of building permit submittal a Design Review will be done to ensure that the development complies with density, building setbacks, building height, landscaping, parking, driveway, and building design requirements. Therefore, the proposal will not exceed its physical capacity and so the proposal complies with this criterion.

3.110.04.C. Allowed uses in the proposed zone can be established in compliance with the development requirements in this Ordinance.

FINDINGS:

The proposed use of the site is for multi-family development. This type of use is permitted within the RM zone district. Any eventual development on the site will be reviewed for compliance during the city's Development Review process at the time of building permit submittal to ensure that all building design, setback, height restrictions, landscaping requirements, parking, driveway, and density provision requirements are all met. With this as a condition of approval will assure that the application complies with this criterion.

Section 3.110.04.D. Adequate public facilities, services, and transportation networks are in place or are planned to be provided concurrently with the development of the property.

FINDINGS:

The City of Keizer provides its residents with water, sanitary sewer (through an arrangement with the city of Salem), has an established street system, administrative and police and public safety is also provided by the city. Verda Lane and Chemawa Road are each classified in the City Transportation and System Plan (TSP) as minor arterials. Chemawa Road is an improved street within an 85 foot wide right of way. It has an existing sidewalk along the frontage of the site. Verda Lane is an improved street within a 60 foot wide right of way and there is no sidewalk along the Verda Lane frontage. Rather, there is a stripped shared bicycle / pedestrian lane. Dearborn Avenue is classified as a collector road in the TSP and has a 60 to 70 foot wide right of way. It has a shared bicycle/pedestrian lane along the frontage of the site.

The city provides water through a system that utilizes groundwater. There are existing water lines in each of the three streets fronting the property. There is adequate capacity in the city's water system to be able to provide service to the site and can serve the level of development as proposed. Sanitary sewer service is provided through an intergovernmental agreement by the City of Salem. There are sanitary sewer lines in each of the streets fronting the property and there is sufficient capacity to be able to provide service to the site and can serve the level of development as proposed. The site is located outside of the original Keizer Sewer District so a sanitary sewer trunk line acreage fee will not be required. City of Salem approval for local sewer permits will need to be issued prior to construction. Prior to submitting plans to the City of Salem for approval, the developer's engineer shall submit plans to the City of Keizer for review and determination of compliance with the City's Master Sewer Plan for the area.

Connecting to existing sewers that serve the general area will be the responsibility of the developer of the property. Appropriate easements for any public sewer mains located within the subject property if located outside platted right of ways will need to be recorded which meets the City of Salem Design Standards. A master water system plan showing proposed routes of public water mains, fire hydrants and individual services shall be prepared prior to submission of construction plans for the development. Appropriate easements for all public water mains and fire hydrants will be required if construction is to be outside of public right of ways. Any system development charges for water system improvements will be those in place at the time of individual service connections. Final development plans shall be reviewed by the Keizer Fire District with regard to access and adequate location of fire hydrants prior to any issuance of

building permits by the City of Keizer. Any existing wells on the subject property are to be abandoned. The developer shall provide evidence that any abandonment of existing wells has been completed in accordance with the rules of the Oregon State Water Resources Department. Location of all meters to be approved by Keizer Water Department.

Each of these services can be used to provide service to the site. Police and administrative services are provided by the city of Keizer and can serve the site. Educational services are provided by both the Salem-Keizer School District (K through 12) and Chemeaka Community College (post high school). The Salem-Keizer School District commented that they had reviewed the application and commented that sufficient school capacity exists in the elementary and middle schools but not at the high school. Both Verda Lane and Chemawa Road are transit routes. The Salem –Keizer Transit District is responsible for providing transit service. Other services such as trash pick-up, telephone, electrical, etc are all provided by private providers. All of these services can be provided in an efficient manner and so this proposal complies with this zone change criterion.

Section 3.110.04.E. For residential zone changes, the criteria listed in the purpose statement for the proposed zone shall be met.

FINDINGS:

The proposal involves a zone change to RM which is one the city's residential zones, so this section is applicable. The RM zone is primarily intended for multiple family development on a parcel, or attached dwellings on separate lots, at medium residential densities. Other uses compatible with residential development are also appropriate. RM zones are located in areas designated Medium and High Density Residential in the Comprehensive Plan. They are suited to locations near commercial areas and along collector and arterial streets where limited access is necessary so that traffic is not required to travel on local streets through lower density residential areas.

While these are not criteria in the strict sense they do however offer guidance that can be useful in determining if a location is suitable for the proposed RH zone designation. With the concurrent request for a comprehensive plan map change to Medium and High Density Residential will result in the proposed RM zone designation being consistent with the comprehensive plan designation. The site has frontage along Chemawa Road and Verda Lane which are each designated in the TSP as minor arterial streets, and also along Dearborn Avenue which is designated in the city's TSP as a collector road which is consistent with the intent provision. With the ingress and egress to the site off Verda Lane will eliminate the use of any local street within residential neighborhoods also meeting with this aspect of the purpose section. While the term "near" is not defined in either the development code nor the TSP it is left to common usage which is defined as being a short distance. While the site that is proposed to be zoned RM is not adjacent to any commercial uses it is located approximately 1/2 mile to the east of the commercial corridor along River Road and also is approximately 2/3 mile to the west of Keizer Station which also has ample commercial shopping and employment opportunities. As there is a complete sidewalk system along Chemawa Road from the site west to River Road and a sidewalk system along almost the entire length of Dearborn Ave this is considered to be near with regards to allowing for convenient pedestrian connections from the commercial area to the west and the site. While at the moment there is an incomplete sidewalk from the site to the Keizer Station there are plans for the eventual completion of this facility that is timed to construction in Area C of the Keizer Station. The allowance for this to be considered as near is also consistent with Transit District standards for 1/2 mile as a standard for people to walk to transit stops. As such, the proposal meets this provision.

3.110.04.F. The following additional criteria shall be addressed:

- 1. The supply of vacant land in the proposed zone is inadequate to accommodate the projected rate of development of uses allowed in the zone during the next 5 years, or the location of the appropriately zoned land is not locationally or physically suited to the particular uses proposed for the subject property, or lack site specific amenities required by the proposed use.**

FINDINGS:

The HNA indicated that over the upcoming 20-year period, that there will be a growth in the number of non-group households by 4,366 households which will represent a population growth of 11,833 new residents. This is consistent with Keizer's adopted 2032 forecast. When the housing needs of the projected 2033 population is compared to the current housing supply, the analysis projects the need for 4,513 new units to house the future population.

The HNA documented that the largest share (56%) of one housing type is projected to be single-family detached or attached homes, with approximately 40% classified as multi-family dwelling units. 54% are projected to be ownership units, while 46% are projected to be rental units. The inventory of buildable residential lands found that there was a supply of 315.2 total acres which are vacant, partially vacant or re-developable. These acres can hold an estimated 2,422 units. The total 20-year unit need (4,513 units) minus this remaining buildable capacity (2,422 units), leaves a remainder of 2,090 units which must be accommodated beyond the City's remaining capacity within its current boundary. The HNA documented that there was approximately 24 acres of vacant or re-developable RM land and only 5.7 acres of vacant RM zoned land available for development which according to the HNA for approximately 362 units of RM land to meet projected multi-family needs. This was based on a calculated multi-family need of 38 dwelling units for duplex; 351 dwelling units for three and four plexes; and, 1,437 dwelling units for multi-family developments containing 5 or more dwelling units. Single family dwelling units were calculated to be 2,524 (Figures 15 thru 18 HNA).

When this remaining land need is apportioned to Keizer's residential zones, the HNA estimates a 20-year need for 267 gross acres of residential land, to be accompanied by 43.5 acres of new

land for parks to serve this new population, and 10 acres of land for new school facilities. This is a total of 385 gross acres. In consideration that the proposal will meet some of the city's projected needs for RM land needs the proposal satisfies this criterion.

Section 3.110.04.2. The supply of vacant land in the existing zone is adequate, assuming the zone change is granted, to accommodate the projected rate of development of uses allowed in the zone during the next 5 years.

FINDINGS:

This proposal involves land that is needed for residential use. The comprehensive plan identified that there is only a small amount of land that is vacant (5.7 acres) and that is zoned for multi-family development. The Comprehensive Plan notes that "Lands devoted to multi-family residential uses are insufficient to meet forecasted need for multi-family units. Therefore, the City will:

- Permit rezoning to higher intensity residential uses to meet the identified housing needs, provided such proposals are consistent with the policies of this plan.
- Consider rezoning parcels to higher residential density to meet identified multi-family housing needs, provided such proposals are consistent with the policies of this plan.
- Parcels to be considered for rezoning should have access to major transportation corridors that are served by transit, are served (or can be served) by all urban services, including parks and recreational facilities, and are in close proximity to opportunities for shopping, employment and schools."

The proposed comprehensive plan change to Medium and High Density Residential will result in the site being developed with multi-family dwellings. The applicant's site plan indicates that 120 dwelling units will be constructed on the property. The proposed RM zone will allow up to a maximum of 22 units per acre which would result in a maximum of 165 dwelling units on the site. For comparison, if the site were developed as was platted it would result in 14 dwelling units with a density of 1.8 dwelling units per acre. Although if the 7.5 acres were developed

consistent with the RS standards it could potentially allow up to 60 dwelling units if developed at the maximum 8 units per acre as permitted in the RS zone. As proposed the site as shown in the submitted site plan indicates that there would be an approximate density of 16 dwelling units per acre. This is consistent with the proposed zone designation of RM that the applicants seek. The increased density will result in the site being used to help offset some of the identified residential land need that is forecast and so will meet with this criterion.

Section 3.110.04.3. The proposed zone, if it allows uses more intensive than other zones appropriate for the land use designation, will not allow uses that would destabilize the land use pattern of the area or significantly adversely affect adjacent properties.

FINDINGS:

The proposed comprehensive plan designation will be Medium and High Density Residential and the appropriate zone designation will be RM. Adjacent properties to the east, south, and north are developed with residential uses. To the west land is the Claggett Creek Park which is designated Public. The intent of the applicant is to allow the development of the site with an apartment complex and not any of the other uses that might be permitted within the RM zone.

Adjacent properties to the south across Dearborn Ave, to the east of Verda Lane, and to the north of Chemawa Road are developed with residential uses and are within the city limits. The property at the southeast corner of the Chemawa Road / Verda Lane intersection is undeveloped and is part of the church property and is designated RM. There are apartments just to the east of the church also on land zoned RM. To the west land is within Claggett Creek Park and across the street from the park is a manufactured dwelling park on land that is designated RM. In consideration of the required building setbacks from the streets combined with the right of widths of the streets and building setback on the lots across from the site will result in the proposed development not being located up against or even near any particular property line. Which avoid any of the buildings from appearing to loom over any adjacent property. In addition to the required building setbacks there will be requirements for landscaping which will further buffer and screen the development from surrounding properties and that new development meet building height, design and density

standards. With the site separated from the park by an intervening tax lot will mean that no buildings will be situated up against either the park or the creek adjacent to the park. In consideration of the fact that there is a multi-family zone across the street from the site and a RM zone also slightly to the northwest of the site and that there is a park to the west all indicate that while there are many single family uses in the area there is also a variety of other land uses in the immediate vicinity and that the area is not exclusively a single family neighborhood. With the requirement that no other uses be permitted will ensure that there will not be any other more intensive uses that might otherwise destabilize the land use of the area. Therefore, the proposal complies with this criterion.

For these reasons the proposal complies with the requirements outlined in Section 3.110.

Lot Line Adjustment Criteria

A lot Line Adjustment may be granted provided the applicant provides evidence that the following circumstances substantially exist:

Section 3.106.04.A. The adjustment of lot lines results in no more parcels than originally existed.

FINDINGS: The proposal is to consolidate 14 existing lots into one parcel that can then be developed as one lot. The city does not have a consolidation or re-plat process. Historically the city has processed similar types of land use applications as a lot line adjustment provided that no new parcels are created and that all of the Marion County's Surveyors procedures are adhered to. It will not result any additional parcels as it will reduce the number of lots. The lots were created with the platting of the Heber's Addition Subdivision in the 1950s. The Marion County Surveyor commented that a property line adjustment within a recorded subdivision plat will require a re-plat which must comply with ORS 92.185(6); that it must be surveyed and platted consistent with ORS 92.050; and, that all fees and an updated title report is submitted at time of review Therefore, the proposal will comply with this criterion.

Section 3.106.04.B. The proposed lot line adjustment results in parcels that meet all area and dimension standards of this Code;

FINDINGS: The proposal will consolidate 14 legally established lots into one parcel that will be 7.5 acres in size. The result of this action is that the lot will exceed the city minimum lot size of 9,000 square feet for multi-family, and will also exceed the minimum lot dimension standards average width minimum 50 feet since the site has an approximate 1,300 foot width; and an average depth of 80 feet while the site has a depth of approximately 240 feet within the RM zone. As such, the request complies with this criterion.

Section 3.106.04.C. The proposed lot line adjustment does not locate lot lines in violation of the setback and height provisions of the Code relative to existing structures and improvements.

FINDINGS: While there are presently two single homes on the site and a couple of outbuildings with the elimination of the existing lot lines it will not result in any violations to building setback requirements as the separate lot liens will be eliminated. Also with the applicant having stated that the intent is to have the two dwellings removed will further eliminate any setback or improvements issues. All new construction will be required to adhere to all building setback and height standards. Therefore, the proposal will meet with this provision.

Section 3.106.04.D. The proposed lot line adjustment does not result in two parcels which meet the criteria for an Infill Development Parcel, as defined in Section 2.316.03 Infill Development Parcel Criteria.

FINDINGS: The proposal will consolidate 14 legally established lots into one parcel that will be 7.5 acres in size. This will exceed 2 acres in size and so will not be considered as an infill parcel as defined in Section 2.316.03. Therefore, this section is not applicable.

For these reasons the proposal meets with the criteria within Section 3.106.

VI. RECOMMENDATION AND CONDITIONS
FOR APPLICATION

The available evidence indicates the proposal complies with the decision criteria. Staff recommends approval of the Comprehensive Plan / Zone Change / Lot Line Adjustment subject to the following conditions, which shall be completed, including review and approval by the appropriate department, prior to the time lines outlined below. Compliance with the Conditions of Approval shall be the sole responsibility of the applicants and/or property owner.

1. Comprehensive Plan map designation is allowed to be changed from Low Density Residential to Medium and High Density Residential.
2. Zone map designation is allowed to be changed from Single Family Residential (RS) to Medium Density Residential (RM).
3. All requirements of the Marion County Surveyor's office must be met. In order to complete the property line adjustment, a replat in the form of a partition plat will be required. The following requirements must be met to accomplish the replat:
 - a) Must comply with all provisions per ORS 92.185(6)
 - b) Must be surveyed and platted per ORS 92.050, and the plat submitted for review
 - c) Checking fee, second mylar fee, and recording fee required
 - d) A current or updated title report must be submitted at the time of review.
4. The property line adjustment shall be recorded with the Marion County Clerk by _____, 2015. After the property adjustment is recorded, no alteration of property lines shall be permitted without first obtaining approval from the Zoning Administrator.
5. The property must comply with the minimum lot size and dimensional standards of the Medium Density Residential (RM) zone.
6. No building permits will be issued until the required public improvements listed below are completed.
7. Any development of the site shall comply with all requirements in the RM zone and Section 2.315 (Design Standards)

8. SANITARY SEWERS:

- a) The subject property is located within the original Keizer Sewer District. Therefore a sanitary sewer trunk line acreage fee will not be required.
- b) City of Salem approval for local sewer permits will need to be issued prior to construction. Prior to submitting plans to the City of Salem for approval, the developer's engineer shall submit plans to the City of Keizer for review and determination of compliance with the City's Master Sewer Plan for the area.
- c) Connecting to existing sewers that serve the general area will be the responsibility of the developer of the property. Appropriate easements for any public sewer mains located within the subject property if located outside platted right of ways will need to be recorded which meets the City of Salem Design Standards.

9. WATER SYSTEM:

- a.) A master water system plan showing proposed routes of public water mains, fire hydrants and individual services shall be prepared prior to submission of construction plans for the development. Appropriate easements for all public water mains and fire hydrants will be required if construction is to be outside of public right of ways. Any system development charges for water system improvements will be those in place at the time of individual service connections.
- b.) Final development plans shall be reviewed by the Keizer Fire District with regard to access and adequate location of fire hydrants prior to any issuance of building permits by the City of Keizer.
- c.) Any existing wells on the subject property are to be abandoned. The developer shall provide evidence that any abandonment of existing wells has been completed in accordance with the rules of the Oregon State Water Resources Department.
- d.) Location of all meters to be approved by Keizer Water Department.

10. STREET AND DRAINAGE IMPROVEMENTS:

a) Street improvements will be required to provide an adequate transportation system that will serve the proposed development. Right of way dedication will be required along Verda Lane. The minimum acceptable right of way will result in 34 feet from the existing centerline of Verda Lane. Right of way dedication along the easterly 125 feet of Dearborn Avenue will be required to eliminate the existing jog in the right of way line. Additionally, a right of way line radius of 30 feet shall be dedicated at the intersection of Verda Lane and Dearborn Avenue. The local Transportation System Plan has identified the need for a turning circle to be developed at the intersection of Verda Lane and Chemawa Road NE. Attached is a file of the required right of way dedication, labeled Attachment A, which indicates the required right of way necessary at the intersection that shall be shown on the proposed Lot Line Adjustment Plat. An Autocad file is available at the City Engineer's office. Public street improvements will be required prior to any development of the subject property. At a minimum, public street improvements will include street widening of Verda Lane with a 6 foot wide property line sidewalk, and widening of Dearborn Avenue including a property line 6 foot sidewalk on the north side of the street. Public Street improvements will require appropriate drainage swales if necessary to comply with city water quality standards. A 10 foot wide public utility easement will be required to be dedicated on the Lot Line Adjustment Plat along Chemawa Road, Dearborn Ave., and Verda Lane. No access will be allowed to Philip Street from the subject property.

b) The developers engineer shall submit an overall storm drainage plan that will provide service to this development consistent with the City Master Storm Drain Plan for this area of Keizer. An existing public storm drain line is located on the subject property near the tax lot lines shown as 3200 and 3300 on the applicant's submittal. The applicant's surveyor will be required to locate the storm drain line and plat an appropriate easement consistent with the City of Keizer's Public Works Standards on the proposed Lot Line Adjustment Plat.

Storm water detention for the proposed development shall be required. All storm water and roof drains are to be connected to an approved system designed to provide adequate drainage for the proposed new driveways and other hard surfaces. Storm water quality improvements will be required.

c.) A grading and drainage plan shall be developed for the subject property. Details shall include adequate conveyance of storm water from adjacent property across the subject property. This plan shall be submitted and approved by the

Department of Public Works prior to the issuance of any permits for street or storm drainage for the subject property. Grading and drainage plans shall be in conformance with the City of Keizer Public Works Standards. Additional information regarding street grades, site grading, inverts, etc, will be required for review prior to any plan approval. The drainage plan for the development shall comply with the Keizer Development Code.

11. OTHER:
 - a.) Construction permits are required by the Department of Public Works prior to any public facility construction.
 - b.) A Pre-design meeting with the City of Keizer Department of Public Works will be required prior to the Developer's Engineer submitting plans to either the city of Keizer or the City of Salem for review.
 - c.) Street opening permits are required for any work within the City Right of Way that is not covered by a Construction Permit.
 - d.) A Pre-construction conference shall be required prior to commencement of any construction under permits issued by the city.
12. Applicant shall submit a street vacation application for the vacation of Phillips Avenue right of way.
13. The applicant should consider engaging with the city in discussion relating to Tax Lot 073W02AA 2900, adjacent to Claggett Creek about the possibility of it being available for any expansion of Claggett Creek Park or riparian water stream quality enhancement measures.



CITY OF K
COMPREHENSIVE PLAN AMENDMENT
AND ZONE CHANGE APPLICATION

Land Use Fee:	\$1,045.00
Mailing Fee:	\$60.00
Advertising Fee:	\$240.00
Posting Fee:	\$40.00
TOTAL	\$1,385.00

If there are any questions about this application, who should be contacted?

Name: Mark Grenz, P.E.
 Address: 1155 13th St SE Salem, OR 97302
 Daytime Phone Number: 503-363-9227
 Fax: 503-364-1260 Email: mdg@multitech.ws

1. **Applicant Name** **Address**
Herber Farm LLC 670 Cater Dr NE
 Keizer, OR 97303

Phone

2. **Property Owner Name** **Address**
Same as Applicant

Phone

3. Street Address of subject property Chemawa Rd & Verda Lane
 4. The applicants propose to change the comprehensive plan designation from LDR to MHDR.
 5. Please describe the current use of the lands surrounding the property (include land across roads):
Vacant & Single Family Dwelling

6. Describe the intended use of the property Multi-Family

7. In order to have a complete application the following items must submitted with the completed application form. Please check off the following items to ensure a complete application:

✓

Application processing and filing fee. If paid by check, the check must be payable to the City of Keizer.

✓

A copy of the latest officially recorded title transfer instrument (deed, warranty deed, or purchase contract) giving the legal description of the property. If only a portion of the subject property is being changed then a legal description prepared by a licensed surveyor for that portion to be amended or rezoned is required.

✓

Attach additional sheets with written statements explaining the reasons for the comprehensive plan amendment. In addition, information must be provided on how the request meets the comprehensive plan amendment criteria as outlined in the information sheet provided with this application.

✓

15 copies of the plot plan and supporting drawings, elevations, or diagrams. The plot plan cannot be smaller than 8 1/2" x 11" in size and must be drawn in black ink. If plot plans larger than 11" x 17" are provided, the applicant must provide at least 1 reduced copy of the plot plan and supporting drawings, elevations, or diagrams for copying purposes.

8. **THE APPLICANT(S) SHALL CERTIFY THAT:**

- A. The above comprehensive plan amendment request does not violate any deed restrictions that may be attached to or imposed upon one, both, or all of the subject properties.
- B. If the application is approved, the applicant(s) will exercise the rights granted in accordance with that approval and will be subject to all conditions and limitations of approval.
- C. All of the above statements and the statements included on the plot plan and exhibits attached to the plot plan are true to the best of the applicants knowledge; and the applicants acknowledge that any permit issued on the properties may be revoked if it is found that any statements are false.
- D. The applicant(s) acknowledge that this application and all applicable policies and criteria have been read and understood, and that the requirements and criteria for approving or denying the application are also understood.

SIGNATURE(s) of APPLICANTS

NOTE: If the applicants are not the property owner, the current property owner MUST sign the application.

Iylene Denlinger
Dated this 6-18 day of 18, 2013

AGENT AUTHORIZATION

Fill out and sign this portion of the application if you (the applicant) are going to designate another individual as your agent. By signing this section you authorize the person named to act as your agent and agree to be bound by all representations and agreements made by the designated agent.

I, Iylene Denlinger, hereby authorize Mark Strong to act as my representative and agent in all matters pertaining to the processing and approval of this land use application, and agree to be bound by all representations and agreements made by the above designated agent.

Applicant's Signature
Iylene Denlinger
Applicant's Signature

Date
6-18-13
Date

Litke, Sam

From: Brandie Dalton <bmd@multitech.ws>
Sent: Thursday, April 24, 2014 10:55 AM
To: Litke, Sam
Cc: Brown, Nate; 'Mark Grenz P.E.'
Subject: RE: zone change

Sam and Nate:

The applicant has no problems with requesting the zone be changed to RM as long as a high density apartment complex can still be achieved on the site.

I have revised the applicant's proposal as noted below. Please let me know if you need anything else.

Revised Proposal: The applicant is proposing to rezone the subject property from Single Family Residential (RS) to Medium Density Residential (RM) and change the comprehensive plan designation from "Low Density Residential (LDR)" to "Medium and High Density Residential (MHDR)".

Thank you,

*Brandie Dalton- Land-Use Planner
Multi/Tech Engineering Services, Inc.
1155 13th Street SE
Salem, Oregon 97302
Phone: (503) 363-9227*

Comprehensive Plan Change- *Zone Change*

BACKGROUND/PROPOSAL

The subject property is approximately 7.5 acres in size and located on the west side of Verda Lane, the east side of Philip Street, and the south side of Chemawa Road (073W02AA/Tax Lots 3000 through 3600 and 073W02AD/Tax Lots 6700 through 7300). The subject property is zoned Single Family Residential (RS). The subject property is designated as "Low Density Residential" on the Comprehensive Plan Map.

The applicant is proposing to rezone the subject property from Single Family Residential (RS) to High Density Residential (RH) and change the comprehensive plan designation from "Low Density Residential (LDR)" to "Medium and High Density Residential (MHDR)".

In the 1950's, the subject property was originally subdivided into a 14 lot subdivision. IN order to eliminate those lots, the applicant is also requesting to replat the 14 lots into one large property about 7.5 acres in size. The applicant is proposing to replat the properties by applying for a Partition. See Site Plan.

The subject property is not located within an established Neighborhood Association. However, a meeting with the Keep Keizer Livable Group and adjacent property owners will be held prior to a decision being issued for this CPC/ZC. This meeting will allow adjacent property owners and interested citizens the opportunity to ask questions and provide comments regarding the proposal.

EXISTING SITE CONDITIONS

The property has street frontage on Verda Lane to the east, Chemawa Road to the north, Philip Street to west (which is unimproved and will not be used), and Dearborn Avenue to the south. The subject property has several structures located throughout. The existing structures will be removed prior to development of the site.

Vicinity Information:

The vicinity map is attached as shown. The surrounding land uses within the vicinity are zoned and used as follows and as shown.

North: Across Chemawa Road, Single Family Residential (RS); existing single family dwellings located to the north

East: Across Verda Lane, Single Family Residential (RS) zone; existing single family dwellings

South: Across Dearborn Avenue, Single Family Residential (RS) zone; existing single family dwellings

West: Across Philip Street, Single Family Residential (RS) (Tax Lot 2900); vacant land

APPLICANT'S REASONS ADDRESSING THE COMPREHENSIVE PLAN CHANGE CRITERIA

Section 3.109.01 defines a comprehensive plan change: "A Comprehensive Plan Map Amendment Request allows a property owner to amend the Comprehensive Plan Land Use Map that is allowed with the new Comprehensive Plan Land Use Map designation for the property."

This plan change involves only land that the applicant owns. The plan change is consistent with the overall objectives of the Keizer Comprehensive Plan.

Criterion A: The following Statewide Planning Goals apply to this proposal:

The request is in conformance with State Wide Planning and all applicable land use standards imposed by state law and administrative regulation, which permit applications to be filed. Development of the subject property can meet the minimum standards of the zone code and the Transportation System Plan. The proposal complies with the applicable intent statements of the Comprehensive Plan as addressed in this report. The applicant has presented evidence sufficient to prove compliance with these standards.

Goal 1 – Citizen Involvement:

The City's adopted Comprehensive Plan General Development Goal and Policies, and its adopted zone code, implement the Statewide Citizen Involvement Goal. This application will be reviewed according to the public review process established by the City of Keizer. The City's Plan is acknowledged to be in compliance with this Goal. Notice of the proposal will be provided to property owners and public agencies. The published notice will identify the applicable criteria. A public hearing to consider the request will be held by the Hearing's Officer. Through the notification and public hearing process all interested parties are afforded the opportunity to review the application, comment on the proposal, attend the public hearing, and participate in the decision.

The subject property is not located within an established Neighborhood Association. However, a meeting with the Keep Keizer Livable Group and adjacent property owners will be held prior to a decision being issued for this CPC/ZC. This meeting will allow adjacent property owners and interested citizens the opportunity to ask questions and provide comments regarding the proposal.

These procedures meet the requirements of this Goal for citizen involvement in the land use planning process.

Goal 2 – Land Use Planning:

The City's adopted Comprehensive Plan implements the Statewide Land Use Planning Goal. The Keizer Comprehensive Plan is acknowledged to be in compliance with the Statewide Planning Goals. This proposal is made under the goals, policies and procedures of the Keizer Comprehensive Plan and its implementing ordinance. A description of the proposal in relation to the intent of the Plan, its applicable goals and policies, the comprehensive plan change/zone change criteria is part of this review. Facts and evidence have been provided that support and justify the proposed comprehensive plan/zone change, along with findings and evidence to support the replatting (partition application) and zone change applications. For these reasons, the proposal conforms to the land use planning process established by this Goal.

Goal 5 – Natural Resources, Scenic and Historic Areas, and Open Spaces:

The City's adopted General Development, Scenic and Historic Areas, Natural Resources and Hazards Goals and Policies address the Statewide Goal. The City's adopted General

Development, Scenic and Historic Areas, Natural Resources and Hazards Goals and Policies address the Statewide Goal. According to City maps there is a floodplain overlay located on the lower portion of the site. The floodplain area will not be affected by the development of the property. The City's applicable floodplain development standards will apply at the time of development and will ensure compliance with Goal 5 and this policy.

Landslide hazards do not exist on the site. Therefore, a geological assessment is not required.

There are no significant historic buildings on the subject property. The applicant has taken the opportunity to consider existing conditions and influences that enables him to explore potential development. The City has standards in place to address access, internal circulation, topography, drainage, public facilities, overall site design and layout.

Goal 6 – Air, Water and Land Resources Quality:

The City's adopted Comprehensive Plan, Scenic and Historic Areas, Natural Resources and Hazards, Commercial, Industrial and Transportation Goals and Policies along with adopted facilities plans implement this Goal.

Development is required to meet applicable State and Federal requirements for air and water quality. The proposal to redevelop is reviewed by the City and any applicable outside agencies for impacts on environment and compliance to applicable standards and regulations. Development is required to meet applicable water, sewer, and storm drainage system requirements. Upon redevelopment, the City is responsible for assuring that wastewater discharges are treated to meet the applicable standards for environmental quality.

The City has identified the process through which water; sewer and storm drainage will be supplied to the site as stated in previous meetings with the applicant.

The proposed site is outside the noise contours of the air traffic, and that the facility will nevertheless utilize building materials that mitigate such noise, if any.

The major impact to air quality in the vicinity is vehicle traffic along the boundary streets. The traffic generated from the site will be minor compared to the total volume of traffic in this area, and will not create a significant additional air quality impact.

A Traffic Impact Analysis is currently being worked on and will be submitted to the City in a timely manner.

The site is vacant. The proposed change will have no significant impact on the quality of the land. Considering the location of the site within the city, the availability of public facilities to provide water, sewage disposal and storm drainage services, and the surrounding transportation system, the proposal will have no significant impacts to the quality of the air, water or land. The City's adopted facility plans implement Goal 6.

Goal 8 – Recreational Needs:

The City's adopted Comprehensive Plan Activity Centers, Parks and Recreation Goal and Policies implements the Statewide Recreation Needs Goal by encouraging conservation and identification of existing and needed park resources and funding mechanisms. At the time of development, the proposal will provide improved public pedestrian connections via hard-surfaced sidewalks. Claggett Park is located about two blocks to the west of the site on Chemawa Road. Northview Park is located to the southeast of the subject property. These two sites provide adequate parks and recreation within the area. However, at the time of development, the multi-family development on

the site will have common open space and private open space for the residents. Therefore, the proposal complies with this Goal.

Goal 9-Economic Development:

The proposed zone change will have a positive impact on the economy of the City of Keizer. The rezone will allow the underdeveloped property to be developed, which will create employment along with a housing type that is a less expensive option for families.

The proposal will provide a location for residential uses along with new opportunity for the local labor force to obtain employment. The subject property is currently underutilized. The site is currently unproductive and returns little value to the City. Redevelopment contributes to the economic base of the urban area, which is consistent with this Goal. The site will offer economic diversification because it will provide for the expansion of new residential. It will provide an opportunity to encourage hiring of local unemployed, skilled and unskilled local residents.

Goal 10 – Housing:

The City of Keizer has an adopted housing needs analysis, "Salem-Keizer Housing Needs Analysis 2012-2023", that is dated May 2011. As stated above, the City projected a need for residential units in the City's "Housing Needs Analysis" to address State Land Use Goals 10 by establishing population projections. The Housing Needs Analysis reevaluates the housing needs for all residential types. According to the study, Keizer is in need of 47 acres of RM and RH zoned residential land in order to help fill the deficit for multi-family housing.

The applicant's proposal is to rezone the site from RS and RH to allow a higher density to be built on the site. As stated above, according to the Housing Needs Analysis, "Keizer has a deficit of capacity in the Multi-Family designation, with a deficit of 362 dwelling units and a deficit of 47 gross acres of multi-family residential land. The rezone helps maximize the density while helping to meet housing needs within the City of Keizer.

The development will also be located in an area in close proximity to existing and proposed services. There are at least two parks located within a mile or less of the site. Commercial services are currently available to the west along Chemawa Road and River Road N.

The existing neighborhood consists of single family housing. The surrounding properties are zoned for single family development. In order to provide an alternative housing pattern while being consistent with the neighborhood, the proposed development will provide a higher density of needed housing in this area of Keizer. In order to maintain the character of the neighborhood, the site will be developed in compliance with required Design Standards and provide bufferyards along property lines.

The City's adopted Comprehensive Plan, Residential, Transportation Goals and Policies and applicable adopted facilities plans implement the Statewide Housing Goal.

The City's subdivision and land use processes implement applicable Housing Goals and Policies. There is a deficit in multi-family residential land in the City of Keizer.

FIGURE 14: PROJECTED NEW UNIT NEED MINUS REMAINING BLI CAPACITY, KEIZER (2033)

Zoning Designation		Capacity of Vacant Lands (in Units)	NEW UNITS NEEDED (2033) vs. CAPACITY							
			S.F. Detached	S.F. Attached	Duplex	3- or 4-plex	5+ Units MFR	Mobile home	Total Units	
			1,782	765	141	402	1,260	162	4,513	
RS	Single Family Residential	1,527	977	550	-	-	-	-	1,527	← New Units Needed (2032)
RL	Limited Density Residential	-	-	-	-	-	-	-	0	
RL-LU	Limited D.R. - Limited Use	-	-	-	-	-	-	-	0	
RM (Medium)	Medium Density Residential	-	-	-	-	-	-	-	0	
RM (Medium High)	Medium Density Residential	362	-	-	-	-	362	-	362	← Distribution of Remaining BLI Capacity
RM-LU	MDR - Limited Use	-	-	-	-	-	-	-	0	
RH	High Density Residential	-	-	-	-	-	-	-	0	
UT	Urban Transition	383	245	138	-	-	-	-	383	
MU	Mixed Use (Keizer Station)	153	-	-	-	-	153	-	153	
MU	Mixed Use (Other)	314	-	-	-	-	314	-	314	
Totals/Averages:		2,738	1,222	687	0	0	829	0	2,738	← Total Capacity of Buildable Lands
Accessory Dwelling Unit Assumption:			100						100	
			560	77	41	402	431	162	1,674	← Remaining Unit Need

SOURCE: CITY OF KEIZER, PLANNING Information Field HQ

FIGURE 15: PROJECTED NEW RESIDENTIAL LAND NEED, KEIZER (2033)

Zoning Designation		REMAINING UNIT NEED, AFTER BLI BUILD-OUT							Total Units	Target Density (Units/Net Acre)	Net Acreage Needed	Gross Acreage Needed
		S.F. Detached	S.F. Attached	Duplex	3- or 4-plex	5+ Units MFR	Mobile home					
		560	77	41	402	431	162					
RS	Single Family Residential	560						162	722	6.6	109.4	136.8
RL	Limited Density Residential								0	-	-	-
RL-LU	Limited D.R. - Limited Use								0	-	-	-
RM (Medium)	Medium Density Residential								0	-	-	-
RM (Medium High)	Medium Density Residential		77	41					119	15.0	7.9	9.9
RM-LU	MDR - Limited Use								0	-	-	-
RH	High Density Residential					322	345		667	22.0	30.3	37.9
UT	Urban Transition								0	-	-	-
MU	Mixed Use (Keizer Station)								0	-	-	-
MU	Mixed Use (Other)					80	86		167	16.8	9.9	12.4
Totals/Averages:		560	77	41	402	431	162		1,674	10.6	157.6	196.9

Goal 11 - Public Facilities and Services:

The City's adopted Comprehensive Plan, residential, and Transportation Goal and Policies and adopted Stormwater and Water Master Plans implement the Statewide Public Facilities and Services Goal by requiring development to be served by public services. The proposal is for revitalized urban development in an area where future extensions of those services can be provided in the most feasible, efficient and economical manner. All necessary and appropriate public services and facilities essential for development will be provided to this property at levels that are adequate to serve the proposed use.

The City maintains an infrastructure of public services that includes sewer, water, and storm drainage facilities. The City will specify any needed changes to the existing service levels at the time building permits are requested.

Sidewalks are or will be provided throughout the site to connect to the public sidewalk system. The location along a major transportation corridor facilitates access to a transit route (Route 15 on

Verda Lane and Route 18 on Chemawa Road), bicycle and pedestrian access, provides significant opportunity to reduce vehicle miles traveled. The vehicle, transit, bicycle, and pedestrian circulation systems will be designed to connect major population and employment centers in this Keizer area, as well as provide access to local neighborhood residential, shopping, schools, and other activity centers.

Traffic from this site is diverted away from residential areas and has convenient access to the existing streets. Aesthetics and landscaping will be considered in the design of the circulation system to cut down on headlight glare, heat, and improved traffic direction.

The Salem-Keizer School District provides public education facilities. The education district's master plan provides for growth in the district and has options to meet the demand. The education district reviews the population factors to determine planning, funding and locating new schools or providing additional facilities on the sites of existing schools.

Other private service providers supply garbage, telephone, television, postal and internet services as needed by the development. The required public services and facilities to serve new development will be determined by the City at the time development permits are requested. By providing adequate public facilities and services for the proposed use, the requirements of this Goal are met.

Goal 12 – Transportation:

The City's adopted Comprehensive Plan Transportation Goals and Policies and the adopted Transportation Plan implements the Statewide Transportation Goal by encouraging a safe, convenient and economic transportation system. The subject property is located along Chemawa Road and Verda Lane. The major streets are in place due to previous development.

The development of multi-family units on this site is a safer and more convenient way to develop the site. The multi-family development will provide two driveways within and throughout the site onto Verda Lane. Whereas the single family lots would require 14 driveways onto Verda Lane. Therefore, from a traffic and safety standpoint, the development of this site as apartments is safer.

A Traffic Impact Analysis is currently being worked on and will be submitted to the City in a timely manner.

Criterion B: Comprehensive Plan Goals and Policies

The intent of Keizer Comprehensive Plan (KCP) Residential Development goals is to promote a variety of housing and opportunities for all income levels. The comprehensive plan change/zone change will allow the property to be developed at a higher density, therefore, meeting the intent of the residential goals.

Residential Development Policies

General Policies 1 & 2:

The applicant's proposal is to rezone the property from RS to RH to allow a higher density to be built on the site. As stated above, according to the Housing Needs Analysis, Keizer has a deficit of capacity in the multi-family designation, with a deficit of 47 gross acres of multi-family residential land. The rezone helps maximize the density while helping to meet housing needs within the City of Keizer.

The rezoning of the subject property will help to provide a variety of housing other than single family dwellings. This is a growing area that already has more than a sufficient amount of single family land for development. Multi-family development will provide a needed housing type in the area while helping to meet housing needs as well. Therefore, establishing a mixture of residential uses within the area.

General Policies 3 & 4:

The City's adopted Comprehensive Plan Transportation Goal and Policies and the adopted Keizer Transportation System Plan implements the Statewide Transportation Goal by encouraging a safe, convenient and economic transportation system. The subject property is located along Chemawa Road and Verda Lane. The major streets are in place due to previous development. Sidewalks and needed improvements will be made to Verda Lane, Philip Street, Chemawa Road, Dearborn Avenue if required.

The City's adopted Comprehensive Plan, residential, and Transportation Goal and Policies and adopted Stormwater and Water Master Plans implement the Statewide Public Facilities and Services Goal by requiring development to be served by public services. The proposal is for revitalized urban development in an area where future extensions of those services can be provided in the most feasible, efficient and economical manner. All necessary and appropriate public services and facilities essential for development will be provided to this property at levels that are adequate to serve the proposed use.

The City maintains an infrastructure of public services that includes sewer, water, and storm drainage facilities. The City will specify any needed changes to the existing service levels at the time building permits are requested.

General Policies 5 & 6:

As stated above, the rezoning of the subject property will help to provide a variety of housing other than single family dwellings. This is a growing area that already has more than a sufficient amount of single family land for development. Multi-family development will provide a needed housing type in the area while helping to meet housing needs as well.

The development will also be located in an area in close proximity to existing and proposed services. There are at least two parks located within a mile or less of the site. Commercial Services are currently available to the west along Chemawa Road and River Road N.

General Policies 7, 8, & 9:

The subject property has several structures located throughout. The existing structures will be removed prior to development of the site.

In order to provide a mixture of housing in the area, the applicant is requesting a zone change. The comprehensive plan encourages a mixture of housing types within a neighborhood. The infill development will encourage a type of needed housing along Verda Lane and Chemawa Road.

The development will also be located in an area in close proximity to existing and proposed services. There are at least two parks located within a mile or less of the site. Commercial Services are currently available to the west along Chemawa Road and River Road N.

The existing neighborhood consists of single family housing. The surrounding properties are zoned for single family development. In order to provide an alternative housing pattern while being consistent with the neighborhood, the proposed development will provide a higher density of needed housing in this area of Keizer. In order to maintain the character of the neighborhood, the

Herber Property CPC/ZC #5725

site will be developed in compliance with required Design Standards and provide bufferyards along property lines.

The comprehensive plan change/zone change will promote infill development with the development of a property that is already served by City Services and all transportation to be developed with a higher density of housing that is needed in this area.

General Policy 10:

The development will also be located in an area in close proximity to existing and proposed services. The development will also be located in an area in close proximity to existing and proposed services. There are at least two parks located within a mile or less of the site. Commercial Services are currently available to the west along Chemawa Road and River Road N.

General Policy 13:

The subject property is located along Verda Lane (east), Chemawa Road (north), Dearborn Avenue (south), and Philip Street (west). Sidewalks and needed improvements will be made if required. The major streets are in place due to previous development and the subject property is surrounded by right-of-way. Therefore, there will not be any through traffic to existing neighborhoods.

General Policy 15, 18, & 19:

The City of Keizer has an adopted housing needs analysis, "Salem-Keizer Housing Needs Analysis 2012-2023", that is dated May 2011. The Housing Needs Analysis re-evaluates the housing needs for all residential types. According to the study, Keizer is in need of 47 acres of RM and RH zoned residential land in order to help fill the deficit for multi-family housing.

The applicant's proposal is to rezone the site from RS and RH to allow a higher density to be built on the site. As stated above, according to the Housing Needs Analysis, "Keizer has a deficit of capacity in the Multi-Family designation, with a deficit of 362 dwelling units and a deficit of 47 gross acres of residential land. The rezone helps maximize the density while helping to meet housing needs within the City of Keizer.

The development will also be located in an area in close proximity to existing and proposed services. There are at least two parks located within a mile or less of the site. Commercial Services are currently available to the west along Chemawa Road and River Road N.

The existing neighborhood consists of single family housing. The surrounding properties are zoned for single family development. In order to provide an alternative housing pattern while being consistent with the neighborhood, the proposed development will provide a higher density of needed housing in this area of Keizer. In order to maintain the character of the neighborhood, the site will be developed in compliance with required Design Standards and provide bufferyards along property lines.

The City's adopted Comprehensive Plan, Residential, Transportation Goals and Policies and applicable adopted facilities plans implement the Statewide Housing Goal.

The City's subdivision and land use processes implement applicable Housing Goals and Policies. There is a deficit in multi-family residential land in the City of Keizer.

General Policy 16:

Development is required to meet applicable State and Federal requirements for air and water quality. The proposal to redevelop is reviewed by the City and any applicable outside agencies for Herber Property CPC/ZC #5725

impacts on environment and compliance to applicable standards and regulations. Development is required to meet applicable water, sewer, and storm drainage system master plan requirements. Upon redevelopment, the City is responsible for assuring that wastewater discharges are treated to meet the applicable standards for environmental quality.

The proposed site is outside the noise contours of the air traffic, and that the facility will nevertheless utilize building materials that mitigate such noise, if any.

The major impact to air quality in the vicinity is vehicle traffic along the boundary streets. The traffic generated from the site will be minor compared to the total volume of traffic in this area, and will not create a significant additional air quality impact. The TIA identifies the traffic needs for the site and mitigation measures.

General Policy 17:

The City's adopted General Development, Scenic and Historic Areas, Natural Resources and Hazards Goals and Policies address the Statewide Goal. According to City map there is a floodplain overlay located on the lower portion of the site. The floodplain area will not be affected by the development of the property. The City's applicable floodplain development standards will apply at the time of development and will ensure compliance with Goal 5 and this policy.

The applicant has provided a tree plan, identifying the location and size of all existing trees on the site.

Landslide hazards do not exist on the site. Therefore, a geological assessment is not required.

The applicant has taken the opportunity to consider existing conditions and influences that enables him to explore potential development. The City has standards in place to address access, internal circulation, topography, drainage, public facilities, overall site design and layout.

General Policy 21:

The cumulative effect of all new residential development in the Keizer Urban Area should average 6.5 dwelling units per gross acre of residential development. The comprehensive plan change/zone change will allow the property to be developed at a higher density, therefore, meeting or exceeding the dwelling average.

Criterion C: Alternative sites

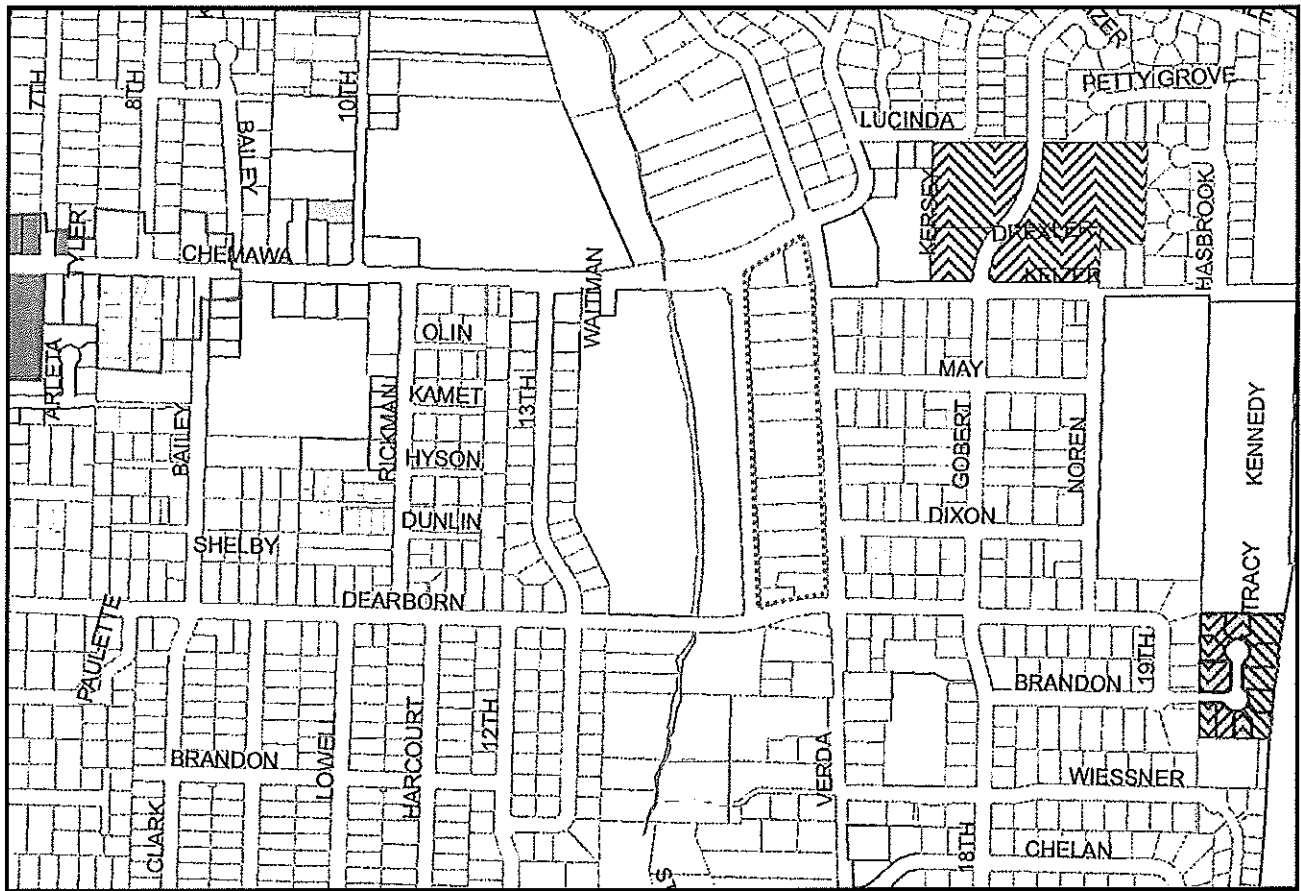
There is a lack of appropriately designated vacant RM and RH sites within this vicinity. This site gives the applicant the ability to provide mixed housing within this area along Chemawa Road and Verda Lane. There is land zoned and designated for Medium High Residential Density. However, these designated properties along Chemawa Road are fully developed.

As shown on the City land zone map there is no property contiguous to the existing site that is vacant, and there is none in the area. The only appropriately designated properties within the necessary proximity to the existing site are located on Chemawa Road and are developed.

According to the Housing Needs Analysis, Keizer has a deficit of capacity in the MF designation, with a deficit of 47 gross acres of medium and high zoned residential land. With a multi-family designation, the subject property can be developed as multi-family dwellings; the rezone helps maximize the density while helping to meet housing needs within the Keizer Urban Area.

The subject property will not only be a site that will contribute to the multi-family housing needs, but it is also a site that can help improve the transportation circulation in the area. The development of the site will encourage a mixture of housing types and higher densities within an infill lot along Chemawa Road.

There are no appropriately designated alternative sites within the vicinity for the proposed use that are currently vacant. Therefore, the proposal satisfies this criterion met.



Criterion D: Projected Needs

The proposed rezoning will provide 7.5 acres of multi-family zoned property within the Keizer Urban Area, where a total of 47 acres of multi-family zoned property is needed in order to meet the City of Keizer housing needs.

The existing zone is RS. If developed as RS, the site will provide 14 single family lots, where 1,527 lots are needed in order to meet the housing needs. Fourteen lots don't help the housing needs of this area. Furthermore, currently there are several subdivisions with in Keizer that have been approved and will make up for the loss of these 14 lots.

Due to the requirements of the Comprehensive Plan to provide a mixture of housing types, the need for multi-family housing in this area is greater than the need for single family housing. There are currently a wider range of housing opportunities for single family dwellings in the area than for multi-family units.

This criterion is met, by establishing a use that is consistent with the future residential needs in the area, by addressing how residential needs of the Keizer area are being met by this proposal, and by providing higher density for housing needs and a logical transition along Chemawa Road and Verda Lane.

Criterion E and Criterion F: Lane Use Patterns and Adjacent Land

The subject property is currently vacant. In order to provide a mixture of housing in the area, the applicant is requesting a zone change. A majority of the properties along Chemawa Road are zoned for single family development and all the properties along Verda Lane are zoned for single family development.

The existing neighborhood consists of single family housing and some multi-family dwellings. In order to maintain the character of the neighborhood, the site will be developed in compliance with required Design Standards.

There are no foreseeable adverse effects of the proposal to adjacent properties. The adjacent properties have public street frontage on and access to major streets. Therefore, this criterion is met.

Criterion G: Public Facilities and Services

The City's adopted Comprehensive Plan Transportation Goal and Policies and the Transportation System Plan implements the Statewide Transportation Goal by encouraging a safe, convenient and economic transportation system. The subject property is located Chemawa Road (north), Verda Lane (east), Philip Street (west), and Dearborn Avenue (south). The major streets are in place due to previous development. Sidewalks and needed improvements will be made to if required.

The City's adopted Comprehensive Plan, residential, and Transportation Goal and Policies and adopted Stormwater and Water Master Plans implement the Statewide Public Facilities and Services Goal by requiring development to be served by public services. The proposal is for revitalized urban development in an area where future extensions of those services can be provided in the most feasible, efficient and economical manner. All necessary and appropriate public services and facilities essential for development will be provided to this property at levels that are adequate to serve the proposed use.

The City maintains an infrastructure of public services that includes sewer, water, and storm drainage facilities. The City will specify any needed changes to the existing service levels at the time building permits are requested.

APPLICANT'S REASONS ADDRESSING THE ZONE CHANGE CRITERIA

The subject property is currently zoned RS but is underdeveloped. The proposed RH zone will implement the requested "Multi-Family Residential" Comprehensive Plan map designation.

Criterion (a) is addressed as follows:

As stated above, the proposed zone is appropriate for the Comprehensive Plan Land Use designation and is consistent with the applicable Comprehensive Plan policies.

Residential Development Policies

General Policies 1 & 2:

The applicant's proposal is to rezone the property from RS to RH to allow a higher density to be built on the site. As stated above, according to the Housing Needs Analysis, Keizer has a deficit of capacity in the multi-family designation, with a deficit of 47 gross acres of multi-family residential land. The rezone helps maximize the density while helping to meet housing needs within the City of Keizer.

The rezoning of the subject property will help to provide a variety of housing other than single family dwellings. This is a growing area that already has more than a sufficient amount of single family land for development. Multi-family development will provide a needed housing type in the area while helping to meet housing needs as well. Therefore, establishing a mixture of residential uses within the area.

General Policies 3 & 4:

The City's adopted Comprehensive Plan Transportation Goal and Policies and the adopted Keizer Transportation System Plan implements the Statewide Transportation Goal by encouraging a safe, convenient and economic transportation system. The subject property is located along Chemawa Road and Verda Lane. The major streets are in place due to previous development. Sidewalks and needed improvements will be made to Verda Lane, Philip Street, Chemawa Road, Dearborn Avenue if required.

The City's adopted Comprehensive Plan, residential, and Transportation Goal and Policies and adopted Stormwater and Water Master Plans implement the Statewide Public Facilities and Services Goal by requiring development to be served by public services. The proposal is for revitalized urban development in an area where future extensions of those services can be provided in the most feasible, efficient and economical manner. All necessary and appropriate public services and facilities essential for development will be provided to this property at levels that are adequate to serve the proposed use.

The City maintains an infrastructure of public services that includes sewer, water, and storm drainage facilities. The City will specify any needed changes to the existing service levels at the time building permits are requested.

General Policies 5 & 6:

As stated above, the rezoning of the subject property will help to provide a variety of housing other than single family dwellings. This is a growing area that already has more than a sufficient amount of single family land for development. Multi-family development will provide a needed housing type in the area while helping to meet housing needs as well.

The development will also be located in an area in close proximity to existing and proposed services. There are at least two parks located within a mile or less of the site. Commercial Services are currently available to the west along Chemawa Road and River Road N.

General Policies 7, 8, & 9:

The subject property is currently vacant. In order to provide a mixture of housing in the area, the applicant is requesting a zone change. The comprehensive plan encourages a mixture of housing types with in a neighborhood. The infill development will encourage a type of needed housing along Verda Lane and Chemawa Road.

The development will also be located in an area in close proximity to existing and proposed services. There are at least two parks located within a mile or less of the site. Commercial Services are currently available to the west along Chemawa Road and River Road N.

The existing neighborhood consists of single family housing. The surrounding properties are zoned for single family development. In order to provide an alternative housing pattern while being consistent with the neighborhood, the proposed development will provide a higher density of needed housing in this area of Keizer. In order to maintain the character of the neighborhood, the site will be developed in compliance with required Design Standards and provide bufferyards along property lines.

The comprehensive plan change/zone change will promote infill development with the development of a property that is already served by City Services and all transportation to be developed with a higher density of housing that is needed in this area.

General Policy 10:

The development will also be located in an area in close proximity to existing and proposed services. The development will also be located in an area in close proximity to existing and proposed services. There are at least two parks located within a mile or less of the site. Commercial Services are currently available to the west along Chemawa Road and River Road N.

General Policy 13:

The subject property is located along Verda Lane (east), Chemawa Road (north), Dearborn Avenue (south), and Philip Street (west). Sidewalks and needed improvements will be made if required. The major streets are in place due to previous development and the subject property is surrounded by right-of-way. Therefore, there will not be any through traffic to existing neighborhoods.

General Policy 15, 18, & 19:

The City of Keizer has an adopted housing needs analysis, "Salem-Keizer Housing Needs Analysis 2012-2023", that is dated May 2011. The Housing Needs Analysis reevaluates the housing needs for all residential types. According to the study, Keizer is in need of 47 acres of RM and RH zoned residential land in order to help fill the deficit for multi-family housing.

The applicant's proposal is to rezone the site from RS and RH to allow a higher density to be built on the site. As stated above, according to the Housing Needs Analysis, "Keizer has a deficit of capacity in the Multi-Family designation, with a deficit of 362 dwelling units and a deficit of 47 gross acres of residential land. The rezone helps maximize the density while helping to meet housing needs within the City of Keizer.

The development will also be located in an area in close proximity to existing and proposed services. There are at least two parks located within a mile or less of the site. Commercial Services are currently available to the west along Chemawa Road and River Road N.

The existing neighborhood consists of single family housing. The surrounding properties are zoned for single family development. In order to provide an alternative housing pattern while being consistent with the neighborhood, the proposed development will provide a higher density of needed housing in this area of Keizer. In order to maintain the character of the neighborhood, the site will be developed in compliance with required Design Standards and provide bufferyards along property lines.

The City's adopted Comprehensive Plan, Residential, Transportation Goals and Policies and applicable adopted facilities plans implement the Statewide Housing Goal.

The City's subdivision and land use processes implement applicable Housing Goals and Policies. There is a deficit in multi-family residential land in the City of Keizer.

General Policy 16:

Development is required to meet applicable State and Federal requirements for air and water quality. The proposal to redevelop is reviewed by the City and any applicable outside agencies for impacts on environment and compliance to applicable standards and regulations. Development is required to meet applicable water, sewer, and storm drainage system master plan requirements. Upon redevelopment, the City is responsible for assuring that wastewater discharges are treated to meet the applicable standards for environmental quality.

The proposed site is outside the noise contours of the air traffic, and that the facility will nevertheless utilize building materials that mitigate such noise, if any.

The major impact to air quality in the vicinity is vehicle traffic along the boundary streets. The traffic generated from the site will be minor compared to the total volume of traffic in this area, and will not create a significant additional air quality impact. The TIA identifies the traffic needs for the site and mitigation measures.

General Policy 17:

The City's adopted General Development, Scenic and Historic Areas, Natural Resources and Hazards Goals and Policies address the Statewide Goal. According to City map there is a floodplain overlay located on the lower portion of the site. The floodplain area will not be affected by the development of the property. The City's applicable floodplain development standards will apply at the time of development and will ensure compliance with Goal 5 and this policy.

The applicant has provided a tree plan, identifying the location and size of all existing trees on the site.

Landslide hazards do not exist on the site. Therefore, a geological assessment is not required.

The applicant has taken the opportunity to consider existing conditions and influences that enables him to explore potential development. The City has standards in place to address access, internal circulation, topography, drainage, public facilities, overall site design and layout.

General Policy 21:

The cumulative effect of all new residential development in the Keizer Urban Area should average 6.5 dwelling units per gross acre of residential development. The comprehensive plan change/zone change will allow the property to be developed at a higher density, therefore, meeting or exceeding the dwelling average.

Criterion (b) is addressed as follows:

An RH development should have a positive effect on the neighborhood by providing a needed housing type in the area, while recognizing the physical capacity of the site and the necessary provisions of public facilities and services. All necessary public facilities are required to be made available to the subject property, and adequate transportation facilities are already in place.

An overall positive finding can be made that the effects of the proposal are appropriate considering the impact on the existing single family-density neighborhood, the physical characteristics and capacity of the site, and the availability of public facilities and services to be extended upon development. The development will take an undeveloped site and create a development that is visual appealing to the neighborhood. At the time of building permits, Design Standards will be in place to help eliminate any impacts to the neighborhood and create a positive development.

Criterion (c) is addressed as follows:

The proposed RH zone can be established in compliance with the development requirements of this Code. The applicant will be required to obtain building permits. The building permits will be reviewed for compliance with the Code.

New development on the site will be according to City standards which are the minimum community development standards established by the City. By meeting these requirements at the development stage, the development will meet the City's development standards which are designed to make abutting land uses compatible with each other. The redevelopment of this

site is subject to City codes as well as market forces which dictate an attractive, easily accessible project in order to attract both investors and customers.

The Cities Development Code will help implement direction of outdoor lighting, bufferyards, improved access, street improvements, paved parking lots and paved surfaces to limit dust. The applicant will work with staff to assure that the City of Keizer Design Standards and Code requirements are met prior to development of the site.

Criterion (d) is addressed as follows:

The City's adopted Comprehensive Plan, residential, and Transportation Goal and Policies and adopted Stormwater and Water Master Plans implement the Statewide Public Facilities and Services Goal by requiring development to be served by public services. The proposal is for revitalized urban development in an area where future extensions of those services can be provided in the most feasible, efficient and economical manner. All necessary and appropriate public services and facilities essential for development will be provided to this property at levels that are adequate to serve the proposed use.

The City maintains an infrastructure of public services that includes sewer, water, and storm drainage facilities. The City will specify any needed changes to the existing service levels at the time building permits are requested.

Sidewalks are or will be provided throughout the site to connect to the public sidewalk system. The location along a major transportation corridor facilitates access to a transit route (Route 15 on Verda Lane and Route 18 on Chemawa Road), bicycle and pedestrian access, provides significant opportunity to reduce vehicle miles traveled. The vehicle, transit, bicycle, and pedestrian circulation systems will be designed to connect major population and employment centers in this Keizer area, as well as provide access to local neighborhood residential, shopping, schools, and other activity centers.

Traffic from this site is diverted away from residential areas and has convenient access to the existing streets. Aesthetics and landscaping will be considered in the design of the circulation system to cut down on headlight glare, heat, and improved traffic direction.

The Salem-Keizer School District provides public education facilities. The education district's master plan provides for growth in the district and has options to meet the demand. The education district reviews the population factors to determine planning, funding and locating new schools or providing additional facilities on the sites of existing schools.

Other private service providers supply garbage, telephone, television, postal and internet services as needed by the development. The required public services and facilities to serve new development will be determined by the City at the time development permits are requested. By providing adequate public facilities and services for the proposed use, the requirements of this goal are met.

Criterion (e) is addressed as follows:

The applicant is proposing to rezone the subject property to RH (High Density Residential). The purpose of the RH zone is to encourage high residential densities for multifamily dwellings. The applicant is proposing to develop the site with the maximum multi-family dwellings allowed. The rezone will allow the applicant to develop the site at a higher density than allowed under the

current zone. The development of apartment units on the site will meet the intent of the RH zone.

Criterion (f) is addressed as follows:

The City of Keizer has an adopted housing needs analysis, "Salem-Keizer Housing Needs Analysis 2012-2023", that is dated May 2011. The Housing Needs Analysis evaluates the housing needs for all residential types. According to the study, Keizer is in need of 47 acres of RM and RH zoned residential land in order to help fill the deficit for multi-family housing.

The applicant's proposal is to rezone the site from RS and RH to allow a higher density to be built on the site. As stated above, according to the Housing Needs Analysis, Keizer has a deficit of capacity in the Multi-Family designation, with a deficit of 362 dwelling units and a deficit of 47 gross acres of multi-family residential land. The rezone helps maximize the density while helping to meet housing needs within the City of Keizer.

The development will also be located in an area in close proximity to existing and proposed services. There are at least two parks located within a mile or less of the site. Commercial Services are currently available to the west along Chemawa Road and River Road N.

The existing neighborhood consists of single family housing. The surrounding properties are zoned for single family development. In order to provide an alternative housing pattern while being consistent with the neighborhood, the proposed development will provide a higher density of needed housing in this area of Keizer. In order to maintain the character of the neighborhood, the site will be developed in compliance with required Design Standards and provide bufferyards along property lines.

The City's adopted Comprehensive Plan, Residential, Transportation Goals and Policies and applicable adopted facilities plan implement the Statewide Housing Goal.

The City's subdivision and land use processes implement applicable Housing Goals and Policies. There is a deficit in multi-family residential land in the City of Keizer.

APPLICANT'S REASONS ADDRESSING THE PARTITION CRITERIA

The applicant is requesting a concurrent partition. The partition will replat the existing 14 lots into one large lot consisting of 7.5 acres.

The lot will be of size to accommodate a large apartment development. At the time of development the parcel will have safe and efficient access onto Verda Lane. All services will be in place for the development of the site.

At this time, the applicant is not proposing the removal of any trees on the site. If the applicant decides to remove trees, a tree removal permit will be applied for prior to development of the site.

The partition/replatting of the site is in compliance with the requirements of the Keizer Code. See attached site plan.

CONCLUSION

We believe that the requested Comprehensive Land Plan Change/Zone Change/Partition applications are appropriate for the subject property for the reasons described herein. The proposal is consistent and in compliance with the applicable goals and policies of the Comprehensive Plan and the Statewide Planning Goals, and satisfies all applicable criteria. As demonstrated herein, the "Multi-Family Residential" land use designation and corresponding RH zoning designation is appropriate for the subject property.

We believe that the materials submitted address all the relevant City criteria for a Comprehensive Plan Change/Zone Change/Partition. For these reasons, we believe that the proposal is warranted and that the Planning Staff has sufficient findings to grant the proposal as requested.



CITY OF KEIZER
~~PARTITION~~ APPLICATION
Lot Line Adjustment

Land Use Fee: \$290.00
Mailing Fee: \$30.00
TOTAL \$320.00

1. **Applicant Name** Herber Farm LLC **Address, City, and Phone Number**
670 Cater Dr NE
Keizer, OR 97303
____ (phone)
____ (fax)
____ (email)
2. **Agent Name** Mark Grenz, P.E. **Address, City, and Phone Number**
1155 13th St SE
Salem, OR 97302
503-363-9227 (phone)

Complete the following property owner information if the property owner is different from the applicant. Please be aware that the current property owner must also sign the application.

3. **Property Owner(s) Name** Herber Farm LLC **Address, City and Phone Number**
670 Cater Dr NE
Salem, OR 97303
____ (phone)
4. The owners of record of the subject property do hereby request permission to ^{consolidate} ~~divide~~ a 7.5 Acres ~~parcel~~ into one parcels, containing _____, _____ and _____ each.
5. Street Address of subject property: Chemawa Rd & Verda Lane
6. The applicant shall provide a written response demonstrating compliance with the following review criteria as specified in Section 3.107.07 of the Keizer Land Development Code:
- Each parcel shall meet the access requirements of Section 2.310.03.D.
 - Each parcel shall satisfy the dimensional standards of applicable zoning district, unless a variance from these standards is approved.
 - Each parcel shall comply with the requirements of Section 2.310.
 - Rough Proportionality. Improvements or dedications required as a condition of development approval, when not voluntarily accepted by the applicant, shall be roughly proportional to the impact of development. Findings in the development approval shall indicate how the required improvements or dedications are roughly proportional to the impact.
 - Each parcel shall comply with the requirements of Section 2.301 through and including 2.307.
 - Adequate public facilities shall be available to serve the existing and newly created parcels.

7. STREET/ACCESS EASEMENT NAMING

If new street(s) or private access easement(s) are created with the proposed development, please provide four name choices in order of preference.

1. _____ 3. _____
2. _____ 4. _____

8. THE APPLICANT(S) SHALL CERTIFY THAT:

- a. The above partition request does not violate any deed restrictions that may be attached to or imposed upon one, both, or all of the subject properties.
- b. If the application is approved, the applicant(s) will exercise the rights granted in accordance with that approval and will be subject to all conditions and limitations of approval.
- c. All of the above statements and the statements included on the plot plan and exhibits attached to the plot plan are true to the best of the applicants knowledge; and the applicants acknowledge that any permit issued on the properties may be revoked if it is found that any statements are false.
- d. The applicant(s) acknowledge that this application and all applicable policies and criteria have been read and understood, and that the requirements and criteria for approving or denying the application are also understood.

SIGNATURE(s) of APPLICANTS

NOTE: If the applicants are not the property owner(s), the current property owner **MUST** sign the application.

Irene Denlinger
Signature

11-7-13
Date

Signature

Date

Herber Property Lot Line Adjustment

Proposal:

The subject property is approximately 7.5 acres in size and located on the west side of Verda Lane, the east side of Philip Street, and the south side of Chemawa Road (073W02AA/Tax Lots 3000 through 3600 and 073W02AD/Tax Lots 6700 through 7300). The applicant is requesting a Lot Line Adjustment. The Lot Line Adjustment will consolidate the existing 14 lots into one large lot consisting of 7.5 acres. The lot will be of size to accommodate a large apartment development.

VICINITY:

The property has street frontage on Verda Lane to the east, Chemawa Road to the north, Philip Street to west (which is unimproved and will not be used), and Dearborn Avenue to the south. The subject property has several structures located throughout. The existing structures will be removed prior to development of the site.

Vicinity Information:

The vicinity map is attached as shown. The surrounding land uses within the vicinity are zoned and used as follows and as shown.

North: Across Chemawa Road, Single Family Residential (RS); existing single family dwellings located to the north

East: Across Verda Lane, Single Family Residential (RS) zone; existing single family dwellings

South: Across Dearborn Avenue, Single Family Residential (RS) zone; existing single family dwellings

West: Across Philip Street, Single Family Residential (RS) (Tax Lot 2900); vacant land

APPLICANT'S REASONS ADDRESSING THE LOT LINE ADJUSTMENT CRITERIA

"The following requirements shall apply to all lot line adjustments:

A. The adjustment of the lot lines results in no more parcels than originally existed.

No additional parcels are being created. As shown on the site plan, the Lot Line Adjustment will consolidate the existing 14 lots into one large lot consisting of 7.5 acres.

B. The proposed lot line adjustment results in parcels that meet all area and dimension standards in the Keizer Development Code.

The proposed lot line adjustment does not reduce any of the lots below the minimum lot size standards in the zone code as illustrated on the site plan. As stated above, the Lot Line Adjustment will consolidate the existing 14 lots into one large lot consisting of 7.5 acres.

C. The proposed lot line adjustment does not locate lot lines in violation of the setback and height provisions of the Code relative to existing structures and improvements. (For all residential structures on the property indicate, on the site plan, if the structure is a one or two-story building. For all accessory structures, indicate wall height.)

The resulting lot dimensions do not create a parcel that negatively impacts the setbacks. The subject property will be developed with apartment units. At the time of development, the applicant will comply with the required Development Standards.

The existing structures on the site will have existing setbacks that are in compliance with the Code. However, all structures on the site will be removed prior to development.

D. The proposed lot line adjustment does not result in two parcels which meet the criteria for an Infill Development Parcel, as defined in Section 2.316.03 Infill Development Parcel Criteria."

The lot line adjustment does not create any new parcels which meet the definition of Infill Development Parcel.

Therefore, all the criteria for granting a lot line adjustment to consolidate the existing 14 lots into one large lot have been addressed sufficiently, and the adjustment is warranted and should be granted.

The BLI of vacant, partially vacant and redevelopable lands, combined with the Accessory Unit assumption finds a **total existing capacity for 2,838 units** within the current Keizer boundary.

FUTURE RESIDENTIAL LAND NEED (2033)

The total future housing need presented in the last section, minus the capacity of existing developable parcels, leaves a need for lands to accommodate new housing units by 2033. There is a total projected need for 4,513 new housing units over the next 20 years (Figure 12). As Figure 13 shows, there is an estimated capacity for over 2,838 units on existing buildable lands. Therefore, the total 20-year need exceeds the estimated capacity of existing residential lands.

Figure 14 shows the projected need minus the remaining capacity.

FIGURE 14: PROJECTED NEW UNIT NEED MINUS REMAINING BLI CAPACITY, KEIZER (2033)

Zoning Designation		Capacity of Vacant Lands (in Units) ¹	NEW UNITS NEEDED (2033) vs. CAPACITY						
			S.F. Detached	S.F. Attached	Duplex	3- or 4-plex	5+ Units MFR	Mobile home	Total Units
			1,782	765	141	402	1,260	162	4,513
RS	Single Family Residential	1,527	977	550	-	-	-	-	1,527
RL	Limited Density Residential	-	-	-	-	-	-	-	0
RL-LU	Limited D.R. - Limited Use	-	-	-	-	-	-	-	0
RM (Medium)	Medium Density Residential	-	-	-	-	-	-	-	0
RM (Medium High)	Medium Density Residential	362	-	-	-	-	362	-	362
RM-LU	MDR - Limited Use	-	-	-	-	-	-	-	0
RH	High Density Residential	-	-	-	-	-	-	-	0
UT	Urban Transition	383	245	138	-	-	-	-	383
MU	Mixed Use (Keizer Station)	153	-	-	-	-	153	-	153
MU	Mixed Use (Other)	314	-	-	-	-	314	-	314
Totals/Averages:		2,738	1,222	687	0	0	829	0	2,738
Accessory Dwelling Unit Assumption:				100					100
			560	77	41	402	431	162	1,674

← New Units Needed (2032)

← Distribution of Remaining BLI Capacity

← Total Capacity of Buildable Lands

← Remaining Unit Need

Sources: City of KEIZER, MWVCOG, Johnson Reid LLC

As Figure 14 shows, the projected number of future housing units exceeds the capacity of buildable lands by an estimated 1,674 units. Thus there is a projected need for an additional residential land in order to accommodate this additional need for housing by 2033.

Figure 15 presents a projected need for new residential lands by 2033, based on the remaining need for 1,674 units found in Figure 14.

This projection assumes that the new residential lands will primarily use four basic zoning designations and the remaining designations, with were essentially used for "special case" areas in the current city boundary would not be applied to new lands. [The RC (Residential Commercial) zone is currently unused and would remain so in the future.] The four residential zones used in new residential lands would be:

- RS (Single Family Residential)
- RM (Medium Density Residential) – with an underlying "Medium High Density" Comp Plan designation.
- RH (High Density) – currently unused, but adopted in the Development Code
- MU (Mixed Use)

Target density assumptions are explained in the table footnotes.

FIGURE 15: PROJECTED NEW RESIDENTIAL LAND NEED, KEIZER (2033)

Zoning Designation		REMAINING UNIT NEED, AFTER BLI BUILD-OUT							Target Density (Units/ Net Acre) ¹	Net Acreage Needed	Gross Acreage Needed
		S.F. Detached	S.F. Attached	Duplex	3- or 4- plex	5+ Units MFR	Mobile home	Total Units			
		560	77	41	402	431	162	1,674			
RS	Single Family Residential	560					162	722	6.6	109.4	136.8
RL	Limited Density Residential							0	-	-	-
RL-LU	Limited D.R. - Limited Use							0	-	-	-
RM (Medium)	Medium Density Residential							0	-	-	-
RM (Medium High)	Medium Density Residential		77	41				119	15.0	7.9	9.9
RM-LU	MDR - Limited Use							0	-	-	-
RH	High Density Residential				322	345		667	22.0	30.3	37.9
UT	Urban Transition							0	-	-	-
MU	Mixed Use (Keizer Station)							0	-	-	-
MU	Mixed Use (Other)				80	86		167	16.8	9.9	12.4
Totals/Averages:		560	77	41	402	431	162	1,674	10.6	157.6	196.9

Sources: City of KEIZER, MWVCOG, Johnson Reid LLC

¹ Target density is based on actual achieved density in the RS and MU zones.

Target density in the RM zone (15 units/acre) is based on the median value of the allowed density range in that zone (8 to 22). This density target is used because the actual RM zone has historically achieved a density of 9.6 units/acre, which is low for a medium density zone.

The RH zone has not historically been applied within the City, so a figure for the historical density achieved is not available. The permitted density of this zone is 16 units or more per net acre. The average target density of 22 units/acre applied here assumes a build-out of garden apartments and townhome-style development in this zone, which would be appropriate for a community of Keizer's size.

As Figure 15 shows, there is a projected need for 196.9 gross acres of new residential land needed by 2033. A majority of the land (69%) is projected to be for single-family and mobile home unit demand. At a lower density, these units require more land to accommodate. The attached units, while constituting a greater share of unit need, can be accommodated on less land in the higher-density zones.

The provision of additional land outside of the current UGB is highly policy dependent, so the mixture of land area covered by different zoning designations may be adjusted to include either more or less of any given zone, as long as the total surplus housing need (in units) is accommodated.

PARK AND SCHOOL FACILITY NEEDS (2033)

In addition to the projected need for new residential land discussed above, there will be an accompanying need for new park and school facility lands to serve the new households. Methodology drawn from the City of Keizer Parks Master Plan and data from the Salem-Keizer Public Schools Planning and Property Services department were used to estimate future facilities needs associated with the projected 20-year population and housing growth.

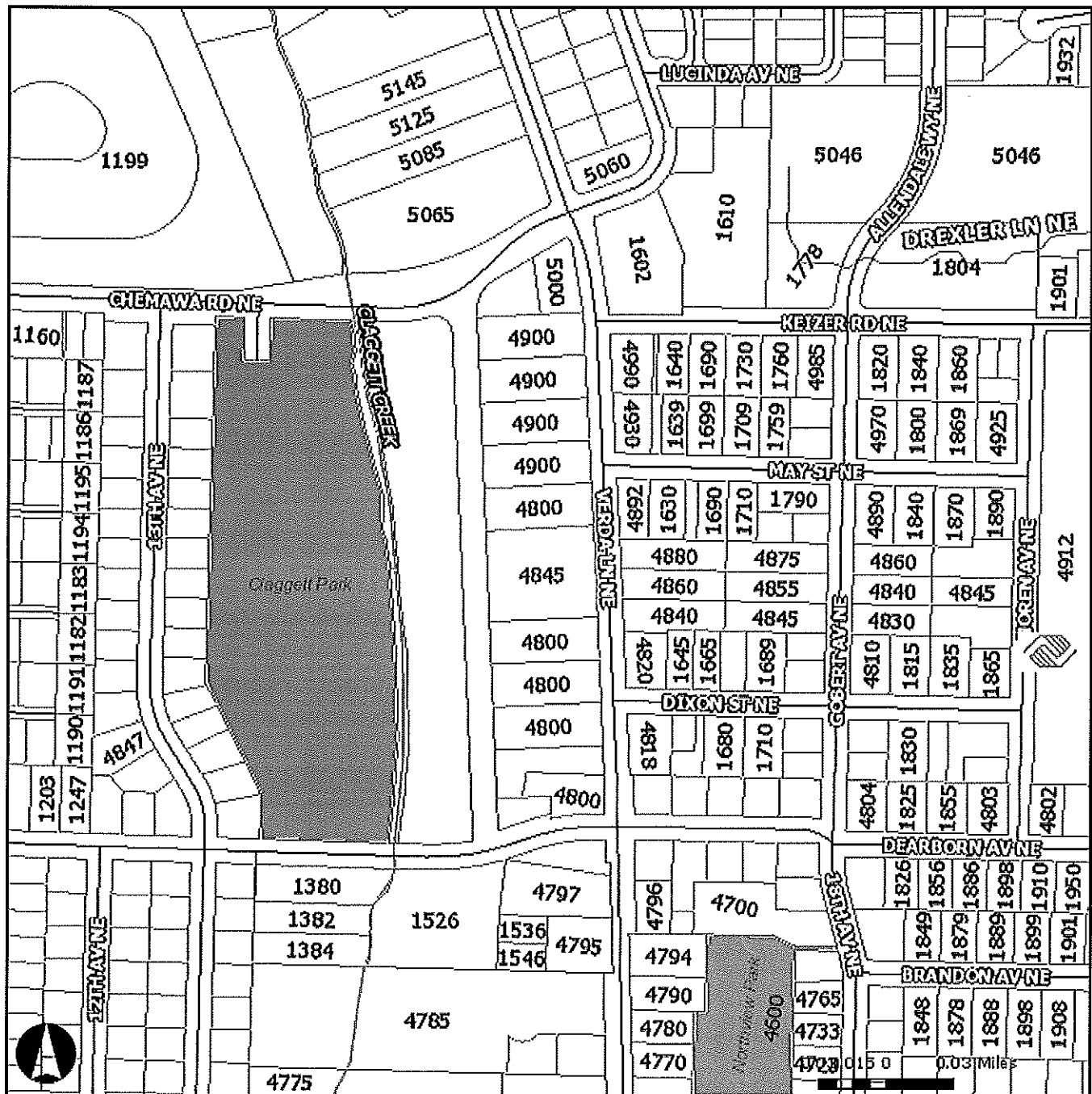
Park Land Needs

The City of Keizer Parks and Recreation Master Plan adopted in January 2008 included an assessment of existing parks and recreation facilities with comparison to current population, to determine what deficiencies might exist.

The 2008 analysis (outlined in Appendix D of that report), found that at the time, the developed parks inventory of 40.7 acres was roughly sufficient to provide 1.2 acre of parks space per 1,000 Keizer residents. The report notes that is much less than the amount of park land in most Oregon communities, which average between four and six acres per 1,000 residents.⁸

⁸ "City of Keizer, Oregon – Parks and Recreation Master Plan", January 2008, Appendix D, Page 8. The analysis in Appendix D uses park acreage numbers which are somewhat lower than those found in the final "existing conditions" chapter of the report (for instance 36.7 acres of developed park vs. 40.7 acres). This discussion uses the higher acreage figures found in the "existing conditions" section.

Enter Map Title Here



Marion County Disclaimer

The map information made available on this web site does not represent legally recorded maps or surveys and is not intended to be used as such. Nor should this information be used for navigational, tracking or any other purpose requiring exact measurement of distance or direction or precision in the depiction of geographic features.

The data provided hereon may be inaccurate or out of date and any person or entity who relies on this information for any purpose whatsoever does so solely at his or her own risk. In no way does Marion County warrant the accuracy, reliability, scale or timeliness of any map information on this web site.

To report any errors or discrepancies or if additional information is desired please contact: GIS@co.marion.or.us.

The User expressly acknowledges and accepts that the use of any information appearing on My Community Internet Mapper is at the User's sole risk.

Enter Map Title Here



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The User expressly acknowledges and accepts that the use of any information appearing on My Community Internet Mapper is at the User's sole risk.

LEGEND

LINE TYPES

TAX LOT BOUNDARY	---
OLD PROPERTY LINE	- - -
VACATED RIGHT-OF-WAY	----
ROAD RIGHT-OF-WAY	=====
RAILROAD	+++++
RAILROAD RIGHT-OF-WAY	=====
STREAM LAKE ETC. NON-BOUNDARY	~~~~~
STREAM LAKE ETC. TAX LOT BOUNDARY	=====
SUBDIVISION BOUNDARY	=====
PARTITION PLAT DIV.	=====
EASEMENT	=====
TAX CODE BOUNDARY	=====

SYMBOL TYPES

BLK	⊙
CONTROL POINTS	△
SURVEY MONUMENTS	•
C/LA CORNERS	⊕
SECTION	1/4 SEC
1/4 SEC	1/16 SEC
1/16 SEC	1/32 SEC
1/32 SEC	1/64 SEC
1/64 SEC	1/128 SEC

NUMBERS

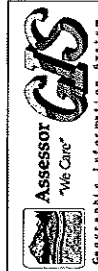
TAX CODE NO.
000 00 00 0

ACROSS - ALL ADJACENT INCLUDE
ANY PORTION THAT MAY LIE
WITHIN THE INDICATED PUBLIC
RIGHT OF WAY.

TICK MARKS - WHEN A TICK MARK IS
INDICATED ON THE EXTENSION OF
A LINE, THEN THE DIMENSION GOES
TO THE TICK MARK. GENERALLY THIS
IS USED WHEN DIMENSIONS GO INTO
PUBLIC RIGHT OF WAY.

ADJACENT ARE USED WITH DIMENSIONS
IN AREAS OF GREATER COMPLEXITY.

NOTICE: This map was
created for Assessor's
Office use ONLY.

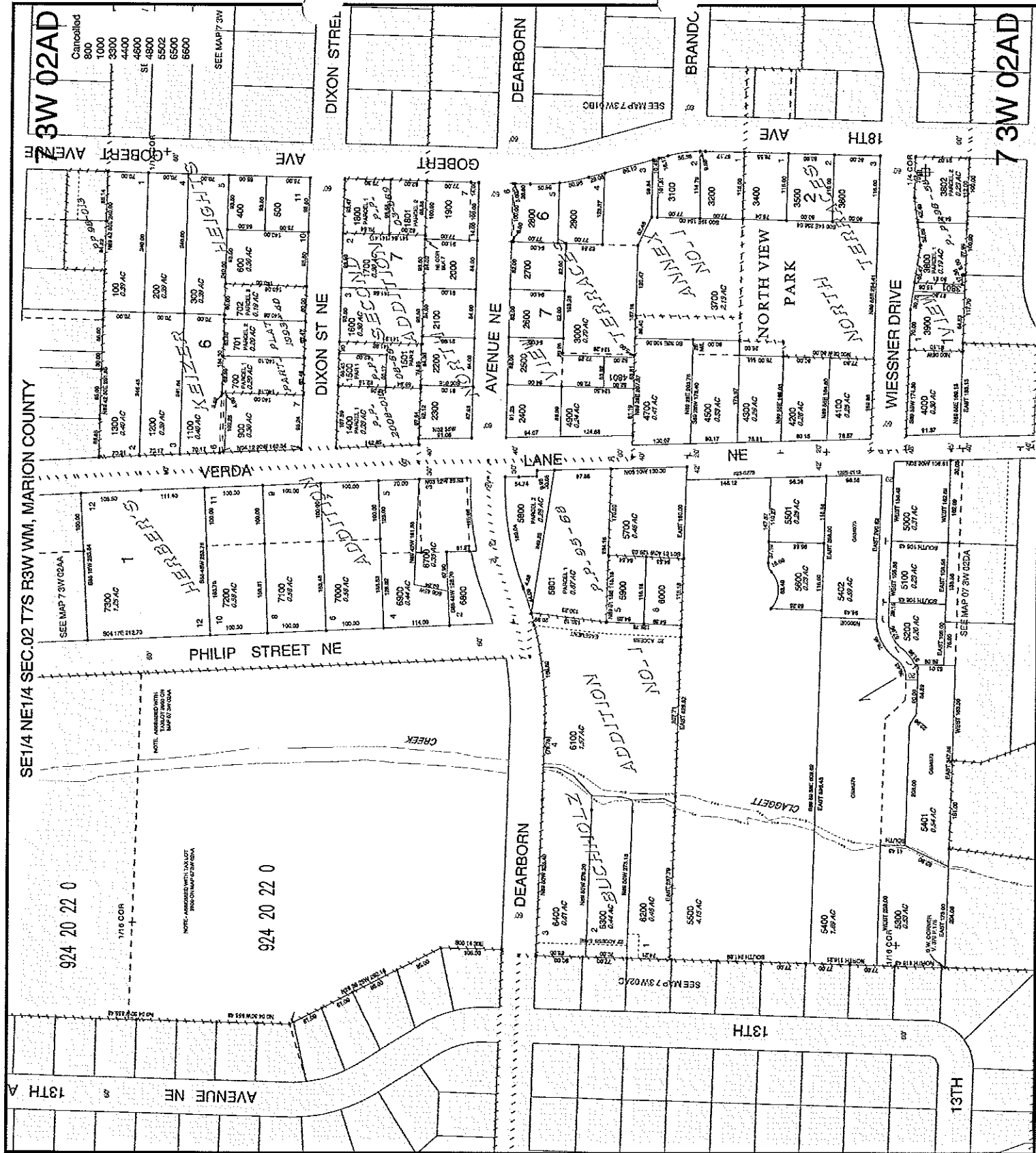


SCALE 1" = 100'

01:1200

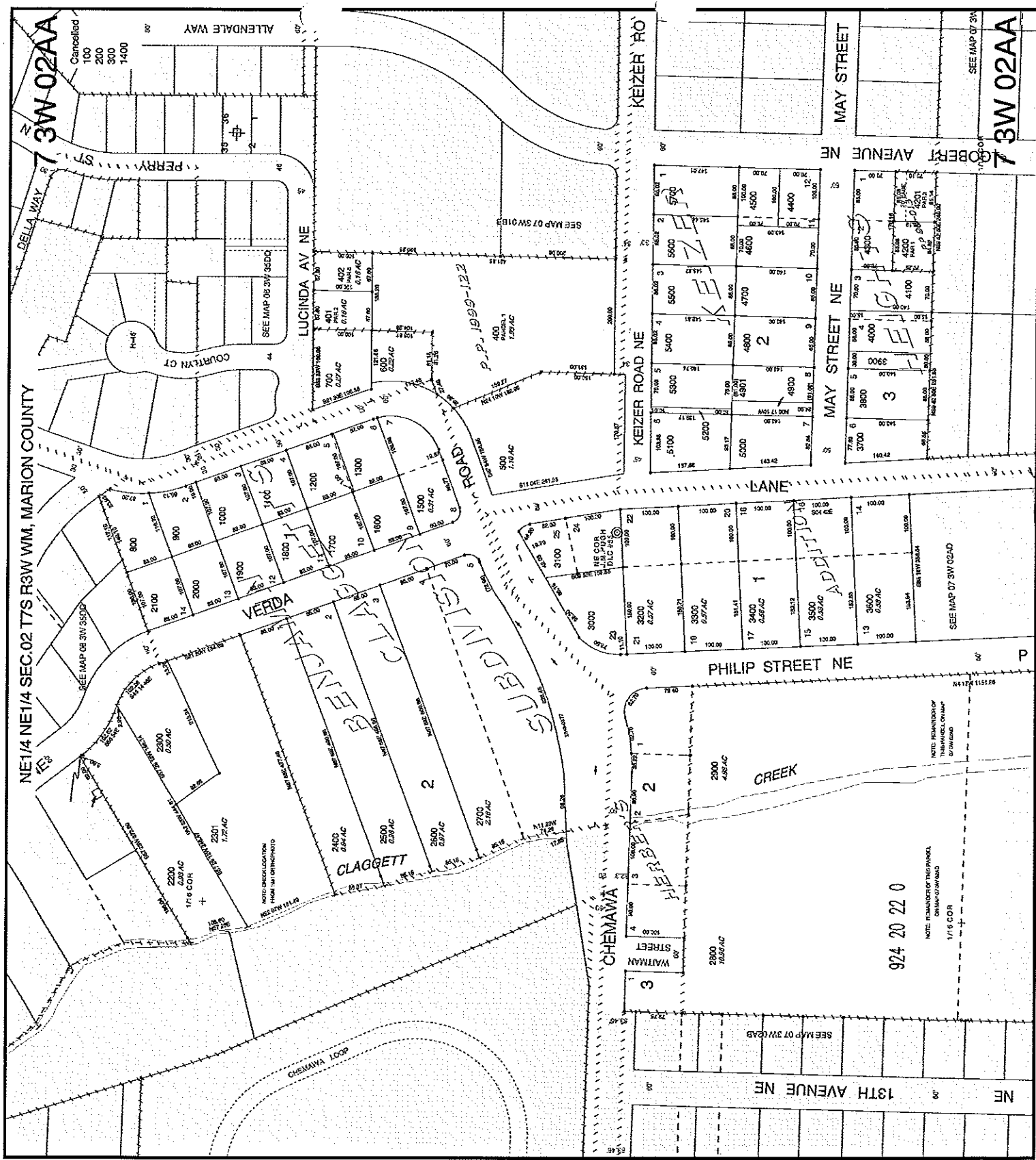
Plot file created: July 16, 2010

Assessor's Office



3W 02AD

7 3W 02AD



LEGEND

LINE TYPES

- TAX LOT BOUNDARY
- OLD PROPERTY LINE
- ROAD RIGHT-OF-WAY
- VACATED RIGHT-OF-WAY
- RAILROAD
- RAILROAD RIGHT-OF-WAY
- STREAM LAKE, ETC.
- STREAM LAKE, ETC. TAX LOT BOUNDARY
- SUBDIVISION BOUNDARY
- PARTITION PLAT B.O.Y.
- TAX CODE BOUNDARY
- EASEMENT

SYMBOL TYPES

- ELL
- CONTROL POINTS
- SURVEY MONUMENTS
- CLIA CORNERS
- SECTION
- 1/4 SEC
- 1/2 SEC
- 1/4 OR
- 1/8 OR
- 1/16 OR

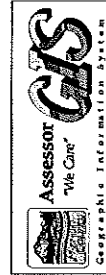
NUMBERS
TAX CODE NO.
000 00 00 0

ADDITION - ALL ADJACENTS INCLUDE ANY PORTION THAT MAY BE WITHIN THE INDICATED PUBLIC RIGHT OF WAY.

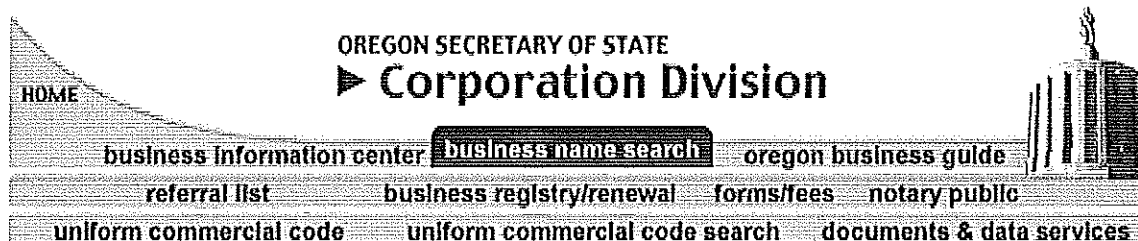
TICK MARKS - WHEN A TICK MARK IS INDICATED ON THE EXTENSION OF A LINE, THEN THE EXTENSION GOES TO THE TICK MARK. GENERALLY THIS IS USED WHEN DIMENSIONS GO INTO PUBLIC RIGHT OF WAY.

ARROWS ARE USED WITH DIMENSIONS IN AREAS OF GREATER COMPLEXITY.

NOTICE: This map was created for Assessor's Office use ONLY.



SCALE 1" = 100'
0" = 1200'
Plot file created: July 16, 2010
Assessor's Office



Business Name Search

[New Search](#) [Printer Friendly](#)

Business Entity Data

06-03-2013

11:14

Registry Nbr	Entity Type	Entity Status	Jurisdiction	Registry Date	Next Renewal Date	Renewal Due?
824169-92	DLLC	ACT	OREGON	01-05-2012	01-05-2014	
Entity Name	HERBER FARM, LLC					
Foreign Name						

[New Search](#) [Printer Friendly](#)

Associated Names

Type	PPB	PRINCIPAL PLACE OF BUSINESS				
Addr 1	4845 VERDA LN NE					
Addr 2						
CSZ	KEIZER	OR	97303		Country	UNITED STATES OF AMERICA

Please click [here](#) for general information about registered agents and service of process.

Type	AGT	REGISTERED AGENT		Start Date	01-05-2012	Resign Date	
Name	TRYENE		DENLINGER				
Addr 1	670 CATER DR N						
Addr 2							
CSZ	KEIZER	OR	97303	Country	UNITED STATES OF AMERICA		

Type	MAL			MAILING ADDRESS			
Addr 1	670 CATER DR N						
Addr 2							
CSZ	KEIZER	OR	97303		Country	UNITED STATES OF AMERICA	

Type	MEM	MEMBER			Resign Date	
Name	MARY		MIZE			
Addr 1	9779 SW BAYOU DR					
Addr 2						
CSZ	MCMINNVILLE	OR	97128	Country	UNITED STATES OF AMERICA	

Type	MEM	MEMBER			Resign Date	
Name	JOSEPH	A	HERBER			
Addr 1	670 CATER DR N					
Addr 2						
CSZ	KEIZER	OR	97303		Country	UNITED STATES OF AMERICA

Type	MEM	MEMBER			Resign Date	
Name	TRYENE		DENLINGER			
Addr 1	670 CATER DR N					
Addr 2						
CSZ	KEIZER	OR	97303		Country	UNITED STATES OF AMERICA

Type	MEM	MEMBER			Resign Date	
Name	JUDITH		PETERS			
Addr 1	4193 NOON AVE NE					
Addr 2						
CSZ	KEIZER	OR	97303		Country	UNITED STATES OF AMERICA

[New Search](#) [Printer Friendly](#) [Name History](#)

Business Entity Name	Name Type	Name Status	Start Date	End Date
HERBER FARM, LLC	EN	CUR	01-05-2012	

Please [read](#) before ordering [Copies](#).

[New Search](#) [Printer Friendly](#) [Summary History](#)

Image Available	Action	Transaction Date	Effective Date	Status	Name/Agent Change	Dissolved By
	AMENDED ANNUAL REPORT	11-30-2012		FI		
	ARTICLES OF CONVERSION	01-05-2012		FI		
	ARTICLES OF ORGANIZATION	01-05-2012		FI	Agent	

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[Policy](#) | [SOS Home](#) | [Oregon Blue Book](#) | [Oregon.gov](#)

For comments or suggestions regarding the operation of this site,
please contact : corporation.division@state.or.us





Secretary of State
Corporation Division
255 Capitol Street NE, Suite 151
Salem, OR 97310-1327

Phone: (503) 986-2200
www.filinginoregon.com

2013 ANNUAL REPORT

Registry Number: 824169-92

Date of Organization: 01/05/2012

Fee: \$100.00

Due Date: 01/05/2013

Type: DOMESTIC LIMITED LIABILITY COMPANY

41 14 100

2201

TRYENE DENLINGER
670 CATER DR N
KEIZER OR 97303

FILED

NOV 30 2012

OREGON
SECRETARY OF STATE

Name of Domestic Limited Liability Company
HERBER FARM, LLC

Jurisdiction: OREGON

The following information is required by statute. Please complete the entire form. If any of the information is incorrect, you can make changes on this form. Failure to submit this Annual Report and fee by the due date may result in inactivation on our records.

Registered Agent

TRYENE DENLINGER
670 CATER DR N
KEIZER OR 97303

If the Registered Agent has changed, the new Agent has consented to the appointment. Oregon street address required.

1) Type of Business

Farm

2) Principal Place of Business (Str. address, city, state, zip)

4845 Verda Ln NE
Keizer, Oregon
97303

3) Mailing Address (Address, city, state, zip)

Tyrene Denlinger
670 Cater Dr N
Keizer, OR
97303

4) ☒ Member or ☐ Manager (Name & Address)

TRYENE DENLINGER
670 CATER DR N
KEIZER OR 97303

5) ☒ Member or ☐ Manager (Name & Address)

JOSEPH A HERBER
670 CATER DR N
KEIZER OR 97303

6) Signature

Tyrene Denlinger

8) Date

11-23-12

HERBER FARM, LLC



82416992-13947804

RENANA

Make check payable to "Corporation Division" and mail completed form with payment to Secretary of State, Corporation Division, 255 Capitol ST NE Suite 151, Salem, OR 97310-1327.

Note: You can also fax to (503) 378-4381. Filing fees may be paid with VISA or MasterCard. Submit the card number and expiration date on a separate page for your protection.



Articles of Conversion - Business Entities

Secretary of State - Corporation Division - 255 Capitol St. NE, Suite 151 - Salem, OR 97310-1327 - <http://www.FilingInOregon.com> - Phone: (503) 988-2200

01/05/2012 4:05PM 000001 #8850

FILED 0001

BUSINESS REG

\$105.00

JAN 05 2012 \$105.00

OREGON
SECRETARY OF STATE

REGISTRY NUMBER:

824169-92

In accordance with Oregon Revised Statute 192.410-192.490, the information on this application is public record.
We must release this information to all parties upon request and it will be posted on our website.

For office use only

Please Type or Print Legibly in Black Ink.

1) NAME OF BUSINESS ENTITY PRIOR TO CONVERSION:

Herber Farm

2) TYPE OF BUSINESS ENTITY PRIOR TO CONVERSION:

Partnership

3) NAME OF BUSINESS ENTITY AFTER CONVERSION:

Herber Farm, LLC

4) TYPE OF BUSINESS ENTITY AFTER CONVERSION:

Limited Liability Company

5) ☒ A COPY OF THE PLAN OF CONVERSION IS ATTACHED.

6) PROVIDE ADDITIONAL INFORMATION REQUIRED FOR NEW ENTITY TYPE

See the attached Exhibit A

7) EXECUTION: (Must be signed by an officer or director for a corporation, a member or manager for a limited liability company, a general partner for a limited partnership, or a partner for a limited liability partnership.)
By my signature, I declare as an authorized authority, that this filing has been examined by me and is, to the best of my knowledge and belief, true, correct, and complete. Making false statements in this document is against the law and may be penalized by fines, imprisonment or both.

Signature:

Printed Name:

Title:

Tyrene Denlinger

Tyrene Denlinger

Partner

HERBER FARM, LLC



82416992-13203485

CNV

FEES

Domestic Required Processing Fee \$100
Foreign Required Processing Fee \$275

Confirmation Copy (Optional) \$5

Processing Fees are nonrefundable. Please make check payable to "Corporation Division."

PLAN OF CONVERSION OF PARTNERSHIP TO LIMITED LIABILITY COMPANY

This PLAN OF CONVERSION OF PARTNERSHIP TO LIMITED LIABILITY COMPANY (the "Agreement") is entered into as of December 30, 2011, among TYRENE DENLINGER, JOSEPH A. HERBER, JUDITH PETERS, and MARY MIZE (each individually, a "Partner," and collectively, the "Partners") of the Herber Farm Partnership.

RECITALS

A. On or about January 1, 2004, the Partners created the Herber Farm Partnership ("Partnership").

B. The Partnership owns the real property listed on the attached **Exhibit "A"**.

C. The ownership interests in the Partnership are as follows:

TYRENE DENLINGER	25%
JOSEPH A. HERBER	25%
JUDITH PETERS	25%
MARY MIZE	25%

D. The partners desire to convert the Partnership to a limited liability company as follows:

AGREEMENT

SECTION 1. CONVERSION OF PARTNERSHIP

1.1 Conversion. Pursuant to ORS 67.342, the Partnership shall be converted to a limited liability company named the HERBER FARM, LLC (LLC), which is a newly created LLC, organized under and governed by the laws of the state of Oregon. From the Effective Date, the LLC, to the extent consistent with its articles of organization, will possess all rights, privileges, immunities and property of the Partnership. All property belonging to the Partnership will be conveyed to the LLC, and the LLC will be responsible for all liabilities of the Partnership, all in the manner with the effect set forth in ORS 67.340, et al.

1.2 Further Assurances. From time to time after the Effective Date, the Partners of the Partnership will execute and deliver such deeds and other instruments and will cause to be taken such further actions as will reasonably be necessary in order to vest or perfect in the LLC title to and possession of all the property, interests, assets, rights, privileges, immunities, and property of the Partnership.

1.3 Effective Date. The conversion of the Partnership to the LLC will become effective on January 1, 2012 (the "Effective Date").

1.4 Closing. Subject to the satisfaction of the condition set forth in Section 5 of this Agreement, the closing of the contemplated transactions will occur at the principal offices of Douglas, Conroyd & Gibb, P.C. in Salem, Oregon, on December 30, 2011, or at another time and place as the parties may mutually agree. At that time, the parties will cause Articles of Conversion to be filed and the conversion to become effective.

SECTION 2. ARTICLES OF CONVERSION AND OPERATING AGREEMENT

At the Effective Date:

2.1 Articles of Conversion. The Articles of Conversion shall be filed upon approval of the Partners of the Partnership.

2.2 Operating Agreement. The new members of the LLC shall approve an Operating Agreement in the substantial form attached hereto as **Exhibit "B"**.

2.3 Members. The LLC shall be member managed.

SECTION 3. CONVERSION OF INTEREST

3.1 Members Interest. The converting Partnership interests to LLC membership interests shall be as follows:

	Partnership Interest	LLC Membership Interest
TYRENE DENLINGER	25%	25%
JOSEPH A. HERBER	25%	25%
JUDITH PETERS	25%	25%
MARY MIZE	25%	25%

3.2 Membership Interest. Each member of the LLC will be provided with a certification of membership interest in the LLC.

SECTION 4. REPRESENTATIONS AND WARRANTIES OF PARTNERSHIP

The Partnership covenants and agrees as follows:

4.1 Regular Course of Business. Until the Effective Date, the Partnership will operate its business consistent with past management practices, and the Partnership will continue to use its reasonable efforts to keep available the services of current partners (other than planned retirements) and to preserve its current relationships with persons having business dealings with it.

4.2 Capital Changes. Until the Effective Date, the Partnership will not transfer, sell, exchange, or redeem any Partnership interests.

4.3 No Violations. The Partnership will comply in all material respects with all statutes, laws, ordinances, rules, and regulations applicable to it in the ordinary course of business.

SECTION 5. CONDITIONS

5.1 Conditions to Obligation of the Partnership. The obligation of the Partnership to effect the conversion is subject to this Agreement being duly approved by the Partners of the Partnership in accordance with the Oregon law.

SECTION 6. TERMINATION

6.1 Termination. This Agreement may be terminated and the conversion abandoned at any time before the Effective Date by the majority of Partners of the Partnership.

6.2 Effect of Termination. If this Agreement is terminated as provided in Section 6, this Agreement will become wholly void and of no effect, each party will bear its own expenses.

SECTION 7. MISCELLANEOUS PROVISIONS

7.1 Waivers. Each party, by written instrument, may extend the time for performing any of the obligations or other acts of the other party, waive any inaccuracies of the representations and warranties of the other party, waive compliance with any of the covenants of the other party, waive performance of any of the obligations of the other party set forth in this Agreement, or waive any condition to its obligation to effect the merger.

7.2 **Survival.** None of the representations, warranties, covenants, and agreements in this Agreement, including any rights arising out of any breach of such representations, warranties, and agreements, will survive the Effective Date, except for those agreements that by their express terms apply in whole or in part after the Effective Date.

7.3 **Amendment.** This Agreement may be amended at any time before the Effective Date, with approval of the Partners.

7.4 **Expenses.** Each party will pay the expenses incurred by it in connection with the transactions contemplated hereby.

The parties enter into this agreement as of the date first written above.

HERBER FARM PARTNERSHIP


TYRENE DENLINGER, Partner


JOSEPH A. HERBER, Partner

JUDITH PETERS, Partner

MARY MIZE, Partner

7.2 Survival. None of the representations, warranties, covenants, and agreements in this Agreement, including any rights arising out of any breach of such representations, warranties, and agreements, will survive the Effective Date, except for those agreements that by their express terms apply in whole or in part after the Effective Date.

7.3 Amendment. This Agreement may be amended at any time before the Effective Date, with approval of the Partners.

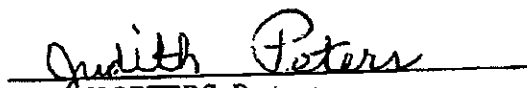
7.4 Expenses. Each party will pay the expenses incurred by it in connection with the transactions contemplated hereby.

The parties enter into this agreement as of the date first written above.

HERBER FARM PARTNERSHIP


TYRENE DENLINGER, Partner

JOSEPH A. HERBER, Partner


JUDITH PETERS, Partner

MARY MIZE, Partner

7.2 **Survival.** None of the representations, warranties, covenants, and agreements in this Agreement, including any rights arising out of any breach of such representations, warranties, and agreements, will survive the Effective Date, except for those agreements that by their express terms apply in whole or in part after the Effective Date.

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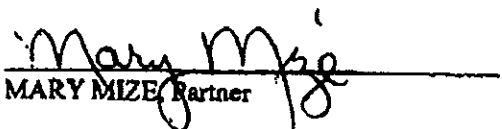
The parties enter into this agreement as of the date first written above.

HERBER FARM PARTNERSHIP


TYRENE DENLINGER, Partner

JOSEPH A. HERBER, Partner

JUDITH PETERS, Partner


MARY MIZE, Partner

ARTICLES OF ORGANIZATION
OF
HERBER FARM, LLC

(Pursuant to a Conversion)

This limited liability company is formed pursuant to a Plan of Conversion as allowed by the Oregon Limited Liability Company Act as follows:

ARTICLE 1

The name of the limited liability company is HERBER FARM, LLC (the "LLC").

ARTICLE 2

The existence of the LLC shall be perpetual.

ARTICLE 3

The address of the initial registered office of the LLC is 670 Cater Drive North, Keizer, OR 97303, and the name of its initial registered agent at such address is TRYENE DENLINGER.

ARTICLE 4

The LLC's mailing address for notices required by the Oregon Limited Liability Company Act is 670 Cater Drive North, Keizer, OR 97303.

ARTICLE 5

This LLC is being formed pursuant to a Plan of Conversion of Partnership to a Limited Liability Company.

ARTICLE 6

The LLC shall be member-managed by one or more members. Members are as follows:

Tyrene Delinger
670 Cater Drive North
Keizer, OR 97303

Joseph A. Herber
670 Cater Drive North
Keizer, OR 97303

Judith Peters
4193 Noon Avenue NE
Keizer, OR 97303

Mary Mize
9779 SW Bayou Drive
McMinnville, OR 97128

368978-90

The Company elects to indemnify its members, managers, employees, agents for liability and related expenses under ORS 63.160.

The person to contact about this filing: Cinda M. Conroyd.

Daytime Telephone: (503) (503) 364-7000.

AFTER RECORDING,
RETURN TO:
Cinda M. Conroyd
P.O. Box 469
Salem, OR 97308

UNTIL A CHANGE IS REQUESTED,
ALL TAX STATEMENTS SHALL BE
SENT TO:
Tyrene Denlinger
Herber Farm LLC
670 Cater Dr NE
Keizer, OR 97303

BARGAIN AND SALE DEED

Grantors: JUDITH ANN PETERS, 4193 Noon Avenue NE, Keizer, Oregon 97303, TYRENE ANN DENLINGER, 670 Cater Drive NE, Keizer OR 97303, JOSEPH ALBERT HERBER, 670 Cater Drive NE, Keizer OR 97303, and MARY ELLEN HERBER MIZE, 9779 SW Bayou Drive, McMinnville, OR 97128.

Grantee: HERBER FARM, LLC, 4845 Verda Lane NE, Keizer, Oregon

Grantors convey to Grantee, the real property in Marion County, Oregon, described on the attached Exhibit A.

SUBJECT TO: All liens and encumbrances of record or apparent on the property by inspection.

The true and actual consideration for this conveyance consists of or includes other property or value given as provided which is the whole consideration.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON

DATED: January _____, 2012.

TYRENE ANN DENLINGER

JOSEPH ALBERT HERBER

STATE OF OREGON)) ss.
County of Marion)

Notary Public for Oregon
My Commission Expires: _____

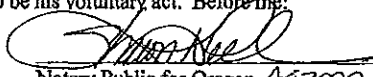
STATE OF OREGON)) ss.
County of Marion)

Notary Public for Oregon
My Commission Expires: _____

STATE OF ~~OREGON~~ ^{Arizona}
County of ~~Marion~~ ^{Maricopa} ss.

On ~~January~~ ^{December} 31st ²⁰¹¹, 2012, JOSEPH ALBERT HERBER personally appeared and acknowledged the foregoing instrument to be his voluntary act. Before me:




Notary Public for Oregon ~~Oregon~~ ^{Arizona}
My Commission Expires: 4/9/2014

STATE OF OREGON)
County of Marion) ss.

On January _____, 2012, MARY ELLEN HERBER MIZE personally appeared and acknowledged the foregoing instrument to be her voluntary act. Before me:

Notary Public for Oregon
My Commission Expires: _____

STATE OF OREGON)

) ss.

County of Marion

On January 10th, 2012, MARY ELLEN HERBER MIZE personally appeared and acknowledged the foregoing instrument to be her voluntary act. Before me:

Notary Public for Oregon

My Commission Expires: 8-11-2014

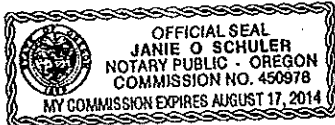


EXHIBIT A

All of that part of the following described property lying East of the center of Claggett Creek as the same is now running in a Northerly and Southerly direction through the property:

Beginning at a point on the North line of the J. M. Pugh D. L. C. in T. 7 S. R. 3 W. W. M. 38.78 chains East of the N.W. corner of said claim and running thence East 13.98 chains; thence N. 37°30' East 3.50 chains; thence N. 70° E. 2.28 chains; thence S. 12 1/2° East 3.75 chains; thence 8. 3 1/2° W. 16.09 chains; thence West 3.14 chains; thence South 3.14 chains, thence West 15.04 chains; thence North 19.30 chains to the place of beginning and containing 35.93 acres, more or less, and also

Beginning at a point in the center of a County Road which is North 89° 55' East 58.80 chains North 3° 20' West 23.376 chains from the Southwest corner of the John Pugh D. L. C. No. 55 in T. 7 S. R. 3 W. W. M. Marion County, Oregon; thence North 3° 20' West along the center of said road 3.117 chains; thence South 89° 42' West 3.210 chains; thence South 8° 45' West 3.120 chains; thence South 89° 50' East 3.866 chains to the point of beginning and containing 1.10 acres of land, more or less, and also Herber's Addition, Marion County, Oregon.

Save and Except all that portion of Lots One (1) and Two (2), of Block One (1), Herber's Addition, Marion County, Oregon, lying South of the Southerly line of that certain tract of land conveyed to Marion County by deed recorded in Volume 584, Page 159, Deed Records for Marion County, Oregon.

REEL: 3351

PAGE: 444

January 27, 2012, 03:52 pm.

CONTROL #: 308854

State of Oregon
County of Marion

I hereby certify that the attached
instrument was received and duly
recorded by me in Marion County
records:

FEE: \$ 66.00

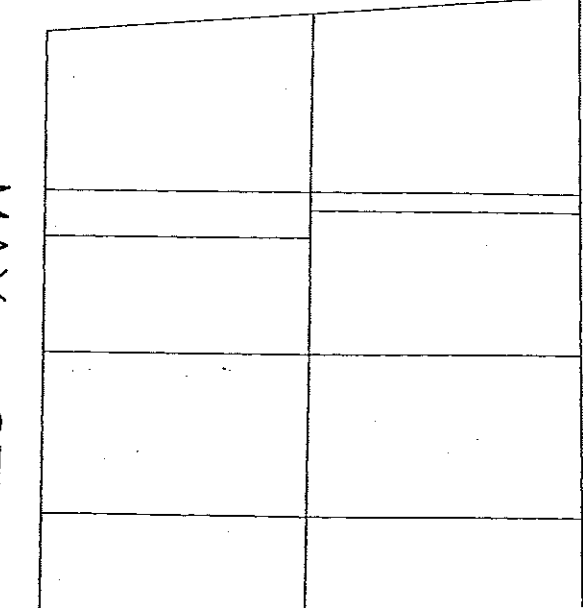
BILL BURGESS
COUNTY CLERK

THIS IS NOT AN INVOICE.

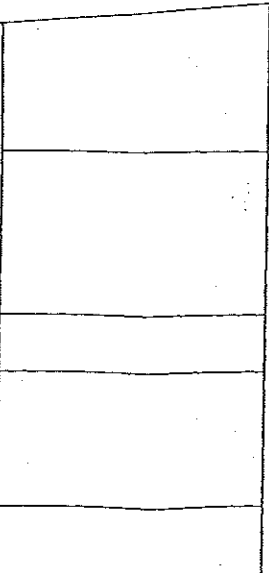
ZONE: RS

ZONE: RS

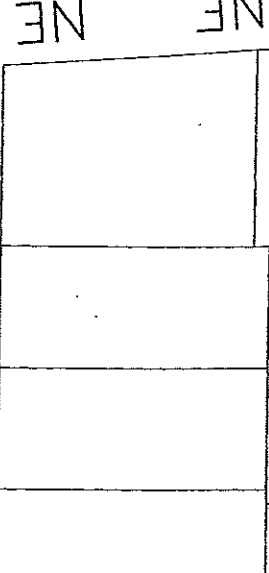
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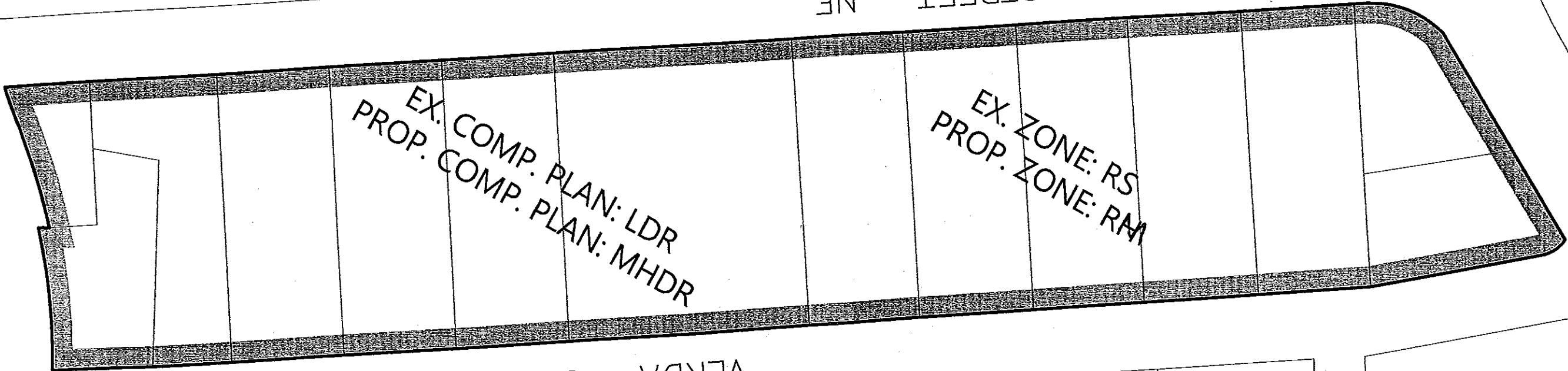
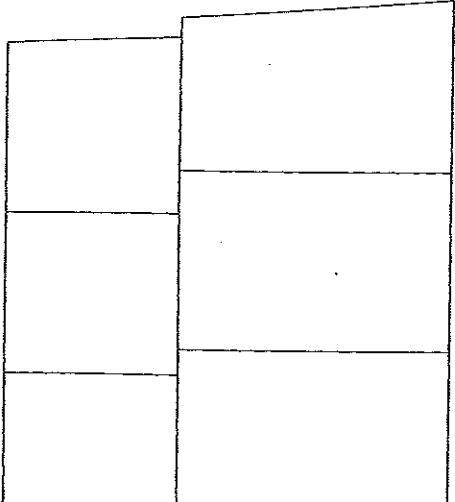
MAY STREET



ZONE: R



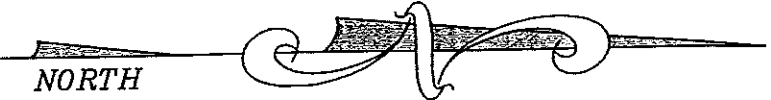
DIXON S



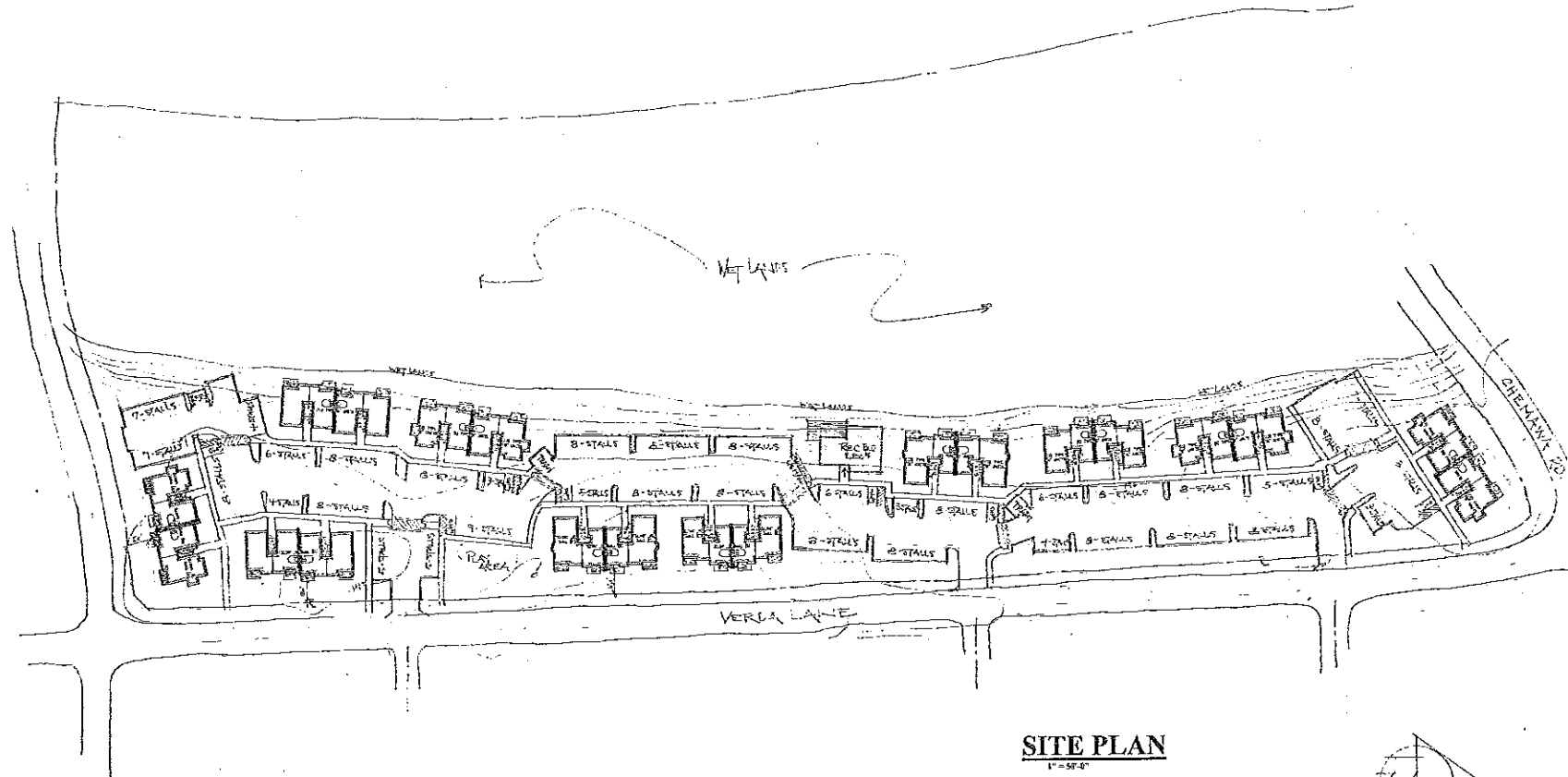
PHILIP STREET NE

ZONE: RS

PUBLIC
(PARK)



SCALE:
1" = 100'



SITE PLAN

1"=50'-0"

120 TOTAL APT UNITS

60 TYPE (A) 2 BED/ 1 BATH (928sqft)

24 TYPE (B) 2 BED/ 1 BATH (1,605sqft)

24 TYPE (C) 1 BED/ 1 BATH (725 sqft)

12 TYPE (D) 3 BED/ 2 BATH (1,156sqft)

244 TOTAL PARKING STALLS

238 STANDARD STALLS

6 Handicapped

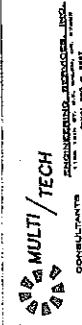
SITE

1 REC BLD/LEASING OFFICE

1 US MAIL BOX AREA

1 KIDS PLAY/REC AREAS

3 TRASH/RECYCLE



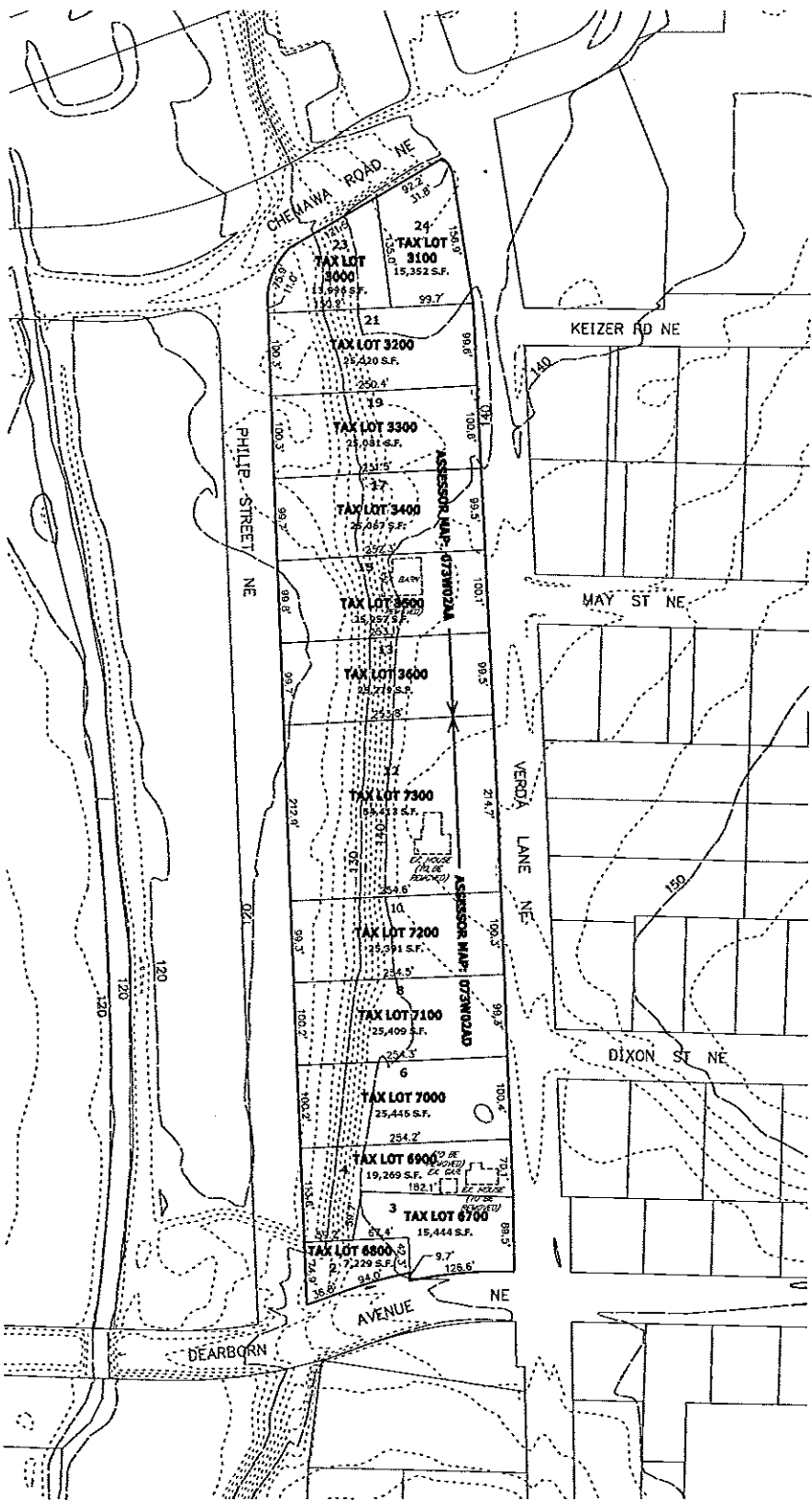
PROPOSED:

120 UNIT APARTMENT COMPLEX

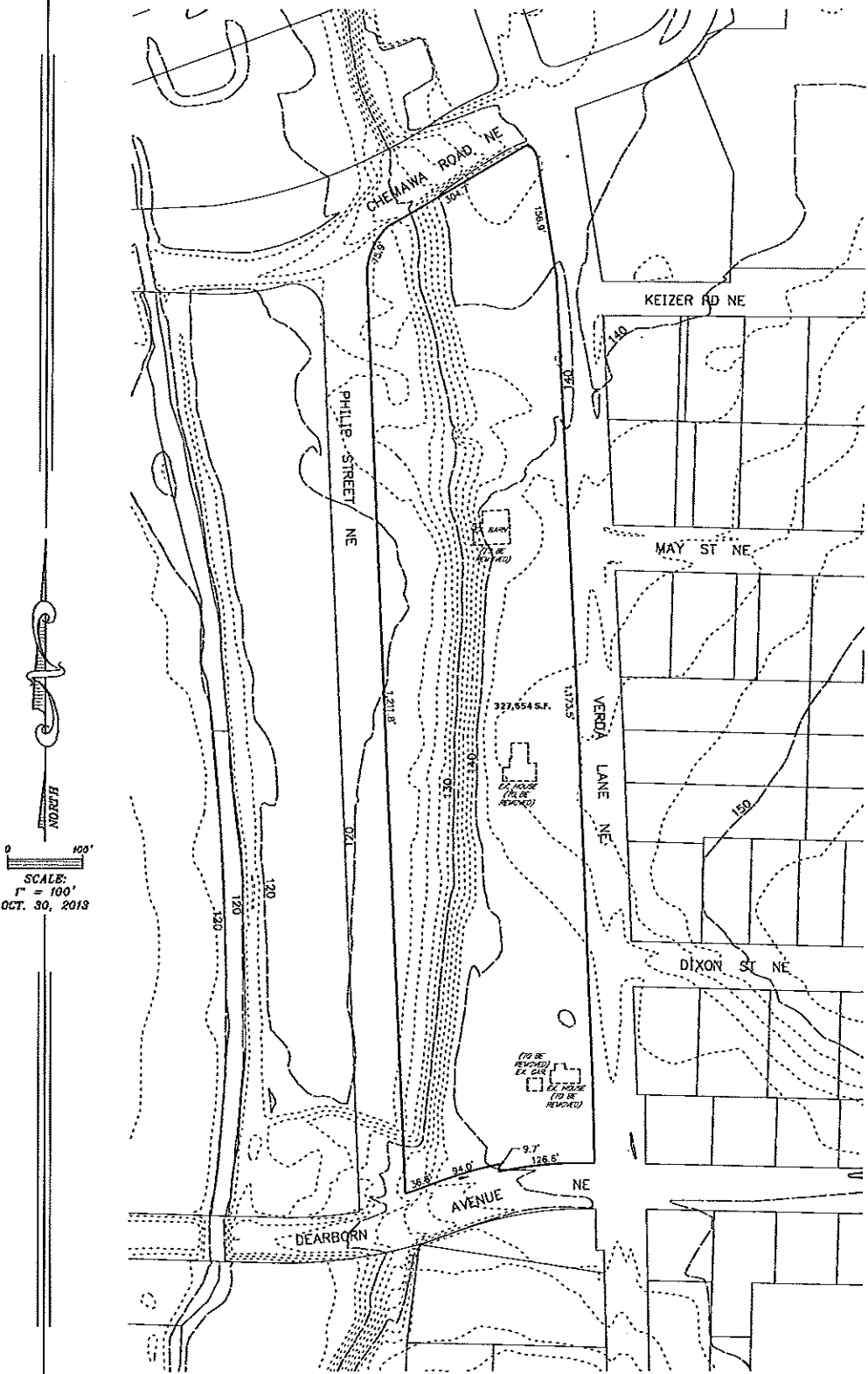
Keizer, Oregon

HERBER PROPERTY

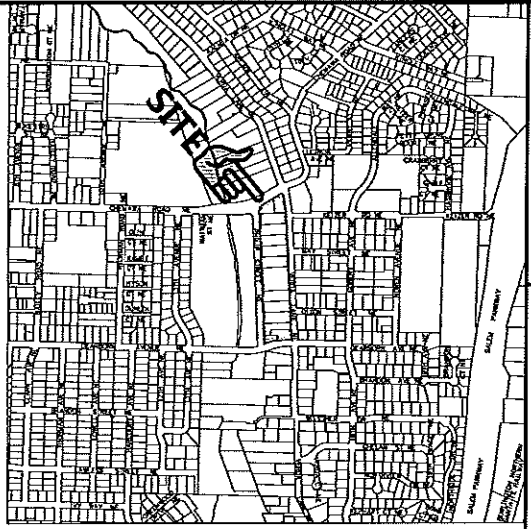
SEC. 02, T. 7 S., R. 3 W., W.M.
CITY OF KEIZER
MARION COUNTY, OREGON
ALL WITHIN CITY LIMITS



EXISTING CONDITIONS



PROPOSED CONDITIONS



VICINITY MAP

Owner / Applicant:
HERBER FARMS LLC
670 CATER DR N.
KEIZER, OREGON 97303

Engineer:
MULTI/TECH Eng. Inc.
1155 13th St. S.E.
SALEM, OREGON 97302

MULTI/TECH
ENGINEERING SERVICES, INC.
1155 13th St. S.E.
SALEM, OREGON 97302
TEL: (503) 343-1337 FAX: (503) 343-1338
WWW.MULTITECH-OR.COM

**PRELIMINARY
PARTITION
PLAN**

**HERBER
PROPERTY**

NO CHANGES, MODIFICATIONS OR
REPRODUCTIONS TO BE MADE TO
THESE DRAWINGS WITHOUT WRITTEN
AUTHORIZATION FROM THE DESIGN
ENGINEER.
DIMENSIONS & NOTES TAKE
PRECEDENCE OVER GRAPHICAL
REPRESENTATION.

Design: M.D.G.
Drawn: P.H.S.
Checked: M.D.G.
Date: SEPT 2013
Scale: AS SHOWN
As-Built:

**REGISTERED PROFESSIONAL
ENGINEER**
1155 13th St. S.E.
SALEM, OREGON 97302
MARK D. GREN
EXPIRES 06-30-2018

JOB # 5725

LEGEND

LINE TYPES

TAX LOT BOUNDARY	OLD PROPERTY LINE
ROAD RIGHT-OF-WAY	VACATED RIGHT-OF-WAY
RAILROAD	RAILROAD RIGHT-OF-WAY
STREAM, LAKE, ETC.	STREAM, LAKE, ETC.
TAX LOT BOUNDARY	NON-BOUNDARY
SUBDIVISION BOUNDARY	PARTITION PLAT BDY.
TAX CODE BOUNDARY	EASEMENT

SYMBOL TYPES

D.L.C.	
CONTROL POINTS	
SURVEY MONUMENTS	
G.L.O. CORNERS	
SECTION	1/4 SEC
1/4 COR	1/16 SEC

NUMBERS

TAX CODE NO.
000 00 00 0

ACREAGE - ALL ACREAGES EXCLUDE ANY PORTION THAT MAY LIE WITHIN THE INDICATED PUBLIC RIGHT OF WAYS.

TICK MARKS - WHEN A TICK MARK IS INDICATED ON THE EXTENSION OF A LINE, THEN THE DIMENSION GOES TO THE TICK MARK. GENERALLY THIS IS USED WHEN DIMENSIONS GO INTO PUBLIC RIGHT OF WAYS.

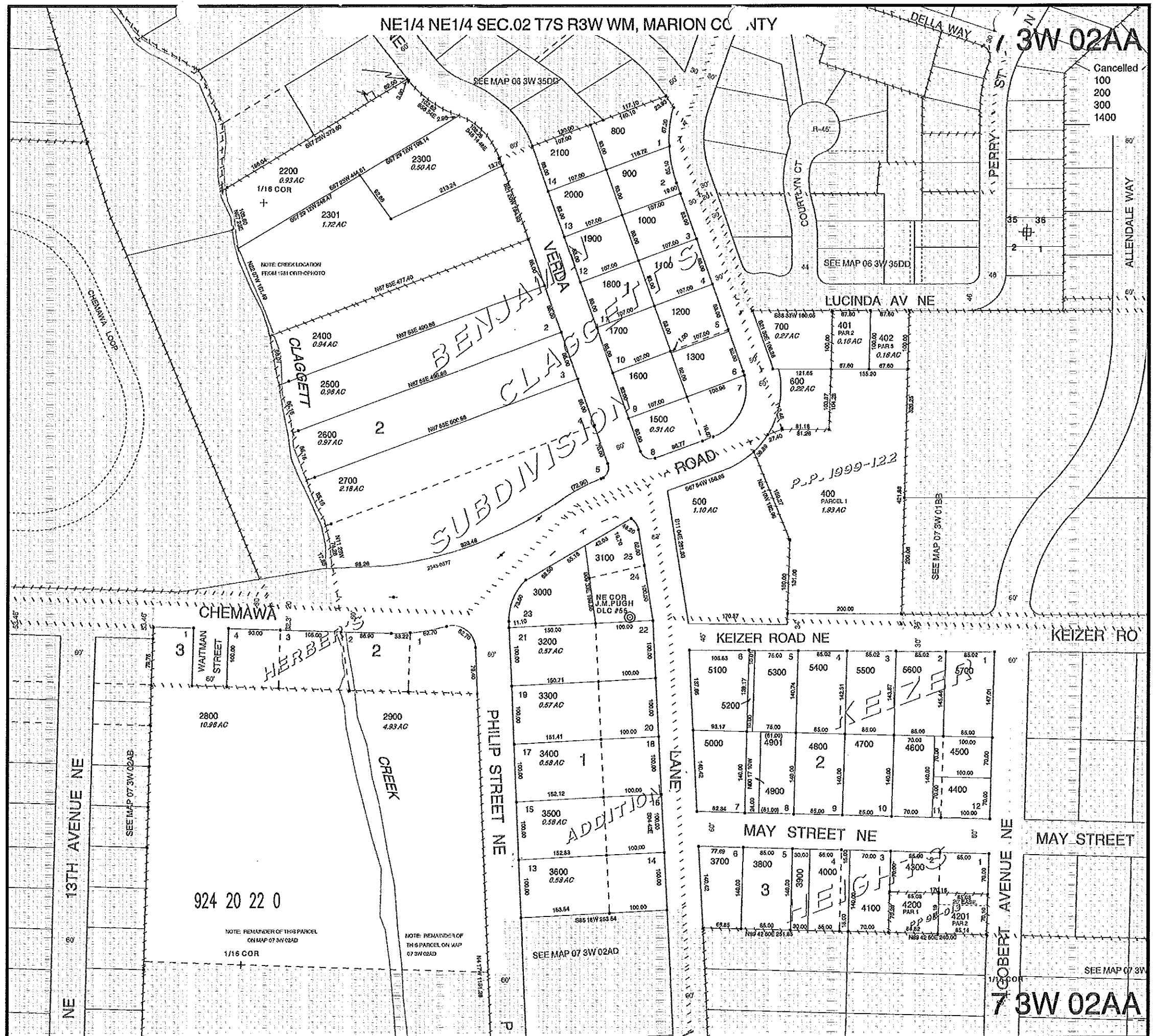
ARROWS ARE USED WITH DIMENSIONS IN AREAS OF GREATER COMPLEXITY.

NOTICE: This map was created for Assessor's Office use ONLY.



SCALE 1" = 100'
or 1:1200

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LINE TYPES

TAX LOT BOUNDARY	OLD PROPERTY LINE
	
ROAD RIGHT-OF-WAY	VACATED RIGHT-OF-WAY
	
RAILROAD	RAILROAD RIGHT-OF-WAY
	
STREAM, LAKE, ETC.	STREAM, LAKE, ETC.
TAX LOT BOUNDARY	NON-BOUNDARY
	
SUBDIVISION BOUNDARY	PARTITION PLAT BDY.
	
TAX CODE BOUNDARY	EASEMENT
	

SYMBOL TYPES

D.L.C.		⊙
CONTROL POINTS		△ 453
SURVEY MONUMENTS		•
G.L.O. CORNERS		
SECTION	1/4 SEC	1/16 SEC
	1/4 COR	1/16 COR

NUMBERS

TAX CODE NO.
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ACREAGE - ALL ACREAGES EXCLUDE
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226.00
169.00

ARROWS ARE USED WITH DIMENSIONS
IN AREAS OF GREATER COMPLEXITY.

NOTICE: This map was created for Assessor's Office use ONLY.



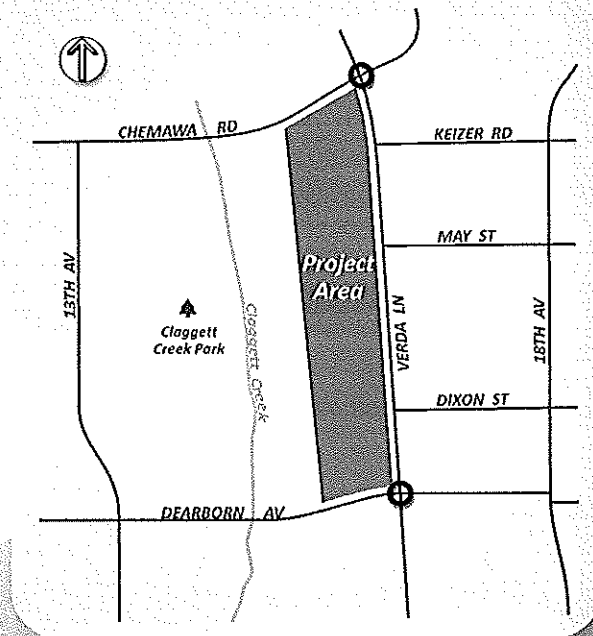
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Report for

Keizer Verda Lane TPR Analysis

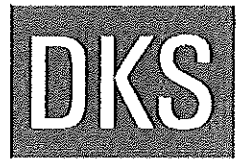


Prepared for
Multi/Tech Engineering Services, Inc.

Prepared by

DKS

January 2014



117 Commercial Street NE
Suite 310
Salem, OR 97301
503.391.8773
www.dksassociates.com

January 28, 2014

Jeremy Grenz
Multi/Tech Engineering Services, Inc.
1155 13th Street SE
Salem, OR 97302

Subject: Keizer Verda Lane Transportation Planning Rule Analysis

Dear Jeremy:

DKS Associates is pleased to submit this Transportation Planning Rule (TPR) analysis for the proposed rezone of the property located on the west side of Verda Lane NE between Chemawa Road NE and Dearborn Avenue NE in Keizer, Oregon. Please feel free to call if you have any questions or comments regarding this study.

Sincerely,
DKS Associates


Brad Coy, P.E.
Transportation Engineer

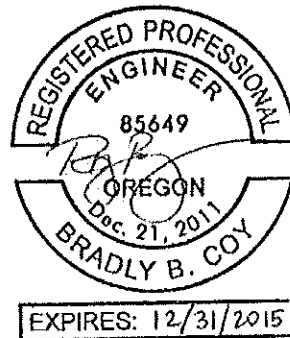




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CHAPTER 1: INTRODUCTION AND SUMMARY

This study documents the findings associated with a Transportation Planning Rule (TPR) evaluation for the proposed rezone of the property located on the west side of Verda Lane NE between Chemawa Road NE and Dearborn Avenue NE in Keizer, Oregon. The project site is approximately 7.5 acres and is currently zoned for up to 60 single-family residential units. The proposed zone change would allow for development of up to 165 multi-family apartment units.

The purpose of this TPR analysis is to estimate the amount of new traffic added by the proposed zone change and to identify impacts on the transportation network associated with the additional trips. The impact analysis is focused on the following study intersections, which are shown in Figure 1:

- Verda Lane NE/Chemawa Road NE
- Verda Lane NE/Dearborn Avenue NE

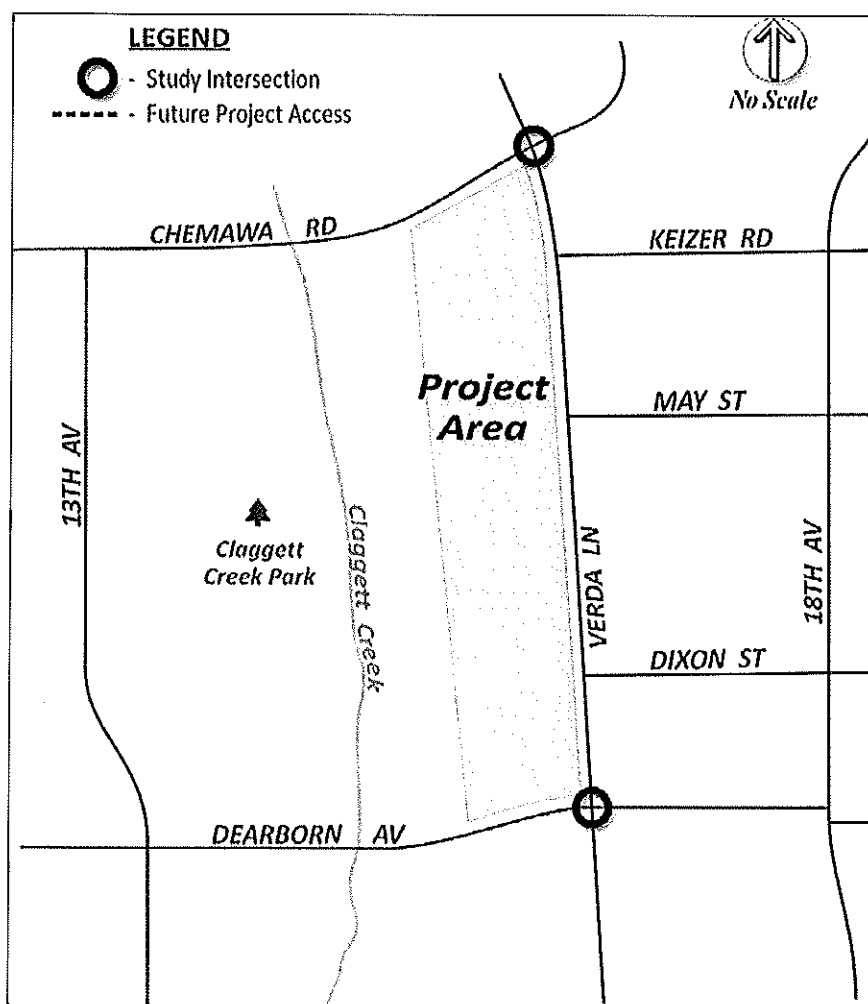


Figure 1: Study Area

This chapter provides an introduction to the proposed zone change and the steps taken to analyze the associated impacts on the transportation network. It highlights important elements of the remaining chapters, including a description of the project site and a summary of the TPR findings. Table 1 lists important characteristics of the study area and proposed project.

Table 1: Key Study Area and Proposed Renovation Characteristics

Characteristics	Information
Study Area	
Number of Study Intersections	Two
Analysis Period	Weekday AM and PM Peak Hours
Project Site	
Existing Zoning	Low-density residential (up to 60 single-family units)
Proposed Zoning	High-density residential (up to 165 multi-family units)
Project Access	Two or three new access points on Verda Lane NE

Existing Intersection Operations

Existing traffic operations at the study intersections were determined for the a.m. and p.m. peak hours based on the 2000 Highway Capacity Manual methodology.¹ The estimated delay, LOS, and V/C ratio of each study intersection is shown in Table 2. As shown, all study intersections currently meet operating standards.

Table 2: Existing 2013 Study Intersection Operations

Intersection	Intersection Control	Operating Standard	Existing AM Peak			Existing PM Peak		
			Delay	LOS	V/C	Delay	LOS	V/C
Verda Ln/Chemawa Rd	4-Way Stop	LOS E, 0.95 V/C	16.4	C	0.69	37.2	E	0.82
Verda Ln/Dearborn Ave	4-Way Stop	LOS E	11.1	B	0.44	14.7	B	0.67
4-Way Stop Controlled: Delay = Average Stopped Delay for Intersection LOS = Level of Service of Intersection V/C = Volume-to-Capacity Ratio of Intersection								

TPR Analysis

The number of peak hour trips accessing the project site was estimated based on the maximum number of units allowed by each zoning designation. Table 3 lists the a.m. and p.m. peak hour vehicle trip generation estimates for the project site. It is estimated that the proposed zone change could generate up to an additional 39 (6 in, 33 out) a.m. peak hour and 42 (28 in, 14 out) p.m. peak hour trips.

¹ 2000 Highway Capacity Manual, Transportation Research Board, Washington DC, 2000.

Table 3: Trip Generation Comparison

Zoning	Size (Units)	A.M. Peak				P.M. Peak			
		Rate	In	Out	Total	Rate	In	Out	Total
Existing (Low-Density Residential)	60	0.75 trips/unit	11	34	45	1.01 trips/unit	38	22	60
Proposed (High-Density Residential)	165	0.51 trips/unit	17	67	84	0.62 trips/unit	66	36	102
Difference	-	-	6	33	39	-	28	14	42

Existing traffic operations at the Verda Lane/Dearborn Avenue intersection were determined for the a.m. and p.m. peak hours based on the 2000 Highway Capacity Manual methodology.² The study intersection operating conditions for the two future scenarios are listed in Table 4. Because a roundabout is about to be constructed at the Verda Lane/Chemawa Road intersection, it was assumed for the future analysis. Roundabout operations are shown based on 2010 HCM methodology. As shown, both study intersections are expected to meet operating standards for each scenario, and the additional traffic generated by the proposed zone change does not significantly change intersection operations.

Table 4: Future 2033 Intersection Operations

Intersection	Intersection Control	Operating Standard	2033 AM Peak			2033 PM Peak		
			Delay	LOS	V/C	Delay	LOS	V/C
2033 Background Operations								
Verda Ln/Chemawa Rd	Roundabout	LOS E, 0.95 V/C	11.6	B	0.62	16.5	C	0.73
Verda Ln/Dearborn Ave	4-Way Stop	LOS E	14.5	B	0.52	28.8	D	0.80
2033 Zone Change Operations								
Verda Ln/Chemawa Rd	Roundabout	LOS E, 0.95 V/C	11.9	B	0.62	17.2	C	0.75
Verda Ln/Dearborn Ave	4-Way Stop	LOS E	15.0	C	0.53	30.7	D	0.80
<u>4-Way Stop Controlled:</u> Delay = Average Stopped Delay for Intersection LOS = Level of Service of Intersection V/C = Volume-to-Capacity Ratio of Intersection <u>Roundabouts:</u> Delay = Average Delay of Intersection LOS = Intersection Level of Service V/C = Volume-to-Capacity Ratio of Worst Approach								

Project Impact Summary

The following list summarizes the key transportation impact findings associated with the proposed renovation:

- It is proposed to change the zoning of the approximately 7.5 acre site from low-density residential to high-density residential. The existing zoning would allow up to 60 single family homes and while there is no maximum number of units associated with the proposed zoning, the applicants have indicated that no more than 165 units could be built on this property.

² 2000 Highway Capacity Manual, Transportation Research Board, Washington DC, 2000.



- The proposed zone change could generate up to an additional 39 (6 in, 33 out) a.m. peak hour and 42 (28 in, 14 out) p.m. peak hour trips.
- Both study intersections currently meet operating standards, however, the Verda Lane/Chemawa Road intersection operates at LOS "E" during the p.m. peak hour. To improve operations at this intersection, a roundabout is planned for construction in the next few years and is assumed for the future operations analysis.
- Both study intersections are expected to meet operating standards under the future (2033) background scenario that does not include a zone change but assumes development of this property based on the current low-density residential zoning.
- The additional traffic generated by the proposed zone change is not expected to have a significant impact on intersection operations. Both intersections would continue to meet operating standards after accounting for the proposed zone change.

CHAPTER 2: EXISTING CONDITIONS

This chapter provides documentation of existing study area conditions, including the project site, study area roadway network, pedestrian and bicycle facilities, and existing traffic volumes and operations. Supporting details are provided in the appendix.

Project Site

The 7.5 acre project site is located to the west of Verda Lane NE between Chemawa Road NE and Dearborn Avenue NE in Keizer, Oregon. The property is mostly vacant fields with one single-family home and several outbuildings. The project site is bordered to the west by undeveloped fields and Claggett Creek.

Study Area Roadway Network

The study area was selected in conjunction with City staff³ and is intended to capture transportation impacts related to the proposed zone change. Key roadways in the study area are summarized in Table 5 along with their existing roadway characteristics.

Table 5: Study Area Roadway Characteristics

Roadway	Classification	Number of Lanes	Posted Speed	Sidewalks	Bike Lanes	On-Street Parking
Verda Lane NE (South of Chemawa Rd)	Minor Arterial	2	35 mph	No	Yes	No
Verda Lane NE (North of Chemawa Rd)	Local	2	25 mph	No	Yes	No
Chemawa Road NE (West of Verda Lane)	Minor Arterial	3 ^a	30 mph	Yes	Yes	No
Chemawa Road NE (East of Verda Lane)	Minor Arterial	2	30 mph	One Side	No	No
Dearborn Avenue NE (West of Verda Lane)	Collector	2	25 mph	No	Yes	No
Dearborn Avenue NE (East of Verda Lane)	Local	2	25 mph	Yes	No	Yes

^a Two travel lanes (one in each direction) and a two-way left turn lane (TWLTL).

Existing Traffic Volumes and Operations

Existing p.m. peak hour traffic operations were analyzed at the following study intersections:

- Verda Lane NE/Chemawa Road NE
- Verda Lane NE/Dearborn Avenue NE

³ Email from Dick Woelk, City of Keizer Traffic Engineer, dated January 28, 2013.

To perform the intersection analysis, traffic counts were collected during the AM (7:00 to 9:00 a.m.) and PM (4:00 to 6:00 p.m.) peak periods on October 9th & 10th, 2013. The peak hour traffic volumes analyzed under existing conditions are shown in Figure 2, with the detailed traffic counts included in the appendix.

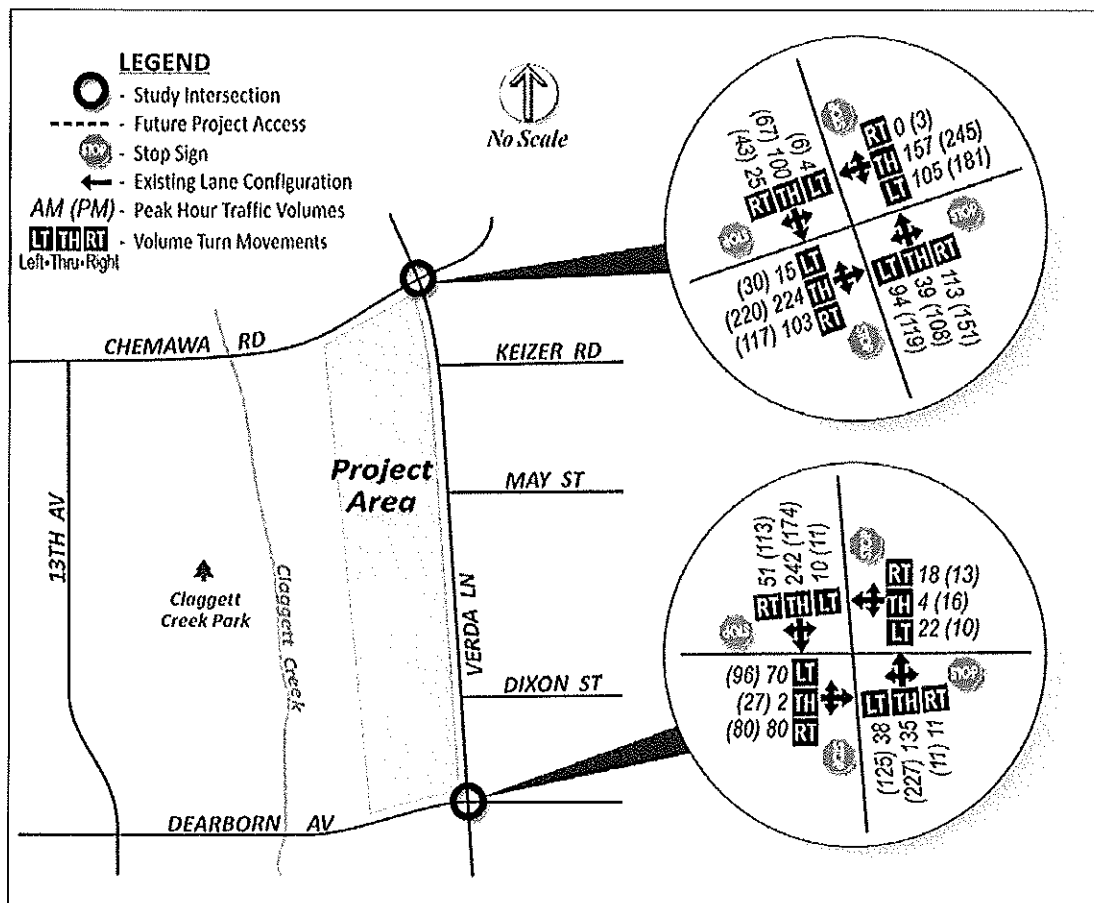


Figure 2: Existing Traffic Volumes

The purpose of intersection analysis is to ensure that the transportation network remains within desired performance levels as required by City code. Intersections are the focus of the analysis because they are the controlling bottlenecks of traffic flow and the ability of a roadway system to carry traffic efficiently is nearly always diminished in their vicinity.

Before the analysis results of the study intersections are presented, discussion is provided for two important analysis issues: intersection performance measures (definitions of typical measures) and required operating standards (as specified by the agency with roadway jurisdiction).

Intersection Performance Measures

Level of service (LOS) ratings and volume-to-capacity (V/C) ratios are two commonly used performance measures that provide a good picture of intersection operations. In addition, they are often incorporated into agency mobility standards.

- **Level of service (LOS):** A “report card” rating (A through F) based on the average delay experienced by vehicles at the intersection.⁴ LOS A, B, and C indicate conditions where traffic moves without significant delays over periods of peak hour travel demand. LOS D and E are progressively worse operating conditions. LOS F represents conditions where average vehicle delay has become excessive and demand has exceeded capacity.
- **Volume-to-capacity (V/C) ratio:** A decimal representation (typically between 0.00 and 1.00) of the proportion of capacity that is being used at a turn movement, approach leg, or intersection. It is determined by dividing the peak hour traffic volume by the hourly capacity of a given intersection or movement. A lower ratio indicates smooth operations and minimal delays. As the ratio approaches 1.00, congestion increases and performance is reduced. If the ratio is greater than 1.00, the turn movement, approach leg, or intersection is oversaturated and usually results in excessive queues and long delays.

Required Operating Standards

The City of Keizer’s minimum performance standard is LOS “D” for signalized intersections and LOS “E” for unsignalized intersections.⁵ At intersections of two arterial roadways (e.g. Verda Lane NE and Chemawa Road NE), a volume-to-capacity (v/c) ratio of 0.95 or less must also be maintained.

Existing Operating Conditions

Existing traffic operations at the study intersections were determined for the a.m. and p.m. peak hours based on the 2000 Highway Capacity Manual methodology⁶ and compared with the City of Keizer’s minimum acceptable level of service (LOS) operating standard. The estimated delay, LOS, and V/C ratio of each study intersection are shown in Table 6. As shown, all existing study intersections currently meet operating standards.

Table 6: Existing Study Intersection Operations

Intersection	Intersection Control	Operating Standard	Existing AM Peak			Existing PM Peak		
			Delay	LOS	V/C	Delay	LOS	V/C
Verda Ln/Chemawa Rd	4-Way Stop	LOS E, 0.95 V/C	16.4	C	0.69	37.2	E	0.82
Verda Ln/Dearborn Ave	4-Way Stop	LOS E	11.1	B	0.44	14.7	B	0.67
4-Way Stop Controlled: Delay = Average Stopped Delay for Intersection LOS = Level of Service of Intersection V/C = Volume-to-Capacity Ratio of Intersection								

⁴ A description of Level of Service (LOS) is provided in the appendix and includes a list of the delay values (in seconds) that correspond to each LOS designation.

⁵ *City of Keizer Transportation Plan*, April 2009

⁶ *2000 Highway Capacity Manual*, Transportation Research Board, Washington DC, 2000.

Collision Analysis

Three years of collision records (2010-2012) for the study area were obtained from the Oregon Department of Transportation (ODOT) collision database. As shown in Table 7, there were eight collisions at the Verda Lane NE/Chemawa Road NE intersection and two at the Verda Lane NE/Dearborn Avenue NE intersection.

Five of the collisions at the Verda Lane NE/Chemawa Road NE intersection were rear-end collisions. There was one collision involving a pedestrian that occurred just south of the Verda Lane NE/Dearborn Avenue NE intersections, with the collision record indicating the pedestrian was illegally in the roadway. As shown, neither intersection has a collision rate in excess of 1.0 collisions per million entering vehicles, a common threshold used to identify intersection that require a more detailed safety analysis.

Table 7: Collision History

Intersection	Collisions (by Severity)				Collision Rate ^b
	<i>Fatal</i>	<i>Injury</i>	<i>PDO^a</i>	<i>Total</i>	
Verda Ln/Chemawa Rd	0	4	4	8	0.57
Verda Ln/Dearborn Ave	0	1	1	2	0.19

^a PDO = Property damage only.

^b Collision rate for intersections= average annual collisions per million entering vehicles (MEV); MEV estimates based on p.m. peak-hour traffic count and applicable factors.

CHAPTER 3: TPR ANALYSIS

This chapter reviews the impacts that the proposed zone change would have on the study area transportation system. This analysis includes a trip generation comparison between the existing and proposed land uses. It also includes analysis of future operating conditions based on the number of trips generated by the project site for each land use. The focus of the impact analysis is on the study intersections identified in coordination with City of Keizer staff.⁷ These study intersections include the following:

- Verda Lane NE/Chemawa Road NE
- Verda Lane NE/Dearborn Avenue NE

Proposed Zone Change

The project site is approximately 7.5 acres in size and is currently zoned for low-density residential development. This designation allows for up to 8 units per acre which can include detached, attached duplex, and manufactured housing. It is proposed that zoning for the site be changed to high-density residential units which includes multi-family housing units. The proposed zoning would require a minimum of 16 units per acre, with no maximum identified. It is understood that characteristics of the project site would allow no more than 22 units per acre, resulting in a maximum of 165 units.

Trip Generation

The number of peak hour trips accessing the project site was estimated based on the maximum number of units allowed by each zoning designation. The number of peak hour trips associated with the existing and proposed zoning were based on trip rates surveyed at similar land uses, as provided by the Institute of Transportation Engineers (ITE).⁸

Table 8 lists the a.m. and p.m. peak hour vehicle trip generation estimates for the project site. It is estimated that the proposed zone change could generate up to an additional 39 (6 in, 33 out) a.m. peak hour and 42 (28 in, 14 out) p.m. peak hour trips.

Table 8: Trip Generation Comparison

Zoning (ITE Land Use)	Size (Units)	A.M. Peak				P.M. Peak			
		Rate	In	Out	Total	Rate	In	Out	Total
Existing: Low-Density Residential (210)	60	0.75 trips/unit	11	34	45	1.01 trips/unit	38	22	60
Proposed: High-Density Residential (220)	165	0.51 trips/unit	17	67	84	0.62 trips/unit	66	36	102
Difference	-	-	6	33	39	-	28	14	42

⁷ Email from Dick Woelk, City of Keizer Traffic Engineer, dated January 28, 2013.

⁸ *Trip Generation, 9th Edition*, Institute of Transportation Engineers, 2012.

The Mid-Willamette Valley Council of Governments (MWVCOG) maintains a 2035 travel demand model that accounts for development and traffic growth in the Keizer area. For the proposed project site, this model contains land use assumptions consistent with the existing low-density residential zoning. Therefore, traffic volume growth obtained from comparing this model to the existing condition model already account for new trips associated with development of the project site based on its current zoning. To evaluate the impacts associated with the proposed zone change, the number of additional trips must be added to the network in addition to the growth estimated by the travel demand model.

Trip Distribution

Trip distribution provides an estimation of where the additional project trips would be coming from and going to. It is given as percentages at key gateways to the study area and is used to route project trips through the study intersections. Trip distribution for the additional traffic generated by the proposed zone change was estimated based on existing traffic patterns the area. The trip distribution percentages and resulting project volumes are shown in Figure 3.

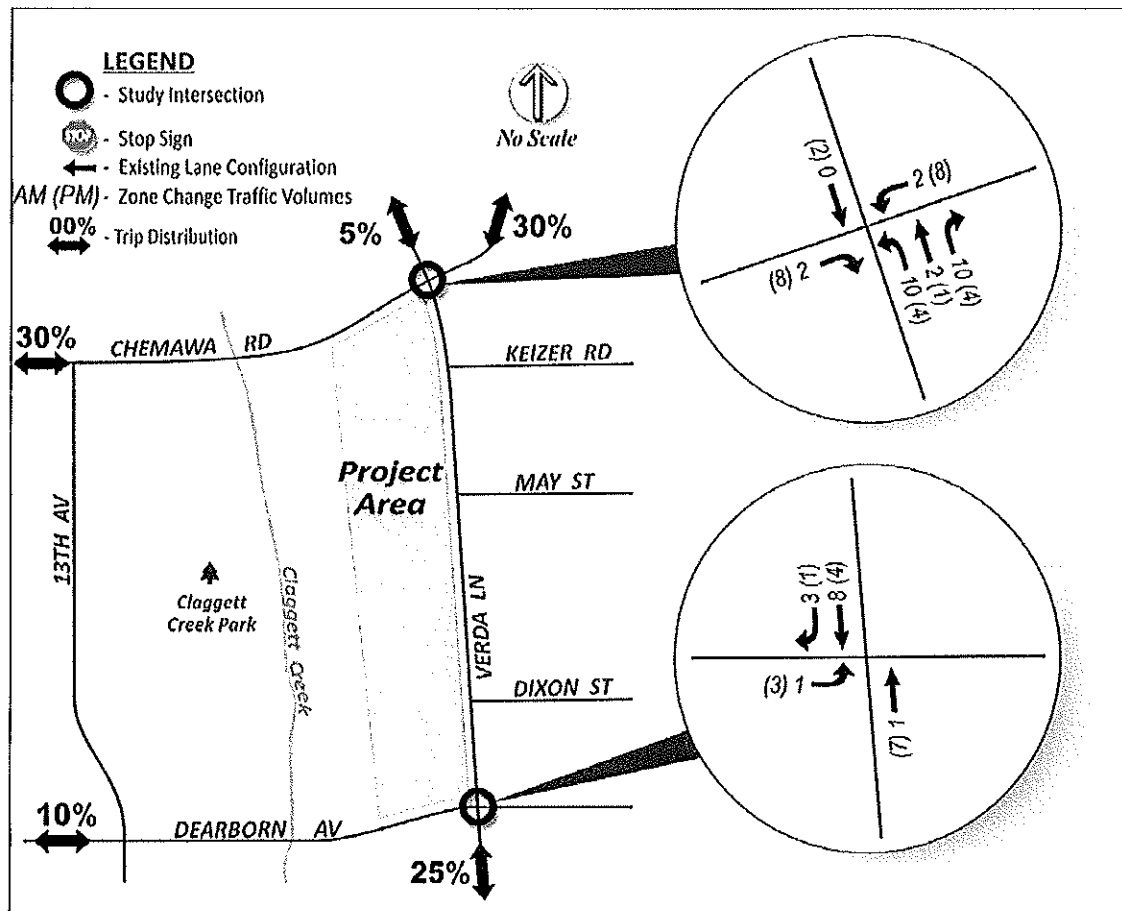


Figure 3: Trip Distribution and Additional Zone Change Volumes

Planned Intersection Improvements

As shown in Table 3, the intersection of Chemawa Road and Verda Lane currently operates at LOS "E" during the p.m. peak hour. To improve operations at this intersection, a roundabout is planned for construction within the next couple of years. Currently under design, the roundabout is expected to consist of one circulating lane and one lane on each approach to the intersection. This was assumed to be operational for analysis of future scenarios at this intersection.

Future Traffic Volumes and Operating Conditions

Future operating conditions were analyzed at the study intersections for the following traffic scenarios:

- Future (2033) With Existing Zoning
- Future (2033) With Proposed Zoning

Future traffic volumes were estimated at the study intersections for each scenario as described in previous sections. The weekday a.m. and p.m. peak hour traffic volumes used to analyze the future existing zoning scenario are shown in Figures 4. Future traffic volumes based on the proposed zone change are shown in Figure 5.

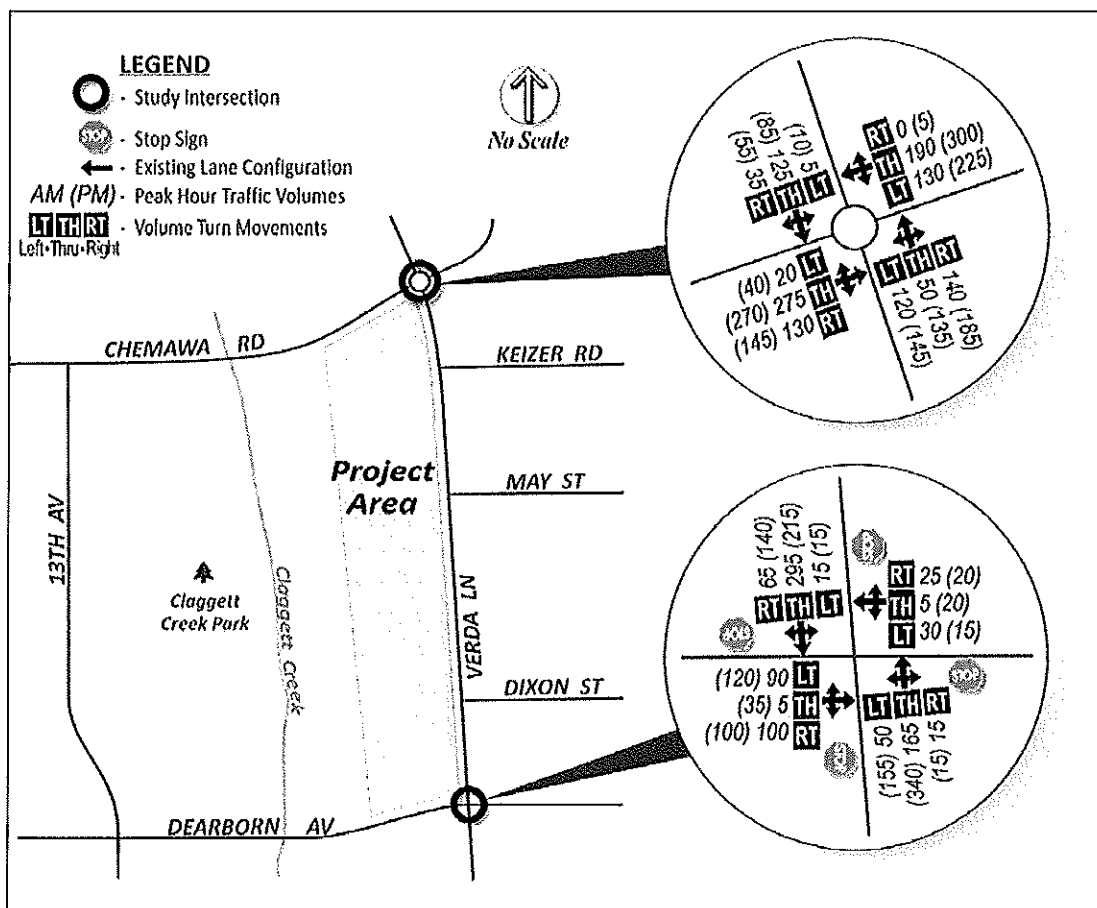


Figure 4: 2033 Traffic Volumes Based on Current Zoning

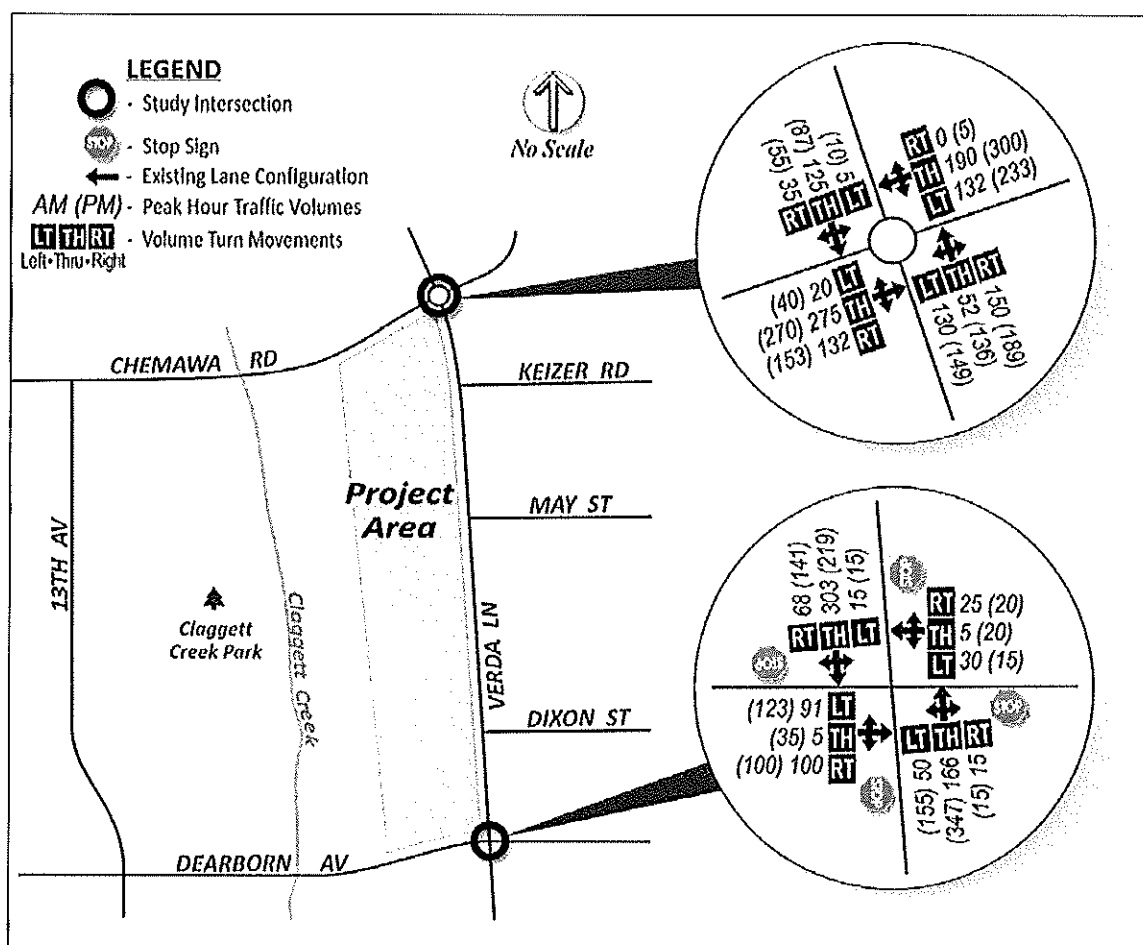


Figure 5: 2033 Traffic Volumes with Proposed Zone Change

Intersection Operations

Existing traffic operations at the Verda Lane/Dearborn Avenue intersection were determined for the a.m. and p.m. peak hours based on the 2000 Highway Capacity Manual methodology.⁹ Because there is no general consensus regarding the most appropriate methodology to analyze roundabout operations in the United States, the planned roundabout at the Verda Lane/Chemawa Road intersection was analyzed using both the 2010 Highway Capacity Manual (HCM) methodology for roundabouts and the SIDRA standard roundabout model. The 2010 HCM methodology is consistent with the methodology identified in ODOT's Analysis and Procedures Manual (APM)¹⁰. Both approaches yielded similar results, with slightly more delay reported by the 2010 HCM methodology.

The study intersection operating conditions for the two future scenarios are listed in Table 9. Roundabout operations are shown based on 2010 HCM methodology, with SIDRA results provided in the appendix for reference. As shown, both study intersections are expected to meet operating standards

⁹ 2000 Highway Capacity Manual, Transportation Research Board, Washington DC, 2000.

¹⁰ ODOT's Analysis and Procedures Manual (2006) indicates NCHRP 572 methodology should be used for roundabout capacity analysis. NCHRP 572 was used to develop the methodology provided in the 2010 HCM.

for each scenario. The additional traffic associated with the proposed zone change does not have significant impacts on operations at these intersections.

Table 9: Future 2033 Intersection Operations

Intersection	Intersection Control	Operating Standard	2033 AM Peak			2033 PM Peak		
			Delay	LOS	V/C	Delay	LOS	V/C
2033 Background Operations								
Verda Ln/Chemawa Rd	Roundabout	LOS E, 0.95 V/C	11.6	B	0.62	16.5	C	0.73
Verda Ln/Dearborn Ave	4-Way Stop	LOS E	14.5	B	0.52	28.8	D	0.80
2033 Zone Change Operations								
Verda Ln/Chemawa Rd	Roundabout	LOS E, 0.95 V/C	11.9	B	0.62	17.2	C	0.75
Verda Ln/Dearborn Ave	4-Way Stop	LOS E	15.0	C	0.53	30.7	D	0.80
<u>4-Way Stop Controlled:</u> Delay = Average Stopped Delay for Intersection LOS = Level of Service of Intersection V/C = Volume-to-Capacity Ratio of Intersection								
<u>Roundabouts:</u> Delay = Average Delay of Intersection LOS = Intersection Level of Service V/C = Volume-to-Capacity Ratio of Worst Approach								

Verda Lane/Chemawa Road Roundabout Sensitivity Analysis

A memorandum¹¹ documenting the analysis used to design the planned roundabout at the Verda Lane/Chemawa Road intersection was acquired to compare future traffic volume assumptions. The referenced memorandum estimated 2035 traffic volumes that were slightly higher than those assumed by DKS for this analysis (which was for a 2033 horizon year). It reported a total of 1,785 vehicles entering the intersection during the p.m. peak hour in 2035, while this analysis assumed a total of 1,600 vehicles in 2033. Given this 11% difference (some of which is likely due to the different horizon years), additional analysis was performed to consider whether the slightly higher volumes would affect the roundabout's future operations with the inclusion of the proposed zone change.

To perform this analysis, the additional trips generated by the proposed zone change were added to the 2035 p.m. peak hour volumes reported in the referenced memorandum (see appendix for volumes). The resulting intersection operations are shown in Table 10. As shown, the proposed zone change would not have significant impacts on operations at this intersection when assuming the higher traffic volumes.

Table 10: Sensitivity Analysis Intersection Operations

Intersection	Operating Standard	2035 Background			2035 Zone Change		
		Delay	LOS	V/C	Delay	LOS	V/C
Verda Ln/Chemawa Rd	LOS E, 0.95 V/C	25.0	C	0.88	26.5	D	0.90
<u>Roundabouts:</u> Delay = Average Delay of Intersection LOS = Intersection Level of Service V/C = Volume-to-Capacity Ratio of Worst Approach							

¹¹ Technical Memorandum: NE Verda Lane/NE Chemawa Road Roundabout, Kittelson & Associates, Inc., March 19, 2013



Project Impact Summary

The following list summarizes the key transportation impact findings associated with the proposed renovation:

- It is proposed to change the zoning of the approximately 7.5 acre site from low-density residential to high-density residential. The existing zoning would allow up to 60 single family homes and while there is no maximum number of units associated with the proposed zoning, the applicants have indicated that no more than 165 units could be built on this property.
- The proposed zone change could generate up to an additional 39 (6 in, 33 out) a.m. peak hour and 42 (28 in, 14 out) p.m. peak hour trips.
- Both study intersections currently meet operating standards, however, the Verda Lane/Chemawa Road intersection operates at LOS "E" during the p.m. peak hour. To improve operations at this intersection, a roundabout is planned for construction in the next few years and is assumed for the future operations analysis.
- Both study intersections are expected to meet operating standards under the future (2033) background scenario that does not include a zone change but assumes development of this property based on the current low-density residential zoning.
- The additional traffic generated by the proposed zone change is not expected to have a significant impact on intersection operations. Both intersections would continue to meet operating standards after accounting for the proposed zone change.



Appendix

Site Information

Weekday Peak Hour Traffic Counts

Level of Service Descriptions

HCM Analysis – Existing

HCM Analysis – 2033 With Existing Zoning

HCM Analysis – 2033 With Zone Change

HCM Analysis – Traffic Volume Sensitivity

SIDRA Roundabout Analysis

ODOT Collision Data

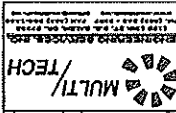
**Verda Lane/Chemawa Road Roundabout Traffic Analysis and
Design Memorandum**



Site Information

HERBER PROPERTY

SEC. 02, T. 7 S., R. 3 W., W.M.
CITY OF KEIZER
MARION COUNTY, OREGON



ZONE CHANGE
COMP. PLAN
APPLICATION

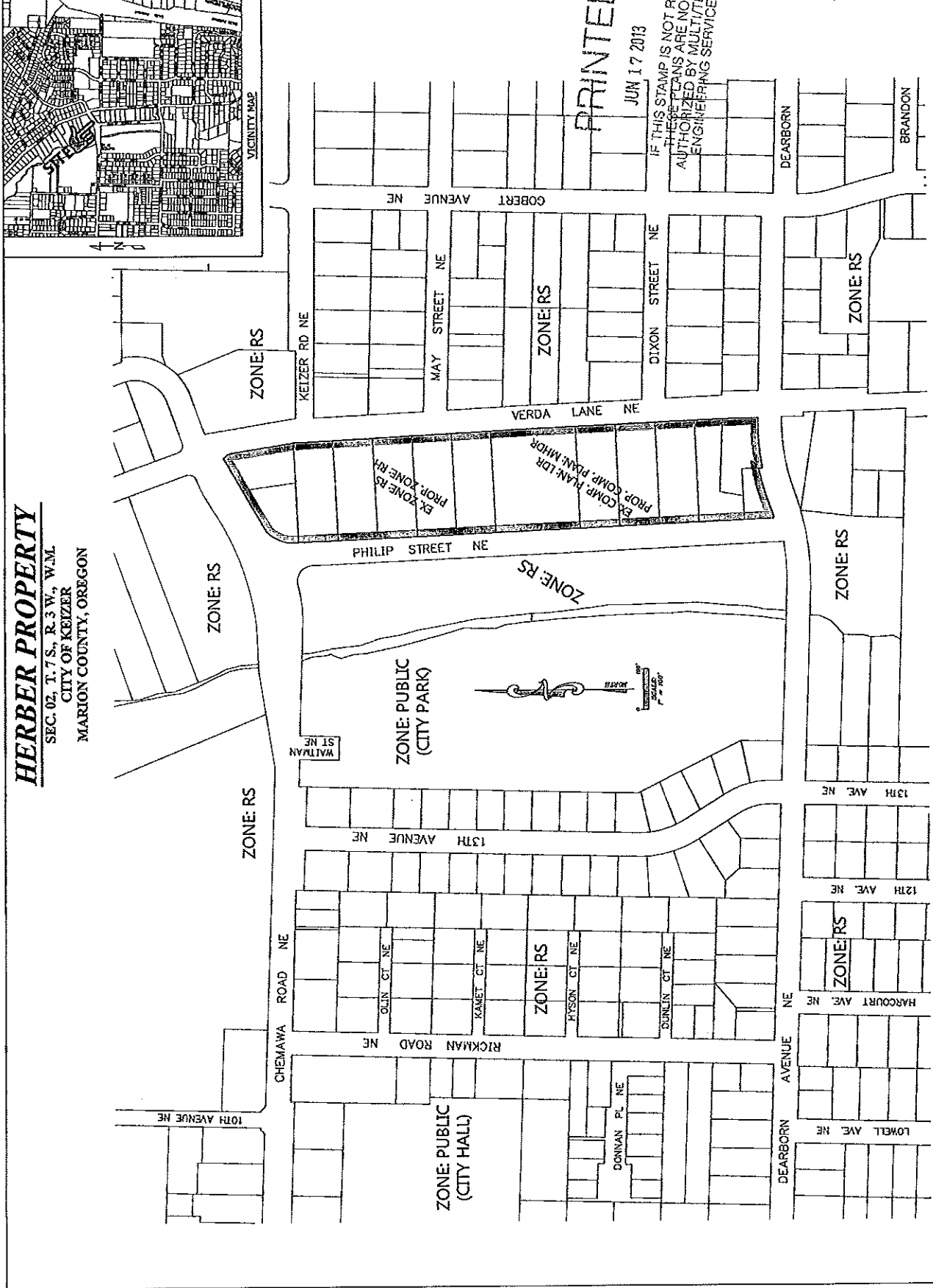
HERBER
PROPERTY

NO ASSURANCE IS MADE BY THE ENGINEER AS TO THE ACCURACY OF THE INFORMATION FURNISHED BY THE APPLICANT.
THESE PLANS ARE NOT TO BE USED FOR ANY OTHER PURPOSES WITHOUT THE WRITTEN CONSENT OF THE ENGINEER.
DATE: JUN 21, 2013
DRAWN BY: J.M.S.
CHECKED BY: J.M.S.
DESIGNED BY: J.M.S.
APPROVED BY: J.M.S.
MULTI-TECH ENGINEERING SERVICES, INC.
1000 S.W. 10TH AVE., SUITE 100
KEIZER, OREGON 97138
PHONE: 503-325-1111
FAX: 503-325-1112
WWW.MULTITECH-ENG.COM

DATE: JUN 21, 2013
DRAWN BY: J.M.S.
CHECKED BY: J.M.S.
DESIGNED BY: J.M.S.
APPROVED BY: J.M.S.



1 of 1



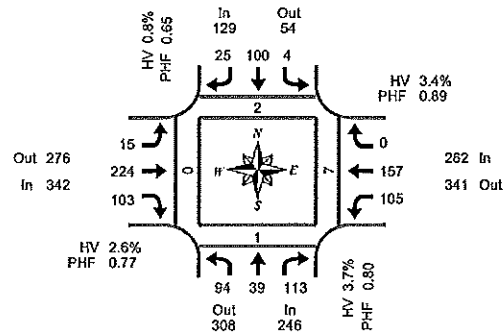


Weekday Peak Hour Traffic Counts

Total Vehicle Summary



Clay Camey
(503) 833-2740



Verda Ln NE & Chemawa Rd NE

Thursday, October 10, 2013

7:00 AM to 9:00 AM

Peak Hour Summary
7:05 AM to 8:05 AM

5-Minute Interval Summary

7:00 AM to 9:00 AM

Interval Start Time	Northbound Verda Ln NE				Southbound Verda Ln NE				Eastbound Chemawa Rd NE				Westbound Chemawa Rd NE				Interval Total	Pedestrians Crosswalk			
	L	T	R	Bikes	L	T	R	Bikes	L	T	R	Bikes	L	T	R	Bikes		North	South	East	West
7:00 AM	6	1	4	0	0	6	0	0	0	9	1	0	6	13	0	0	45	0	0	0	0
7:05 AM	14	3	4	0	0	1	3	1	4	17	5	0	7	14	0	0	72	2	0	2	0
7:10 AM	17	3	14	1	0	3	3	0	0	22	4	0	2	12	0	0	80	0	1	0	0
7:15 AM	11	2	9	0	0	3	2	0	1	16	9	0	8	13	0	0	74	0	0	0	0
7:20 AM	9	0	8	0	0	9	2	0	1	22	11	0	12	15	0	0	89	0	0	0	0
7:25 AM	7	5	8	0	0	8	2	0	1	20	14	0	6	18	0	0	89	0	0	2	0
7:30 AM	3	2	13	0	2	15	1	0	4	26	7	0	11	10	0	0	94	0	0	2	0
7:35 AM	3	4	9	0	2	12	4	0	0	22	17	0	11	16	0	0	100	0	0	0	0
7:40 AM	6	5	14	0	0	13	1	0	2	20	9	0	8	8	0	0	86	0	0	0	0
7:45 AM	7	2	9	0	0	15	2	0	0	15	10	0	12	12	0	0	84	0	0	0	0
7:50 AM	4	5	10	0	0	13	2	0	1	18	11	0	11	18	0	0	93	0	0	0	0
7:55 AM	6	6	8	0	0	6	2	0	0	16	2	0	7	14	0	0	67	0	0	1	0
8:00 AM	7	2	7	2	0	2	1	0	1	10	4	0	10	7	0	0	51	0	0	0	0
8:05 AM	3	5	12	0	1	3	1	0	0	11	4	0	12	12	0	0	64	0	0	0	0
8:10 AM	6	6	7	0	0	8	2	0	1	14	3	0	6	10	0	0	63	0	1	0	0
8:15 AM	5	6	6	0	1	3	2	0	1	16	4	0	9	9	1	0	63	0	0	0	0
8:20 AM	8	3	6	0	0	6	1	0	2	16	5	0	8	13	0	0	68	0	0	0	0
8:25 AM	3	2	8	0	0	11	1	0	0	12	3	0	8	5	0	0	53	0	0	0	0
8:30 AM	10	6	9	0	0	7	0	0	1	14	9	0	9	8	1	0	74	0	0	0	0
8:35 AM	10	7	9	0	1	5	0	0	1	10	7	0	12	9	0	0	71	0	0	0	0
8:40 AM	11	5	12	0	1	5	0	0	4	15	8	0	4	9	0	0	74	0	1	0	0
8:45 AM	11	6	12	0	0	12	3	0	2	5	5	0	9	15	0	0	80	0	0	0	0
8:50 AM	10	13	8	0	0	6	0	0	1	19	17	0	10	9	0	0	93	0	0	0	0
8:55 AM	6	8	8	0	0	6	0	0	0	11	7	0	3	11	0	0	58	0	0	0	0
Total Survey	183	107	212	3	8	178	35	1	28	376	176	0	200	280	2	0	1,785	2	3	7	0

15-Minute Interval Summary

7:00 AM to 9:00 AM

Interval Start Time	Northbound Verda Ln NE				Southbound Verda Ln NE				Eastbound Chemawa Rd NE				Westbound Chemawa Rd NE				Interval Total	Pedestrians Crosswalk			
	L	T	R	Bikes	L	T	R	Bikes	L	T	R	Bikes	L	T	R	Bikes		North	South	East	West
7:00 AM	37	7	22	1	0	10	6	1	4	48	19	0	14	39	0	0	197	2	1	2	0
7:15 AM	27	7	25	0	0	20	6	0	3	58	34	0	26	46	0	0	252	0	0	2	0
7:30 AM	12	11	35	0	4	40	6	0	6	68	33	0	30	34	0	0	280	0	0	2	0
7:45 AM	17	13	27	0	0	34	6	0	1	49	23	0	30	44	0	0	244	0	0	1	0
8:00 AM	16	13	26	2	1	13	4	0	2	35	11	0	28	29	0	0	178	0	1	0	0
8:15 AM	16	11	20	0	1	20	4	0	3	44	12	0	25	27	1	0	184	0	0	0	0
8:30 AM	31	18	30	0	2	17	0	0	6	39	24	0	25	26	1	0	219	0	1	0	0
8:45 AM	27	27	26	0	0	24	3	0	3	35	29	0	22	35	0	0	231	0	0	0	0
Total Survey	183	107	212	3	8	178	35	1	28	376	176	0	200	280	2	0	1,785	2	3	7	0

Peak Hour Summary

7:05 AM to 8:05 AM

By Approach	Northbound Verda Ln NE				Southbound Verda Ln NE				Eastbound Chemawa Rd NE				Westbound Chemawa Rd NE				Total	Pedestrians Crosswalk			
	In	Out	Total	Bikes	In	Out	Total	Bikes	In	Out	Total	Bikes	In	Out	Total	Bikes		North	South	East	West
Volume	246	308	554	3	129	54	183	1	342	276	618	0	262	341	603	0	979	2	1	7	0
%HV	3.7%				0.8%				2.6%				3.4%				2.9%				
PHF	0.80				0.65				0.77				0.89				0.86				

By Movement	Northbound Verda Ln NE				Southbound Verda Ln NE				Eastbound Chemawa Rd NE				Westbound Chemawa Rd NE				Total
	L	T	R	Total	L	T	R	Total	L	T	R	Total	L	T	R	Total	
Volume	94	39	113	246	4	100	25	129	15	224	103	342	105	157	0	262	979
%HV	5.3%	2.6%	2.7%	3.7%	0.0%	1.0%	0.0%	0.8%	0.0%	1.8%	4.9%	2.6%	6.7%	1.3%	0.0%	3.4%	2.9%
PHF	0.56	0.75	0.78	0.80	0.25	0.61	0.78	0.65	0.63	0.82	0.68	0.77	0.85	0.85	0.00	0.89	0.86

Rolling Hour Summary

7:00 AM to 9:00 AM

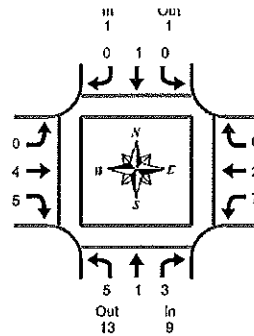
Interval Start Time	Northbound Verda Ln NE				Southbound Verda Ln NE				Eastbound Chemawa Rd NE				Westbound Chemawa Rd NE				Interval Total	Pedestrians Crosswalk			
	L	T	R	Bikes	L	T	R	Bikes	L	T	R	Bikes	L	T	R	Bikes		North	South	East	West
7:00 AM	93	38	110	1	4	104	24	1	14	223	100	0	100	163	0	0	973	0	1	7	0
7:15 AM	72	44	114	2	5	107	22	0	12	210	101	0	114	153	0	0	954	0	1	5	0
7:30 AM	61	48	109	2	6	107	20	0	12	196	79	0	113	134	1	0	886	0	1	3	0
7:45 AM	80	55	103	2	4	84	14	0	12	167	70	0	108	126	2	0	825	0	2	1	0
8:00 AM	90	69	102	2	4	74	11	0	14	153	76	0	100	117	2	0	812	0	2	0	0

Heavy Vehicle Summary



Clay Carney
(503) 833-2740

Out 7
In 9



Verda Ln NE & Chemawa Rd NE

Thursday, October 10, 2013

7:00 AM to 9:00 AM

Peak Hour Summary
7:05 AM to 8:05 AM

Heavy Vehicle 5-Minute Interval Summary

7:00 AM to 9:00 AM

Interval Start Time	Northbound Verda Ln NE				Southbound Verda Ln NE				Eastbound Chemawa Rd NE				Westbound Chemawa Rd NE				Interval Total
	L	T	R	Total	L	T	R	Total	L	T	R	Total	L	T	R	Total	
7:00 AM	1	0	0	1	0	0	0	0	0	0	0	0	1	1	0	2	3
7:05 AM	1	0	0	1	0	0	0	0	0	0	0	0	1	0	0	1	2
7:10 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
7:15 AM	1	0	1	2	0	0	0	0	0	1	0	1	0	0	0	0	3
7:20 AM	0	0	1	1	0	0	0	0	0	1	1	0	0	0	0	0	2
7:25 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	1	1
7:30 AM	0	0	0	0	0	1	0	1	0	0	0	0	0	0	0	2	3
7:35 AM	1	0	0	1	0	0	0	0	0	0	2	2	1	0	0	1	4
7:40 AM	0	0	1	1	0	0	0	0	0	1	1	2	0	0	0	0	3
7:45 AM	0	1	0	1	0	0	0	0	0	1	0	1	1	0	0	1	3
7:50 AM	0	0	0	0	0	0	0	0	0	0	0	0	1	0	1	1	1
7:55 AM	1	0	0	1	0	0	0	0	0	1	1	1	0	0	0	0	2
8:00 AM	1	0	0	1	0	0	0	0	0	1	0	1	2	0	0	2	4
8:05 AM	0	0	0	0	0	0	0	0	0	0	0	0	1	1	0	2	2
8:10 AM	0	1	0	1	0	0	1	1	0	1	0	1	0	1	0	1	4
8:15 AM	1	1	0	2	0	0	0	0	0	1	1	2	0	1	0	1	5
8:20 AM	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	1
8:25 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	1	1
8:30 AM	0	1	1	2	0	1	0	1	0	0	0	0	0	1	0	1	4
8:35 AM	1	1	0	2	1	1	0	2	0	0	0	0	2	0	0	2	6
8:40 AM	1	1	0	2	0	0	0	0	1	0	1	2	2	0	0	2	6
8:45 AM	1	0	2	3	0	1	0	1	0	1	1	2	1	1	0	2	8
8:50 AM	1	1	3	5	0	0	0	0	0	0	0	0	0	0	0	0	5
8:55 AM	1	0	1	2	0	0	0	0	0	0	0	0	0	1	0	1	3
Total Survey	12	7	11	30	1	4	1	6	1	7	8	16	14	10	0	24	76

Heavy Vehicle 15-Minute Interval Summary

7:00 AM to 9:00 AM

Interval Start Time	Northbound Verda Ln NE				Southbound Verda Ln NE				Eastbound Chemawa Rd NE				Westbound Chemawa Rd NE				Interval Total
	L	T	R	Total	L	T	R	Total	L	T	R	Total	L	T	R	Total	
7:00 AM	2	0	0	2	0	0	0	0	0	0	0	0	2	1	0	3	5
7:15 AM	1	0	2	3	0	0	0	0	0	1	1	2	0	1	0	1	6
7:30 AM	1	0	1	2	0	1	0	1	0	1	3	4	3	0	0	3	10
7:45 AM	1	1	0	2	0	0	0	0	0	1	1	2	1	1	0	2	6
8:00 AM	1	1	0	2	0	0	1	1	0	2	0	2	3	2	0	5	10
8:15 AM	1	1	1	3	0	0	0	0	0	1	1	2	0	2	0	2	7
8:30 AM	2	3	1	6	1	2	0	3	1	0	1	2	4	1	0	5	16
8:45 AM	3	1	6	10	0	1	0	1	0	1	1	2	1	2	0	3	16
Total Survey	12	7	11	30	1	4	1	6	1	7	8	16	14	10	0	24	76

Heavy Vehicle Peak Hour Summary

7:05 AM to 8:05 AM

By Approach	Northbound Verda Ln NE			Southbound Verda Ln NE			Eastbound Chemawa Rd NE			Westbound Chemawa Rd NE			Total
	In	Out	Total	In	Out	Total	In	Out	Total	In	Out	Total	
Volume	9	13	22	1	1	2	9	7	16	9	7	16	28
PHF	0.75			0.25			0.45			0.56			0.70

By Movement	Northbound Verda Ln NE				Southbound Verda Ln NE				Eastbound Chemawa Rd NE				Westbound Chemawa Rd NE				Total
	L	T	R	Total	L	T	R	Total	L	T	R	Total	L	T	R	Total	
Volume	5	1	3	9	0	1	0	1	0	4	5	9	7	2	0	9	28
PHF	0.63	0.25	0.38	0.75	0.00	0.25	0.00	0.25	0.00	0.50	0.42	0.45	0.56	0.50	0.00	0.56	0.70

Heavy Vehicle Rolling Hour Summary

7:00 AM to 9:00 AM

Interval Start Time	Northbound Verda Ln NE				Southbound Verda Ln NE				Eastbound Chemawa Rd NE				Westbound Chemawa Rd NE				Interval Total
	L	T	R	Total	L	T	R	Total	L	T	R	Total	L	T	R	Total	
7:00 AM	5	1	3	9	0	1	0	1	0	3	5	8	6	3	0	9	27
7:15 AM	4	2	3	9	0	1	1	2	0	5	5	10	7	4	0	11	32
7:30 AM	4	3	2	9	0	1	1	2	0	5	5	10	7	5	0	12	33
7:45 AM	5	6	2	13	1	2	1	4	1	4	3	8	8	6	0	14	39
8:00 AM	7	6	8	21	1	3	1	5	1	4	3	8	8	7	0	15	49

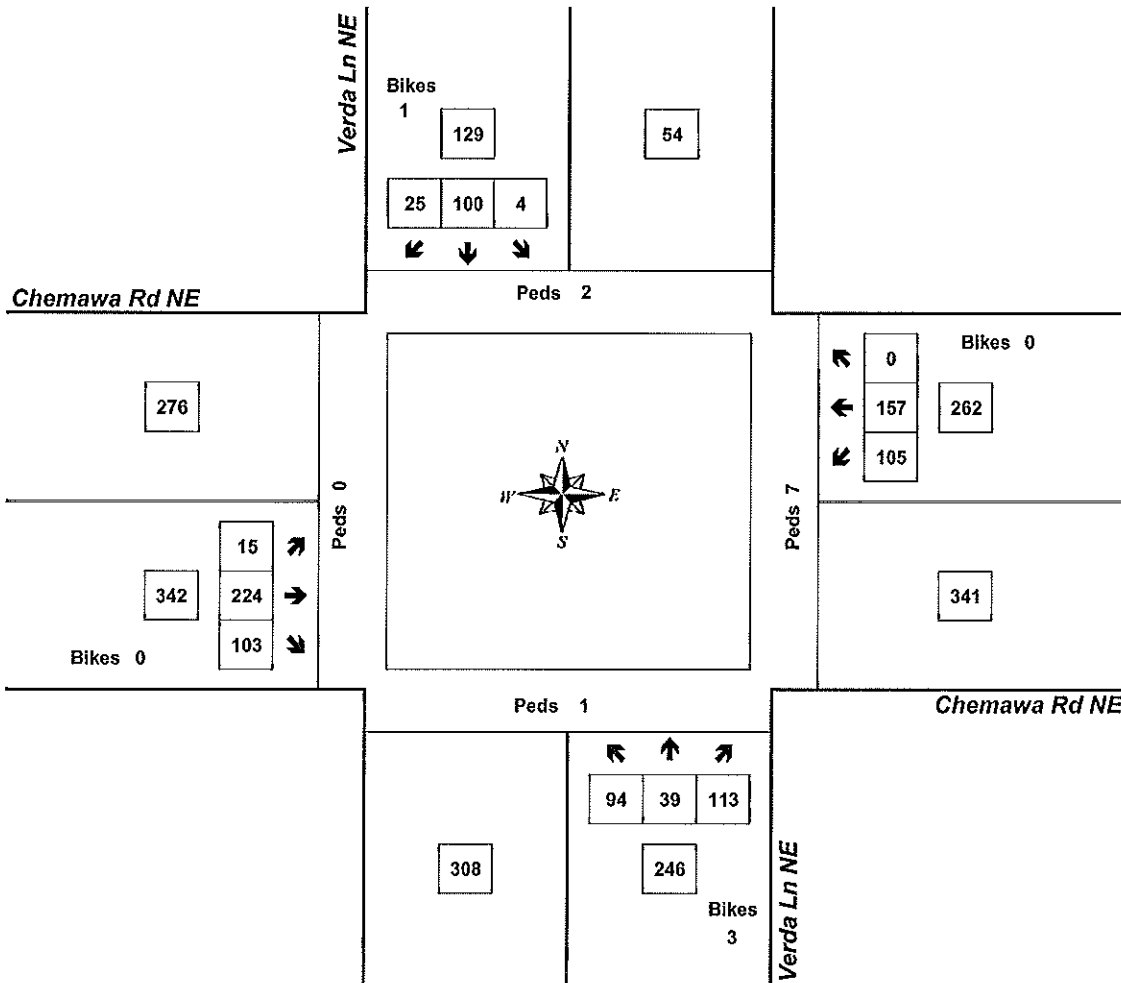
Peak Hour Summary



Clay Carney
(503) 833-2740

Verda Ln NE & Chemawa Rd NE

7:05 AM to 8:05 AM
Thursday, October 10, 2013



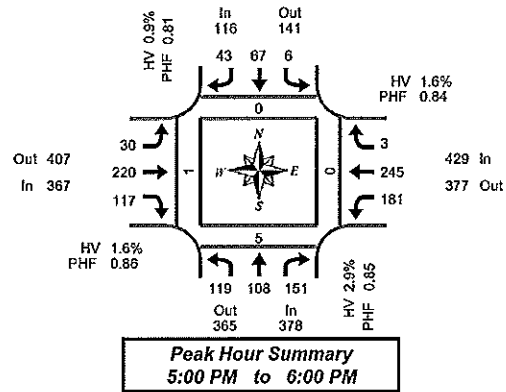
Approach	PHF	HV%	Volume
EB	0.77	2.6%	342
WB	0.89	3.4%	262
NB	0.80	3.7%	246
SB	0.65	0.8%	129
Intersection	0.86	2.9%	979

Count Period: 7:00 AM to 9:00 AM

Total Vehicle Summary



Clay Camey
(503) 833-2740



Verda Ln NE & Chemawa Rd NE

Wednesday, October 09, 2013

4:00 PM to 6:00 PM

5-Minute Interval Summary

4:00 PM to 6:00 PM

Interval Start Time	Northbound Verda Ln NE				Southbound Verda Ln NE				Eastbound Chemawa Rd NE				Westbound Chemawa Rd NE				Interval Total	Pedestrians Crosswalk			
	L	T	R	Bikes	L	T	R	Bikes	L	T	R	Bikes	L	T	R	Bikes		North	South	East	West
4:00 PM	14	9	10	0	0	3	3	0	3	20	8	0	7	21	0	0	98	0	0	0	0
4:05 PM	12	12	4	0	0	7	2	0	4	23	7	0	14	20	0	0	105	0	0	0	0
4:10 PM	10	7	13	0	0	4	2	0	1	21	6	0	14	29	0	0	107	0	1	1	0
4:15 PM	12	7	8	0	0	7	2	0	3	26	12	0	8	19	1	0	105	0	2	1	1
4:20 PM	9	7	10	1	0	3	1	0	1	19	9	0	8	32	0	1	99	0	1	0	0
4:25 PM	9	2	15	0	0	4	5	0	1	27	6	1	19	21	0	0	109	0	0	0	1
4:30 PM	11	6	15	0	0	4	0	0	3	17	11	0	12	19	0	0	88	0	0	1	0
4:35 PM	15	6	15	0	1	11	5	0	5	9	11	0	15	16	0	0	109	0	0	0	1
4:40 PM	15	2	10	0	0	4	0	0	2	24	8	0	12	28	0	0	105	0	0	0	0
4:45 PM	7	5	12	2	0	6	2	0	0	12	5	0	20	24	0	0	93	0	2	0	0
4:50 PM	8	11	9	0	2	10	3	0	0	12	6	0	17	17	0	0	95	0	0	0	3
4:55 PM	6	4	10	0	1	9	5	0	2	15	10	0	13	21	1	0	97	0	1	0	0
5:00 PM	7	5	14	0	1	5	3	0	3	21	15	0	8	20	0	0	102	0	1	0	0
5:05 PM	12	12	11	0	0	7	2	1	7	23	8	0	13	15	0	0	110	0	0	0	0
5:10 PM	12	9	19	0	0	7	2	0	2	20	6	0	16	20	0	0	113	0	1	0	1
5:15 PM	11	12	13	1	0	3	4	1	1	17	7	0	15	20	0	0	103	0	1	0	0
5:20 PM	10	14	11	0	0	8	4	0	2	12	7	0	17	16	0	0	101	0	2	0	0
5:25 PM	9	11	19	0	2	6	6	0	3	18	8	0	20	19	0	0	119	0	0	0	0
5:30 PM	13	7	5	0	1	5	3	0	2	12	10	0	15	29	1	0	103	0	0	0	0
5:35 PM	7	9	12	0	0	7	6	0	1	20	18	0	15	29	0	0	124	0	0	0	0
5:40 PM	13	6	13	0	0	1	2	0	4	25	13	0	17	21	0	0	115	0	0	0	0
5:45 PM	5	8	11	0	0	10	0	0	0	19	7	0	12	25	1	0	98	0	0	0	0
5:50 PM	9	7	11	0	0	2	8	0	3	17	9	0	14	17	0	0	97	0	0	0	0
5:55 PM	11	8	12	0	2	6	3	0	2	18	9	1	19	14	1	0	105	0	0	0	0
Total Survey	247	186	282	4	10	139	73	2	55	445	216	2	340	512	5	1	2,510	0	12	3	7

15-Minute Interval Summary

4:00 PM to 6:00 PM

Interval Start Time	Northbound Verda Ln NE				Southbound Verda Ln NE				Eastbound Chemawa Rd NE				Westbound Chemawa Rd NE				Interval Total	Pedestrians Crosswalk			
	L	T	R	Bikes	L	T	R	Bikes	L	T	R	Bikes	L	T	R	Bikes		North	South	East	West
4:00 PM	36	28	27	0	0	14	7	0	8	64	21	0	35	70	0	0	310	0	1	1	0
4:15 PM	30	16	33	1	0	14	8	0	5	72	27	1	35	72	1	1	313	0	3	1	2
4:30 PM	41	14	40	0	1	19	5	0	10	50	30	0	39	63	0	0	312	0	0	1	1
4:45 PM	21	20	31	2	3	25	10	0	2	39	21	0	50	62	1	0	285	0	3	0	3
5:00 PM	31	26	44	0	1	19	7	1	12	64	29	0	37	55	0	0	325	0	2	0	1
5:15 PM	30	37	43	1	2	17	14	1	6	45	22	0	52	55	0	0	323	0	3	0	0
5:30 PM	33	22	30	0	1	13	11	0	7	57	41	0	47	79	1	0	342	0	0	0	0
5:45 PM	25	23	34	0	2	18	11	0	5	54	25	1	45	56	2	0	300	0	0	0	0
Total Survey	247	186	282	4	10	139	73	2	55	445	216	2	340	512	5	1	2,510	0	12	3	7

Peak Hour Summary

5:00 PM to 6:00 PM

By Approach	Northbound Verda Ln NE				Southbound Verda Ln NE				Eastbound Chemawa Rd NE				Westbound Chemawa Rd NE				Total	Pedestrians Crosswalk			
	In	Out	Total	Bikes	In	Out	Total	Bikes	In	Out	Total	Bikes	In	Out	Total	Bikes		North	South	East	West
Volume	378	365	743	1	116	141	257	2	367	407	774	1	429	377	806	0	1,290	0	5	0	1
%HV	2.9%				0.9%				1.6%				1.6%				1.9%				
PHF	0.85				0.81				0.86				0.84				0.93				

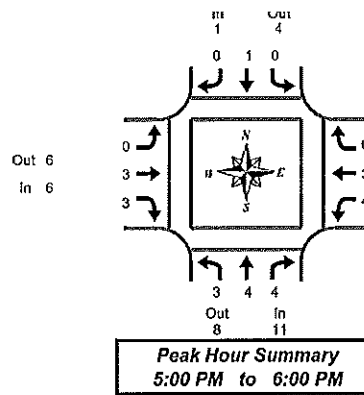
By Movement	Northbound Verda Ln NE				Southbound Verda Ln NE				Eastbound Chemawa Rd NE				Westbound Chemawa Rd NE				Total
	L	T	R	Total	L	T	R	Total	L	T	R	Total	L	T	R	Total	
Volume	119	108	151	378	6	67	43	116	30	220	117	367	181	245	3	429	1,290
%HV	2.5%	3.7%	2.6%	2.9%	0.0%	1.5%	0.0%	0.9%	0.0%	1.4%	2.6%	1.6%	2.2%	1.2%	0.0%	1.6%	1.9%
PHF	0.85	0.73	0.86	0.85	0.50	0.88	0.72	0.81	0.63	0.86	0.71	0.86	0.87	0.78	0.38	0.84	0.93

Rolling Hour Summary

4:00 PM to 6:00 PM

Interval Start Time	Northbound Verda Ln NE				Southbound Verda Ln NE				Eastbound Chemawa Rd NE				Westbound Chemawa Rd NE				Interval Total	Pedestrians Crosswalk			
	L	T	R	Bikes	L	T	R	Bikes	L	T	R	Bikes	L	T	R	Bikes		North	South	East	West
4:00 PM	128	78	131	3	4	72	30	0	25	225	99	1	169	267	2	1	1,220	0	7	3	6
4:15 PM	123	76	148	3	5	77	30	1	29	225	107	1	161	252	2	1	1,235	0	8	2	7
4:30 PM	123	97	158	3	7	80	36	2	30	198	102	0	178	235	1	0	1,245	0	8	1	5
4:45 PM	115	105	148	3	7	74	42	2	27	205	113	0	186	251	2	0	1,275	0	8	0	4
5:00 PM	119	108	151	1	6	67	43	2	30	220	117	1	181	245	3	0	1,290	0	5	0	1

Heavy Vehicle Summary



Verda Ln NE & Chemawa Rd NE

Wednesday, October 09, 2013

4:00 PM to 6:00 PM

Heavy Vehicle 5-Minute Interval Summary 4:00 PM to 6:00 PM

Interval Start Time	Northbound Verda Ln NE				Southbound Verda Ln NE				Eastbound Chemawa Rd NE				Westbound Chemawa Rd NE				Interval Total
	L	T	R	Total	L	T	R	Total	L	T	R	Total	L	T	R	Total	
4:00 PM	0	0	1	1	0	0	0	0	0	1	0	1	0	1	0	1	3
4:05 PM	0	1	0	1	0	1	0	1	0	1	0	1	0	0	0	0	3
4:10 PM	0	0	0	0	0	0	1	1	0	0	0	0	2	0	0	2	3
4:15 PM	0	0	2	2	0	0	0	0	0	1	0	1	0	0	0	0	3
4:20 PM	2	0	1	3	0	0	0	0	0	1	0	1	1	0	0	1	5
4:25 PM	0	0	1	1	0	0	0	0	0	2	0	2	0	0	0	0	3
4:30 PM	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	1	1
4:35 PM	1	0	0	1	0	2	0	2	0	0	0	0	0	0	0	0	3
4:40 PM	0	0	0	0	0	0	0	0	0	0	1	1	0	0	0	0	1
4:45 PM	0	0	0	0	0	0	0	0	0	1	0	1	1	0	0	1	2
4:50 PM	0	0	0	0	0	0	0	0	0	1	0	1	0	0	0	0	1
4:55 PM	0	0	1	1	0	0	0	0	0	0	0	0	0	1	0	1	2
5:00 PM	0	0	1	1	0	0	0	0	0	0	0	0	1	0	1	1	2
5:05 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
5:10 PM	0	1	0	1	0	0	0	0	0	2	1	3	1	0	0	1	5
5:15 PM	0	0	1	1	0	0	0	0	0	0	1	1	0	0	0	0	2
5:20 PM	1	1	0	2	0	0	0	0	0	0	0	0	0	0	0	0	2
5:25 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
5:30 PM	1	0	0	1	0	0	0	0	0	0	0	0	2	0	0	2	3
5:35 PM	0	1	0	1	0	0	0	0	0	0	1	1	1	0	0	1	3
5:40 PM	1	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	1
5:45 PM	0	1	0	1	0	1	0	1	0	0	0	0	0	0	0	0	2
5:50 PM	0	0	1	1	0	0	0	0	0	1	0	1	0	1	0	1	3
5:55 PM	0	0	1	1	0	0	0	0	0	0	0	0	1	0	1	1	2
Total Survey	6	5	10	21	0	4	1	5	0	11	4	15	9	5	0	14	55

Heavy Vehicle 15-Minute Interval Summary 4:00 PM to 6:00 PM

Interval Start Time	Northbound Verda Ln NE				Southbound Verda Ln NE				Eastbound Chemawa Rd NE				Westbound Chemawa Rd NE				Interval Total
	L	T	R	Total	L	T	R	Total	L	T	R	Total	L	T	R	Total	
4:00 PM	0	1	1	2	0	1	1	2	0	2	0	2	2	1	0	3	9
4:15 PM	2	0	4	6	0	0	0	0	0	4	0	4	1	0	0	1	11
4:30 PM	1	0	0	1	0	2	0	2	0	0	1	1	1	0	0	1	5
4:45 PM	0	0	1	1	0	0	0	0	0	2	0	2	1	1	0	2	5
5:00 PM	0	1	1	2	0	0	0	0	0	2	1	3	1	1	0	2	7
5:15 PM	1	1	1	3	0	0	0	0	0	0	1	1	0	0	0	0	4
5:30 PM	2	1	0	3	0	0	0	0	0	0	1	1	3	0	0	3	7
5:45 PM	0	1	2	3	0	1	0	1	0	1	0	1	0	2	0	2	7
Total Survey	6	5	10	21	0	4	1	5	0	11	4	15	9	5	0	14	55

Heavy Vehicle Peak Hour Summary 5:00 PM to 6:00 PM

By Approach	Northbound Verda Ln NE			Southbound Verda Ln NE			Eastbound Chemawa Rd NE			Westbound Chemawa Rd NE			Total
	In	Out	Total	In	Out	Total	In	Out	Total	In	Out	Total	
Volume	11	8	19	1	4	5	6	6	12	7	7	14	25
PHF	0.69			0.25			0.38			0.58			0.69

By Movement	Northbound Verda Ln NE				Southbound Verda Ln NE				Eastbound Chemawa Rd NE				Westbound Chemawa Rd NE				Total
	L	T	R	Total	L	T	R	Total	L	T	R	Total	L	T	R	Total	
Volume	3	4	4	11	0	3	1	4	0	3	3	6	4	3	0	7	25
PHF	0.38	0.50	0.50	0.69	0.00	0.25	0.00	0.25	0.00	0.38	0.38	0.38	0.33	0.38	0.00	0.58	0.69

Heavy Vehicle Rolling Hour Summary 4:00 PM to 6:00 PM

Interval Start Time	Northbound Verda Ln NE				Southbound Verda Ln NE				Eastbound Chemawa Rd NE				Westbound Chemawa Rd NE				Interval Total
	L	T	R	Total	L	T	R	Total	L	T	R	Total	L	T	R	Total	
4:00 PM	3	1	6	10	0	3	1	4	0	8	1	9	5	2	0	7	30
4:15 PM	3	1	6	10	0	2	0	2	0	8	2	10	4	2	0	6	28
4:30 PM	2	2	3	7	0	2	0	2	0	4	3	7	3	2	0	5	21
4:45 PM	3	3	3	9	0	0	0	0	0	4	3	7	5	2	0	7	23
5:00 PM	3	4	4	11	0	1	0	1	0	3	3	6	4	3	0	7	25

All Traffic Data
Services Inc.

Approach	PHF	HV%	Volume
EB	0.86	1.6%	367
WB	0.84	1.6%	429
NB	0.85	2.9%	378
SB	0.81	0.9%	116
Intersection	0.93	1.9%	1,290

Count Period: 4:00 PM to 6:00 PM

Total Vehicle Summary

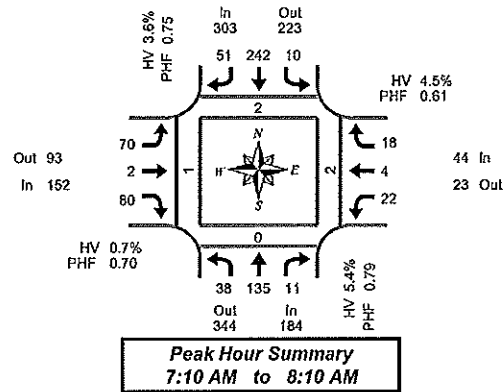


Clay Camery
(503) 833-2740

Verda Ln NE & Dearborn Ave NE

Thursday, October 10, 2013

7:00 AM to 9:00 AM



5-Minute Interval Summary

7:00 AM to 9:00 AM

Interval Start Time	Northbound Verda Ln NE				Southbound Verda Ln NE				Eastbound Dearborn Ave NE				Westbound Dearborn Ave NE				Interval Total	Pedestrians Crosswalk			
	L	T	R	Bikes	L	T	R	Bikes	L	T	R	Bikes	L	T	R	Bikes		North	South	East	West
7:00 AM	0	2	0	0	0	15	3	0	5	2	7	1	3	1	0	0	38	0	0	0	0
7:05 AM	0	11	0	1	0	5	3	0	4	2	11	0	0	1	1	0	38	0	0	0	0
7:10 AM	11	19	0	0	1	10	5	0	6	0	4	0	2	0	4	0	62	0	0	0	0
7:15 AM	0	8	1	0	2	11	2	0	3	0	3	0	5	0	3	0	38	0	0	0	0
7:20 AM	4	5	2	0	0	19	5	0	4	0	10	0	3	0	1	0	53	0	0	0	0
7:25 AM	3	10	2	0	0	17	3	0	2	1	6	0	3	0	2	0	49	1	0	0	1
7:30 AM	2	8	0	0	0	25	4	0	13	0	11	0	1	1	0	0	65	0	0	0	0
7:35 AM	0	8	0	0	2	36	5	0	5	0	7	0	0	0	1	0	64	1	0	1	0
7:40 AM	5	16	0	0	1	24	4	0	9	0	9	0	2	2	2	0	74	0	0	0	0
7:45 AM	2	7	1	0	1	24	4	0	6	0	8	0	1	1	1	0	55	0	0	0	0
7:50 AM	1	13	1	0	2	32	6	0	8	0	6	0	0	0	2	0	71	0	0	1	0
7:55 AM	4	16	2	0	0	15	6	0	5	0	7	0	3	0	2	0	60	0	0	0	0
8:00 AM	5	15	1	1	1	14	4	0	1	1	3	0	1	0	0	0	46	0	0	0	0
8:05 AM	1	10	1	0	0	15	3	0	9	0	6	0	1	0	0	0	46	0	0	0	0
8:10 AM	1	12	1	0	1	15	2	0	6	2	5	0	0	1	2	0	48	0	0	0	0
8:15 AM	4	10	2	0	1	11	2	0	4	0	2	0	3	1	1	0	41	0	0	0	0
8:20 AM	5	14	1	0	1	9	1	0	5	1	3	0	1	0	0	0	41	2	0	3	0
8:25 AM	2	2	2	0	0	16	6	0	2	6	3	0	0	2	1	0	42	0	1	0	0
8:30 AM	1	10	1	0	1	16	6	0	4	6	6	0	2	4	0	0	57	0	0	0	1
8:35 AM	5	15	0	0	0	20	6	0	6	5	3	0	0	3	1	0	64	2	0	0	0
8:40 AM	3	9	0	0	0	21	4	0	8	5	5	1	3	4	2	0	64	0	0	0	0
8:45 AM	8	14	1	0	0	17	5	0	8	1	10	0	2	3	4	0	71	0	1	0	0
8:50 AM	3	22	3	0	3	21	4	0	4	1	7	0	1	1	0	0	70	0	0	0	0
8:55 AM	8	11	0	0	1	10	4	0	4	3	2	0	4	2	0	0	49	0	0	0	0
Total Survey	76	267	22	2	18	418	97	0	130	36	144	2	41	27	30	0	1,306	6	2	5	2

15-Minute Interval Summary

7:00 AM to 9:00 AM

Interval Start Time	Northbound Verda Ln NE				Southbound Verda Ln NE				Eastbound Dearborn Ave NE				Westbound Dearborn Ave NE				Interval Total	Pedestrians Crosswalk			
	L	T	R	Bikes	L	T	R	Bikes	L	T	R	Bikes	L	T	R	Bikes		North	South	East	West
7:00 AM	11	32	0	1	1	30	11	0	15	4	22	1	5	2	6	0	138	0	0	0	0
7:15 AM	7	23	5	0	2	47	10	0	9	1	19	0	11	0	6	0	140	1	0	0	1
7:30 AM	7	32	0	0	3	85	13	0	27	0	27	0	3	3	3	0	203	1	0	1	0
7:45 AM	7	36	4	0	3	71	16	0	18	0	21	0	4	1	5	0	186	0	0	1	0
8:00 AM	7	37	3	1	2	44	9	0	16	3	14	0	2	1	2	0	140	0	0	0	0
8:15 AM	11	26	5	0	2	36	9	0	11	7	8	0	4	3	2	0	124	2	1	3	0
8:30 AM	9	34	1	0	1	57	16	0	18	16	14	1	5	11	3	0	185	2	0	0	1
8:45 AM	17	47	4	0	4	48	13	0	16	5	19	0	7	6	4	0	190	0	1	0	0
Total Survey	76	267	22	2	18	418	97	0	130	36	144	2	41	27	30	0	1,306	6	2	5	2

Peak Hour Summary

7:10 AM to 8:10 AM

By Approach	Northbound Verda Ln NE				Southbound Verda Ln NE				Eastbound Dearborn Ave NE				Westbound Dearborn Ave NE				Total	Pedestrians Crosswalk			
	In	Out	Total	Bikes	In	Out	Total	Bikes	In	Out	Total	Bikes	In	Out	Total	Bikes		North	South	East	West
Volume	184	344	528	1	303	223	526	0	152	93	245	0	44	23	67	0	683	2	0	2	1
%HV	5.4%				3.6%				0.7%				4.5%				3.5%				
PHF	0.79				0.75				0.70				0.61				0.84				

By Movement	Northbound Verda Ln NE				Southbound Verda Ln NE				Eastbound Dearborn Ave NE				Westbound Dearborn Ave NE				Total
	L	T	R	Total	L	T	R	Total	L	T	R	Total	L	T	R	Total	
Volume	38	135	11	184	10	242	51	303	70	2	80	152	22	4	18	44	683
%HV	2.6%	5.9%	9.1%	5.4%	0.0%	3.7%	3.9%	3.6%	1.4%	0.0%	0.0%	0.7%	0.0%	25.0%	5.6%	4.5%	3.5%
PHF	0.63	0.77	0.55	0.79	0.63	0.71	0.80	0.75	0.65	0.50	0.74	0.70	0.50	0.33	0.56	0.61	0.84

Rolling Hour Summary

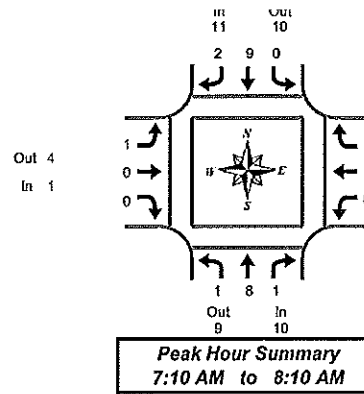
7:00 AM to 9:00 AM

Interval Start Time	Northbound Verda Ln NE				Southbound Verda Ln NE				Eastbound Dearborn Ave NE				Westbound Dearborn Ave NE				Interval Total	Pedestrians Crosswalk			
	L	T	R	Bikes	L	T	R	Bikes	L	T	R	Bikes	L	T	R	Bikes		North	South	East	West
7:00 AM	32	123	9	1	9	233	50	0	69	5	89	1	23	6	19	0	667	2	0	2	1
7:15 AM	28	128	12	1	10	247	48	0	70	4	81	0	20	5	16	0	669	2	0	2	1
7:30 AM	32	131	12	1	10	238	47	0	72	10	70	0	13	8	12	0	653	3	1	5	0
7:45 AM	34	133	13	1	8	208	50	0	63	26	57	1	15	16	12	0	635	4	1	4	1
8:00 AM	44	144	13	1	9	165	47	0	61	31	55	1	18	21	11	0	639	4	2	3	1

Heavy Vehicle Summary



Clay Carney
(503) 833-2740



Verda Ln NE & Dearborn Ave NE

Thursday, October 10, 2013

7:00 AM to 9:00 AM

Heavy Vehicle 5-Minute Interval Summary

Interval Start Time	Northbound Verda Ln NE				Southbound Verda Ln NE				Eastbound Dearborn Ave NE				Westbound Dearborn Ave NE				Interval Total
	L	T	R	Total	L	T	R	Total	L	T	R	Total	L	T	R	Total	
7:00 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
7:05 AM	0	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0	1
7:10 AM	0	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0	1
7:15 AM	0	1	0	1	0	0	0	0	0	0	0	0	0	0	1	1	2
7:20 AM	0	0	0	0	0	0	0	0	1	0	0	1	0	0	0	0	1
7:25 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
7:30 AM	0	0	0	0	0	1	0	1	0	0	0	0	0	0	0	0	1
7:35 AM	0	1	0	1	0	1	1	2	0	0	0	0	0	0	0	0	3
7:40 AM	0	2	0	2	0	2	0	2	0	0	0	0	0	1	0	1	5
7:45 AM	0	1	0	1	0	1	1	2	0	0	0	0	0	0	0	0	3
7:50 AM	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	1
7:55 AM	1	2	0	3	0	0	0	0	0	0	0	0	0	0	0	0	3
8:00 AM	0	0	0	0	0	3	0	3	0	0	0	0	0	0	0	0	3
8:05 AM	0	0	0	0	0	1	0	1	0	0	0	0	0	0	0	0	1
8:10 AM	0	3	0	3	0	0	0	0	0	0	0	0	0	0	0	0	3
8:15 AM	0	1	0	1	1	0	0	1	0	0	0	0	0	0	0	0	2
8:20 AM	0	1	0	1	0	0	0	0	0	0	0	0	1	0	0	1	2
8:25 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
8:30 AM	0	2	0	2	0	1	0	1	0	0	0	0	0	0	0	0	3
8:35 AM	0	1	0	1	0	1	0	1	1	1	0	2	0	0	0	0	4
8:40 AM	0	0	0	0	0	2	0	2	1	0	0	1	0	0	0	0	3
8:45 AM	0	3	0	3	0	1	1	2	1	0	0	1	0	0	0	0	6
8:50 AM	1	6	0	7	0	1	0	1	0	0	0	0	0	0	0	0	8
8:55 AM	0	0	0	0	0	2	0	2	0	0	0	0	0	0	0	0	2
Total Survey	2	26	1	29	1	18	3	22	4	1	0	5	1	1	1	3	59

Heavy Vehicle 15-Minute Interval Summary

Interval Start Time	Northbound Verda Ln NE				Southbound Verda Ln NE				Eastbound Dearborn Ave NE				Westbound Dearborn Ave NE				Interval Total
	L	T	R	Total	L	T	R	Total	L	T	R	Total	L	T	R	Total	
7:00 AM	0	2	0	2	0	1	0	1	0	0	0	0	0	0	0	0	3
7:15 AM	0	1	0	1	0	0	0	0	1	0	0	1	0	0	1	1	3
7:30 AM	0	3	0	3	0	4	1	5	0	0	0	0	1	0	1	1	9
7:45 AM	1	3	1	5	0	1	1	2	0	0	0	0	0	0	0	0	7
8:00 AM	0	3	0	3	0	4	0	4	0	0	0	0	0	0	0	0	7
8:15 AM	0	2	0	2	1	0	0	1	0	0	0	0	1	0	0	1	4
8:30 AM	0	3	0	3	0	4	0	4	2	1	0	3	0	0	0	0	10
8:45 AM	1	9	0	10	0	4	1	5	1	0	0	1	0	0	0	0	16
Total Survey	2	26	1	29	1	18	3	22	4	1	0	5	1	1	1	3	59

Heavy Vehicle Peak Hour Summary

By Approach	Northbound Verda Ln NE			Southbound Verda Ln NE			Eastbound Dearborn Ave NE			Westbound Dearborn Ave NE			Total
	In	Out	Total	In	Out	Total	In	Out	Total	In	Out	Total	
Volume	10	9	19	11	10	21	1	4	5	2	1	3	24
PHF	0.50			0.46			0.25			0.50			0.55

By Movement	Northbound Verda Ln NE				Southbound Verda Ln NE				Eastbound Dearborn Ave NE				Westbound Dearborn Ave NE				Total
	L	T	R	Total	L	T	R	Total	L	T	R	Total	L	T	R	Total	
Volume	1	8	1	10	0	9	2	11	1	0	0	1	0	1	1	2	24
PHF	0.25	0.50	0.25	0.50	0.00	0.56	0.25	0.46	0.25	0.00	0.00	0.25	0.00	0.25	0.50	0.50	0.55

Heavy Vehicle Rolling Hour Summary

Interval Start Time	Northbound Verda Ln NE				Southbound Verda Ln NE				Eastbound Dearborn Ave NE				Westbound Dearborn Ave NE				Interval Total
	L	T	R	Total	L	T	R	Total	L	T	R	Total	L	T	R	Total	
7:00 AM	1	9	1	11	0	6	2	8	1	0	0	1	0	1	1	2	22
7:15 AM	1	10	1	12	0	9	2	11	1	0	0	1	0	1	1	2	26
7:30 AM	1	11	1	13	1	9	2	12	0	0	0	0	1	1	0	2	27
7:45 AM	1	11	1	13	1	9	1	11	2	1	0	3	1	0	0	1	28
8:00 AM	1	17	0	18	1	12	1	14	3	1	0	4	1	0	0	1	37

All Traffic Data
Services Inc.

Verda Ln NE & Dearborn Ave NE

The map shows a city block with the following details:

- Streets:**
 - Top horizontal street: **Verda Ln NE**
 - Bottom horizontal street: **Verda Ln NE**
 - Left vertical street: **Verda Ln NE**
 - Right vertical street: **Verda Ln NE**
 - Central square: **Dearborn Ave NE**
- Central Square:**
 - Compass rose in the center.
 - Label: **Peds 0**
- Top-Left Building:**
 - Label: **Bikes 0**
 - Number: **303**
 - Number: **51**
 - Number: **242**
 - Number: **10**
 - Arrows: **↙**, **↓**, **↘**
- Top-Right Building:**
 - Number: **223**
- Bottom-Left Building:**
 - Number: **93**
 - Label: **Bikes 0**
 - Number: **152**
 - Number: **70**
 - Number: **2**
 - Number: **80**
 - Arrows: **↗**, **→**, **↘**
- Bottom-Right Building:**
 - Label: **Bikes 0**
 - Number: **18**
 - Number: **4**
 - Number: **22**
 - Number: **44**
 - Arrows: **↗**, **←**, **↙**
 - Number: **23**
- Bottom-Center Building:**
 - Number: **344**
 - Number: **38**
 - Number: **135**
 - Number: **11**
 - Number: **184**
 - Label: **Bikes 1**
 - Arrows: **↖**, **↑**, **↗**

Approach	PHF	HV%	Volume
EB	0.70	0.7%	152
WB	0.61	4.5%	44
NB	0.79	5.4%	184
SB	0.75	3.6%	303
Intersection	0.84	3.5%	683

Count Period: 7:00 AM to 9:00 AM

Total Vehicle Summary

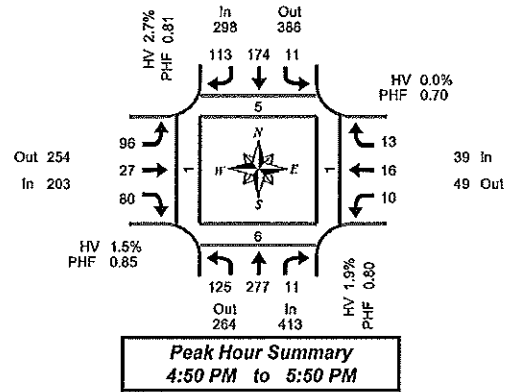


Clay Carney
(503) 833-2740

Verda Ln NE & Dearborn Ave NE

Wednesday, October 09, 2013

4:00 PM to 6:00 PM



5-Minute Interval Summary 4:00 PM to 6:00 PM

Interval Start Time	Northbound Verda Ln NE				Southbound Verda Ln NE				Eastbound Dearborn Ave NE				Westbound Dearborn Ave NE				Interval Total	Pedestrians Crosswalk			
	L	T	R	Bikes	L	T	R	Bikes	L	T	R	Bikes	L	T	R	Bikes		North	South	East	West
4:00 PM	11	23	0	0	0	12	7	0	3	1	4	0	1	1	1	0	64	2	0	0	0
4:05 PM	10	26	1	0	0	15	7	0	6	1	5	0	0	1	1	0	73	0	0	0	0
4:10 PM	9	22	2	0	3	14	7	0	8	1	7	1	0	1	2	0	76	2	0	1	0
4:15 PM	7	19	0	0	0	11	7	0	3	2	8	0	0	0	0	0	57	0	0	0	0
4:20 PM	9	23	1	0	1	14	8	0	6	1	4	0	3	2	1	0	73	0	0	0	0
4:25 PM	6	20	0	0	1	15	4	0	6	2	2	0	0	1	1	0	58	0	0	0	0
4:30 PM	5	27	0	0	0	18	5	0	10	2	4	0	0	0	0	2	71	0	0	0	0
4:35 PM	14	28	2	0	1	17	10	0	7	1	6	0	3	0	2	0	91	0	0	0	0
4:40 PM	13	18	0	0	0	21	7	0	5	1	7	0	2	1	0	0	75	0	0	0	0
4:45 PM	4	23	1	1	1	13	10	0	5	1	5	0	3	2	0	0	68	1	0	1	0
4:50 PM	7	24	0	0	2	12	8	0	12	0	1	0	3	1	1	0	71	1	0	0	0
4:55 PM	8	17	0	0	2	18	11	0	5	1	7	0	1	0	2	0	72	0	3	0	0
5:00 PM	6	20	0	0	2	12	2	0	7	0	7	0	0	2	1	0	59	0	1	0	0
5:05 PM	10	30	1	0	0	14	13	0	7	7	6	0	0	2	3	0	93	0	0	0	0
5:10 PM	12	27	2	0	0	14	7	0	7	1	9	0	1	4	0	0	84	1	1	1	0
5:15 PM	10	36	1	0	0	7	9	0	6	2	8	0	3	0	1	0	83	1	0	0	1
5:20 PM	10	16	2	0	1	18	10	0	12	5	6	0	0	0	2	0	82	1	0	0	0
5:25 PM	14	23	0	0	0	8	12	0	11	4	6	0	0	3	0	0	81	0	0	0	0
5:30 PM	13	22	1	0	1	13	10	0	8	0	8	0	1	0	1	0	78	0	0	0	0
5:35 PM	15	20	3	0	0	27	6	0	6	3	7	0	1	2	1	0	91	0	1	0	0
5:40 PM	10	26	1	0	2	11	12	0	6	4	10	0	0	2	1	0	85	1	0	0	0
5:45 PM	10	16	0	0	1	20	13	0	9	0	5	0	0	0	0	0	74	0	0	0	0
5:50 PM	5	17	0	0	1	14	7	0	10	2	7	0	0	0	0	0	63	0	0	0	0
5:55 PM	3	23	2	0	4	15	15	0	6	1	3	0	2	0	1	0	75	0	0	0	0
Total Survey	221	546	20	1	23	353	207	0	171	43	142	1	24	25	22	2	1,797	10	6	3	1

15-Minute Interval Summary 4:00 PM to 6:00 PM

Interval Start Time	Northbound Verda Ln NE				Southbound Verda Ln NE				Eastbound Dearborn Ave NE				Westbound Dearborn Ave NE				Interval Total	Pedestrians Crosswalk			
	L	T	R	Bikes	L	T	R	Bikes	L	T	R	Bikes	L	T	R	Bikes		North	South	East	West
4:00 PM	30	71	3	0	3	41	21	0	17	3	16	1	1	3	4	0	213	4	0	1	0
4:15 PM	22	62	1	0	2	40	19	0	15	5	14	0	3	3	2	0	188	0	0	0	0
4:30 PM	32	73	2	0	1	56	22	0	22	4	17	0	5	1	2	2	237	0	0	0	0
4:45 PM	19	64	1	1	5	43	29	0	22	2	13	0	7	3	3	0	211	2	3	1	0
5:00 PM	28	77	3	0	2	40	22	0	21	8	22	0	1	8	4	0	236	1	2	1	0
5:15 PM	34	75	3	0	1	33	31	0	29	11	20	0	3	3	3	0	246	2	0	0	1
5:30 PM	38	68	5	0	3	51	28	0	20	7	25	0	2	4	3	0	254	1	1	0	0
5:45 PM	18	56	2	0	6	49	35	0	25	3	15	0	2	0	1	0	212	0	0	0	0
Total Survey	221	546	20	1	23	353	207	0	171	43	142	1	24	25	22	2	1,797	10	6	3	1

Peak Hour Summary 4:50 PM to 5:50 PM

By Approach	Northbound Verda Ln NE				Southbound Verda Ln NE				Eastbound Dearborn Ave NE				Westbound Dearborn Ave NE				Total	Pedestrians Crosswalk			
	In	Out	Total	Bikes	In	Out	Total	Bikes	In	Out	Total	Bikes	In	Out	Total	Bikes		North	South	East	West
Volume	413	284	677	0	298	386	684	0	203	254	457	0	39	49	88	0	953	5	6	1	1
%HV			1.9%				2.7%				1.5%				0.0%		2.0%				
PHF			0.80				0.81				0.85				0.70		0.92				

By Movement	Northbound Verda Ln NE				Southbound Verda Ln NE				Eastbound Dearborn Ave NE				Westbound Dearborn Ave NE				Total
	L	T	R	Total	L	T	R	Total	L	T	R	Total	L	T	R	Total	
Volume	125	277	11	413	11	174	113	298	96	27	80	203	10	16	13	39	953
%HV	0.8%	2.5%	0.0%	1.9%	0.0%	4.0%	0.9%	2.7%	2.1%	0.0%	1.3%	1.5%	0.0%	0.0%	0.0%	0.0%	2.0%
PHF	0.74	0.74	0.55	0.80	0.46	0.75	0.88	0.81	0.77	0.61	0.80	0.85	0.63	0.50	0.54	0.70	0.92

Rolling Hour Summary 4:00 PM to 6:00 PM

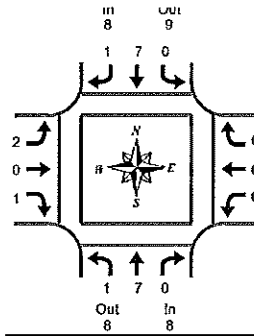
Interval Start Time	Northbound Verda Ln NE				Southbound Verda Ln NE				Eastbound Dearborn Ave NE				Westbound Dearborn Ave NE				Interval Total	Pedestrians Crosswalk			
	L	T	R	Bikes	L	T	R	Bikes	L	T	R	Bikes	L	T	R	Bikes		North	South	East	West
4:00 PM	103	270	7	1	11	180	91	0	76	14	60	1	16	10	11	2	849	6	3	2	0
4:15 PM	101	276	7	1	10	179	92	0	80	19	66	0	16	15	11	2	872	3	5	2	0
4:30 PM	113	289	9	1	9	172	104	0	94	25	72	0	16	15	12	2	930	5	5	2	1
4:45 PM	119	284	12	1	11	167	110	0	92	28	80	0	13	18	13	0	947	6	6	2	1
5:00 PM	118	276	13	0	12	173	116	0	95	29	82	0	8	15	11	0	948	4	3	1	1

Heavy Vehicle Summary



Clay Carney
(503) 833-2740

Out 2
In 3



Peak Hour Summary
4:50 PM to 5:50 PM

Verda Ln NE & Dearborn Ave NE

Wednesday, October 09, 2013

4:00 PM to 6:00 PM

Heavy Vehicle 5-Minute Interval Summary

4:00 PM to 6:00 PM

Interval Start Time	Northbound Verda Ln NE				Southbound Verda Ln NE				Eastbound Dearborn Ave NE				Westbound Dearborn Ave NE				Interval Total
	L	T	R	Total	L	T	R	Total	L	T	R	Total	L	T	R	Total	
4:00 PM	0	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0	1
4:05 PM	0	0	0	0	0	1	0	1	0	0	0	0	0	0	0	0	1
4:10 PM	0	0	0	0	0	2	0	2	0	0	0	0	0	0	0	0	2
4:15 PM	1	2	0	3	0	0	0	0	0	0	1	1	0	0	0	0	4
4:20 PM	0	2	0	2	0	1	1	2	0	0	0	0	0	0	0	0	4
4:25 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4:30 PM	0	2	0	2	0	0	0	0	0	0	0	0	0	0	0	0	2
4:35 PM	0	1	0	1	0	2	0	2	0	0	0	0	0	0	0	0	3
4:40 PM	0	0	0	0	0	1	0	1	0	1	0	1	0	0	0	0	2
4:45 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4:50 PM	0	0	0	0	0	1	0	1	0	0	0	0	0	0	0	0	1
4:55 PM	0	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0	1
5:00 PM	0	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0	1
5:05 PM	0	0	0	0	0	1	1	2	0	0	0	0	0	0	0	0	1
5:10 PM	0	0	0	0	0	2	0	2	0	0	0	0	0	0	0	0	2
5:15 PM	0	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0	1
5:20 PM	1	1	0	2	0	1	0	1	1	0	0	1	0	0	0	0	4
5:25 PM	0	0	0	0	0	0	0	0	0	0	1	1	0	0	0	0	1
5:30 PM	0	2	0	2	0	0	0	0	0	0	0	0	0	0	0	0	2
5:35 PM	0	0	0	0	0	2	0	2	0	0	0	0	0	0	0	0	2
5:40 PM	0	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0	1
5:45 PM	0	0	0	0	0	1	0	1	1	0	0	1	0	0	0	0	2
5:50 PM	0	0	0	0	0	0	0	0	1	0	0	1	0	0	0	0	1
5:55 PM	0	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0	1
Total Survey	2	16	0	18	0	14	2	16	3	1	2	6	0	0	0	0	40

Heavy Vehicle 15-Minute Interval Summary

4:00 PM to 6:00 PM

Interval Start Time	Northbound Verda Ln NE				Southbound Verda Ln NE				Eastbound Dearborn Ave NE				Westbound Dearborn Ave NE				Interval Total
	L	T	R	Total	L	T	R	Total	L	T	R	Total	L	T	R	Total	
4:00 PM	0	1	0	1	0	3	0	3	0	0	0	0	0	0	0	0	4
4:15 PM	1	4	0	5	0	1	1	2	0	0	1	1	0	0	0	0	8
4:30 PM	0	3	0	3	0	3	0	3	0	1	0	1	0	0	0	0	7
4:45 PM	0	1	0	1	0	1	0	1	0	0	0	0	0	0	0	0	2
5:00 PM	0	1	0	1	0	2	1	3	0	0	0	0	0	0	0	0	4
5:15 PM	1	2	0	3	0	1	0	1	1	0	1	2	0	0	0	0	6
5:30 PM	0	3	0	3	0	2	0	2	0	0	0	0	0	0	0	0	5
5:45 PM	0	1	0	1	0	1	0	1	2	0	0	2	0	0	0	0	4
Total Survey	2	16	0	18	0	14	2	16	3	1	2	6	0	0	0	0	40

Heavy Vehicle Peak Hour Summary

4:50 PM to 5:50 PM

By Approach	Northbound Verda Ln NE			Southbound Verda Ln NE			Eastbound Dearborn Ave NE			Westbound Dearborn Ave NE			Total
	In	Out	Total	In	Out	Total	In	Out	Total	In	Out	Total	
Volume	8	8	16	8	9	17	3	2	5	0	0	0	19
PHF	0.59			0.67			0.38			0.00			0.68

By Movement	Northbound Verda Ln NE				Southbound Verda Ln NE				Eastbound Dearborn Ave NE				Westbound Dearborn Ave NE				Total
	L	T	R	Total	L	T	R	Total	L	T	R	Total	L	T	R	Total	
Volume	1	7	0	8	0	7	1	8	2	0	1	3	0	0	0	0	19
PHF	0.25	0.58	0.00	0.50	0.00	0.58	0.25	0.67	0.50	0.00	0.25	0.38	0.00	0.00	0.00	0.00	0.68

Heavy Vehicle Rolling Hour Summary

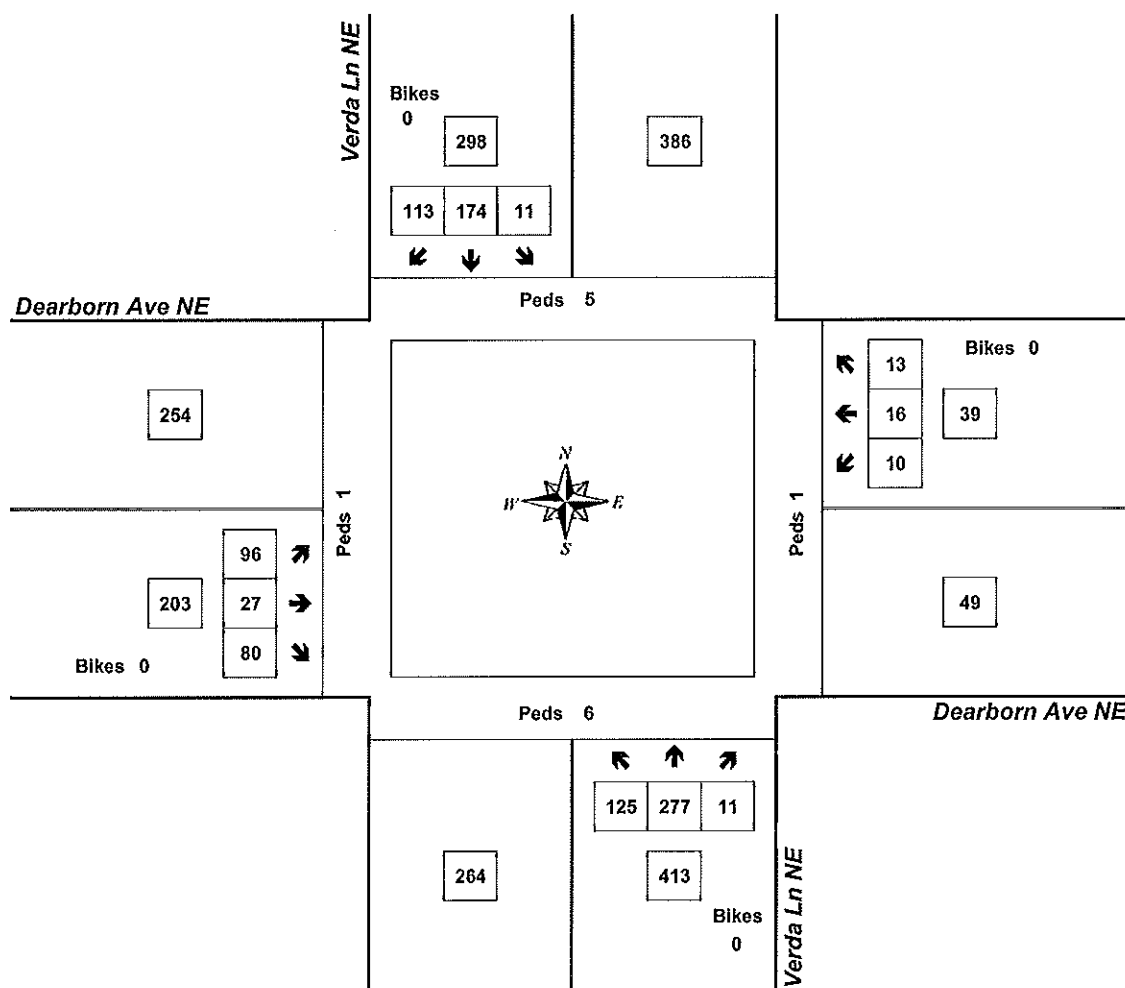
4:00 PM to 6:00 PM

Interval Start Time	Northbound Verda Ln NE				Southbound Verda Ln NE				Eastbound Dearborn Ave NE				Westbound Dearborn Ave NE				Interval Total
	L	T	R	Total	L	T	R	Total	L	T	R	Total	L	T	R	Total	
4:00 PM	1	9	0	10	0	8	1	9	0	1	1	2	0	0	0	0	21
4:15 PM	1	9	0	10	0	7	2	9	0	1	1	2	0	0	0	0	21
4:30 PM	1	7	0	8	0	7	1	8	1	1	1	3	0	0	0	0	19
4:45 PM	1	7	0	8	0	6	1	7	1	0	1	2	0	0	0	0	17
5:00 PM	1	7	0	8	0	6	1	7	3	0	1	4	0	0	0	0	19

All Traffic Data
Services Inc.

Verda Ln NE & Dearborn Ave NE

Wednesday, October 09, 2013



Approach	PHF	HV%	Volume
EB	0.85	1.5%	203
WB	0.70	0.0%	39
NB	0.80	1.9%	413
SB	0.81	2.7%	298
Intersection	0.92	2.0%	953

Count Period: 4:00 PM to 6:00 PM



Level of Service Descriptions

TRAFFIC LEVELS OF SERVICE

Analysis of traffic volumes is useful in understanding the general nature of traffic in an area, but by itself indicates neither the ability of the street network to carry additional traffic nor the quality of service afforded by the street facilities. For this, the concept of *level of service* has been developed to subjectively describe traffic performance. Level of service can be measured at intersections and along key roadway segments.

Level of service categories are similar to report card ratings for traffic performance. Intersections are typically the controlling bottlenecks of traffic flow and the ability of a roadway system to carry traffic efficiently is generally diminished in their vicinities. Levels of Service A, B and C indicate conditions where traffic moves without significant delays over periods of peak travel demand. Level of service D and E are progressively worse peak hour operating conditions and F conditions represent where demand exceeds the capacity of an intersection. Most urban communities set level of service D as the minimum acceptable level of service for peak hour operation and plan for level of service C or better for all other times of the day. The *Highway Capacity Manual* provides level of service calculation methodology for both intersections and arterials.¹ The following two sections provide interpretations of the analysis approaches.

¹ 2000 *Highway Capacity Manual*, Transportation Research Board, Washington D.C., 2000, Chapters 16 and 17.

UNSIGNALIZED INTERSECTIONS (Two-Way Stop Controlled)

Unsignalized intersection level of service is reported for the major street and minor street (generally, left turn movements). The method assesses available and critical gaps in the traffic stream which make it possible for side street traffic to enter the main street flow. The *2000 Highway Capacity Manual* describes the detailed methodology. It is not unusual for an intersection to experience level of service E or F conditions for the minor street left turn movement. It should be understood that, often, a poor level of service is experienced by only a few vehicles and the intersection as a whole operates acceptably.

Unsignalized intersection levels of service are described in the following table.

Level of Service	Expected Delay	(Sec/Veh)
A	Little or no delay	0-10.0
B	Short traffic delay	>10.1-15.0
C	Average traffic delays	>15.1-25.0
D	Long traffic delays	>25.1-35.0
E	Very long traffic delays	>35.1-50.0
F	Extreme delays potentially affecting other traffic movements in the intersection	> 50

Source: 2000 *Highway Capacity Manual*, Transportation Research Board Washington, D.C.



HCM Analysis – Existing

HCM Unsignalized Intersection Capacity Analysis 1: Verda Ln & Chemawa Rd

Existing AM Peak
Keizer Verda Ln Rezone

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Sign Control		Stop			Stop			Stop			Stop	
Volume (vph)	15	224	103	105	157	0	94	39	113	4	100	25
Peak Hour Factor	0.86	0.86	0.86	0.86	0.86	0.86	0.86	0.86	0.86	0.86	0.86	0.86
Hourly flow rate (vph)	17	260	120	122	183	0	109	45	131	5	116	29
Direction, Lane #	EB 1	WB 1	NB 1	SB 1								
Volume Total (vph)	398	305	286	150								
Volume Left (vph)	17	122	109	5								
Volume Right (vph)	120	0	131	29								
Hadj (s)	-0.12	0.14	-0.14	-0.10								
Departure Headway (s)	5.9	6.3	6.3	6.7								
Degree Utilization, x	0.65	0.53	0.50	0.28								
Capacity (veh/h)	580	524	519	450								
Control Delay (s)	19.0	16.2	15.3	12.2								
Approach Delay (s)	19.0	16.2	15.3	12.2								
Approach LOS	C	C	C	B								
Intersection Summary												
Delay				16.4								
Level of Service				C								
Intersection Capacity Utilization				68.9%	ICU Level of Service	C						
Analysis Period (min)				15								

HCM Unsignalized Intersection Capacity Analysis
2: Verda Ln & Dearborn Ave

Existing AM Peak
Keizer Verda Ln Rezone

																				
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR								
Lane Configurations																				
Sign Control		Stop			Stop			Stop			Stop									
Volume (vph)	70	2	80	22	4	18	38	135	11	10	242	51								
Peak Hour Factor	0.84	0.84	0.84	0.84	0.84	0.84	0.84	0.84	0.84	0.84	0.84	0.84								
Hourly flow rate (vph)	83	2	95	26	5	21	45	161	13	12	288	61								
Direction, Lane #	EB 1	WB 1	NB 1	SB 1																
Volume Total (vph)	181	52	219	361																
Volume Left (vph)	83	26	45	12																
Volume Right (vph)	95	21	13	61																
Hadj (s)	-0.22	-0.07	0.10	-0.03																
Departure Headway (s)	5.2	5.6	5.1	4.8																
Degree Utilization, x	0.26	0.08	0.31	0.48																
Capacity (veh/h)	624	552	661	714																
Control Delay (s)	10.1	9.1	10.4	12.3																
Approach Delay (s)	10.1	9.1	10.4	12.3																
Approach LOS	B	A	B	B																
Intersection Summary																				
Delay			11.1																	
Level of Service			B																	
Intersection Capacity Utilization			43.5%	ICU Level of Service						A										
Analysis Period (min)			15																	

HCM Unsignalized Intersection Capacity Analysis 1: Verda Ln & Chemawa Rd

Existing PM Peak
Keizer Verda Ln Rezone



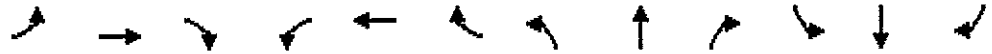
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↔			↔			↔			↔	
Sign Control		Stop			Stop			Stop			Stop	
Volume (vph)	30	220	117	181	245	3	119	108	151	6	67	43
Peak Hour Factor	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93
Hourly flow rate (vph)	32	237	126	195	263	3	128	116	162	6	72	46

Direction, Lane #	EB 1	WB 1	NB 1	SB 1
Volume Total (vph)	395	461	406	125
Volume Left (vph)	32	195	128	6
Volume Right (vph)	126	3	162	46
Hadj (s)	-0.15	0.10	-0.12	-0.20
Departure Headway (s)	7.1	7.2	7.2	8.4
Degree Utilization, x	0.78	0.92	0.82	0.29
Capacity (veh/h)	395	486	474	381
Control Delay (s)	31.4	50.0	35.2	14.7
Approach Delay (s)	31.4	50.0	35.2	14.7
Approach LOS	D	F	E	B

Intersection Summary			
Delay		37.2	
Level of Service		E	
Intersection Capacity Utilization	81.8%	ICU Level of Service	D
Analysis Period (min)		15	

HCM Unsignalized Intersection Capacity Analysis
2: Verda Ln & Dearborn Ave

Existing PM Peak
Keizer Verda Ln Rezone



Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↔			↔			↔			↔	
Sign Control		Stop			Stop			Stop			Stop	
Volume (vph)	96	27	80	10	16	13	125	277	11	11	174	113
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	104	29	87	11	17	14	136	301	12	12	189	123

Direction, Lane #	EB 1	WB 1	NB 1	SB 1
Volume Total (vph)	221	42	449	324
Volume Left (vph)	104	11	136	12
Volume Right (vph)	87	14	12	123
Hadj (s)	-0.12	-0.15	0.08	-0.17
Departure Headway (s)	5.9	6.3	5.3	5.2
Degree Utilization, x	0.36	0.07	0.66	0.47
Capacity (veh/h)	543	457	654	652
Control Delay (s)	12.1	9.8	17.9	12.8
Approach Delay (s)	12.1	9.8	17.9	12.8
Approach LOS	B	A	C	B

Intersection Summary

Delay	14.7	
Level of Service	B	
Intersection Capacity Utilization	67.4%	ICU Level of Service C
Analysis Period (min)	15	



HCM Analysis – 2033 With Existing Zoning

HCM 2010 Roundabout
1: Verda Ln & Chemawa Rd

Future AM Peak (Background)
Keizer Verda Ln Rezone

Intersection				
Intersection Delay, s/veh	11.6			
Intersection LOS	B			
Approach	EB	WB	NB	SB
Entry Lanes	1	1	1	1
Conflicting Circle Lanes	1	1	1	1
Adj Approach Flow, veh/h	494	372	361	192
Demand Flow Rate, veh/h	508	385	375	193
Vehicles Circulating, veh/h	314	230	355	532
Vehicles Exiting, veh/h	411	500	467	83
Follow-Up Headway, s	3.186	3.186	3.186	3.186
Ped Vol Crossing Leg, #/h	7	0	1	2
Ped Cap Adj	0.999	1.000	1.000	1.000
Approach Delay, s/veh	14.5	9.4	11.3	9.1
Approach LOS	B	A	B	A
Lane	Left	Left	Left	Left
Designated Moves	LTR	LTR	LTR	LTR
Assumed Moves	LTR	LTR	LTR	LTR
RT Channelized				
Lane Util	1.000	1.000	1.000	1.000
Critical Headway, s	5.193	5.193	5.193	5.193
Entry Flow, veh/h	508	385	375	193
Cap Entry Lane, veh/h	825	898	792	664
Entry HV Adj Factor	0.972	0.966	0.963	0.993
Flow Entry, veh/h	494	372	361	192
Cap Entry, veh/h	801	867	763	659
V/C Ratio	0.616	0.429	0.473	0.291
Control Delay, s/veh	14.5	9.4	11.3	9.1
LOS	B	A	B	A
95th %tile Queue, veh	4	2	3	1

HCM Unsignalized Intersection Capacity Analysis 2: Verda Ln & Dearborn Ave

Future AM Peak (Background)
Keizer Verda Ln Rezone

																				
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR								
Lane Configurations																				
Sign Control		Stop			Stop			Stop			Stop									
Volume (vph)	90	5	100	30	5	25	50	165	15	15	295	65								
Peak Hour Factor	0.84	0.84	0.84	0.84	0.84	0.84	0.84	0.84	0.84	0.84	0.84	0.84								
Hourly flow rate (vph)	107	6	119	36	6	30	60	196	18	18	351	77								
Direction, Lane #	EB 1	WB 1	NB 1	SB 1																
Volume Total (vph)	232	71	274	446																
Volume Left (vph)	107	36	60	18																
Volume Right (vph)	119	30	18	77																
Hadj (s)	-0.21	-0.07	0.10	-0.03																
Departure Headway (s)	5.8	6.3	5.6	5.3																
Degree Utilization, x	0.37	0.12	0.43	0.65																
Capacity (veh/h)	552	467	593	659																
Control Delay (s)	12.2	10.2	12.8	17.5																
Approach Delay (s)	12.2	10.2	12.8	17.5																
Approach LOS	B	B	B	C																
Intersection Summary																				
Delay			14.5																	
Level of Service			B																	
Intersection Capacity Utilization			52.2%	ICU Level of Service						A										
Analysis Period (min)			15																	

HCM 2010 Roundabout
1: Verda Ln & Chemawa Rd

Future PM Peak (Background)
Keizer Verda Ln Rezone

Intersection				
Intersection Delay, s/veh	16.5			
Intersection LOS	C			
Approach	EB	WB	NB	SB
Entry Lanes	1	1	1	1
Conflicting Circle Lanes	1	1	1	1
Adj Approach Flow, veh/h	489	570	500	161
Demand Flow Rate, veh/h	497	578	517	162
Vehicles Circulating, veh/h	350	355	347	734
Vehicles Exiting, veh/h	546	509	500	199
Follow-Up Headway, s	3.186	3.186	3.186	3.186
Ped Vol Crossing Leg, #/h	0	1	5	0
Ped Cap Adj	1.000	1.000	0.999	1.000
Approach Delay, s/veh	15.0	19.6	16.1	11.0
Approach LOS	C	C	C	B
Lane	Left	Left	Left	Left
Designated Moves	LTR	LTR	LTR	LTR
Assumed Moves	LTR	LTR	LTR	LTR
RT Channelized				
Lane Util	1.000	1.000	1.000	1.000
Critical Headway, s	5.193	5.193	5.193	5.193
Entry Flow, veh/h	497	578	517	162
Cap Entry Lane, veh/h	796	792	799	542
Entry HV Adj Factor	0.984	0.986	0.967	0.994
Flow Entry, veh/h	489	570	500	161
Cap Entry, veh/h	784	781	772	539
V/C Ratio	0.624	0.730	0.648	0.299
Control Delay, s/veh	15.0	19.6	16.1	11.0
LOS	C	C	C	B
95th %tile Queue, veh	4	6	5	1

HCM Unsignalized Intersection Capacity Analysis
2: Verda Ln & Dearborn Ave

Future PM Peak (Background)
Keizer Verda Ln Rezone

													
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR	
Lane Configurations		↔			↔			↔			↔		
Sign Control		Stop			Stop			Stop			Stop		
Volume (vph)	120	35	100	15	20	20	155	340	15	15	215	140	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	
Hourly flow rate (vph)	130	38	109	16	22	22	168	370	16	16	234	152	
Direction, Lane #	EB 1	WB 1	NB 1	SB 1									
Volume Total (vph)	277	60	554	402									
Volume Left (vph)	130	16	168	16									
Volume Right (vph)	109	22	16	152									
Hadj (s)	-0.12	-0.16	0.08	-0.17									
Departure Headway (s)	6.7	7.5	5.9	6.0									
Degree Utilization, x	0.51	0.12	0.92	0.67									
Capacity (veh/h)	514	408	593	572									
Control Delay (s)	16.6	11.5	43.0	20.1									
Approach Delay (s)	16.6	11.5	43.0	20.1									
Approach LOS	C	B	E	C									
Intersection Summary													
Delay			28.8										
Level of Service			D										
Intersection Capacity Utilization			79.6%	ICU Level of Service			D						
Analysis Period (min)			15										



HCM Analysis – 2033 With Zone Change

HCM 2010 Roundabout
1: Verda Ln & Chemawa Rd

Future AM Peak (Project)
Keizer Verda Ln Rezone

Intersection				
Intersection Delay, s/veh	11.9			
Intersection LOS	B			
Approach	EB	WB	NB	SB
Entry Lanes	1	1	1	1
Conflicting Circle Lanes	1	1	1	1
Adj Approach Flow, veh/h	496	374	385	192
Demand Flow Rate, veh/h	510	387	400	193
Vehicles Circulating, veh/h	316	244	355	546
Vehicles Exiting, veh/h	423	511	471	85
Follow-Up Headway, s	3.186	3.186	3.186	3.186
Ped Vol Crossing Leg, #/h	7	0	1	2
Ped Cap Adj	0.999	1.000	1.000	1.000
Approach Delay, s/veh	14.6	9.6	12.0	9.3
Approach LOS	B	A	B	A
Lane	Left	Left	Left	Left
Designated Moves	LTR	LTR	LTR	LTR
Assumed Moves	LTR	LTR	LTR	LTR
RT Channelized				
Lane Util	1.000	1.000	1.000	1.000
Critical Headway, s	5.193	5.193	5.193	5.193
Entry Flow, veh/h	510	387	400	193
Cap Entry Lane, veh/h	824	885	792	655
Entry HV Adj Factor	0.972	0.966	0.963	0.993
Flow Entry, veh/h	496	374	385	192
Cap Entry, veh/h	800	855	763	649
V/C Ratio	0.620	0.437	0.505	0.295
Control Delay, s/veh	14.6	9.6	12.0	9.3
LOS	B	A	B	A
95th %tile Queue, veh	4	2	3	1

HCM Unsignalized Intersection Capacity Analysis 2: Verda Ln & Dearborn Ave

Future AM Peak (Project)
Keizer Verda Ln Rezone



Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↔			↔			↔			↔	
Sign Control		Stop			Stop			Stop			Stop	
Volume (vph)	91	5	100	30	5	25	50	166	15	15	303	68
Peak Hour Factor	0.84	0.84	0.84	0.84	0.84	0.84	0.84	0.84	0.84	0.84	0.84	0.84
Hourly flow rate (vph)	108	6	119	36	6	30	60	198	18	18	361	81

Direction, Lane #	EB 1	WB 1	NB 1	SB 1
Volume Total (vph)	233	71	275	460
Volume Left (vph)	108	36	60	18
Volume Right (vph)	119	30	18	81
Hadj (s)	-0.21	-0.07	0.10	-0.03
Departure Headway (s)	5.8	6.4	5.7	5.3
Degree Utilization, x	0.38	0.13	0.43	0.67
Capacity (veh/h)	548	461	589	658
Control Delay (s)	12.3	10.3	12.9	18.4
Approach Delay (s)	12.3	10.3	12.9	18.4
Approach LOS	B	B	B	C

Intersection Summary

Delay	15.0
Level of Service	C
Intersection Capacity Utilization	52.6%
Analysis Period (min)	15
ICU Level of Service	A

Intersection				
Intersection Delay, s/veh	17.2			
Intersection LOS	C			
Approach	EB	WB	NB	SB
Entry Lanes	1	1	1	1
Conflicting Circle Lanes	1	1	1	1
Adj Approach Flow, veh/h	498	579	509	164
Demand Flow Rate, veh/h	506	587	526	165
Vehicles Circulating, veh/h	362	360	347	747
Vehicles Exiting, veh/h	550	513	521	200
Follow-Up Headway, s	3.186	3.186	3.186	3.186
Ped Vol Crossing Leg, #/h	0	1	5	0
Ped Cap Adj	1.000	1.000	0.999	1.000
Approach Delay, s/veh	15.8	20.6	16.5	11.3
Approach LOS	C	C	C	B
Lane	Left	Left	Left	Left
Designated Moves	LTR	LTR	LTR	LTR
Assumed Moves	LTR	LTR	LTR	LTR
RT Channelized				
Lane Util	1.000	1.000	1.000	1.000
Critical Headway, s	5.193	5.193	5.193	5.193
Entry Flow, veh/h	506	587	526	165
Cap Entry Lane, veh/h	787	788	799	535
Entry HV Adj Factor	0.984	0.986	0.968	0.994
Flow Entry, veh/h	498	579	509	164
Cap Entry, veh/h	774	777	773	532
V/C Ratio	0.643	0.745	0.659	0.308
Control Delay, s/veh	15.8	20.6	16.5	11.3
LOS	C	C	C	B
95th %tile Queue, veh	5	7	5	1

HCM Unsignalized Intersection Capacity Analysis
2: Verda Ln & Dearborn Ave

Future PM Peak (Project)
Keizer Verda Ln Rezone

																				
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR								
Lane Configurations																				
Sign Control		Stop			Stop			Stop			Stop									
Volume (vph)	123	35	100	15	20	20	155	347	15	15	219	141								
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92								
Hourly flow rate (vph)	134	38	109	16	22	22	168	377	16	16	238	153								
Direction, Lane #	EB 1	WB 1	NB 1	SB 1																
Volume Total (vph)	280	60	562	408																
Volume Left (vph)	134	16	168	16																
Volume Right (vph)	109	22	16	153																
Hadj (s)	-0.11	-0.16	0.08	-0.17																
Departure Headway (s)	6.7	7.5	6.0	6.0																
Degree Utilization, x	0.53	0.13	0.93	0.68																
Capacity (veh/h)	513	405	591	581																
Control Delay (s)	17.0	11.6	46.6	21.0																
Approach Delay (s)	17.0	11.6	46.6	21.0																
Approach LOS	C	B	E	C																
Intersection Summary																				
Delay			30.7																	
Level of Service			D																	
Intersection Capacity Utilization			80.4%	ICU Level of Service						D										
Analysis Period (min)			15																	



HCM Analysis – Traffic Volume Sensitivity

HCM 2010 Roundabout
1: Verda Ln & Chemawa Rd

2035 KAI Volumes
Keizer Verda Ln Rezone

Intersection				
Intersection Delay, s/veh	25.0			
Intersection LOS	C			
Approach	EB	WB	NB	SB
Entry Lanes	1	1	1	1
Conflicting Circle Lanes	1	1	1	1
Adj Approach Flow, veh/h	495	650	564	209
Demand Flow Rate, veh/h	502	660	583	211
Vehicles Circulating, veh/h	503	411	358	849
Vehicles Exiting, veh/h	557	530	647	222
Follow-Up Headway, s	3.186	3.186	3.186	3.186
Ped Vol Crossing Leg, #/h	0	1	5	0
Ped Cap Adj	1.000	1.000	0.999	1.000
Approach Delay, s/veh	22.3	34.0	20.5	15.4
Approach LOS	C	D	C	C
Lane	Left	Left	Left	Left
Designated Moves	LTR	LTR	LTR	LTR
Assumed Moves	LTR	LTR	LTR	LTR
RT Channelized				
Lane Util	1.000	1.000	1.000	1.000
Critical Headway, s	5.193	5.193	5.193	5.193
Entry Flow, veh/h	502	660	583	211
Cap Entry Lane, veh/h	683	749	790	483
Entry HV Adj Factor	0.986	0.985	0.968	0.993
Flow Entry, veh/h	495	650	564	209
Cap Entry, veh/h	674	738	764	480
V/C Ratio	0.735	0.881	0.739	0.436
Control Delay, s/veh	22.3	34.0	20.5	15.4
LOS	C	D	C	C
95th %tile Queue, veh	6	11	7	2

HCM 2010 Roundabout
1: Verda Ln & Chemawa Rd

2035 KAI Volumes With Project
Keizer Verda Ln Rezone

Intersection				
Intersection Delay, s/veh	26.5			
Intersection LOS	D			
Approach	EB	WB	NB	SB
Entry Lanes	1	1	1	1
Conflicting Circle Lanes	1	1	1	1
Adj Approach Flow, veh/h	504	659	574	211
Demand Flow Rate, veh/h	512	669	593	213
Vehicles Circulating, veh/h	514	416	358	862
Vehicles Exiting, veh/h	561	535	668	223
Follow-Up Headway, s	3.186	3.186	3.186	3.186
Ped Vol Crossing Leg, #/h	0	1	5	0
Ped Cap Adj	1.000	1.000	0.999	1.000
Approach Delay, s/veh	24.1	36.5	21.2	15.8
Approach LOS	C	E	C	C
Lane	Left	Left	Left	Left
Designated Moves	LTR	LTR	LTR	LTR
Assumed Moves	LTR	LTR	LTR	LTR
RT Channelized				
Lane Util	1.000	1.000	1.000	1.000
Critical Headway, s	5.193	5.193	5.193	5.193
Entry Flow, veh/h	512	669	593	213
Cap Entry Lane, veh/h	676	745	790	477
Entry HV Adj Factor	0.984	0.985	0.968	0.993
Flow Entry, veh/h	504	659	574	211
Cap Entry, veh/h	665	734	764	474
V/C Ratio	0.758	0.898	0.751	0.446
Control Delay, s/veh	24.1	36.5	21.2	15.8
LOS	C	E	C	C
95th %ile Queue, veh	7	12	7	2



SIDRA Roundabout Analysis

LANE SUMMARY

Site: Future AM (Background)

Keizer Verda Lane
Roundabout

Lane Use and Performance																
	Demand Flows			Total	HV %	Cap. veh/h	Deg. Satn v/c	Lane Util. %	Average Delay sec	Level of Service	95% Back of Queue		Lane Length ft	SL Type	Cap. Adj. %	Prob. Block. %
	L veh/h	T veh/h	R veh/h								Vehicles veh	Distance ft				
South: Verda Lane																
Lane 1	140	54	152	346	3.8	776	0.446	100	12.0	LOS B	3.7	96.5	1600	—	0.0	0.0
Approach	140	54	152	346	3.8		0.446		12.0	LOS B	3.7	96.5				
East: Chemawa Road																
Lane 1	141	207	0	348	3.4	898	0.387	100	10.3	LOS B	3.2	82.7	1600	—	0.0	0.0
Approach	141	207	0	348	3.4		0.387		10.3	LOS B	3.2	82.7				
North: Verda Lane																
Lane 1	5	136	38	179	0.8	699	0.257	100	10.0	LOS A	1.8	46.1	1600	—	0.0	0.0
Approach	5	136	38	179	0.8		0.257		10.0	LOS A	1.8	46.1				
West: Chemawa Road																
Lane 1	22	299	141	462	2.8	860	0.537	100	9.7	LOS A	5.0	128.8	1600	—	0.0	0.0
Approach	22	299	141	462	2.8		0.537		9.7	LOS A	5.0	128.8				
Intersection				1335	3.0		0.537		10.5	LOS B	5.0	128.8				

Level of Service (Aver. Int. Delay): LOS B. Based on average delay for all lanes. LOS Method: Delay (HCM).

Level of Service (Worst Lane): LOS B. LOS Method for individual lanes: Delay (HCM).

Approach LOS values are based on the worst delay for any lane.

Roundabout LOS Method: Same as Sign Control.

Roundabout Capacity Model: SIDRA Standard.

Processed: Thursday, October 31, 2013 3:44:17 PM

SIDRA INTERSECTION 5.0.5.1510

Project: S:\Projects\2013\13166-000 (Keizer Verda Lane Rezone)\Analysis\Roundabout\Keizer Verda LN

Rezone.sip

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SIDRA
INTERSECTION

LANE SUMMARY

Site: Future PM (Background)

Keizer Verda Lane
Roundabout

Lane Use and Performance																
	Demand Flows			Total veh/h	HV %	Cap. veh/h	Deg. Satn v/c	Lane Util. %	Average Delay sec	Level of Service	95% Back of Queue Vehicles veh	Distance ft	Lane Length ft	SL Type	Cap. Adj. %	Prob. Block. %
	L veh/h	T veh/h	R veh/h													
South: Verda Lane																
Lane 1	156	147	201	504	1.2	795	0.633	100	13.6	LOS B	7.6	191.1	1600	—	0.0	0.0
Approach	156	147	201	504	1.2		0.633		13.6	LOS B	7.6	191.1				
East: Chemawa Road																
Lane 1	245	326	5	576	0.0	816	0.706	100	15.3	LOS C	9.8	244.7	1600	—	0.0	0.0
Approach	245	326	5	576	0.0		0.706		15.3	LOS C	9.8	244.7				
North: Verda Lane																
Lane 1	11	92	60	163	2.6	500	0.326	100	13.1	LOS B	2.5	64.7	1600	—	0.0	0.0
Approach	11	92	60	163	2.6		0.326		13.1	LOS B	2.5	64.7				
West: Chemawa Road																
Lane 1	43	293	158	495	0.5	810	0.611	100	11.7	LOS B	6.9	173.8	1600	—	0.0	0.0
Approach	43	293	158	495	0.5		0.611		11.7	LOS B	6.9	173.8				
Intersection				1737	0.7		0.706		13.6	LOS B	9.8	244.7				

Level of Service (Aver. Int. Delay): LOS B. Based on average delay for all lanes. LOS Method: Delay (HCM).

Level of Service (Worst Lane): LOS C. LOS Method for individual lanes: Delay (HCM).

Approach LOS values are based on the worst delay for any lane.

Roundabout LOS Method: Same as Sign Control.

Roundabout Capacity Model: SIDRA Standard.

Processed: Thursday, October 31, 2013 3:44:16 PM

SIDRA INTERSECTION 5.0.5.1510

Project: S:\Projects\2013\13166-000 (Keizer Verda Lane Rezone)\Analysis\Roundabout\Keizer Verda LN

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LANE SUMMARY

Site: Future AM (Project)

Keizer Verda Lane
Roundabout

Lane Use and Performance																
	Demand Flows											95% Back of Queue				
	L	T	R	Total	HV	Cap.	Deg.	Lane	Average	Level of		Vehicles	Distance	Lane	SL	Cap. Prob.
	veh/h	veh/h	veh/h	veh/h	%	veh/h	Satn	Util.	Delay	Service		veh	ft	ft	Type	Adj. Block.
South: Verda Lane																
Lane 1	151	57	163	371	3.8	781	0.475	100	12.1	LOS B		4.1	106.1	1600	—	0.0 0.0
Approach	151	57	163	371	3.8		0.475		12.1	LOS B		4.1	106.1			
East: Chemawa Road																
Lane 1	143	207	0	350	3.5	879	0.398	100	10.5	LOS B		3.3	85.4	1600	—	0.0 0.0
Approach	143	207	0	350	3.5		0.398		10.5	LOS B		3.3	85.4			
North: Verda Lane																
Lane 1	5	136	38	179	0.8	689	0.260	100	10.1	LOS B		1.9	47.0	1600	—	0.0 0.0
Approach	5	136	38	179	0.8		0.260		10.1	LOS B		1.9	47.0			
West: Chemawa Road																
Lane 1	22	293	158	473	2.9	858	0.551	100	9.9	LOS A		5.3	136.4	1600	—	0.0 0.0
Approach	22	293	158	473	2.9		0.551		9.9	LOS A		5.3	136.4			
Intersection				1373	3.0		0.551		10.7	LOS B		5.3	136.4			

Level of Service (Aver. Int. Delay): LOS B. Based on average delay for all lanes. LOS Method: Delay (HCM).

Level of Service (Worst Lane): LOS B. LOS Method for individual lanes: Delay (HCM).

Approach LOS values are based on the worst delay for any lane.

Roundabout LOS Method: Same as Sign Control.

Roundabout Capacity Model: SIDRA Standard.

Processed: Thursday, October 31, 2013 3:44:17 PM

SIDRA INTERSECTION 5.0.5.1510

Project: S:\Projects\2013\13166-000 (Keizer Verda Lane Rezone)\Analysis\Roundabout\Keizer Verda LN

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INTERSECTION

LANE SUMMARY

Site: Future PM (Project)

Keizer Verda Lane
Roundabout

Lane Use and Performance																
	Demand Flows															
	L	T	R	Total	HV	Cap.	Deg.	Lane	Average	Level of	95% Back of Queue	Lane	SL	Cap.	Prob.	
	veh/h	veh/h	veh/h	veh/h	%	veh/h	Satn	Util.	Delay	Service	Vehicles	Distance	Type	Adj.	Block.	
							V/c	%	sec		veh	ft		%	%	
South: Verda Lane																
Lane 1	160	148	205	513	1.2	795	0.646	100	13.9	LOS B	7.9	199.8	1600	—	0.0	0.0
Approach	160	148	205	513	1.2		0.646		13.9	LOS B	7.9	199.8				
East: Chemawa Road																
Lane 1	253	326	5	585	0.0	811	0.721	100	15.9	LOS C	10.3	258.3	1600	—	0.0	0.0
Approach	253	326	5	585	0.0		0.721		15.9	LOS C	10.3	258.3				
North: Verda Lane																
Lane 1	11	95	60	165	2.7	490	0.337	100	13.2	LOS B	2.6	67.4	1600	—	0.0	0.0
Approach	11	95	60	165	2.7		0.337		13.2	LOS B	2.6	67.4				
West: Chemawa Road																
Lane 1	43	293	166	503	0.5	799	0.630	100	12.2	LOS B	7.4	186.2	1600	—	0.0	0.0
Approach	43	293	166	503	0.5		0.630		12.2	LOS B	7.4	186.2				
Intersection				1767	0.7		0.721		14.0	LOS B	10.3	258.3				

Level of Service (Aver. Int. Delay): LOS B. Based on average delay for all lanes. LOS Method: Delay (HCM).

Level of Service (Worst Lane): LOS C. LOS Method for individual lanes: Delay (HCM).

Approach LOS values are based on the worst delay for any lane.

Roundabout LOS Method: Same as Sign Control.

Roundabout Capacity Model: SIDRA Standard.

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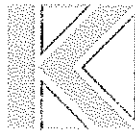
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INTERSECTION



ODOT Collision Data

2010-2012 Collision Data

Crash ID	Crash Date	Hour	1st Street	2nd Street	Distance	Direction	Impact Location	General										Vehicle 1				Vehicle 2								
								Road Character	Road Location	Crash Type	Collision Type	Crash Severity	Weather	Road Surface	Light	Cause 1	Vehicle Type	Vehicle Movement	From - To	Vehicle Action	Vehicle Type	Vehicle Movement	From - To	Vehicle Action						
1433187	7/19/2011		16 VERDA LN NE	DEARBORN AVE NE	20 S			6 STRGHT	PED	PED	INJ	CLR	DRY	DAYLIGHT	NON-MOTORIST - ILLEGALLY IN RDWY	PSNGR CAR	STRGHT	S to N	NONE	GO A/STOP	N to S	NONE								
1335579	8/10/2009		17 VERDA LN NE	DEARBORN AVE NE	0 CN			3 INTER	ANG-OTH	TURN	POD	CLR	DRY	DAYLIGHT	PASSED STOP SIGN	PSNGR CAR	TURN-R	W to S	GO A/STOP	N to S	GO A/STOP	N to S	STOPPED							
2426617	9/20/2011		16 CHEMAMWA RD N	VERDA LN NE	25 S			5 ALLEY	S-1STOP	REAR	POD	CLR	DRY	DAYLIGHT	FOLLOW TOO CLOSE	PSNGR CAR	STRGHT	N to S	NONE	PSNGR CAR	STRGHT	S to N	STOPPED							
1344252	1/13/2009		19 CHEMAMWA RD N	VERDA LN NE	0 CN			4 INTER	ANG-OTH	ANGL	INJ	CLOUDY	DRY	DAYLIGHT	PASSED STOP SIGN	PSNGR CAR	STRGHT	W to E	NONE	PSNGR CAR	STRGHT	S to N	STOPPED							
1344795	11/7/2009		14 CHEMAMWA RD N	VERDA LN NE	0 S			6 INTER	S-1STOP	REAR	INJ	RAIN	WET	DRY	DAYLIGHT	FOLLOW TOO CLOSE	PSNGR CAR	STRGHT	S to N	NONE	PSNGR CAR	STRGHT	W to E	STOPPED						
1358377	11/20/2010		11 CHEMAMWA RD N	VERDA LN NE	0 W			6 INTER	S-1STOP	REAR	INJ	CLR	DRY	DAYLIGHT	FOLLOW TOO CLOSE	PSNGR CAR	STRGHT	W to E	NONE	PSNGR CAR	STRGHT	W to E	STOPPED							
1417327	7/27/2011		13 CHEMAMWA RD N	VERDA LN NE	0 CN			3 INTER	O-1TURN	TURN	POD	CLR	DRY	DAYLIGHT	NO YIELD	PSNGR CAR	TURN-L	E to S	NONE	PSNGR CAR	STRGHT	W to E	STOPPED							
1422177	9/21/2011		14 CHEMAMWA RD N	VERDA LN NE	136 E			8 CURVE	S-1STOP	REAR	INJ	CLR	DRY	DAYLIGHT	CARELESS	PSNGR CAR	STRGHT	E to W	NONE	PSNGR CAR	STRGHT	E to W	STOPPED							
1428860	10/19/2011		14 CHEMAMWA RD N	VERDA LN NE	0 CN			1 INTER	ANG-OTH	ANGL	POD	CLOUDY	DRY	DAYLIGHT	PASSED STOP SIGN	PSNGR CAR	STRGHT	E to W	GO A/STOP	N to S	NONE	NONE								
1434371	12/21/2011		13 CHEMAMWA RD N	VERDA LN NE	0 W			6 INTER	S-1STOP	REAR	POD	CLR	DRY	DAYLIGHT	INATTENTION	PSNGR CAR	STRGHT	W to E	NONE	PSNGR CAR	STRGHT	W to E	STOPPED							



KITTELSON & ASSOCIATES, INC.

TRANSPORTATION ENGINEERING / PLANNING

610 SW Alder Street, Suite 700, Portland, OR 97205 • 503.228.5230 • 503.273.8169

TECHNICAL MEMORANDUM

Date: March 19, 2013

Project #: 12160

To: Paul Tappana, P.E. and Barry Johnson, P.E.
WHPacific, Inc.

From: Jeff Whitman, P.E. and Hermanus Steyn, Pr.Eng., P.E.

Project: NE Verda Lane/NE Chemawa Road Roundabout

Subject: Traffic Analysis and Design Concepts

This memorandum documents traffic operations analysis and provides design concepts for the roundabout proposed at the NE Verda Lane/NE Chemawa Road intersection in Keizer, Oregon. The primary objective of the analysis is to confirm the recommended lane configuration of the roundabout to meet the traffic demands of both the near-term and long-term future. This is accomplished by conducting traffic operations analyses for the following scenarios:

- Existing 2013 traffic conditions
- Future year 2035 traffic conditions

In addition, the memorandum provides sketch-level roundabout design concepts that show potential impacts to adjacent properties and existing roadways.

EXISTING TRAFFIC CONDITIONS

The intersection operational analyses presented in this memorandum are prepared following *Highway Capacity Manual (HCM) 2010* analysis procedures using HCS 2010 traffic analysis software. Traffic counts were collected at the intersection in February 2013, and show the weekday PM peak hour having higher overall volumes than the weekday AM peak hour. *Traffic count data is provided in Appendix A.*

The intersection is currently all-way stop controlled, and has one shared left-turn/through/right-turn lane in each direction. Kittelson & Associates, Inc. (KAI) completed an analysis of the weekday AM and PM peak hours. Figure 1 displays the traffic volumes and operational analysis results for the existing 2013 conditions.

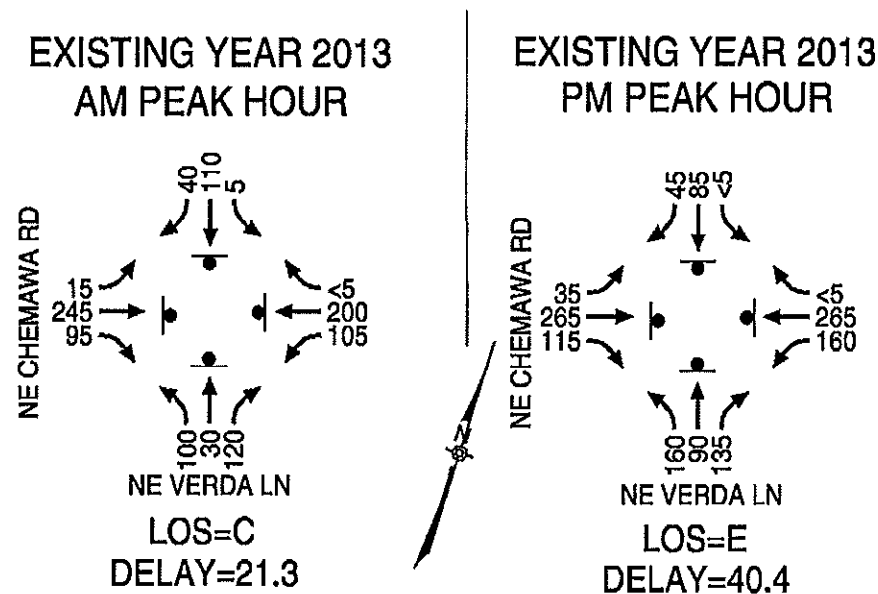


Figure 1: Year 2013 Weekday AM and PM Peak Hour All-Way Stop Control Analysis

The City's level-of-service (LOS) standard for the intersection is LOS D. As shown in Figure 1, the existing all-way stop controlled intersection operates at a level-of-service (LOS) E during the PM peak hour; therefore, the intersection is not meeting the City's performance target. *HCS 2010 all-way stop controlled analysis worksheets are provided in Appendix B.*

ROUNDBOUT TRAFFIC ANALYSIS

The roundabout analysis focuses on the weekday PM peak hour, as this is the critical time period. Future year 2035 volume projections were developed using the National Cooperative Highway Research Program (NCHRP) 255 analysis methodology and existing (2013) traffic counts. The following process was followed in developing 2035 traffic volumes:

- KAI obtained transportation demand model (TDM) outputs from the Mid-Willamette Valley Council of Governments (MWVOG) for a base year of 2009, and a future year 2035. MWVOG uses the TDM program VISUM to estimate future traffic volumes on primary roadways. The model's data input includes population and employment, both for the base year and future year. The 2009 base year model is used to calibrate the model against counted traffic data to ensure it reasonably reflects travel patterns. The future year model is then developed using estimated population and employment projections in a way that is consistent with the comprehensive plan as well as the planned transportation network. *MWVOG model outputs are provided in Appendix C.*
- The model volumes were refined using techniques outlined in NCHRP Report 255 to "post-process" the data. In this process, the future traffic projections from the model were



REQUEST FOR COMMENTS

Exhibit '2'

May 12, 2014

TO: Salem Electric
Northwest Natural
Comcast
Portland General Electric
Qwest

FROM: Sam Litke, Senior Planner
CASE: Comprehensive Plan Map Amendment/Zone Change/Lot Line Adjustment 2014-11
APPLICANT: Herber Farm LLC
RESPONSE DATE: May 27, 2014

APPLICATION: The applicant is requesting a comprehensive plan change from Low Density Residential to Medium High Density Residential; a concurrent zone change from Single Family Residential (RS) to Medium Family Residential (RM); and, a Lot Line Adjustment to consolidate 14 existing parcels totaling 7.5 acres into one parcel. The site is located in the 4800 and 4900 block of Verda Lane and is also identified on Marion County Tax Assessor maps as 072W02AA Tax Lots 300 through 3600 and 073W02AD Tax Lots 6700 through 7300.

The Community Development Department is soliciting comments from affected agencies on the above referenced land use application. These comments will be considered as part of the staff report. Please return your comments to our office by May 27, 2014 in order that we may process the application in a timely manner. Phone calls are acceptable if it is not possible to respond in writing by this date. If we receive no response, we will assume your agency has no concerns. You may use this response form, or, attach a separate letter. Please return your written responses to the Keizer Community Development Department, P.O. Box 21000, Keizer, Oregon 97307-1000. Questions regarding the application may be directed to Sam Litke, Senior Planner, at (503) 856-3442. Thank you for your assistance.

PLEASE CHECK THE APPROPRIATE ITEMS:

- _____ Our agency reviewed the proposal and determined we have no comment.
- _____ Our agency would like to receive a copy of the staff decision/report and notice of any public hearings in this case.
- _____ Our comments are in the attached letter.
- _____ Our Agency's comments are: _____ Development cost per current tariff and service requirements. 10' PUE required _____ on all front street lots. _____

Response Date: 5-14-14

Person commenting: Kerri Arnzen

ATTACHMENTS

- Applicant's Statement – Comprehensive Plan Amendment
- Applicant's Statement – Lot Line Adjustment
- Comprehensive Plan Change/Zone Change Map
- Map showing Existing and Proposed Conditions
- Transportation Planning Rule Analysis report



Portland General Electric
4245 Kale Street NE
Salem, Oregon 97305

Kerri Arnzen
Service & Design Project Manager

Office (503) 463-4383
Fax (503) 463-4308
For PGE Inspection
Call: (503) 463-4348
kerri.arnzen@pgn.com

Comments on Planning Action: Keizer PLA 2014-11

Exhibit '3'

Date 5 / 19 / 2014 Person Commenting Phil Jones

Subdivision:

- 1. Subdivision name must be approved per ORS 92.090.
- 2. Must be surveyed and platted per ORS 92.050.
- 3. Subdivision plat must be submitted for review.
- 4. Checking fee and second mylar fee required.
- 5. Per ORS 92.065 - Remaining monumentation bond may be required if some of the plat monuments have not been set and/or the installation of street and utility improvements has not been completed, or other conditions or circumstances cause the delay (or resetting) of monumentation.
- 6. A current or updated title report must be submitted at the time of review.
Title reports shall be no less than 15 days old at the time of approval of the plat by the Surveyor's Office, which may require additional updated reports.

Partition:

- 1. No survey required on parcels created over ten acres.
- 2. Parcels ten acres and less must be surveyed.
- 3. Per ORS 92.050, plat must be submitted for review.
- 4. Checking fee, second mylar fee, and recording fee required.
- 5. A current or updated title report must be submitted at the time of review.
Title reports shall be no less than 15 days old at the time of approval of the plat by the Surveyor's Office, which may require additional updated reports.

Property Line Adjustment:

- 1. No survey required. The abutting properties are each greater than ten acres.
- 2. Must be surveyed per ORS 92.060 (7) and the survey submitted for review.
- 3. Survey checking fee required at the time of review.
- 4. Property line adjustment deed shall be recorded with the county clerk.
Marion County Planning requires perimeter descriptions of the resultant properties.

Per ORS 92.190 (4): The deed shall contain the names of the parties, the description of the adjusted line, references to original recorded documents and signatures of all parties with proper acknowledgment.
- X 5. Property Line Adjustment within a recorded subdivision or partition plat
(Requires a Re-plat, in the form of a Partition Plat, see page 2)

Replat: (Reconfiguration of lots or parcels and public easements within a recorded plat.)

- ☒ 1. Must comply with all provisions per ORS 92.185 (6)
 - ☒ 2. Must be surveyed and platted per ORS 92.050, and the plat submitted for review.
 - ☒ 3. Checking fee, second mylar fee, and recording fee required.
 - ☒ 4. A current or updated title report must be submitted at the time of review.
- ☐ 5. The portion of the subdivision or partition plat proposed for replatting contains utility easement(s) that will need to be addressed. Per ORS 92.185 (4), when a utility easement is proposed to be realigned, reduced in width or omitted by a replat, all affected utility companies or public agencies shall be notified, consistent with a governing body's notice to owners of property contiguous to the proposed plat. Any utility company that desires to maintain an easement subject to vacation must notify the governing body in writing within 14 days of the mailing or other service of the notice.

If it is necessary to re-configure the utility easement created by this partition plat (see map), then it will be the responsibility of the applicant to determine the names of all of the utility companies affected by the proposed re-configuration, and give this list of names to the Marion County Surveyor's Office. Letters of notice will be sent by this office to the affected utility companies, who will determine whether or not the easement is to be maintained.

Other comments specific to this Planning Action:

TO: Sam Litke, Senior Planner
RE: Comprehensive Plan Map Amendment / Zone Change / Lot
Line Adjustment Case 2014-11
APPLICANT: HERBER FARM LLC

PUBLIC WORKS DEPARTMENT REQUIREMENTS:

The application is for a Comprehensive Plan Amendment, a Zone Change, and a Lot Line Adjustment involving 7.5 acres. The subject property is surrounded by Chemawa Road, Verda Lane, Dearborn Avenue, and an unimproved street, Philip Street. It appears from the applicant's submittals that the property is made up of 14 tax lots. The lot line adjustment would remove the tax lot lines and result in one parcel. The parcel is proposed to be developed as Medium High Density Residential, which is a change from the existing Low Density zoning. A development plan has not been submitted for review at this time. Public and private facilities will be necessary for the development of the parcel, and are listed below.

No building permits will be issued until the required public improvements listed below are completed.

SANITARY SEWERS:

The subject property is located within the original Keizer Sewer District. Therefore a sanitary sewer trunk line acreage fee will not be required.

- a.) City of Salem approval for local sewer permits will need to be issued prior to construction. Prior to submitting plans to the City of Salem for approval, the developer's engineer shall submit plans to the City of Keizer for review and determination of compliance with the City's Master Sewer Plan for the area.
- b.) Connecting to existing sewers that serve the general area will be the responsibility of the developer of the property. Appropriate easements for any public sewer mains located within the subject property if located outside platted right of ways will need to be recorded which meets the City of Salem Design Standards.

WATER SYSTEM:

- a.) A master water system plan showing proposed routes of public water mains, fire hydrants and individual services shall be prepared prior to submission of construction plans for the development. Appropriate easements for all public water mains and fire hydrants will be required if construction is to be outside of public right of ways. Any system development charges for water system improvements will be those in place at the time of individual service connections.

- b.) Final development plans shall be reviewed by the Keizer Fire District with regard to access and adequate location of fire hydrants prior to any issuance of building permits by the City of Keizer.
- c.) Any existing wells on the subject property are to be abandoned. The developer shall provide evidence that any abandonment of existing wells has been completed in accordance with the rules of the Oregon State Water Resources Department.
- d.) Location of all meters to be approved by Keizer Water Department.

STREET AND DRAINAGE IMPROVEMENTS:

- a) Street improvements will be required to provide an adequate transportation system that will serve the proposed development. Right of way dedication will be required along Verda Lane. The minimum acceptable right of way will result in 34 feet from the existing centerline of Verda Lane. Right of way dedication along the easterly 125 feet of Dearborn Avenue will be required to eliminate the existing jog in the right of way line. Additionally, a right of way line radius of 30 feet shall be dedicated at the intersection of Verda Lane and Dearborn Avenue. The local Transportation System Plan has identified the need for a turning circle to be developed at the intersection of Verda Lane and Chemawa Road NE. Attached is a file of the required right of way dedication, labeled Attachment A, which indicates the required right of way necessary at the intersection that shall be shown on the proposed Lot Line Adjustment Plat. An Autocad file is available at the City Engineer's office. Public street improvements will be required prior to any development of the subject property. At a minimum, public street improvements will include street widening of Verda Lane with a 6 foot wide property line sidewalk, and widening of Dearborn Avenue including a property line 6 foot sidewalk on the north side of the street. Public Street improvements will require appropriate drainage swales if necessary to comply with city water quality standards. A 10 foot wide public utility easement will be required to be dedicated on the Lot Line Adjustment Plat along Chemawa Road, Dearborn Ave., and Verda Lane. No access will be allowed to Philip Street from the subject property.
- b) The developers engineer shall submit an overall storm drainage plan that will provide service to this development consistent with the City Master Storm Drain Plan for this area of Keizer. An existing public storm drain line is located on the subject property near the tax lot lines shown as 3200 and 3300 on the applicant's submittal. The applicant's surveyor will be required to locate the storm drain line and plat an appropriate easement consistent with the City of Keizer's Public Works Standards on the proposed Lot Line Adjustment Plat.

Storm water detention for the proposed development shall be required. All storm water and roof drains are to be connected to an approved system designed to provide adequate drainage for the proposed new driveways and other hard surfaces. Storm water quality improvements will be required.

- c.) A grading and drainage plan shall be developed for the subject property. Details shall include adequate conveyance of storm water from adjacent property across the subject property. This plan shall be submitted and approved by the Department of Public Works prior to the issuance of any permits for street or storm drainage for the subject property. Grading and drainage plans shall be in conformance with the City of Keizer Public Works Standards. Additional information regarding street grades, site grading, inverts, etc, will be required for review prior to any plan approval. The drainage plan for the development shall comply with the Keizer Development Code.

OTHER

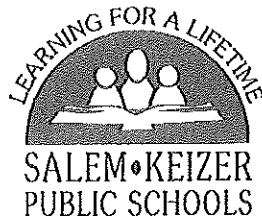
- a.) Construction permits are required by the Department of Public Works prior to any public facility construction.
- b.) A Pre-design meeting with the City of Keizer Department of Public Works will be required prior to the Developer's Engineer submitting plans to either the city of Keizer or the City of Salem for review.
- c.) Street opening permits are required for any work within the City Right of Way that is not covered by a Construction Permit.
- d.) A Pre-construction conference shall be required prior to commencement of any construction under permits issued by the city.

CHEMAWA ROAD NE

VERDA LANE NE

PROPOSED ROW

ATTACHMENT "A"



DF
Facilities and Planning Department
Planning and Property Services
3630 State Street, Bldg. C • Salem, Oregon 97301
503-399-3290 • Mobile: 503-932-4727 • FAX: 503-375-7847
E-mail: fridenmaker_david@salkeiz.k12.or.us

Paula Radtch, Interim Superintendent

May 30, 2014

Sam Litke, Senior Planner
Keizer Community Development Department
PO Box 21000
Keizer OR 97307-1000

RE: Land Use Activity
Keizer Comp. Plan Map Amendment/Zone Change/Lot Line Adjustment 2014-11

SUMMARY OF COMMENTS

School Assignment: Subject property is located within the school attendance areas of Kennedy Elementary, Claggett Creek Middle and McNary High Schools

School Capacity: Sufficient school capacity currently exists at the elementary and middle school but does not currently exist at the high school.

School Transportation Services: Students residing at the subject property location are within the walk zone of the assigned schools. School transportation services will not be available.

Please find below information and comments regarding the proposed land use activity identified above. If you have questions, please call at (503) 399-3335.

ELEMENTARY SCHOOL INFORMATION (GRADES K TO 5)

1. School Name: Kennedy Elementary School
2. Estimated change in student enrollment due to proposed development: 16
3. Current school capacity: 543
4. Estimate of school enrollment including new development: 482
5. Ratio of estimated school enrollment to total capacity including new development: 89%.
6. Walk Zone Review: Within walk zone of Elementary School.
7. Estimate of additional students due to previous 2013 land use applications: 0
8. Estimate of additional students due to previous 2014 land use applications: 0
9. Estimated cumulative impact of 2013-2014 land use actions on school capacity: 89% of capacity.

MIDDLE SCHOOL INFORMATION (GRADES 6 TO 8)

1. School Name: Claggett Creek Middle School
2. Estimated change in student enrollment due to proposed development: 6
3. Current school capacity: 1,040
4. Estimate of school enrollment including new development: 907
5. Ratio of estimated school enrollment to total capacity including new development: 87%
6. Walk Zone Review: Within walk zone of Middle School.
7. Estimate of additional students due to previous 2013 land use applications: 8
8. Estimate of additional students due to previous 2014 land use applications: 5
9. Estimated cumulative impact of 2013-2014 land use actions on school capacity: 88% of capacity.

HIGH SCHOOL INFORMATION (GRADES 9 TO 12)

1. School Name: McNary High School
2. Estimated change in student enrollment due to proposed development: 6
3. Current school capacity: 1,964
4. Estimate of school enrollment including new development: 2,108
5. Ratio of estimated school enrollment to total capacity including new development: 107%
6. Walk Zone Review: Within walk zone of High School.
7. Estimate of additional students due to previous 2013 land use applications: 11
8. Estimate of additional students due to previous 2014 land use applications: 6
9. Estimated cumulative impact of 2013-2014 land use actions on school capacity: 108% of capacity.

ESTIMATE SUMMARY (GRADES K TO 12):

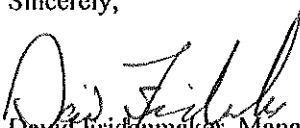
1. Total estimated change in student enrollment: 28
2. Total estimated student enrollment over capacity: 6
3. Total estimated cost to District for new facilities, beyond current facility capacity, due to change in student enrollment: **\$ 92,544**
4. Total estimated additional income to District for new facilities due to change in student enrollment: **\$ 0**

Developer should provide paved walk route(s) to allow pedestrian and bicycle access to school(s) from all residences within the new development and should provide all improvements required by the City of Keizer where new transportation routes are established or existing transportation routes change, such as school flashers, crosswalks, and signage. As per ORS 195.115, when the walk zone review indicates "eligible for transportation due to hazard" the District requests that the City initiate a planning process with the District to identify the barriers and hazards to children walking or bicycling to and from school, determine if the hazards can be eliminated by physical or policy changes and include the hazard elimination in the City's planning and budgeting process.

ASSUMPTIONS:

1. When land use request is granted, 120 additional residences will be built.
2. Estimates are computed using the Student Rate per Dwelling Method described in the District's Long-term Facilities Plan for years 2008-2015.
3. If current capacity exists at the schools currently serving the parcel then an estimate of zero cost, or no significant impact, is made.
4. If current capacity does not exist at the schools currently serving the parcel then an estimate of cost for one-time capital improvements is made.
5. Income from the proposed land use for capital improvement is assumed to be zero since capital improvement funds come from voter approved bond measures that can be an unpredictable and irregular source of income.
6. Income from a State School Facilities grant may be available depending on state funding. The grant amount ranges from 0% to 8% of the construction cost. Since the funding is unpredictable, it has not been included as income. The current 2009-11 biennium facilities grant funding for the District was \$20,802.
7. General Fund Budget Amount for the 2011-12 school year is \$8,848 per student (ADM). The State School Fund Revenue for 2011-12 is estimated to be \$6,214 per student (ADM). ADM is "Average daily membership" as defined in ORS 327.006 (3).

Sincerely,


David Fridenmaker, Manager
Facilities and Planning Dept.
Planning and Property Services

c: Mike Wolfe, Chief Operations Office
Jim Jenney, Manager – Custodial and Property Services
William White, Manager – Risk Management
Michael Shields, Manager - Transportation



REQUEST FOR COMMENTS

May 12, 2014

TO: City of Keizer Police Department
Peterson's Engineering
City of Salem Public Works
Marion County Surveyor's Office
Salem/Keizer School District

City of Keizer Public Works
Keizer Fire District
City of Salem Community Development
Marion County Community Development

FROM: Sam Litke, Senior Planner
CASE: Comprehensive Plan Map Amendment/Zone Change/Lot Line Adjustment 2014-11
APPLICANT: Herber Farm LLC
RESPONSE DATE: May 27, 2014

APPLICATION: The applicant is requesting a comprehensive plan change from Low Density Residential to Medium High Density Residential; a concurrent zone change from Single Family Residential (RS) to Medium Family Residential (RM); and, a Lot Line Adjustment to consolidate 14 existing parcels totaling 7.5 acres into one parcel. The site is located in the 4800 and 4900 block of Verda Lane and is also identified on Marion County Tax Assessor maps as 072W02AA Tax Lots 300 through 3600 and 073W02AD Tax Lots 6700 through 7300.

The Community Development Department is soliciting comments from affected agencies on the above referenced land use application. These comments will be considered as part of the staff report. Please return your comments to our office by May 27, 2014 in order that we may process the application in a timely manner. Phone calls are acceptable if it is not possible to respond in writing by this date. If we receive no response, we will assume your agency has no concerns. You may use this response form, or, attach a separate letter. Please return your written responses to the Keizer Community Development Department, P.O. Box 21000, Keizer, Oregon 97307-1000. Questions regarding the application may be directed to Sam Litke, Senior Planner, at (503) 856-3442. Thank you for your assistance.

PLEASE CHECK THE APPROPRIATE ITEMS:

- ☐ Our agency reviewed the proposal and determined we have no comment.
- ☐ Our agency would like to receive a copy of the staff decision/report and notice of any public hearings in this case.
- ☒ Our comments are in the attached letter.
- ☐ Our Agency's comments are: _____

Response Date: 5.30.14

Person commenting: _____

Salem-Keizer Public Schools
Planning and Property Services
3630 State Street, Salem OR 97301
David Fridenmaker, Manager
503-399-3335

ATTACHMENTS

- Applicant's Statement – Comprehensive Plan Amendment
- Applicant's Statement – Lot Line Adjustment
- Comprehensive Plan Change/Zone Change Map
- Map showing Existing and Proposed Conditions
- Transportation Planning Rule Analysis report

PLEASE CHECK THE APPROPRIATE ITEMS:

Comments submitted will be made a part of the decision and are not considered confidential.

☐ I/we reviewed the proposal and determined I/we have no comment.

☐ My/our comments are in the attached letter.

☒ My/our comments are: I am very concerned
about the increased traffic the
intersection of Verda + Chemaawa
is currently very heavy and
the increased traffic will increase
my safety concerns. Unless there
is a plan to address traffic
congestion I do not support the
proposal and believe it will
adversely affect traffic
to property values and
quality of the living environment

Response Date: May 24, 2014

Person commenting: Sylvia Wengenroth

Phone No. (not required) _____

Address 5070 Verda Lane, Keizer

Email address _____

Copies of the Keizer Development Code are available for viewing at the Community Development Department or on the web at <http://www.keizer.org/commdev/Publications/code-web.pdf>.

Comments submitted regarding this case must address the review criteria for a Comprehensive Plan map change (found in Section 3.109), Zone change (found in Section 3.110) and Lot Line Adjustment (found in Section 3.106) of the Keizer Development Code (KDC). (See attached)

PLEASE CHECK THE APPROPRIATE ITEMS:

Comments submitted will be made a part of the decision and confidential.

☐ I/we reviewed the proposal and determined I/we have no comment.

☒ My/our comments are in the attached letter.

☐ My/our comments are: _____

Response Date: 5-17-2014 Person commenting: See Signatures &
Phone No. (not required) _____ Address Addresses, on letter
Email address attached.

Copies of the Keizer Development Code are available for viewing at the Community Development Department or on the web at <http://www.keizer.org/commdev/Publications/code-web.pdf>.

RECEIVED
CITY OF KEIZER

MAY 27 2014

Comments submitted regarding this case must address the review criteria for a Comprehensive Plan map change (found in Section 3.109), Zone change (found in Section 3.110) and Lot Line Adjustment (found in Section 3.106) of the Keizer Development Code (KDC). (See attached)

RECEIVED
CITY OF KEIZER

MAY 27 2014

COMMUNITY DEVELOPMENT

Regarding the Comprehensive Plan Amendment/Zone Change, Case 2014-11, we do not want this. Overall, this will adversely affect many others. The land was wisely, previously designated for low density residential. It should stay in this category. The City of Keizer could still have jobs and taxes from the original development plan.

The problem is "maximizing density" in an area that by your own words has too great a volume of traffic. Do not sacrifice livability for profitability. To change from low density residential to medium high density means more cars, more traffic, more people, using energy resources and more pollution in a space of which was originally designated low density residential and already has traffic problems. Please don't add to existing problems.

I suppose you think "maximizing density" is a good thing, when it comes to people, cars, traffic, environmental pollution when the facts are presented as biased as they are in this land use application. We are less than thrilled with this point of view.

Regretfully, in all your criteria, you're missing the most important aspect.....quality of environmental livability. The City of Keizer should pick a different location for high density housing. Just because you can use this space doesn't mean you should. It is a bad location for high density housing.

No one in their right mind wants more traffic on Verda and adjacent streets. Please consider the adverse daily impact on the lives of the many people this will affect.

Dee A. Sloan 1382 Dearborn Ave NE, Keizer, OR 97303

Josh Huber 5423 Verda Lane NE, Keizer, OR 97303

Cid Shub 1384 Dearborn Ave NE, Keizer, OR 97303

Dan Schumacher " " " "



KEIZER FIRE DISTRICT

June 5, 2014

Sam Litke
Senior Planner
City of Keizer
930 Chemawa RD NE
Keizer, OR 97303

Re: Request for Comments: 2014-11

Dear Mr. Litke,

Thank you for the opportunity to review the proposed Comprehensive Plan Map Amendment/Zone Change/Lot Line Adjustment 2014-11. Keizer Fire District has the following criteria and conditions of approval:

1) FIRE APPARATUS ACCESS ROADS: *Approved* fire apparatus access roads shall be provided for every facility, building or portion of a building. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an *approved* route around the exterior of the building. (OFC 503 .1.1) Also see 2010 Oregon Fire Code Appendix D103.6 Signs.

2) LIMITING REQUIRED FIRE-FLOW: The required fire flow for the building shall not exceed 3,000 gallons per minute at 20 pounds per square inch residual pressure as specified in 2010 OFC Table B105.1 or exceeds the available fire-flow at the site of the structure. A current fire flow test of the nearest fire hydrant(S) demonstrating available flow at 20 per square inch residual pressure will be required during the permitting phase.

3) FIRE HYDRANTS – WHERE REQUIRED: Where a portion of the building is more than 400 feet from a hydrant on a fire apparatus access road, as measured in an *approved* route around the exterior of the building, on-site fire hydrants and mains shall be provided where required by the *fire code official*. This distance may be increased to 600 feet for buildings equipped throughout with an *approved automatic sprinkler system*. (OFC 507.5.1)

4) FIRE HYDRANTS AVAILABLE: The minimum number and distribution of fire hydrants available to a building shall not be less than that listed in 2010 OFC Table C105.1.

5) EXISTING FIRE HYDRANTS: Existing fire hydrants on public streets are allowed to be considered as available. (2010 OFC C104.1)

6) FIRE DEPARTMENT CONNECTION-LOCATION: The fire department (FDC) shall be located within 100 feet of a fire hydrant. Fire hydrants and FDCs shall be located on the same side of the fire apparatus access roadway. FDCs shall normally be remote except when *approved* by the fire code official. Each FDC shall be equipped with a metal sign with 1 inch raised letters and shall read, "AUTOMATIC SPRINKLERS OR STANDPIPES" or a combination thereof as applicable. (OFC 912 .4)

7) ACCESS AND FIRE FIGHTING WATER SUPPLY DURING CONSTRUCTION: *Approved* vehicle access for fire fighting shall be provided to all construction sites. Access roadways and fire fighting water supplies shall be installed and operational prior to any combustible construction or storage of combustible materials on the site. (OFC 1410.1 & 1412.1)

8) FIRE APPARATUS ACCESS ROADS: Fire apparatus access roads shall have an unobstructed width of not less than 20 feet, exclusive of shoulders. Access roads shall be designed to support the imposed loads of fire apparatus and provide an all-weather driving surface.

9) AERIAL FIRE APPARATUS ACCESS ROADS: Buildings or portions of buildings exceeding 30 feet in height above the lowest level of fire department vehicle access shall be provided with approved fire apparatus access roads capable of accommodating fire department aerial apparatus. Overhead utility and power lines shall not be located within the aerial fire apparatus access roadway. Access roads shall be a width of 26 feet in the vicinity of a building more than 30 feet in height. At least one of the required access routes meeting this condition shall be

located within a minimum of 15 feet and a maximum of 30 feet from the building, and shall be positioned parallel to one entire side of the building. (2011 OFC Appendix D)

The above requirements are based on the limited information and drawings provided. Also please note that on July 1st, 2014 the 2014 Oregon Fire Code will be adopted and may affect fire code requirements.

If you have any questions, please contact me at (503) 390-9111 or rconway@keizerfire.com.

Sincerely,

A handwritten signature in black ink, appearing to read "Rod Conway". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Rod Conway, Deputy Fire Marshal/Captain

CITY COUNCIL MEETING: September 2, 2014

AGENDA ITEM NUMBER:_____

TO: MAYOR CHRISTOPHER AND COUNCIL MEMBERS

THROUGH: CHRISTOPHER C. EPPLEY, CITY MANAGER

FROM: E. SHANNON JOHNSON, CITY ATTORNEY

**SUBJECT: ORDINANCES FOR UGB EXPANSION/ANNEXATION/
COMPREHENSIVE PLAN MAP CHANGE/ZONE CHANGE
(KEIZER RAPIDS PARK)**

Following the Council's public hearing and direction to proceed with the Keizer Rapids Park UGB amendment/annexation/comprehensive plan map change/zone change, the other affected jurisdictions, Marion County, Polk County, and the City of Salem have consented to or concurred in the UGB amendment. Therefore, we have prepared final Ordinances for your review and adoption.

RECOMMENDATION:

Adopt the following Ordinances in this order:

1. An Ordinance Amending the Urban Growth Boundary (UGB) to Include Approximately 58 Acres in and near Keizer Rapids Park; Amending Ordinance No. 87-077;
2. An Ordinance in the Matter of the Application of the City of Keizer to Annex a Portion of Property Located at 1990 Chemawa Road North and the Property identified on the Marion County Tax Assessor Maps as Township 7 South, Range 3 West, Section 04, Tax Lot 01201, Keizer, Oregon to the City Limits of the City of Keizer (Case No. CP2014-05);
3. An Ordinance in the Matter of the Application of the City of Keizer for a Comprehensive Plan Map Change to Park and a Zone Change to Public for an Approximate 58 Acre Parcel Located at 1590 Chemawa Road North, 1990 Chemawa Road North, and 2010 Chemawa Road North (Portion of Keizer Rapids Park) (Case No. CP2014-05).

If you have any questions in this regard, please contact me. Thank you.

ESJ/tmh

1 BILL NO. ____

A BILL

ORDINANCE NO.

2014-_____

3 FOR

4
5 AN ORDINANCE

6
7 AMENDING THE URBAN GROWTH BOUNDARY (UGB) TO
8 INCLUDE APPROXIMATELY 58 ACRES IN AND NEAR KEIZER
9 RAPIDS PARK; **AMENDING ORDINANCE NO. 87-077** (CASE
10 NO. CP2014-05)
11

12 WHEREAS, the City Council of the City of Keizer has considered an Urban Growth
13 Boundary (UGB) amendment in and near Keizer Rapids Park;

14 WHEREAS, the Keizer Planning Commission has considered the matter and
15 recommended approval of such UGB amendment;

16 WHEREAS, affected jurisdictions have concurred and/or consented to such proposed
17 UGB amendment;

18 WHEREAS, the City Council held a public hearing on this matter and has duly
19 considered the evidence and testimony in the record;

20 NOW THEREFORE, the City of Keizer ordains as follows:

21 Section 1. FINDINGS. The City of Keizer adopts the Findings set forth in Exhibit
22 "1" attached hereto and by this reference incorporated herein.

23 Section 2. CONCURRENCY/CONSENT OF THE AFFECTED JURISDICTIONS.
24 The affected jurisdictions, Marion County, City of Salem, and Polk County, have concurred
25 or consented to the proposed UGB amendment as required by law.
26

Section 3. ADOPTION OF AMENDED URBAN GROWTH BOUNDARY.

Ordinance No. 87-077 (Keizer Comprehensive Plan Map) is amended by the adoption of the amended Urban Growth Boundary as set forth in Exhibit “2”, and by this reference incorporated herein.

Section 4. SEVERABILITY. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional, or is denied acknowledgment by any court or board of competent jurisdiction, including, but not limited to the Land Use Board of Appeals, the Land Conservation and Development Commission and the Department of Land Conservation and Development, then such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions hereof.

Section 5. EFFECTIVE DATE. This Ordinance shall take effect thirty (30) days after its passage.

PASSED this _____ day of _____, 2014.

SIGNED this _____ day of _____, 2014.

Mayor

City Recorder

I. GENERAL FINDINGS

- A. APPLICANT:** City of Keizer
- B. PROPERTY OWNER:** City of Keizer
- C. PROPERTY LOCATION:** The property is located at 1590, 1990, and 2010 Chemawa Road and is identified on Marion County Tax Assessor Map as Township 7 South; Range 3 West; Section 04; Lot 00900; 01100 (part); 01200; and, 01201.
- D. EXISTING PARCEL SIZE:** The area contains approximately 58 acres.
- E. EXISTING DEVELOPMENT AND PUBLIC FACILITIES:** A portion of the area is developed as part of Keizer Rapids Park and the remaining area is currently a hazelnut orchard in agricultural production. Water services have been provided to the dog park portion of the park.
- F. PLAN DESIGNATION AND ZONING:** Approximately 38 acres that is within the Keizer city limits but outside the Urban Growth Boundary (UGB) is designated Agricultural on the Marion County Comprehensive Plan Map and is zoned SA (Special Agriculture) on the Keizer Zoning Map. The portion that is outside the city limits and UGB is designated Primary Agriculture and is zoned Marion County EFU (Exclusive Farm Use).
- G. ADJACENT ZONING AND LAND USES:** Single-family homes on lands to the east are zoned Residential Single Family (RS) and the area is within the city limits. To the north and west are outside the city limits and are all zoned Marion County EFU.
- H. PROPOSAL:** The proposal is to expand the Urban Growth Boundary to bring in approximately 58 acres for park land (38 acres of which are already within the existing city limits; approximately half of which is already developed as Keizer Rapids Park); annex all of the rest of this area into the Keizer city limits; re-designate the comprehensive plan map of this area from agriculture to park; and rezone the area to Public. The following Findings (Section III) only address the UGB amendment request.

- I. NOTICE:** Public notice was mailed, published and posted consistent with notice requirements in KDC § 3.204.
- J. PUBLIC HEARINGS:** A public hearing was held before the Planning Commission on April 9, 2014 and also before the City Council on May 5, 2014. The Planning Commission voted to recommend that the City Council adopt the proposed UGB/ annexation/ comprehensive plan / zone change amendment and the City Council voted to direct staff to proceed with developing findings and this final Ordinance. Public hearings were held before the Salem City Council on June 9, 2014 with the Salem City Council adopting Ordinance No.9-14 relating to amending the shared Salem Area Comprehensive Plan and expanding the Urban Growth Boundary, a component of the Salem Area Comprehensive Plan on June 23, 2014. Marion County Board of Commissioners held public hearings on June 11, 2014 and June 25, 2014 and on July 9, 2014 adopted Ordinance No. 1343 amending the Marion County Comprehensive Plan by concurring in an urban growth boundary amendment to the Salem/Keizer urban growth boundary. Polk County Board of Commissioners sent a letter concurring with the proposed UGB amendment.

II. WRITTEN COMMENTS

AGENCY COMMENTS:

- A.** Marion County Planning commented that the city will need to submit a letter requesting county concurrence after city council takes action.
- B.** City of Salem Community Development Department commented that Salem will also need to take concurrence action and will submit additional comments at a later date.
- C.** Public Works submitted comments relating to Chemawa Road capacity.

CITIZEN COMMENTS:

Written comments were received from Robye Parker, 4881 15th Ave N, who commented that Keizer Rapids Park was supposed to be a wildlife park and objects the loud music coming from the concerts.

Department of Land Conservation and Development staff commented that the HNA and Parks Master Plan be included in the report as exhibits; include a map of the alternative sites; and, provide documentation of meeting OAR 660-024-0050(4) detailing that the need cannot be met on lands already in the UGB.

Jack and Marlema Witt at 4821 15th Ave, Keizer OR 97303 commented that the land should remain in park use and not be sold to a developer for any non-park use.

Rhonda Rich of the West Keizer Neighborhood Association who commented that the land should remain in park use only; buffer zone should be included; and, a tree replacement plan for removal of the orchard trees.

Staff response:

The master plan for Keizer Rapids Park never intended that the park would be exclusively a natural setting but would have a combination of uses that range from natural areas to more developed parts that might be typically found in other parks. The level of park development has so far been consistent with the master plan. After the first season with concerts, the city received numerous complaints regarding noise and several sound mitigations were developed that appear to have worked.

Because comments have been received expressing concerns that a portion of the land may not be used for park purposes by the city, it may be appropriate to consider requiring that the Keizer Rapids Park Master Plan be amended to include this area into the park. The Keizer Rapids Park Master Plan had an extensive public involvement component where the concerns of the immediate neighborhood were considered. A master plan amendment would not be as significant as the original master plan project, but even a much quicker planning process would allow for neighborhood involvement.

In response to comments from DLCD staff, the HNA and Parks Master Plan have been included into the Record in this case. They are available on the city's web site.

There are no alternative park lands that are adjacent to Keizer Rapids Park or other sites within the UGB that could serve as an alternative site. Within the city limits there are 3 relatively near

small existing parks (Sunset, Palma Ciega and Wallace House) that were considered. Each has frontage to the river which makes it potentially attractive for consideration. However, each of these parks is of insufficient size that would preclude any additional park enhancement or development potential. Two of the small parks are each less than ½ acre in size and are in a natural undeveloped state. Each is further constrained by the fact that they have very limited access and no vehicle parking. The third site, Wallace House Park has a playground piece of equipment, better access and some parking, but functions as a small local neighborhood park which provides park amenities to the immediate local area.

There are existing public facilities such as sanitary sewer and water in the local streets that could readily serve each of the parks. Each of these alternative sites is served by a local street system, although there are no dedicated bike lanes along the immediate streets. Each of these alternative sites is surrounded by existing residential development with no adjacent vacant parcels thereby eliminating any expansion options. These sites are further limited in that along this portion of the Willamette River there is a fairly significant drop off to the water which limits recreational opportunities. While these alternatives are within the city limits, it has been illustrated that due to their small parcel sizes, complete lack of adjacent vacant lands, and constraining access, all these sites are undesirable or impractical and do not meet the intent of the Keizer Rapids Park Master Plan. For this consideration, each is determined to not meet the adopted locational criteria and so satisfy the requirements within OAR 660-024-0050(4).

Testimony from Planning Commission meeting on April 9, 2014: Rhonda Rich, Keizer, West Keizer Neighborhood Association President, reviewed the history of the park and urged that the annexed property be used only for park uses. She noted that the West Keizer Neighborhood Association

- Concurs with staff that this 28 acres should be added to the Keizer Rapids Park Master Plan,
- Requests that the existing buffer zone shown in the current master plan be extended and made 75-100 foot wide along the edge of the annexed property on the east edge of the park to Chemawa, and
- Requests that no trees be removed from the filbert orchard until the master plan for the area has been approved.

William Gard, Keizer, explained that he lives next to the pathway into the park off Tate and voiced concern regarding the “loose definition of the park”. He encouraged stronger wording on what a park is and what amenities would be included in the park.

Testimony from City Council meeting on May 5, 2014: Rhonda Rich, Keizer, President of the West Keizer Neighborhood Association, voiced support for the urban growth boundary expansion and stated the Association's request to designate the annexed area for park use, continue the existing buffer to Chemawa Road, and to develop a master plan for the area before doing anything to the filbert orchard. She encouraged Council to accept the Planning Commission recommendation and to include the entire community in the master planning process.

Richard Walsh, Keizer, voiced support for the urban growth expansion and urged that the entire community be involved in the master planning process so that the needs of the community are addressed.

III. FINDINGS

The Review Criteria for an Urban Growth Boundary (UGB) expansion are found in OAR 660-024 and ORS 197.298.

I. COMPLIANCE WITH STATEWIDE REQUIREMENTS

- A. *OAR 660-024-0020 outlines the requirements for an amendment of a UGB and which of the statewide goals and related administrative rules are applicable when establishing or amending a UGB.***

FINDINGS: The proposed land use application complies with the statewide land use planning goals as discussed below.

Goal 1 – Citizen Involvement: The proposal has included notice to interested parties, a public process of decision making involving public hearings, deliberation, and ordinance adoption. Public notice was provided and public hearings were held before the Planning Commission on April 9, 2014 and before the City Council on May 5, 2014. Citizens have been afforded the opportunity to participate in the public process either in person or through written testimony. Finally, the Planning Commission and the City Council meetings are televised, further providing an avenue for awareness of the issue. All written letters that were received were forwarded to the Planning Commission and also to the City Council. At the Planning Commission two people spoke in support of the proposal. This process is consistent with the provision for providing an opportunity for citizens to be involved in all phases of this planning process as required by this

goal and with implementing administrative rules within Oregon Administrative Rules, and consistent with City of Keizer development code and comprehensive plan.

Goal 2 – Land Use Planning: This proposal will amend the city’s UGB. The adoption proceeding was conducted in a manner consistent with requirements of the City’s Comprehensive Plan, Development Code, and applicable state law. A public hearing was conducted before the Planning Commission and also before the City Council where an opportunity for both verbal and written testimony was provided. Both the Planning Commission and the City Council considered such testimony in rendering their respective decisions. The Planning Commission voted 5 -1 to recommend that the City Council approve the proposed land use application. The Council approves the proposed land use application in the form of the adopted ordinance. Any appeal of the City Council’s decision is provided in ORS 197. The city’s review and decision includes an adequate factual base and follows post-acknowledged plan amendment process as outlined in OAR 660-024. Therefore, the proposed revision to the City’s UGB is consistent with this statewide planning goal and administrative rules.

Goal 3 –Farm Land is not applicable as indicted in OAR 660-024-0020(1)(b).

Goal 4 –Forest Land is not applicable as indicted in OAR 660-024-0020(1)(b).

Goal 5 – Natural Resources: The intent of the Natural Resources Goal is to protect various natural resources such as wetlands, waterways, floodplain, big game habitat, etc. The city established overlay zones to maintain, preserve and protect the natural resources that are identified within the comprehensive plan. The proposed amendment to the UGB and to the comprehensive plan map and to the zone map will allow for the city’s natural resource protection regulations to become effective. The City of Keizer has a number of Goal 5 protections already in place such as an inventory of wetlands within the city limits, floodplain regulations, and Willamette River Greenway regulations. Outside of the Willamette River riparian area there are no identified wetlands on the area proposed to be included into the UGB. A small portion of the area is shown on the floodplain maps and there is also a portion within the Greenway area. Any use, or development within this area, will be done in accordance to all applicable Willamette River Greenway and floodplain regulations. The site is flat and does not have any steep slopes

(outside of the engineered bank stabilization along the Willamette River). The area is not identified as being in a big game habitat area.

The intent of the proposal is for the 58 acres to be included within the UGB and also the city limits. The area will continue to be used as part of Keizer Rapids Park. This will ensure that it is protected consistent with all city and state regulations. It is the goal of the Keizer Rapids Park Master Plan to preserve and maintain all the natural resources that are associated with Keizer Rapids Park. Including this area into the park will result in it being given the same resource protections as other land within the park. Prior to development of the expanded park area with park uses, a master planning effort will be undertaken to establish how the new park area will be developed. The master planning effort will take into consideration the natural resources implications of proposed park uses on the site. Therefore, the amendment to the city's UGB and concurrent annexation, comprehensive plan change and zone change is consistent with this goal and with administrative rules designed to implement this goal. The proposed Public zone, however, allows park uses as an outright permitted use and the planning process is not a requirement of the Keizer Development Code.

Goal 6 – Air, Water and Land Quality: The intent of this goal is to protect the city's air, water and land qualities. The city has a number of regulations in place which aim to protect, maintain and enhance its natural resources such as air, water and land. To that end, the city has land use regulations which are geared to protecting these resources which are strictly enforced. The City of Keizer provides its residents with city water from groundwater sources. Since the land the city seeks to be able to annex will be used for a park, there will be no new construction thereby eliminating the possibility of additional groundwater contamination from additional on-site septic systems. In addition, the city has been developing stormwater regulations aimed to protect water quality. This action will also give the city additional tools to address the two existing older septic systems in the subject area. The revision to the city's urban growth boundary will have a positive impact on the quality of air, water, or land resources. This action will allow the land to be included as part of Keizer Rapids Park which has an adopted master plan that stresses the protection of the park's natural resources and will prohibit the land from being developed in a manner that would be contrary to this master plan. As such, the proposal complies with this goal and with administrative rules that implement this goal.

Goal 7 – Natural Hazards: The purpose of this goal is to protect life and property from hazards resulting from flooding, steep slopes or other natural occurrences. The City of Keizer has adopted floodplain regulations that govern the placement of structures within identified 100-year floodplains and which has been reviewed by state and federal authorities and been deemed to be compliant with adopted goals and objectives. A floodplain is the area that is adjacent to a body of water which may be subject to periodic inundation. In Keizer, these are primarily located along the Willamette River and smaller streams such as Claggett Creek. The floodplains have been mapped by the federal government. With the exception of areas removed from the 100-year floodplain through the Letter of Map Amendment, the 100-year floodplain is the natural hazard area of greatest concern. This area is referred to as a 100-year floodplain; it is because it has a statistical probability of having a 1% chance of flooding in any one year. The last major 100 year flood event was the 1964 flood. By contrast, the 1996 flood was not classified as a 100 year flood event for Keizer, although clearly there was a significant amount of water flowing through parts of Keizer during that flood event. The intent of the floodplain regulations is to minimize the loss of life and property damage by preventing development, elevating structures above the flood elevation, or flood proofing structures in the floodplain. Only in the area identified as a floodway will most forms of development be prohibited. The floodway is that area that is generally the channels of rivers and streams which during a flood event will experience very significant water depth and velocity flows. A small portion of the property which the city would include into the city's UGB is within the identified 100 year floodplain and is also within the floodway along the Willamette River. Any use within this area will be consistent with the city's floodplain regulations. The site is flat and contains no slopes so there will be no steep slope hazards. There are no other identified natural hazards associated with the site. The revision to the city's UGB and changes to the Comprehensive Plan map and zone map will be consistent with this goal and any administrative rules.

Goal 8 – Recreation: This goal requires the city to identify and plan for the current and future recreation needs of the residents of the city. There are a number of parks, playgrounds, and other recreational opportunities within the city as identified in the Parks and Recreation Master Plan. This plan inventoried 92 acres of parks within the city and another 120 acres (Keizer Rapids Park) under the city's jurisdiction but is outside the UGB. This is comprised of one large incorporated park (Keizer Rapids Park); one large 10.6 acre city park; 10 small city parks

ranging in size from 1.3 acres to 5.9 acres; three water front parks ranging in size from 1.5 acres to 11.2 acres; one 15.4 acre special use park; two natural area parks ranging from 3.7 acres to 9.5 acres; and one 6.1 acre undeveloped park. The needs assessment determined that there are gaps in park level of service coverage; that the general west Keizer area is under served and that additional park land is needed. The adopted master plan established a level of service of 5 acres per 1,000 residents.

Keizer Rapids Park is located on the west end of the city of Keizer at the terminus of Chemawa Road. This is a 120 acre park that was developed through the cooperation of the City of Keizer, Marion County, and the State of Oregon. Keizer Rapids Park received conditional use approval from Marion County to operate as a park and has its own master plan to guide the development of this park.

The Keizer Rapids Park Master Plan includes a buffer along the east property line with properties fronting 15th Avenue and Rafael Court. This buffer is a combination of trees and shrubs that affords a natural buffer between the park and neighboring properties. The park includes a boat ramp/dock located in the area where the open field adjoins the forested river bank. The location is related to various aspects associated with river hydrology and boat ramp design. It has been designed and engineered consistent with State Marine Board requirements and with applicable requirements of the floodplain/floodway regulations. It includes a parking area and a restroom located in close proximity to the parking area and an access road that connects to Chemawa Road. Though the boat ramp is allowed in EFU zones the city desires to include this facility in the urbanized portion of the park for consistency of having the more intense uses be within the new city limits.

A large open area is planned to be developed as a multi-use open space that can accommodate play fields with permanent support facilities. In the northwest corner of the multiuse area is envisioned a possible site for a playground with play equipment suitable for small children. A parking area is located in this portion of the park and would serve the playground/ multi-use park users.

To the west of the access road near the playground is a cluster of park uses that includes the caretaker's dwelling, amphitheater, and a planned educational facility. While there is no set

design for the educational facilities, it is currently envisioned that it could be large enough to provide for environmental education and take advantage of the natural environs associated with the park. The amphitheater has been constructed and is a venue for music and presentations. North of the caretaker/educational hub is a cluster of uses along the east side of the access way. This includes a parking area, restroom facility, and an off-leash dog park. The dog park comprises about 5 acres and is fenced to allow a safe area where dog owners can allow their dogs to run and play without being on a leash. At the intersection of the access road and Chemawa Road will be a gateway feature that will greet visitors into the park along with a small demonstration garden. In addition, multi-use sport courts and a playground are planned for this area.

The western portion of the park is significantly less developed than the eastern portion and captures the natural feeling of this portion of the park. The existing access road that serves this part of the park has been upgraded. Farther west is a small campsite along the river's edge that is available for use by water craft users. This camping area is accessible via the multi-use path and by water only. It is not intended that this site is available to car campers. In the northwest corner of the park is a parking area and disc golf course. The forested area adjacent to the boat ramp is restricted in use in a conservation easement area. Funding from Marion County using Title III funds required that 6 acres of the forested section be controlled by an easement that specially limits development so as to retain its natural environment. Impervious surfaces are limited to a 5-foot wide path crossing the easement area with pervious soft surface trails allowed within the easement area and other non-invasive improvements such as interpretive signage.

Throughout the park is a system of trails constructed of both hard and soft surfaces. The hard surface system provides access around the perimeter of the park with soft surface trails looping throughout the interior portions and within the conservation easement area where development is limited. The majority of the hard surface trails are in the more developed portion of the park. Areas prone to flooding will be developed with only seasonal trails.

The plan emphasizes retaining a large portion of the park in a natural state and to allow ample opportunity for wildlife viewing, nature study and other passive recreational pursuits. Also, with a significant portion of the park having access to the river there will be opportunities for fishing. The entire site is designated with the Federal 6F designation, which requires the site to be used for

recreational purposes consistent with that designation. Additionally, Marion County has required a recreation easement on the 18 acres of the former Buchholz property. The proposed amendment to the UGB; Comprehensive Plan map; and to the zone map complies with this goal and any related rules.

Goal 9 – Economic Development: The intent of this goal is to ensure that the city plans for its overall economic vitality. The City of Keizer and Marion County, along with the cities of Salem and Turner, and Polk County developed a regional economic opportunities analysis which identified the economic potentials and constraints within the Salem – Keizer regional area. This will allow for better planning efforts to be made so as to enhance local economies. A follow up to that study, the Keizer Economic Opportunities Analysis, was undertaken and documented the economic trends and economic opportunities which are geared specifically to Keizer. This study was adopted by the Council in June 2013 as part of Periodic Review. It is anticipated that these documents will be used for any future analysis or proposal to expand the UGB for economic development opportunities. This proposal for a UGB expansion; comprehensive plan map amendment and a zone map amendment and its annexation will be strictly for park uses and will not be for any commercial or industrial uses. Therefore, it will not have any adverse impact on the economic development activities or uses within the city and will strengthen, in a significant way, the quality of life and economic vitality of the community.

This proposal is to expand Keizer’s urban growth boundary and concurrently annex land into the city limits, designate the land with a comprehensive plan designation of Park, and zone the property Public. This will allow for the expansion of Keizer Rapids Park to include the proposed land subject to this application. The proposed amendment does not impact the ability of the City of Keizer to seek any additional types of commercial development nor will it affect any established economic development strategies to encourage economic growth. The city is seeking to implement a special purpose UGB amendment to implement the Keizer Rapids Park Master Plan, and as such is not proposing to include land specific to economic development purposes.

The EOA documenting the composition of employment by industry in Keizer exhibits several large deviations from the statewide composition. The deviations represent Keizer's competitive advantages in the economy, which fall largely in population-driven services. Industry classifications such as Retail Trade, Education & Health, and Food Service & Drinking Places

have a high representation locally. These well-represented industries, in combination with economic development goals and input from the stakeholders, were used to devise potential future target industries. After discussing and ranking industries based on local aspirations and current representation of that industry in Keizer, the City Council determined that the following list of target industries are appropriate for Keizer to target:

- Medical facilities, including research, development and support
- Information technology/back office
- Educational services, including educational research and job training
- Professional services, including corporate headquarters
- Sporting events

Current employment levels by industry were projected forward based on regional job growth estimates and the above target industry goals. The growth forecast calls for a total of 3,774 new jobs over the next 20 years, representing growth of 55% over current levels. The EOA estimated the need for 160 gross acres of land to accommodate the projected employment growth. An inventory of remaining buildable lands finds 123 acres of buildable land remaining within the city boundary, in the commercial and industrial categories. However, there is no land available that is well-suited for the institutional category, which includes hospitals, higher education facilities, and other uses that figure heavily into the City's economic development strategy. Finally, the EOA shows there is a net need for commercial and institutional lands amounting to 63.3 gross acres above and beyond what the City's remaining buildable employment lands can accommodate. This need is in addition to the projected need for additional park land to serve the expected population growth. Therefore, the proposal is consistent with this goal.

Goal 10 – Housing: This goal requires the county to plan and provide for the housing needs of its residents. The area that the City of Keizer seeks to be able to include in its UGB is planned to be developed as a park in conjunction with the adjacent Keizer Rapids Park and is not planned to be developed with any single family residential or multiple family residential uses. The City of Keizer with Marion County, Polk County, and the City of Salem has developed a regional housing needs analysis for the upcoming 20 year planning period. In a follow up to the regional study, the city adopted its own local housing needs analysis as part of the city's Periodic Review that was geared specifically to Keizer and identified the projected 20 year housing needs for the

city. The HNA indicated that over the upcoming 20-year period there will be a growth in the number of non-group households by 4,366 households which will represent a population growth of 11,833 new residents. This is consistent with Keizer's adopted 2032 forecast. When the housing needs of the projected 2032 population is compared to the current housing supply, the analysis projects the need for 4,513 new units to house the future population.

The HNA documented that the largest share (50%) of one housing type is projected to be single-family detached homes, due to the stronger need for new ownership housing. The remainder of units is projected to be some form of attached housing (46%), or mobile homes (4%). 54% are projected to be ownership units, while 46% are projected to be rental units. The inventory of buildable residential lands finds a current supply of 315.2 acres which are vacant, partially vacant or re-developable. These acres can hold an estimated 2,422 units. The total 20-year unit need (4,513 units) minus this remaining buildable capacity (2,422 units), leaves a remainder of 2,090 units which must be accommodated beyond the City's remaining capacity within its current boundary. When this remaining land need is apportioned to Keizer's residential zones, the HNA estimates a 20-year need for 267 gross acres of residential land, to be accompanied by 43.5 acres of new land for parks to serve this new population, and 10 acres of land for new school facilities. This is a total of 385 gross acres. The proposed UGB amendment and zone change/ comprehensive plan will result in the area being used for park uses and will not be developed for any residential uses and so will not impact either this goal or any related rules.

Goal 11- Public Facilities and Services: The intent of this goal is to develop a timely, orderly and efficient arrangement of public facilities and services necessary to serve the residents of county. The City of Keizer provides its residents with water, sanitary sewer (through an arrangement with the city of Salem), an established street system, administrative services, police services, and public safety services. This UGB amendment will not allow the extension of urban services outside of the urban growth limits except as allowed in state law. The City of Keizer has entered into an Intergovernmental Agreement to expressly prohibit the extension of sanitary sewers lines outside the existing urban growth boundary. Fire service in the park will continue to be provided by the Keizer Fire District. As part of a previous land use decision granted by the county to operate Keizer Rapids Park (CUP06-44), the city and the county entered into an Intergovernmental Agreement regarding the maintenance of the western portion of

Chemawa Road. This agreement outlines that the city of Keizer shall be responsible for the maintenance and improvement of this section of the road. As specified in an updated IGA the city has voluntarily taken ownership of this portion of Chemawa Road thereby eliminating the county from being responsible for any improvement and maintenance issues associated with this portion of the street. The city is in the process of upgrading the street to meet its adopted urban standards. The anticipated level of services that will serve the portion of Keizer Rapids Park involved in this application would be limited to administrative services (Public Works support staff, police), water, and sanitary sewer. Water service currently serves the dog park portion of Keizer Rapids Park and sanitary sewer service is located immediately to the east of the site. Each of these services can be efficiently extended to provide additional service and replace the aging out dated septic system. The proposed UGB amendment / Comprehensive Plan and zone map change and annexation application will not impact the city's public facilities and services, and so this goal and any rules are satisfied.

Goal 12 – Transportation: The City of Keizer has an adopted Transportation System Plan (2009) that documents the city's transportation systems and plans for future transportation improvements over the coming 20-year planning period. This TSP includes streets, transit, bike, rail, and pedestrian transportation systems.

Chemawa Road is in the process of a significant upgrade that includes road widening, curbs, sidewalks, bike lanes and storm drainage facilities. There are bicycle and pedestrian facilities that provide linkage to the park both along the frontage of the property along Chemawa Road as well as into the neighborhood to the east via an existing pedestrian / bicycle path that is stubbed at what will be the park boundary. These recent improvements combined with the fact the area will only be used for park uses, will result in no significant negative impacts on the city's transportation systems. In addition, Public Works has commented that there is adequate capacity in the nearby street system to serve the park. Therefore, the proposed UGB expansion and concurrent comprehensive plan and zone map change and annexation will be consistent with this goal and all applicable rules will be met.

Goal 13 – Energy Conservation: This goal seeks to maximize the conservation of energy. All new construction requires compliance for review to applicable energy conservation standards.

The proposed UGB amendment and concurrent comprehensive and zone map amendment will have no impact on this goal nor on any of the implementing administrative rules.

Goal 14 – Urbanization: The intent of this goal to provide for an orderly and efficient transition from rural to urban land use. The city has an adopted Comprehensive Plan and zone code that each comply with this goal. The proposal will allow the City of Keizer to be able to expand the UGB and then annex land that is both part of Keizer Rapids Park as well as a portion of land adjacent to Keizer Rapids Park. Keizer Rapids Park received conditional use approval from Marion County in 2006 to allow its development as a regional park. Prior to using the newly included land as a park, the city will develop a master plan. Sanitary sewer will not be extended outside of the urban growth boundary. The Special Agriculture zone designation and Exclusive Farm Use designation of the 58 acres involved in this application will be rezoned to Public which will not permit any subdivisions within this zone district. The portion of the site that is designated SA is already within the city limits of Keizer although it is currently outside the UGB. This action will allow the UGB to be expanded to match up with the city limits line in this area of the city. The portion of the site that is designated EFU, while outside the city limits and the UGB, has been approved by Marion County for a conditional use permit to be developed as a park. As such, it is not in any farm use. The portion that is in farm use within the city limits is recognized that it will be developed at an urban park level of development and not continue its historic rural uses. To the west of the site is the remainder of Keizer Rapids Park and to the north is rural home sites, an agricultural use, and a commercial gravel operation. To the east is land within the city limits and developed with single family residences. The site is adjacent to the city limits; it reflects an orderly and efficient transition from urban to rural uses. It avoids leap-frogging over any properties that might result in an inefficient transition. The site is adjacent to the developed urban area and will result in an orderly and efficient extension of urban services and facilities. The site being used for park uses will have minimal impact on any nearby farm uses as it will not allow for any residential or employment uses that might otherwise have large and adverse impacts on those areas. For these reasons, the proposal is consistent with this goal and with its implementing administrative rules.

Goal 15 – Willamette River: This goal seeks to protect, conserve, and maintain the natural, scenic, historical, agricultural, economic and recreational qualities of lands along the Willamette

River. The Willamette River is located along the western flanks of Keizer. Portions of the site located along the Willamette River are within the 100-year floodplain along the river. In addition, some of the area also has the floodway portion of the river on it. The regulations seek to prohibit development which is within the floodway, or channel of the river. This is the portion of the floodplain which can experience high water flows and high river velocity during flood events. The risk of loss of life or property damage in the floodway during these events can be considered extreme. The City of Keizer has its own Greenway regulations. The area which the city seeks to be able to include within its UGB is both outside and inside of the Greenway along the Willamette River. As such, all development within this area will need to be done in accordance with the greenway regulations. The proposed amendment will give the city the ability to regulate uses along the river through compliance with the City's Willamette River Greenway overlay zone regulations and so this goal is met.

Goal 16 (Estuarine Resources), Goal 17 (Coastal Shorelands), Goal 18 (Beaches and Dunes), and Goal 19 (Ocean Resources) govern areas along the ocean. Since Keizer is located in the Willamette Valley and not along the Oregon coast, Goals 16 to 18 as noted in OAR 660-024-0020(1)(f) are not applicable. Goal 19 is not applicable to a UGB amendment as noted in OAR 660-024-0020(1)(g).

The proposed UGB expansion and concurrent requests show the area that is proposed to be added to the city's UGB and so complies with OAR 660-024-0020(2).

In consideration of these findings the proposal complies with OAR 660-024-0020.

B. OAR 660-024-0030 - Population Forecasts

This section outlines that counties must adopt and maintain a coordinated 20-year population forecast for the county and for each urban area within the county consistent with ORS 195.025 and 195.036 and that cities must adopt a 20-year population forecast for the urban area consistent with the coordinated county forecast. The population forecast is to be used as a basis for a decision adopting or amending a UGB submitted under ORS 197.626.

FINDINGS:

The City's adopted Comprehensive Plan details that a regional Housing Needs Analysis (HNA) was completed. This was a two year planning study that included both Keizer and Salem and unincorporated areas within the combined urban growth boundary (UGB). The regional HNA was funded by the Department of Land Conservation and Development and was managed by the Mid-Willamette Valley Council of Governments. The project consultant, EcoNorthwest, was responsible for collecting, analyzing the data, and preparing the planning document. The study utilized local staff in a technical advisory committee and also local elected officials in a regional policy committee.

The regional HNA used the mid-range of Marion County's coordinated population projections as a basis for its analysis. The county's projection was developed using PSU methodology and calculated that number to allow a slight allowance for the constrained nature of Keizer's portion of the UGB. Marion County assigned a regional population projection to Salem and Keizer jointly. This was a 2030 projected population of 299,980 for the two cities. The study included a low, medium, and high population growth range with a mid-range forecast of 49,486 for Keizer, 204,320 for Salem and the remainder for the area inside the UGB and outside of either Salem or Keizer in both Marion and Polk counties.

A 20 year population projection is the basis of a local HNA. The adopted 20 year population forecast of 48,089 for the future population of the City of Keizer is realistic and appropriate number which is professionally established by Portland State University. This number is slightly less than the mid-range number contained in the Marion County coordinated population projection study. The Marion County projection is the basis for the regional HNA. The effect of revising this number slightly is that there will be slight differences between the regional and the Keizer HNA.

The EOA/HNA which was adopted by the City Council as part of Periodic Review included a 20-year population forecast of 48,697 and was acknowledged by LCDC as part of the city's Periodic Review. This represented a slight increase of 1.41% over the previously adopted 20-year (2032) population forecast of 48,089. Both the 20 year population forecast of the regional HNA as well as the revised forecast that was used as part of the Keizer EOA and HNA were

consistent with Marion County coordinated 20 year population forecast. Therefore, the adopted population forecast being used to establish the need for additional parks land is consistent with OAR 660-024-0030.

C. OAR 660-024-0040 - Land Need

This section states in part, “ The UGB must be based on the adopted 20-year population forecast for the urban area described in OAR 660-024-0030, and must provide for needed housing, employment and other urban uses such as public facilities, streets and roads, schools, parks and open space over the 20-year planning period consistent with the land need requirements of Goal 14 and this rule... and that it must be consistent with the adopted 20-year coordinated population forecast for the urban area, and with the requirements for determining housing needs in Goals 10 and 14.”

FINDINGS:

The City of Keizer Parks and Recreation Master Plan and the Keizer Housing Needs Analysis (HNA) establishes the fact that the existing amount of park land, including the 120 acres of Keizer Rapids Park, is deficient to serve the projected population growth of the City. This HNA included an evaluation of the existing parks facilities serving the current population in order to determine any deficiencies. The City Parks Master Plan has established a standard of 5 acres of park land per 1000 residents. This previously adopted standard measured against the acknowledged population growth leaving the City with a deficit of 43.5 acres of needed park land. (see Keizer Parks and Recreation Master Plan —Service Needs Analysis, City of Keizer Housing Needs Analysis—Park and School Facility Analysis). The proposed amendment to the city’s UGB is based on the needed park land and does not involve any simultaneous review of other categories of land as is allowed in OAR 660-024-0040(3). The City is seeking to implement this special purpose UGB amendment specifically to implement the Keizer Rapids Park Master Plan. It should be noted that this expansion of the UGB will not provide enough additional park land to meet all of the City’s projected need for park lands to accommodate the population growth projected during the 20 year planning period, but rather will serve to satisfy a portion of the need. Other land category deficits that were identified as part of the EOA and

HNA analysis are planned to be addressed in a separate review at a later time and it is anticipated that the remaining amount of needed land for parks will be a part of that future review. Based upon the population projection and park land inventory adopted and acknowledged in the HNA, after the completion of this special purpose amendment, an additional 16.5 acres of park land will still be needed to provide adequate parks land.

D. OAR 660-024-0050 -Land Inventory and Response to Deficiency

This section outlines the inventory and response process and that an appropriate comprehensive plan and zone designation be placed on land brought into the UGB.

FINDINGS:

Because the proposal is to amend the city's UGB for park land, the residential land needs that were identified in the city's HNA and the employment land needs within the EOA are not addressed as part of this review but will be addressed in later separate land use review. There are a number of parks, playgrounds, and other recreational opportunities within the city as identified in the Parks and Recreation Master Plan. This plan inventoried 92 acres of parks within the city and another 120 acres under the city's jurisdiction but which was outside the UGB. This inventory is comprised of one large park (Keizer Rapids Park); one large 10.6 acre city park; 10 small city parks ranging in size from 1.3 acres to 5.9 acres; three water front parks ranging in size from 1.5 acres to 11.2 acres; one 15.4 acre special use park; two natural area parks ranging from 3.7 acres to 9.5 acres; and one 6.1 acre undeveloped park. The needs assessment determined that there are gaps in park level of service coverage and that the general west Keizer area is under served and that additional park land is needed. The adopted master plan establishes a level of service of 5 acres per 1,000 residents. The adopted EOA / HNA updated the analysis within the Parks and Recreation Master Plan and correlated the projected 20 year population increase that resulted in a need for 43.5 acres of additional land for park use. The proposed site will seek to provide new park land which will meet a portion of this projected need, specifically serving the west Keizer area.

After this expansion, a deficit of 16.5 acres of park land will remain. This is not only acceptable, it is also a responsible approach to address some of the needed park land, while allowing for

flexibility in future planning efforts of the city in relation to land use needs. The adopted parks master plan indicates there is a need for a future large city park in the northern part of the city if the UGB is expanded for housing needs. It seems prudent to review the other land use deficiencies in a comprehensive manner and therefore, it is advantageous to hold back some of the needed park land acreage so that it can be incorporated into a future comprehensive planning effort. This will assure that adequate park land will be included in conjunction with any possible future expansion for the other land use deficiencies. The intent of this action is that upon the site being included into the UGB, it will be annexed into the city limits; the comprehensive plan designation will be changed to Park and there will also be a concurrent zone change to Public. This is the appropriate designation in recognition that the site is planned to be used for park purposes. This is consistent with OAR 660-024-050(6).

There are no alternative park lands that are adjacent to Keizer Rapids Park or other sites within the UGB that could serve as an alternative site. Within the city limits there are 3 relatively near small existing parks (Sunset, Palma Ciega and Wallace House) that were considered. Each has frontage to the river which makes it potentially attractive for consideration. However, each of these parks is of insufficient size that would preclude any additional park enhancement or development potential. Two of the small parks are each less than ½ acre in size and are in a natural undeveloped state. Each is further constrained by the fact that they have very limited access and no vehicle parking. The third site, Wallace House Park has a playground piece of equipment, better access and some parking, but functions as a small local neighborhood park which provides park amenities to the immediate local area.

There are existing public facilities such as sanitary sewer and water in the local streets that could readily serve each of the parks. Each of these alternative sites is served by a local street system, although there are no dedicated bike lanes along the immediate streets. Each of these alternative sites is surrounded by existing residential development with no adjacent vacant parcels thereby eliminating any expansion options. These sites are further limited in that along this portion of the Willamette River there is a fairly significant drop off to the water which limits recreational opportunities. While these alternatives are within the city limits, it has been illustrated that due to their small parcel sizes, complete lack of adjacent vacant lands, and constraining access, these sites are undesirable or impractical and do not meet the intent of the Keizer Rapids Park Master

Plan. For this consideration, each of the alternatives is determined to not meet the adopted locational criteria and so satisfy the requirements within OAR 660-024-0050(4).

E. OAR 660-024-0060 - Boundary Location Alternatives Analysis

This section contains the provisions for the required location alternative analysis. In part, it reads “When considering a UGB amendment, a local government must determine which land to add by evaluating alternative boundary locations. This determination must be consistent with the priority of land specified in ORS 197.298 and the boundary location factors of Goal 14.” In particular, section (5) allows “If a local government has specified characteristics such as parcel size, topography, or proximity that are necessary for land to be suitable for an identified need, the local government may limit its consideration to land that has the specified characteristics when it conducts the boundary location alternatives analysis and applies ORS 197.298.”

FINDINGS:

The City of Keizer has determined that there are specified characteristics such as parcel size, topography, or proximity that are necessary for land to be suitable for an identified need and that this limitation of the consideration to land is as is permitted under OAR 660-024-0060(5).

These unique characteristics which were vetted and adopted by the Keizer Parks Board include:

- Adjacent to Keizer Rapids Park to implement the master plan.
- Can be served by safe vehicular, pedestrian and bicycle access.
- Can be served by urban infrastructure.

An analysis of alternative sites revealed that there are limited alternatives that can meet these criteria.

Alternative #1

Alternative #1 is the area that is included in this application. It encompasses 58 acres, a portion of which is adjacent to Keizer Rapids Park and a portion which is within Keizer Rapids Park. Keizer Rapids Park is located on the west end of the city of Keizer at the terminus of Chemawa

Road. This is a 120 acre park that was developed through the cooperation of the City of Keizer, Marion County, and the State of Oregon. Keizer Rapids Park received conditional use approval from Marion County to operate as a park and has its own master plan to guide the development of this park.

- Adjacent to Keizer Rapids Park to implement the master plan.

The intent of this action will result in the area which was recently annexed into the city limits but left outside the city's UGB to be brought into the UGB and master planned and eventually developed with park uses that will complement the adjacent Keizer Rapids Park. In addition, the portion that is currently outside the UGB will then be included into the city limits and developed consistent with the Keizer Rapids Park Master Plan. The inclusion of this area into Keizer Rapids Park is consistent with Objective 6 – Park shape of the Keizer Rapids Park Master Plan which states:

The development of the Keizer Rapids Park will require future property acquisition to maximize the area's fullest recreation potential and to provide a more uniform park boundary. Opportunities to maximize the park development through voluntary acquisition of additional property should be pursued.

This alternative will allow for a more uniform shape to the park's boundary. At present time the park jogs around and does not include the park care-taker's dwelling and does not include the large parcel adjacent to the east of the park. This action will include this area within the park and thereby creates a more uniform shape. The property that the city recently obtained was done through voluntary acquisition which is consistent with Objective 6 of the Keizer Rapids Park Master Plan.

Its inclusion, and the eventual master planning of the area, will result in the property being developed to its fullest park recreational potential. This will be consistent with Objective 2 – Land-based recreation of the Keizer Rapids Park Master Plan that states:

The development of the Keizer Rapids Park will provide an opportunity for additional land-based recreational activities; providing a variety of ways for citizens to engage in healthy lifestyle opportunities.

Finally, because the site is flat and is for the most part a uniform rectangle shape means that it can be efficiently and readily developed for park uses with minimal expense. There are no steep slopes, wetlands, floodplains or other environmental factors that might otherwise constrain the development and integration of this alternative with the remainder of Keizer Rapids Park. For these reasons it is consistent with this adopted local locational criterion.

- Can be served by urban infrastructure.

Alternative #1 features a dog park where the city currently provides city water to the dog park portion of Keizer Rapids Park. Sanitary sewer is not provided to the park. However this service is located adjacent to the east and could be extended to provide service to the park if it is determined to be needed. There is adequate capacity in both the water and sanitary sewer systems to be able to serve the park if needed. Stormwater facilities can also be developed given the ample space within the park; it is envisioned that this would make use of detention basins and swales as needed. Chemawa Road, which provides access to this alternative is an improved city street and with recent upgrades and improvements can serve this alternative for vehicular as well as pedestrian and bicycles access. Police protection will continue to be provided by the Keizer Police Department as it is now provided as part of an agreement with Marion County Sheriff's Office. Keizer Public Works Department will continue to maintain the park and will be able to maintain the area under consideration. The City can provide all of these services in an efficient manner and so meets this locational criterion.

- Can be served by safe vehicular, pedestrian and bicycle access.

Alternative #1 will have its access to Chemawa Road which along the frontage of the site has recently become a city street for which the city is responsible for the up-keep and maintenance. The street is in the process of a major street improvement project that includes widening, storm drainage improvements, and bicycle and pedestrian improvements for

virtually its entire length from River Road. While the section of the road west of 15th Avenue is designated a local street, the entire rest of the street is designated a collector street in the TSP. The portion that is west of 15th Avenue local street designation is owing to the fact that until recently it was in Marion County's jurisdiction and terminates immediately west of the park. While the street along the frontage of the park is designated as a local street it has a separated pedestrian and bicycle walkway that was recently provided by the city in an effort to allow for a safe route into the park. In addition, Public Works has commented that there is adequate capacity in the street system to serve the park. Additionally, the recent development directly east of this parcel has been required to incorporate a bicycle and pedestrian connection to this alternative.

This alternative will comply with Objective 5 – Accessibility of the Keizer Rapids Park Master Plan which states:

The development of the Keizer Rapids Park should encourage both pedestrian and bicycle access from the surrounding neighborhoods into the park. Connection to and enhancement of local and regional transportation systems – bicycle, vehicle, and pedestrian - is considered an objective of park design.

The area proposed to be included as part of Keizer Rapids Park will result in a pedestrian and bicycle pathway to a residential area just to the east of the park that currently dead ends at the park property and will provide a second safe access for pedestrian and bicyclists. Finally, there is a paved access road that serves the park from Chemawa Road. For these reasons this alternative meets with this adopted local locational criterion.

Alternative #2

Alternative #2 is located to the west of Alternative #1. It is also along the south side of Chemawa Road although it is located at the western terminus of this road. This alternative is 8.7 acres in size. It is contiguous to Keizer Rapids Park along three sides.

- Adjacent to Keizer Rapids Park to implement the master plan.

While this alternative is adjacent to Keizer Rapids Park, it is not as desirable for a number of reasons. First, its smaller size, compared to Alternative #1, will limit its practical development and use as part of the park in that it will not be able to be developed with a wide range of park uses. Second, its narrow width further limits the types of park uses that might be able to be included on the site. Third, while it is contiguous to the park it is not adjacent to any portion that it could readily be added onto in any sort of coherent manner. To the south of this alternative is the park care-taker's home which will provide no viable option for this alternative to connect to a park use to the south. While it may appear to be an attractive option to combine this alternative with the park use to the west, given the steep change in elevation along the west property line of this alternative makes it less desirable for it to be efficiently developed in conjunction with the natural area to the west. Finally, because the property is privately owned and the property owner is not interested in selling it to the city, it would violate Objective 6 which dictates that the park boundaries will only be increased through the voluntary acquisition of additional land. For these reasons Alternative #2 fails to meet this criterion.

- Can be served by safe vehicular, pedestrian and bicycle access.

Alternative #2 is located to the west of Alternative #1. It has frontage along the south side of Chemawa Road although it is located at the western terminus of this road. Recent roadway improvements along Chemawa Road do not extend as far as the frontage of this alternative. The lack of street improvements combined with the location of the existing dwelling results in this alternative having a decreased ability to provide for additional improvements along the frontage of the site with the road. This alternative cannot be connected to the nearby residential area that has been developed with a pedestrian and bicycle connection. Therefore, this alternative can be said to not be served by safe vehicular, pedestrian and bicycle access. This alternative can, however be accessed from the access roadway that serves the park, but that would further reduce the amount of area that is available for park use. Finally, this alternative does not provide any additional

pedestrian and bicycle access to any nearby residential areas. For these considerations this alternative fails to meet the adopted local locational criteria.

- Can be served by urban infrastructure.

Alternative #2 cannot be readily served by urban infrastructure. Unlike Alternative #1 which has a water and sanitary sewer lines either at or nearby the site, this alternative is further away from these public facilities and so will require lengthy and costly infrastructure extensions. In addition, if this alternative were to be selected and brought into the UGB over Alternative #1, it will result in the leap-frogging of a large parcel in order to serve a smaller parcel that is further from the urban area. This leap-frogging to service parcel further from the urban area would be inconsistent with statewide planning requirements that seek to contain urban growth to areas close to the existing UGB lines. For this reason this alternative does not meet this local criterion.

An alternative site across Chemawa Road to the north was considered but was dismissed owing to the fact that this area contains multiple parcels of varying sizes and multiple ownerships. It includes uses that range from rural home sites to agricultural orchards and a commercial gravel operation. The properties are separated from Keizer Rapids Park by Chemawa Road and so can present no safe combining of any of these parcels with the operation and function of the park. The commercial gravel pit is a working operation and at this time has no viable park uses to it without costly environmental mitigation before it can be used for any sort of recreation use. It is also not served and cannot be readily served by city services without major costs and utility extensions. The rural home sites are small parcels which have no viable park use. None of the parcels would represent a logical extension of Keizer Rapids Park and were not further evaluated.

Finally, it should be noted that the city reviewed other potential alternatives that were adjacent to the city in other areas, but these were all rejected because whether in the northwest, northeast, east, or south of the city none were adjacent to Keizer Rapids Park. They lacked urban services which would be costly, or in the case of the area to the east of I-5 would be very difficult to serve given the physical barrier that I-5 presents and also all lacked safe access for vehicles, pedestrian

and bicyclists. Finally, the area to the south of the city is within the city limits of Salem; Keizer would not be able to legally expand in that direction.

Review of alternatives

In consideration of the alternatives, it is determined that Alternative #1 is the best viable alternative in that it represents a cost efficient alternative over the other alternative for a number of reasons. The street access to serve Alternative #1, adjacent to Keizer Rapids Park, exists and with recent improvements to the roadway along Chemawa Road will not require any additional improvements. The other alternative will require significant levels of roadway improvements. The roadway has separated pedestrian and bicycle facilities that provide a safe route into the park unlike the other alternative which does not have these facilities. Alternative #1 has an existing pedestrian and bicycle connection from an existing residential neighborhood unlike the other alternative where this system is lacking or would be expensive to provide. Alternative #1 has an existing waterline that currently serves a portion of Keizer Rapids Park and is available to serve other parts of the park at minimal expense unlike the other alternative which will require expensive and lengthy extension. Sanitary sewer facilities are located near Alternative #1 unlike the other alternative which has no nearby sewer lines and would require lengthy and expensive extensions to serve this area. Alternative #1 has the benefit of being adjacent to Keizer Rapids Park which has an adopted master plan outlining how it should be developed. This alternative has sufficient area that can be added readily and efficiently into the design and operation of the park in a manner that will complement and enhance the park. For these reasons, Alternative #1 meets the requirements within OAR 660-024-0060(5).

Evaluation of ORS 197.298

There are no lands designated as an urban reserve as identified in ORS 195.145 adjacent to the city that would qualify for consideration, nor are there any marginal lands as described in ORS 197.247, so ORS 197.298(1)(a) and (c) are not applicable. In the northern portion of the city there is an area of non-resource lands that would appear to be a second priority area to be considered. This is an area developed primarily with homes on acreage lots and also has a commercial node at the very northern tip of the area. This area was rejected because it is

developed with residential homes or commercial businesses and it is at least 3 miles north of Keizer Rapids Park and so would not be able to offer any physical connection to the park. There is a complete lack of city services in this area and extending these lines would be expensive depending on which properties were involved, nor is there any existing pedestrian or bicycle facilities. For these reasons this area was determined to be inadequate to meet the specific identified land needs as permitted in ORS 197.298(3)(a) and so was eliminated from further consideration. Further, it was determined that lands adjacent to the city, that ORS defined “higher priority” lands are inadequate to meet the specific types identified land needs as permitted in ORS 197.298(3)(a) and so consideration is limited to the alternatives as permitted within OAR 660-024-0060(5).

The Alternative #1 contains the area that is adjacent to Keizer Rapids Park and also a portion of the park. This alternative has Newberg soils that are considered as class II soils and as high value farm land. It is also split zoned Marion County Exclusive Farm Use (EFU) for 20 acres and city of Keizer Special Agriculture (SA) for 38 acres. While on its face, this alternative appears to be a lower priority, however, ORS 197.298(3) specifies that “lower priority land may be included in an urban growth boundary if land of a higher priority is found to be inadequate.” Alternative #1 contains a portion that is zoned EFU (20 acres) and is outside the UGB, but has been approved previously by Marion County with a conditional use for the use and development with Keizer Rapids Park and is no longer in any form of farm use. A larger portion (38 acres) is designated SA and has been annexed into the city limits which resulted in this portion of the site within the city limits but outside of the UGB. So even though it has an EFU qualifying zone designation (SA zone), it is land that is inside the city. In this case, it will result in a park that would be developed with urban uses rather than uses that would be more appropriate in a rural setting. The split designation (a portion EFU and a portion SA) combined with the split jurisdiction (within the city limits and outside the city limits) represents a real constraint on the ability of the city to develop the area in a logical manner. To retain its current split jurisdiction would be impractical and undesirable because it could not be developed in an effective manner. Once the area is brought into the UGB and city limits, rezoned to Public, and a comprehensive plan designation change to Park is completed, the property would be able to be developed in a

manner that will complement and enhance the rest of Keizer Rapids Park, and implement the established goals and objectives of the city and county.

Alternative #2, like Alternative #1, also has Newberg soils that are considered as class II soils and as high value farm land. However, given that this alternative is further from the urban area and would result in the leap-frogging over Alternative #1, it would be inconsistent with other state policies that seek to avoid such a practice. Also, this alternative is not as viable a site to Alternative #1 in consideration that a large portion of Alternative #1 is already within the city limits.

GOAL 14 analysis

(1) Efficient accommodation of identified land needs.

The City of Keizer Parks and Recreation Master Plan and the Keizer Housing Needs Analysis (HNA) establishes the fact that the existing amount of park land, including the 120 acres of Keizer Rapids Park, is deficient to serve the projected population growth of the City. This HNA included an evaluation of the existing parks facilities serving the current population in order to determine any deficiencies. The City Parks Master Plan has adopted a standard of 5 acres of park land per 1000 residents. This previously adopted standard, measured against the acknowledged population growth, leaves the City with a deficit of 43.5 acres of needed park land. Alternative #1 contains approximately 27 acres of new park land (58 total acres) where Alternative #2 contains only 9 acres of new park land. Therefore, Alternative #1 can better accommodate the identified park land needs. Also, given the size and shape of Alternative #1 combined with its location adjacent to Keizer Rapids Park that is either currently in active park use(or can be), it represents a more efficient use and accommodation of the identified park needs and so satisfies this Goal 14 factor.

(2) Orderly and economic provision of public facilities and services.

Alternative #1 features a dog park where the city currently provides city water to the dog park portion of Keizer Rapids Park. Sanitary sewer is not provided to the park.

However, this service is located adjacent to the east and could be extended to provide service to the park if it is determined to be needed. There is adequate capacity in both the water and sanitary sewer systems to be able to serve the park if needed. Stormwater facilities can also be developed given the ample space within the park. It is envisioned that this would make use of detention basins and swales as needed. Chemawa Road, which provides access to this alternative, is an improved city street and with recent upgrades and improvements can serve this alternative for vehicular as well as pedestrian and bicycle access. Police protection will continue to be provided by the Keizer Police Department as it is now provided as part of an agreement with Marion County Sheriff's Office. Keizer Public Works Department will continue to maintain the park and will be able to maintain the area under consideration. Alternative #2 cannot be readily served by urban infrastructure. Unlike Alternative #1 which has water and sanitary sewer lines either at or nearby the site, this alternative is further away from these public facilities and so will require lengthy and costly infrastructure extensions. In addition, if this alternative is selected and brought into the UGB over Alternative #1 it will result in the leap-frogging of a large parcel in order to serve a smaller parcel that is further from the urban area. This leap-frogging to service parcel further from the urban area would be inconsistent with statewide planning requirements that seek to contain urban growth to areas close to the existing UGB lines. For this reason Alternative #2 does not meet this factor and Alternative #1 does meet this Goal 14 factor.

(3) Comparative environmental, energy, economic and social consequences.

Alternative #1 does not have any steep slopes, hazardous soils, wetlands, floodplains or any other identified environmental constraints associated with it. Alternative #2 has a portion of the site identified as being in the 100 year floodplain. While the intent of the proposal is to develop the site with a park, the projected energy costs on either site are estimated to be overall low. However, the fact that Alternative #1 is closer to the existing residential neighborhoods to the east will mean that it is more likely to result in people walking or riding their bicycles to visit the site which means that it will have lower energy consumption costs and potentially lower green gas emissions. Both alternatives are planned to be developed with a park use which will not have any employment

attributes associated with either. However, the development of Keizer Rapids Park is consistent with the efforts of the city to create improvements in the overall quality of life and improvements in the health and general welfare of the city as a whole. Expansion of park uses will therefore contribute to the general economic viability and competitiveness of the Keizer community. Therefore, the selection of the larger parcel would be more suited to improving the economic objectives of the city. Since the proposal is to develop the site with park uses in conjunction with the adjacent Keizer Rapids Park and not with any housing or employment uses, the social impacts are low on either site. However, since the city owns Alternative #1 it can be readily developed and incorporated into the park. The fact that Alternative #2 is not owned by the city would result in the city needing to acquire it thereby reducing the housing inventory by one unit. Since the city already owns Alternative #1 and it is planned to be used for park uses, the existing dwelling was not calculated as part of the city's recent housing inventory so its eventual conversion would have no impact. For these reasons, it is determined that Alternative #1 better complies with this Goal 14 factor.

- (4) Compatibility of the proposed urban uses with nearby agricultural and forest activities occurring on farm and forest land outside the UGB.

The proposed use of the area is for park uses and specifically is developed in conjunction with the adjacent Keizer Rapids Park. Alternative #1 is bounded to the east with urban uses that are inside the city limits; to the south and west is Keizer Rapids Park; and, to the north is a combination of rural home sites and a small orchard. While a portion of the frontage of Alternative #1 will be across the street from farm property outside the UGB, the fact that Keizer Rapids Park already is located across the street from this use and that there have been no known conflicts is testament that the park is compatible with nearby agricultural uses. There are no forest uses or activities occurring nearby to this alternative. Alternative #2 is bound by the park on three sides and to the south of the same agricultural use as Alternative #1. Alternative #2 is across the street from a commercial gravel operation which is permitted to operate in the nearby farm zone. Given that each alternative is located near the same agricultural use, it is determined that Alternative #1 will be more compatible with this factor given that it has urban uses

directly to the east and park uses to the south and west. The establishment of the park bordering residential uses makes for an orderly transition between rural and urban development. The existing gravel operation located close to Alternative #2 makes it less compatible. Alternative #1 will overall be more compatible with the nearby uses occurring on the Marion County EFU lands to the north. For this reason, Alternative #1 is determined to better meet this Goal 14 factor.

Conclusion

The analysis of alternative sites has been consistent with the requirements within OAR 660-024-0060 and with ORS 197.298. A variety of alternatives were considered. Based on a review of factors, the proposed property (Alternative #1) is determined to be the best alternative and meets the city's adopted local locational criteria as permitted in OAR 660-024-0060(5); with the requirements in ORS 197.298; and, with the Goal 14 factors.

F. OAR 660-024-0070 - UGB Adjustments

This section indicates that a local government may adjust the UGB at any time to better achieve the purposes of Goal 14 and this division. Such adjustment may occur by adding or removing land from the UGB, or by exchanging land inside the UGB for land outside the UGB. The requirements of Goal 14, this division, and ORS 197.298 apply when land is added to the UGB, including land added in exchange for land removed. The requirements of ORS 197.296 may also apply when land is added to a UGB, as specified in that statute.

FINDINGS:

The city of Keizer seeks to add 58 acres to its UGB. This UGB amendment is consistent with the requirements of Goal 14, this division, and ORS 197.298 and complies with OAR 660-024-0070(1). The proposal will not remove land from the city's UGB, nor will it exchange any land inside the UGB for land outside the UGB so the requirements in OAR 660-024-0070(2) and (3) are not applicable.

G. OAR 660-024-0080 -LCDC Review Required for UGB Amendments

A metropolitan service district that amends its UGB to include more than 100 acres, or a city with a population of 2,500 or more within its UGB that amends the UGB to include more than 50 acres shall submit the amendment to the Commission in the manner provided for periodic review under ORS 197.628 to 197.650 and OAR 660-025-0175.

FINDINGS:

Keizer has a population as of July 1, 2013 of 36,795 (which is greater than 2,500) and is proposing to amend the UGB to include 58 acres, and so is required to submit the proposed UGB amendment to LCDC as required under periodic review and has done so. Therefore, this provision is satisfied.

EXHIBIT 2

SALEM URBAN GROWTH BOUNDARY DESCRIPTION

Marion County Portion

September 24, 1979

Revised August 11, 1980

Revised March 29, 1982

Revised April 28, 1986

Revised June 23, 2014

Section 10, T7S, R3W

Beginning at a point on the now existing city limits line in the middle of the Willamette River west of Stark Street in Section 10 Township 7 South, Range 3 West, which point is on the boundary between Marion and Polk Counties, thence northerly and westerly to

Section 4, T7S, R3W

a point on the southerly extension of the west line of Warner Subdivision approximately 2,000 feet north and 300 feet west of the southeast corner of Section 4 Township 7 South, Range 3 West; thence north along said extension and the west line of said Warner Subdivision and the east line of a tract conveyed to F. A. Buchholz, et. al. by Reel 32, No. 1572 2,500 feet more or less to a point on the south line of Chemawa Road (County Road 701); thence west along the south line of said road 200 feet more or less to the extended west line of a tract conveyed to E. E. Kensey by Volume 767, Page 164, Marion County Deed Records; thence north along the west line of said Kensey tract and extension 1,050 feet more or less to the north line of Willow Lake Road;

Section 33, T6S, R3W

Thence east along the north line of said Willow Lake Road 100 feet more or less to the intersection of the southerly extension of the east line of a tract conveyed to T. W. Bowden as described in Volume 459, Page 528, Marion County Deed Records; thence northerly along said extension to the southeast corner of said Bowden tract; thence easterly along the easterly extension of the south line of said Bowden tract 709 feet more or less to a point of intersection of the E/C of a track of land conveyed to P.J. and P.D. Blake as recorded in Volume 450, Page 33, Marion County Deed Records, said point being in Section 34;

Section 34, T6S, R3W

Thence northerly along the east line of said Blake tract 662 feet more or less to the point of intersection of the north line of a tract of land conveyed to L.E. and L. Cook as recorded in Volume 671 P. 064 Deed Records, Marion County, Oregon, thence easterly along the north line of said Cook tract 1210 feet more or less to a point on the west line of Market Road No. 63 (commonly known as Windsor Island Road), thence northwesterly along the west line of said Windsor Island Road 950 feet more or less to the point of intersection of the westerly extension of the south line of the James Smart Donation Land Claim No. 42 in said T. & R., thence easterly along the westerly extension of the south line, the south line of said Donation Land Claim No. 42 and the south line of the Nimrod Ford Donation Land Claim No. 40 in said T. & R. 2020 feet more or less to the point of intersection of the southerly extension of the east line of a

track of land conveyed to E.D. Fish et. al., as recorded in Reel 66, Page 0078 Deed Records, Marion County, Oregon, thence northerly along the southerly extension of the east line of the said Fish tract 3747 feet more or less to the northeast corner thereof, thence continuing Easterly 2,400 feet more or less along the north line of a tract deed to J.E. and M.B. Slover by Volume 781, Page 143, Marion County Deed Records and extension thereof;

Section 26, 23C, 23B, T6S, R3W

To the high bank line which is 100 feet more or less west of the east line of the Alvis Smith D.L.C. #69 in Section 26, Township 6 South, Range 3 West; thence northerly along the high bank line west of and generally parallel to Market Road 24 (Wheatland Road North);

Section 23AC, T6W, R3W

To the southwest corner of that tract of land conveyed to E. E. and E. L. Sawyer as described in Volume 447, Page 309, of Marion County Deed Records; thence easterly along the south line of said Sawyer tract to the centerline of Market Road 24 (Wheatland Road North); thence northeasterly along the centerline of Market Road 24 to its intersection with the westerly projection of the north line of Clear Lake Addition Subdivision; thence easterly along said projection and the north line of Clear Lake Addition and the north line of Clear Lake Addition No. 2 to the northeast corner of Clear Lake Addition No. 2; thence southerly along the east line of Clear Lake Addition No. 2 and the southerly projection of said line to a point that is 145 feet north of the centerline of County Road 613 (Clear Lake Road); thence easterly and 145 feet parallel to County Road 613 a distance of 457.79 feet to the east line of a tract of land conveyed to D. and M. Schlag as described in Volume 234, Page 153, Marion County Deed Records; thence southerly along the east line of said tract 5 feet to a point;

Section 23A, T6S, R3W

Thence easterly and 140 feet parallel to the centerline of County Road 613 a distance of 1,009.32 feet to the intersection with the northerly projection of the west line of a tract of land conveyed to C. and A. Johnston as described in Volume 540 Page 642, of Marion County Deed Records; thence southerly along said projection 20 feet to the northwest corner of said Johnston tract; thence easterly along the north line of said Johnston tract 90 feet to the west line of Section 24 in Township 6 South, Range 3 West, at a point that is 120 feet north of the centerline of County Road 613;

Section 23D, 25, T6S, R3W

Thence southerly along the west line of Sections 24 and 25 to the north right-of-way line of Market Road 36 (River Road North); thence southwesterly along the north line of Market Road 36 to its intersection with the north line of the southeast 1/4 of Section 26 in Township 6 South, Range 3 West; thence easterly along said north line to the 1/4 corner on the west line of Section 25; thence S 0° 7' E along the west line of Section 25 1,092.974 feet to the point on the Labish Ditch; thence S 83° 41' E 246.48 feet to a point; thence S 78° 46' E 271.66 feet to a point; thence S 69° 44' E 467.64 feet to a point; thence S 81° 33' E 814.49 feet to a point; thence easterly along Labish Ditch to the west right-of-way line of U. S. Interstate 5 freeway; thence easterly and perpendicular to the west line of U. S. Interstate 5 to

the east line of said freeway; thence southwesterly along the east line of said freeway to the southerly high bank line of Lake Labish said point also being 180 feet more or less south of the south line of Section 25, Township 6 South, Range 3 West;

Section 36A, T6S, R3W, Section 31, T6S, R2W

Thence southeasterly along the southerly high bank line of Lake Labish to a point on the east line of the Southern Pacific Railroad right-of-way; thence southerly along the east line of said Southern Pacific Railroad right-of-way to a point on the north line of a tract of land conveyed to United States Indian School as described in Volume 71, Page 23 of Marion County Deed Records; thence easterly along the north line of said United States Indian School tract to the northeast corner thereof; thence southerly along the east line of said United States Indian School tract to a point on the north line of County Road 619 (Chemawa Road), thence easterly along the north right-of-way line of County Road 619 (Chemawa Road) to the west right-of-way line of State Highway 99E; thence northerly along said west line of Highway 99E;

Sections 31A, 32BC, 32BA, T6S, R2W

To a point of intersection with the westerly projection of the north right-of-way line of County Road 617 (Labish Gardens Road); thence easterly along said projection and the north right-of-way line of County Road 617 to a point of intersection with the westerly projection of the north line of that tract of land conveyed to R. G. and I. C. Zachary as described in Volume 738, Page 661, of Marion County Deed Records; thence easterly along said projection and the north line of said Zachary property, also being in Lot 12 of Labish Gardens Subdivision, to the northeast corner of said Zachary tract; thence southerly along the east line of Labish Gardens Subdivision;

Section 32BD, T6S, R2W

To the north right-of-way line of Market Road 52 (Hazelgreen Road); Section 32B, T6S, R2W

Thence easterly along said north line of Market Road 52 to a point of intersection with the northerly projection of the west line of a tract of land conveyed to S. and E. Zielinski as described in Volume 664, Page 475, of Marion County Deed Records; thence southerly along said northerly projection and the west line of said Zielinski tract;

Section 5A, T7S, R2W

To the north right-of-way line of County Road 725 (Kale Road); thence easterly along said north right-of-way line of County Road 725 to the intersection with the northerly projection of the most westerly right-of-way line of County Road 727 (Fletcher Road) (also known as Market Road 97); thence southerly along said northerly projection and the most westerly right-of-way line of Fletcher Road;

Sections 5D, 8B, 8C, 8DC, 17, 17B, 20BA, 20BD, 20CA, 20CD, 29BA, 29B, 29C, T7S, R2W

And continuing southerly along the west line of County Road 727 being also Cordon Road (Market Road 97);

Sections 5, 4, T8S, R2W

To the point of intersection of the northwesterly extension of the northeasterly line of lot 4 Maplewood as recorded in Volume 7, page 69, Book of Town Plats, Marion County, Oregon; thence southeasterly along the northwesterly extension of the northeasterly line of said lot 4 and the northeasterly line of lot 4 1,185 feet more or less to the southeasterly corner thereof, said point also being on the northwesterly line of lot 5, of said Maplewood; thence N 45° 51' E along the northwesterly line of said lot 6 to a point that is 209 feet more or less from the most northeasterly line of said lot 6; thence southeasterly and parallel with the northeasterly line of said lot 6 208 feet more or less; thence northeasterly and parallel with the northwesterly line of said lot 6 229 feet more or less to a point on the northeasterly right-of-way line of County Road No. 847 (commonly known as Gaffin Road SE); thence S 44° 45' E along the northeasterly right-of-way line of said Gaffin Road 1,221 feet more or less to the point of intersection of the northwesterly line of a tract of land conveyed to Rodney R. Stubbs and Ernest H. Miller and Bert Gredvig as recorded in Reel 256, page 533, Deed Records, Marion County Oregon; thence N 45° 15' E along the said northwesterly line 1,965 feet more or less to a point on the north line of County Road No. 849 (commonly known as Culver Road SE); thence southeasterly along the northeasterly right-of-way line of said Culver Road SE 2,077.78 feet to the point of intersection of the northeasterly extension of the most southeasterly line of a tract of land conveyed to Westpac Research and Business Centers as recorded in Reel 256, page 1923, Deed Records, Marion County, Oregon; thence S 45° 15' W 1,021.04' more or less to the most easterly southeast corner of said Westpac Research and Business Centers tract; thence N 44° 45' W 668.16' more or less to a reentrant corner in the southeasterly line of said Westpac Research and Business Centers tract; thence S 45° 15' W 984.44 more or less to a point on the south line of said Gaffin Road; thence S 44° 45' E along the south line of said Gaffin Road 160 feet more or less to the point of intersection of the east line of lot 12 of said Maplewood; thence southwesterly along the east line of said lot 12 205 feet more or less to a point on the southerly right-of-way line of Stte Highway 22 (commonly known as Santiam Highway); thence southeasterly along the south line of said Santiam Highway;

Section 9, T8S, R2W

To a point of intersection with the northerly projection of the west line of a tract of land conveyed to the State of Oregon as described in Volume 53, Page 140, of Deed Records, Marion County; thence southerly along said northerly projection and the east line of said State of Oregon tract to its southeast corner also being on the quarter section line running east-west through Section 9, Township 8 South, Range 2 West; thence westerly along said quarter section line and through the 1/4 corner on the west line of Section 9;

Section 8, T8S, R2W

And continuing west on the quarter section line in Section 8 to the southeast line of the Thomas Stanley D.L.C. No. 46, thence S 47° 18' W along the southeast line of said Stanley D.L.C. to the south right-of-way line of County Road 854 (Joseph Street); thence southeasterly along said south right-of-way line to the east line of Section 8, Township 8 South, Range 2 West; thence south along the east line of Section 8 to the southeast corner of Section 8;

Section 17, T8S, R2W

Thence east along the south line of Section 9, Township 8 South, Range 2 West, 493 feet to a point; thence S 0° 8' W to a point that is 493 feet S 89° 39' E of the northeast corner of the William H. Baker D.L.C. No. 65 also being on the section line between Sections 16 and 17 in Township 8 South, Range 2 West; thence N 89° 39' W along the north line of said Baker D.L.C. No. 65 to its northwest corner; thence S 16° 22' W along the west line of said Baker D.L.C. No. 65 and the southerly projection thereof to the south right-of-way line of County Road 856 (Gath Road); thence easterly along the south line of County Road 856 to the northeast corner of the J. Herron D.L.C. No. 60; thence S 0° 30' W along a line 1,674.42 feet to a point also being the 1/4 corner on the south line of said Section 17;

Section 20, T8S, R2W

Thence S 66° 45' W 2,159.52 feet to a point; thence S 39° W 554.4 feet to a point; thence N 66° 56' W 1,465.86 feet to a point;

Section 19, T8S, R2W

Thence N 9° 50' 25" W 23.85 feet more or less to a point on the North Line of Markham Street SE; thence westerly along the North Line of said Markham Street SE N 59° 17' 15" W 122 feet to an angle point in said North Line; thence N 70° 23' west along the North Line of said Markham Street SE 554.90 feet more or less to an angle point; thence N 43° 56' 02" W 286.28 feet; thence N 55° 11' 37" W 457.30 feet more or less to the point of intersection of the northerly extension of the West Line of a tract of land conveyed to Melvin L. and Dorothy M. Dewitt as recorded in Reel 81, Page 134, Deed Records, Marion County, Oregon; thence S 27° 11' W along the northerly extension of the West Line of said Dewitt tract, and the West Line 512 feet more or less to the southwest corner thereof said point also being on the North Line of County Road No. 845 commonly known as Wiltsey Road SE; thence along the arc of a 282.04 foot radius curve to the left (the cord of which bears N 22° 31' W 263.03') 273.68 feet; thence North 50° 43' 30" W along the North Line of said Wiltsey Road 157 feet; thence along the arc of a 226.68 foot radius curve to the left (the chord of which bears N 69° 33' 30" W 145.50') 149.68 feet;

Section 18, T8S, R2W

Thence N 88° 38' W along the North Line of said Wiltsey Road 1,031.82 feet; thence N 0° 03' E 10 feet; thence N 88° 38' W 988.45 feet; thence S 10 feet; thence N 88° 13' 38" W along the North Line of said Wiltsey Road 618.34 feet;

Section 13, T8S, R3W

Thence N 89° 46' W along the North Line of said Wiltsey Road 3,485.92 feet to a point on the East Line of U.S. Interstate 5 freeway;

Section 24, T8S, R3W

Thence southerly along the said east line of U.S. Interstate 5 freeway to its intersection with the South Line of Section 24, Township 8 South, Range 3 West;

Section 26, T8S, R3W

Thence west along the north line of Section 26, Township 8 South, Range 3 West, 630 feet more or less to the west line of U. S. Highway 99E; thence southeast 1,270 feet more or less to the southeast corner of a tract of land owned by B. Simmons as recorded in Volume 471, Page 319, Marion County Deed Records; thence westerly 260 feet more or less to the southeast corner of the B. Simmons tract as recorded in Volume 584, Page 816, Marion County Deed Records; thence northwesterly and westerly along the south boundary of said tract to the southwest corner; thence north 75.07 feet along the west boundary of said tract to the southeast corner of the B. Simmons tract as described in Volume 689, Page 38, Marion County Deed Records; thence S 57° 11' W a distance of 366.09 feet to the southwest corner of said tract; thence north 120 feet more or less to the southeast corner of a tract of land owned by R. and O. Trembl as described in Volume 707, Page 236, Marion County Deed Records; thence S 89° 39' W a distance of 1,250 feet more or less to the east line of Sunnyside Road; thence North along the east line of said Sunnyside Road 76.25 feet to the point of intersection of the easterly extension of the north line Sunnyside Acres Subdivision as recorded in Volume 30, Page 43, Book of Town Plats, Marion County, Oregon; thence west along the easterly extension of the north line and the north line of said Sunnyside Acres 1,052.56 feet to the west line of said Sunnyside Acres; thence north 795.30 feet to the section corner common to Section 22, 23, 26, 27, T8S, R3W;

Section 22, T8S, R3W

Thence west along the South Line of said Section 22 T8S, R3W, 308 feet to a point on the East Line of Chakarun Lane S; thence North along the East Line of said Chakarun Lane 697 feet to the point of intersection of the North Line of County Road No. 831 (commonly known as Rees Hill Road); thence west 200 feet; thence N 1° 40' West 35 feet more or less to an angle point in the North Line of said Rees Hill Road; thence S 88° 20' W 142 feet; thence west along the North Line of said Rees Hill Road and the westerly extension of said North Line 370 feet to a point on the West Line of County Road No. 833 (commonly known as Rainbow Drive); thence south along the West Line of said Rainbow Drive 20 feet; to a point on the North Line of said Rees Hill Road; thence west along the North Line of said Rees Hill Road 4,193.76 feet to a point on the East Line of Champion Hill Road SE; thence north along the East Line of said Champion Hill Road 660 feet; thence west along the North Line of said Rees Hill Road 20 feet; to a point on the section line common to Sections 21 and 22, T8S, R3W; thence north along the said section line between Sections 21 and 22 2,610 feet more or less to the point of intersection of the easterly extension of the South Line of Sunnyside Fruit Farms No. 3, vacated section as recorded in Volume 527, Page 389, Deed Records, Marion County, Oregon;

Section 21, T8S, R3W

Thence west along the South Line of said vacated Sunnyside Fruit Farms No. 3 and the westerly extension of the South Line 2,781.28 feet more or less to a point on the West Line of M.R. No. 20 (commonly known as Liberty Road S); thence N 16° 06' 10" E along the West Line of said Liberty Road 50 feet more or less to Engr. Sta. 133+29.79 P.T.; thence northerly along a curve to Engr. Sta. 127+66.87 P.S.; thence N 0° 27' 30" E along the West Line of said Liberty Road 725.47 feet to Engr. Sta. 120+41.40, said point also being on the North Line of said Section 21, T8S, R3W; thence West along the North Line of said Section 21, T8S, R3W 2,640 feet more or less to the section corner common to Sections 16, 17, 20, and 21, T8S, R3W;

Section 20, T8S, R3W

Thence west along the North Line of said Section 20, T8S, R3W 2,684.88 feet to the point of intersection of the East Line of a tract of land conveyed to William C. and Nell V. Crothers as recorded in Volume 607, Page 95, Deed of Records, Marion County, Oregon;

Section 17, T8S, R3W

Thence north along the East Line of said Crothers tract and the northerly extension of the East Line 1,176 feet more or less to a point on the North Line of Mkt Road No. 55 (commonly known as Skyline Road S); thence S 33° 30' W along the North Line of said Skyline Road S 13.20 feet to the point of intersection of the East Line of a tract of land conveyed to Wilber W. and Dorothy R. Mancke as recorded in Volume 512, Page 435, Deed of Records, Marion County, Oregon; thence north along the East Line of said Mancke tract 813.23 feet to a point on the South Line of a tract of land conveyed to Jim P. and Madonna M. Hall as recorded in Volume 572, Page 476, Deed of Records, Marion County, Oregon; thence west along the South Line of said Hall tract 1,287 feet to the southwest corner thereof; thence north along the West Line and the northerly extension of the West Line 3,284.55 feet; to a point on the South Line of Section 8, T8S, R3W;

Section 8, T8S, R3W

Thence continuing north along the northerly extension of the West Line of said Hall tract 3,975.37 feet to the northeast corner of Lot 4, Block 2, Tamarack Subdivision, as recorded in Volume 33, Page 20, Book of Town Plats, Marion County, Oregon; thence S 89° 25' 45" W along the North Line of said Tamarack Subdivision and the westerly extension of the North Line 1,208.11 feet to the southwest corner of a tract of land conveyed to H. and E. Chisholm as described in Volume 629, Page 210, of Marion County Deeds Records; thence northerly along the west line of said Chisholm tract to its northwest corner; thence westerly along the westerly projection of the north line of said Chisholm tract to the east line of the Section 7;

Section 6, T8S, R3W

Thence N 78° 03' W 720.90 feet to a point; thence N 8° 13' E 258 feet to a point; thence S 88° 57' W 597.7 feet to the east right-of-way line of County Road 809; thence northerly along the east right-of-way line of County Road 809 to its intersection with the west right-of-way line of an unnamed road, said point also being the southeast corner of a tract of land conveyed to A. H. and M. D. Jung as described in Volume 741, Page 703, of Marion County Deed Records; thence northerly along the west right-of-way line of said unnamed road and the east line of a tract of land conveyed to G. J. Bidgood as described in Volume 299, Page 147, of Marion County Deed Records to a point that is 150 feet south of the southeasterly right-of-way line of Market Road 19 (River Road South) as measured perpendicularly; thence southwesterly 150 feet south of and parallel to the southeasterly right-of-way line of said Market Road;

Section 6DB, T8S, R3W

To its intersection with County Road 809 (Viewcrest Road South) and continuing southwesterly 150 feet parallel to the southeasterly right-of-way line of County Road 801 to its intersection with the southwest line of a tract of land

conveyed to F. W. and J. V. Pita as described in Volume 758, Page 323, of Marion County Deed Records; thence northwesterly along the southwest line of said Pita tract and the westerly projection thereof to the south corner of that tract conveyed to School District No. 48 as described in Volume 75, Page 572, and Volume 36, Page 137, of Marion County Deed Records; thence northerly along the west line of said School District No. 48 tract to the south right-of-way line of Market Road 53 (River Road South);

Section 6, T8S, R3W, Section 12, T8S, R4W

Thence southwesterly along the south right-of-way line of Market Road 53 to a point that is due south of the intersection of the east line of an unnamed road and the north right-of-way line of Market Road 53;

Section 1, T8S, R4W, Section 31, T7S, R3W, 30, 29-7-3W

Thence northerly along the southerly projection of the east line of said unnamed road and the east line of said unnamed road to the south line of a tract of land conveyed to D. J. Fry, Jr., et. al., as described in Volume 637, Page 544, Parcel 2, of Marion County Deed Records; thence easterly along the south line of said Fry tract to its most southerly southeast corner; thence northeasterly along the easterly line of said Fry tract and the north line of a tract of land conveyed to L. and M. Eyerly as described in Volume 421, Page 455, of Marion County Deed Records to its northeast corner, thence northerly along the projection of the east line of said Eyerly tract, and the east line of said Fry tract and the northerly projection thereof N 0° 23' W to the centerline of the Willamette River and being the boundary line between Marion and Polk Counties in the State of Oregon; thence northerly downstream along the centerline of the Willamette River to the point of intersection with the southerly extension of the West Line of Block 10, College Subdivision No. 2, as recorded in Volume 3, Page 31, Book of Town Plats, Polk County, Oregon, said point of beginning for the Polk County Urban Growth boundary line.

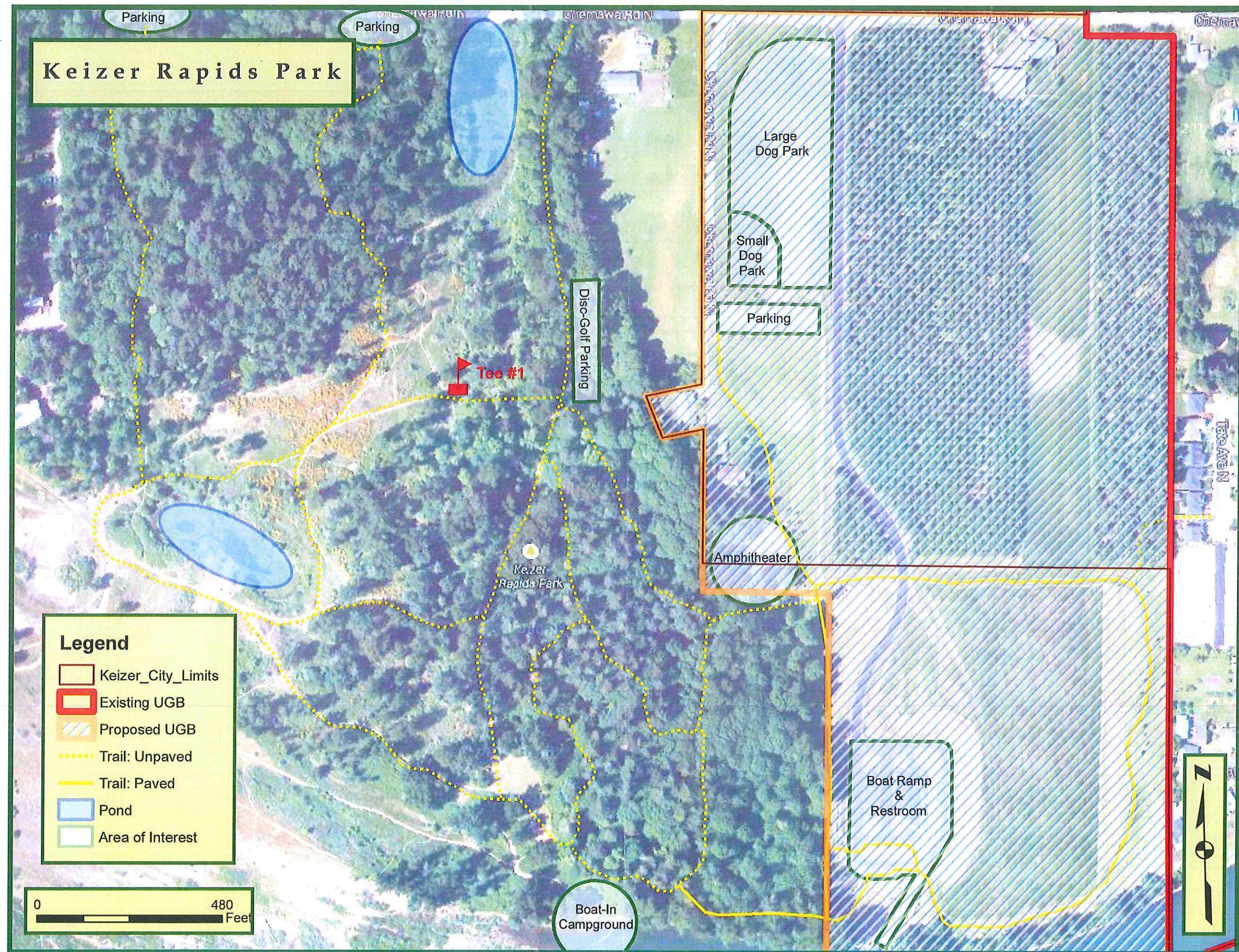
TOGETHER WITH AND ADJOINING TO the following described tract of land situated in Section 4, Township 7 South, Range 3 West, Willamette Meridian in Marion County, Oregon:

Beginning at a point in the centerline of the Willamette River, said point being the boundary line between Marion and Polk Counties in the State of Oregon, said point being on the Southerly extension of the west line of WARNER SUBDIVISION, as platted and recorded in Volume 32, Page 41, Book of Town Plats for Marion County, Oregon, and the Southerly extension of the east line of that tract of land conveyed the City of Keizer by that instrument recorded in Reel 2582, Page 340, Marion County Deed Records; and running thence:

Westerly along the centerline of the Willamette River to a point on the Southerly extension of the east line of that tract of land conveyed to Jonathan Charge and Winifred Charge by that instrument recorded in Volume 617, Page 284, Marion County Deed Records; thence North 0°12'50" West 1150 feet, more or less, along said east line to a point that is South 0°12'50" East 1482.00 feet from the northeast corner of said Charge tract, said point being the northeast corner of a 6.0-acre conservation easement; thence North 89°30'00" West 320.68 feet along the north line of said conservation easement to a point in the west line of said Charge tract; thence North 0°13'02" West 459.82 feet along said west line to the southeast corner of that tract of land conveyed to the City of Keizer by that instrument recorded in

Reel 3291, Page 153, Marion County Deed Records; thence South 77°46'58" West 107.21 feet along the south line of said tract to the southwest corner thereof; thence North 22°22'02" West 116.19 feet along the west line of said tract to the northwest corner thereof; thence North 77°46'58" East 152.00 feet along the north line of said tract to a point on the aforementioned west line of said Charge tract; thence North 0°13'02" West 958.26 feet along said west line and the Northerly extension thereof to a point on the north right of way of Chemawa Road at a perpendicular distance of 20.00 feet from the centerline of said road; thence South 89°30'00" East 998 feet, more or less, along said north right of way to a point on the west line of that tract of land conveyed to E.E. Kensey by that instrument recorded in Volume 767, Page 164, Marion County Deed Records; thence Southerly 53.00 feet along the Southerly extension of said west line to a point on the south right of way line of Chemawa Road at a perpendicular distance of 33.00 feet from the centerline of said road; thence South 89°30'00" East 200 feet, more or less, along said south right of way to the northeast corner of that tract of land conveyed to the City of Keizer by that instrument recorded in Reel 3289, Page 324, Marion County Deed Records; thence Southerly 2500 feet, more or less along the east line of said tract and the east line of the aforementioned tract conveyed to the City of Keizer by that instrument recorded in Reel 2582, Page 340 to the Point of Beginning.

Bearings base on Marion County Survey Record No. 37202



1 BILL NO. ____

A BILL

ORDINANCE NO.

2014-_____

3 FOR

4
5 AN ORDINANCE

6
7 IN THE MATTER OF THE APPLICATION OF THE CITY OF
8 KEIZER TO ANNEX A PORTION OF PROPERTY LOCATED
9 AT 1990 CHEMAWA ROAD NORTH AND THE PROPERTY
10 IDENTIFIED ON THE MARION COUNTY TAX ASSESSOR
11 MAPS AS TOWNSHIP 7 SOUTH, RANGE 3 WEST, SECTION
12 04, TAX LOT 01201, KEIZER, OREGON TO THE CITY
13 LIMITS OF THE CITY OF KEIZER (CASE NO. CP2014-05)
14

15 WHEREAS, there exists a portion of land located at 1990 Chemawa Road and
16 Tax Lot 073W04 01201, Keizer, Oregon which lies adjacent to, but outside of, the City
17 of Keizer city limits;

18 WHEREAS, the two parcels are identified on the Marion County Tax Assessor
19 Maps as Township 07 South, Range 03 West, Section 04, a portion of Tax Lot 01100
20 and Tax Lot 01201 (hereinafter "annexation area");

21 WHEREAS, the annexation area totals approximately 20 acres;

22 WHEREAS, pursuant to ORS 222.125, owners and resident electors of the
23 annexation area have submitted their written consents to the annexation of such
24 annexation area to the City of Keizer;

25 NOW, THEREFORE, the City of Keizer ordains as follows:

26 Section 1. CONSENT. The Keizer City Council finds that one hundred
27 percent (100%) of the owners of property in the annexation area, and not less than fifty

1 percent (50%) of the electors residing in the annexation area, have consented in writing
2 to the annexation of such area to the City of Keizer and have filed their statements of
3 consent with the Keizer City Council.

4 Section 2. FINDINGS. The findings relevant to the decision in this matter are
5 set forth in Exhibit “A” attached and are in conformance with the City’s comprehensive
6 plan and KDC 3.112.02(B).

7 Section 3. PROCLAMATION OF ANNEXATION. Pursuant to ORS 222.125
8 and KDC 3.112, the Keizer City Council declares that the final boundaries of the area to
9 be annexed are set as described in Exhibit “B” attached and by this reference
10 incorporated herein, and hereby proclaims the annexation of such area to the City of
11 Keizer.

12 Section 4. EFFECTIVE DATE. This Ordinance shall take effect thirty (30) days
13 after its passage.

14 PASSED this _____ day of _____, 2014.

15
16 SIGNED this _____ day of _____, 2014.

17
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22
23

Mayor

City Recorder

I. GENERAL FINDINGS

- A. APPLICANT:** City of Keizer
- B. PROPERTY OWNER:** City of Keizer
- C. PROPERTY LOCATION:** The property is located at 1990 Chemawa Road North (Tax Lot 073W04 01100 (part) and an unaddressed parcel identified as Tax Lot 073W04 01201, Keizer, Oregon.
- D. EXISTING PARCEL SIZE:** The area contains approximately 20 acres.
- E. EXISTING DEVELOPMENT AND PUBLIC FACILITIES:** A portion of the area is developed as part of Keizer Rapids Park and the remaining area is currently a hazelnut orchard in agricultural production. Water services have been provided to the dog park portion of the park.
- F. PLAN DESIGNATION AND ZONING:** The subject annexation property is designated Primary Agriculture and is zoned Marion County EFU (Exclusive Farm Use).
- G. ADJACENT ZONING AND LAND USES:** Single-family homes on lands to the east are zoned Residential Single Family (RS) and the area is within the city limits. Property to the north is zoned Special Agriculture (SA) and is within the city limits. Property to the west is outside the city limits and is zoned Marion County EFU.
- H. PROPOSAL:** The proposal is to expand the Urban Growth Boundary to bring in approximately 58 acres for park land (38 acres of which are already within the existing city limits; approximately half of which is already developed as Keizer Rapids Park); annex all of the rest of this area into the Keizer city limits; re-designate the comprehensive plan map of this area from agriculture to park; and rezone the area to Public. The following Findings (Section III) address only the annexation request.

- I. NOTICE:** Public notice was mailed, published and posted consistent with notice requirements in KDC § 3.204.
- J. PUBLIC HEARINGS:** A public hearing was held before the Planning Commission on April 9, 2014 and also before the City Council on May 5, 2014. The Planning Commission voted to recommend that the City Council adopt the proposed UGB/ annexation/ comprehensive plan / zone change amendment and the City Council voted to direct staff to proceed with developing findings and this final Ordinance. Public hearings were held before the Salem City Council on June 9, 2014 with the Salem City Council adopting Ordinance No.9-14 relating to amending the shared Salem Area Comprehensive Plan and expanding the Urban Growth Boundary, a component of the Salem Area Comprehensive Plan on June 23, 2014. Marion County Board of Commissioners held public hearings on June 11, 2014 and June 25, 2014 and on July 9, 2014 adopted Ordinance No. 1343 amending the Marion County Comprehensive Plan by concurring in an urban growth boundary amendment to the Salem/Keizer urban growth boundary. Polk County Board of Commissioners sent a letter concurring with the proposed UGB amendment.

II. WRITTEN COMMENTS

AGENCY COMMENTS:

- A.** Marion County Planning commented that the city will need to submit a letter requesting county concurrence after city council takes action.
- B.** City of Salem Community Development Department commented that Salem will also need to take concurrence action and will submit additional comments at a later date.
- C.** Public Works submitted comments relating to Chemawa Road capacity.

CITIZEN COMMENTS:

Written comments were received from Robye Parker, 4881 15th Ave N, who commented that Keizer Rapids Park was supposed to be a wildlife park and objects the loud music coming from the concerts.

Department of Land Conservation and Development staff commented that the HNA and Parks Master Plan be included in the report as exhibits; include a map of the alternative sites; and, provide documentation of meeting OAR 660-024-0050(4) detailing that the need cannot be met on lands already in the UGB.

Jack and Marlema Witt at 4821 15th Ave, Keizer OR 97303 commented that the land should remain in park use and not be sold to a developer for any non-park use.

Rhonda Rich of the West Keizer Neighborhood Association who commented that the land should remain in park use only; buffer zone should be included; and, a tree replacement plan for removal of the orchard trees.

Staff response:

The master plan for Keizer Rapids Park never intended that the park would be exclusively a natural setting but would have a combination of uses that range from natural areas to more developed parts that might be typically found in other parks. The level of park development has so far been consistent with the master plan. After the first season with concerts, the city received numerous complaints regarding noise and several sound mitigations were developed that appear to have worked.

Because comments have been received expressing concerns that a portion of land may not be used for park purposes by the city, it may be appropriate to consider requiring that the Keizer Rapids Park Master Plan be amended to include this area into the park. The Keizer Rapids Park Master Plan had an extensive public involvement component where the concerns of the immediate neighborhood were considered. A master plan amendment would not be as significant as the original master plan project but even a much quicker planning process would allow for neighborhood involvement.

In response to comments from DLCD staff, the HNA and Parks Master Plan have been included into the Record in this case. They are available on the city's web site.

There are no alternative park lands that are adjacent to the Keizer Rapids Park or other sites within the UGB that could serve as an alternative site. Within the city limits there are 3 relatively near small existing parks (Sunset, Palma Ciega and Wallace House) that were considered. Each has frontage to the river which makes it potentially attractive for consideration. However, each of these parks is of insufficient size that would preclude any additional park enhancement or development potential. Two of the small parks are each less than ½ acre in size and are in a natural undeveloped state. Each is further constrained by the fact that they have very limited access and no vehicle parking. The third site, Wallace House Park has a playground piece of equipment, better access and some parking but functions as a small local neighborhood park which provides park amenities to the immediate local area.

There are existing public facilities such as sanitary sewer and water in the local streets that could readily serve each of the parks. Each of these alternative sites is served by a local street system, although there are no dedicated bike lanes along the immediate streets. Each of these alternative sites is surrounded by existing residential development with no adjacent vacant parcels thereby eliminating any expansion options. These sites are further limited in that along this portion of the Willamette River there is a fairly significant drop off to the water which limits recreational opportunities. While these alternatives are within the city limits, it has been illustrated that due to their small parcel sizes, complete lack of adjacent vacant lands, and constraining access, all these sites are undesirable or impractical and do not meet the intent of the Keizer Rapids Park Master Plan. For this consideration, each is determined to not meet the adopted locational criteria and so satisfy the requirements within OAR 660-024-0050(4).

Testimony from Planning Commission meeting on April 9, 2014: Rhonda Rich, Keizer, West Keizer Neighborhood Association President, reviewed the history of the park and urged that the annexed property be used only for park uses. She noted that the West Keizer Neighborhood Association

- Concurs with staff that this 28 acres should be added to the Keizer Rapids Park Master Plan,
- Requests that the existing buffer zone shown in the current master plan be extended and made 75-100 foot wide along the edge of the annexed property on the east edge of the park to Chemawa, and

- Requests that no trees be removed from the filbert orchard until the master plan for the area has been approved.

William Gard, Keizer, explained that he lives next to the pathway into the park off Tate and voiced concern regarding the “loose definition of the park”. He encouraged stronger wording on what a park is and what amenities would be included in the park.

Testimony from City Council meeting on May 5, 2014: Rhonda Rich, Keizer, President of the West Keizer Neighborhood Association, voiced support for the urban growth boundary expansion and stated the Association’s request to designate the annexed area for park use, continue the existing buffer to Chemawa Road, and to develop a master plan for the area before doing anything to the filbert orchard. She encouraged Council to accept the Planning Commission recommendation and to include the entire community in the master planning process.

Richard Walsh, Keizer, voiced support for the urban growth expansion and urged that the entire community be involved in the master planning process so that the needs of the community are addressed.

III.FINDINGS

Review criteria for an annexation are found in Section 3.112 of the Keizer Development Code.

KDC Section 3.112.02 General Annexation Procedure

The Planning Commission shall hear testimony and shall recommend approval or denial of the proposed annexation and submit such recommendation to the Council. The Planning Commission's decision shall, in a written form, state the rationale used in justifying the decision, and that the decision is in conformance with the City's comprehensive plan. For all annexations the decision shall state how the proposal will:

1. *Affect the community's air resources;*

The city has a number of regulations in place which aim to protect, maintain and enhance its natural resources such as air, water and land. To that end the city has land use regulations which are geared to protecting these resources. The City of Keizer provides its residents with city water from groundwater sources. Since the

land the city seeks to annex is already being used as a park and will continue to be used for a park there will be no new construction, thereby eliminating the possibility of groundwater contamination from failing on-site septic systems. The proposed annexation will have no effect on the community's air resources, and therefore is consistent with this provision.

2. *Promote an orderly, timely and economical transition of rural and agricultural lands into urbanized lands;*

The intent of this provision is to provide for an orderly and efficient transition from rural to urban land use. The city has an adopted Comprehensive Plan and a zone code that each comply with this goal. The proposal will allow the City of Keizer to be able to expand the UGB and then annex land that is both adjacent to the Keizer Rapids Park as well as a portion of the Keizer Rapids Park. Prior to using the annexed land as a park, the city will develop a master plan for the property that is currently not in park use and is within the city limits. The Keizer Rapids Park received conditional use approval from Marion County in 2006 to allow its development as a regional park and so is no longer land that is considered as an agricultural use. With the annexation of the proposed property, it is recognized as being potentially available for urban uses. The site is adjacent to the city limits and so avoids the leap-frogging of any parcel and so reflects an orderly transition from rural to urban uses. Because it is adjacent to the city, urban facilities can be efficiently and economical extended to serve the site. No facilities will be extended outside of the urban growth boundary. The Housing Needs Analysis (HNA) documented that there is need for 43.5 acres of additional park land to serve the park and recreation needs of the city's residents. Because this action will result in the annexation of land for park uses, it will meet some of this projected need and so is a timely response. The entire 58 acres involved in this application will be rezoned to Public which will not permit any residential or employment uses within this zone district and so will not result in these types of land uses located on the edge of the urban area. With the intention that the site be for a park, it will result in a good transition from the nearby rural uses to urban

uses that are within the city limits. For these reasons the proposal is consistent with this provision.

3. *Relate to areas with natural hazards;*

The purpose of this provision is to protect life and property from hazards resulting from flooding, steep slopes or other natural occurrences. The City of Keizer has adopted floodplain regulations that govern the placement of structures within identified 100-year floodplains. A floodplain is the area that is adjacent to a body of water which may be subject to periodic inundation. In Keizer, these are primarily located along the Willamette River and smaller streams such as Claggett Creek. The floodplains have been mapped by the federal government. With the exception of areas removed from the 100-year floodplain through the Letter of Map Amendment the 100-year floodplain is the area of greatest concern. While this area is referred to as a 100-year floodplain it is because it has a statistical probability of having a 1% chance of flooding in any one year. The last major 100 year flood event was the 1964 flood. By contrast, the 1996 flood was not a 100 year flood event for Keizer, although clearly there was a significant amount of water flowing through parts of Keizer during that flood event. The intent of the floodplain regulations is to minimize the loss of life and property damage by preventing development, elevating structures above the flood elevation, or flood proofing structures in the floodplain. Only in the area identified as a floodway will most forms of development be prohibited. The floodway is that area that is generally the channels of rivers and streams which during a flood event will experience very significant water depth and velocity flows. A portion of the property which the city would include into the city's UGB is within the identified 100 year floodplain and is also within the floodway along the Willamette River. Any use within this area will need to be consistent with the city's floodplain regulations. By including this land as park land, it will ensure that no future development occurs in the floodplain area of the property that might be detrimental to surrounding area. The site is flat and contains no steep slopes.

There are no other identified natural hazards that might affect this site. The proposed annexation will be consistent with this provision.

4. ***Affect the fish and wildlife in the proposed annexation;***

The proposed annexation will result in the land being used as part of Keizer Rapids Park in a manner consistent with the adopted Keizer Rapids Park Master Plan. A new master plan will be established and incorporated into an expanded master plan for the area outside of the Keizer Rapids Park Master Plan. The master plan includes a natural resource inventory that identified the different habitat zones in the park. According to this inventory, the site is known to provide habitat for the federally and state endangered, anadromous fish. It has habitat for Western Pond Turtle, although no turtles were observed during the inventory. During the spring of 2006, the state conducted an intensive study of the park to determine if Western Pond Turtles were at the site. At the conclusion of this study, no turtles were found and it was determined that they in fact no longer inhabit this site. Potential habitat for the red-legged frog is present, but the abundance of bullfrogs in the perennial ponds might be limiting the presence of these and other amphibians. The assessment indicated the same list of species that are identified by OWEB as “Priority Species” for the Willamette Basin: anadromous fish, pond turtle, red-legged frog, yellow warbler, and western meadowlark. It should be noted that none of these species were observed, but that the potential for their occurrence was noted based on habitat type and proximity of the river. In addition, the site could benefit several species considered “Sensitive” by the Oregon Department of Fish and Wildlife such as: bald eagles that may perch on stream-side trees, willow flycatcher, pileated woodpecker and western bluebird. No rare or endangered wildlife were found at the site in the natural resource assessment process. There will not be uses happening on the land that might impact the fish in the Willamette River or any wildlife along the river banks and so the proposal will be consistent with this provision.

5. ***Utilize energy resources and conserve energy use;***

This provision seeks to maximize the conservation of energy. All new construction requires compliance for review to applicable energy conservation standards. The annexation will result in the land being used for park and recreation uses consistent with the adopted Keizer Rapids Park Master Plan. If any construction is done, it will be required to be in a manner consistent with all applicable state building codes. The pedestrian and bicycle facilities that have recently been provided along Chemawa Road, and also from the neighborhood to the east, will allow for the option of people walking or bicycling to the park and not driving vehicles. This can then result in a reduction in vehicle miles travelled and in reduced energy consumption. The proposed annexation will have no impact on this provision.

6. ***Protect open spaces and scenic views and areas;***

The proposal will result in the annexation of land that will be used in a manner consistent with Keizer Rapids Park. The master plan for Keizer Rapids Park identified the preservation of the natural areas and scenic views along the Willamette River as an objective in the development of the park. The park has preserved many acres of land along the bank of the river for the enjoyment of viewing both the river and the wildlife in a natural setting. The use of the site as a park will by its definition result in there being a considerable amount of open space associated with it. This action will not negatively affect the open space attributes of Keizer Rapids Park, nor will it affect any of the scenic views of the park. As such, the proposal will be consistent with this provision.

7. ***Provide for transportation needs in a safe, orderly and economic manner;***

The City of Keizer has an adopted Transportation System Plan (2009) that documents the city's transportation systems and plans for future transportation improvements over the coming 20-year planning period. This TSP includes streets, transit, bike, rail, and pedestrian transportation systems. As part of the previous land use decision which was granted by the county to operate the Keizer

Rapids Park (CUP 06-44), the city and the county entered into an Intergovernmental Agreement regarding the maintenance of the western portion of Chemawa Road. This agreement outlines that the City of Keizer shall be responsible for the maintenance and improvement of this section of the road as a condition of CUP 06-44. As specified in an updated IGA, the city has voluntarily taken ownership of this portion of Chemawa Road thereby eliminating the county from being responsible for any improvement and maintenance issues associated with this portion of the street. Chemawa Road is in the process of a significant upgrade that includes road widening, curbs, sidewalks, bike lanes and storm drainage facilities. Public Works has commented that there is sufficient capacity in this street to safely accommodate any additional trips into or out of the park. There are bicycle and pedestrian facilities that provide linkage to the park along the frontage of the property along Chemawa Road. In addition there is an existing pedestrian and bicycle connection into the residential neighborhood to the east. These recent improvements, combined with the fact the area will only be used for park uses, will result in no impact on the city's transportation systems. Therefore, the proposed annexation will be consistent with this provision will be met.

8. *Provide for an orderly and efficient arrangement of public services;*

The intent of this provision is to develop a timely, orderly and efficient arrangement of public facilities and services necessary to serve the residents of the city. The City of Keizer provides its residents with water, sanitary sewer (through an arrangement with the city of Salem), an established street system, administrative services, police services, and public safety services. Fire service for the park will continue to be provided by the Keizer Fire District. As a condition of the land use decision granted by the county to operate the Keizer Rapids Park (CUP 06-44), the city and the county entered into an Intergovernmental Agreement regarding the maintenance of the western portion of Chemawa Road. This agreement outlines that the city of Keizer shall be responsible for the maintenance and improvement of this section of the road. As specified in an updated IGA, the city has voluntarily taken ownership of this

portion of Chemawa Road thereby eliminating the county from being responsible for any improvement and maintenance issues associated with this portion of the street. Chemawa Road is currently undergoing major street improvement project along its whole length. Specifically, there are bike and pedestrian facilities along the western portion that connect into the park. In addition, Public Works has commented that there is adequate capacity in the street system to serve the park. The anticipated level of services that will serve the portion of Keizer Rapids Park involved in this application would be limited to administrative services (Public Works support staff, police), water, and sanitary sewer. The proposed annexation application will not impact the city's public facilities and services, and so this provision is satisfied.

9. *Provide for the recreation needs of the citizens;*

The city has an adopted Parks and Recreation Master Plan that inventories the existing park facilities and projects the level of service that is needed to meet the future needs. As part of the development of the HNA this master plan was used as a basis to calculate future parks needs in consideration of the adopted population projection. Using the level of service within the Parks and Recreation Master Plan, the consultant for the HNA determined that the city has a deficit of 43.5 acres of park land to meet future park needs. The intent of this action will result in the area being annexed into the city limits and developed and used in a manner consistent with the Keizer Rapids Park Master Plan. The development of the Keizer Rapids Park had a very significant public involvement process that included the development of the Keizer Rapids Park Master Plan. The development of the Keizer Rapids Park Master Plan relied on identification of needed park amenities based on the Statewide Comprehensive Outdoor Recreation Plan (SCORP) and documented the assessment and analysis as a means to guide the eventual development of the park. While to date many of the identified planned features (such as boat ramp, amphitheater) have been constructed, there are still a number of other features (playground) that have not yet been added to the park. The result of this proposal is that it will allow for

additional features to be included into Keizer Rapids Park which can then meet some of the projected need for park land, and so the proposal will therefore be consistent with this annexation provision.

10. *Affect identified historical sites and structures and provide for the preservation of such sites and structures;*

As part of the original grant funding for the purchase of Keizer Rapids Park, a thorough historical review was conducted by the city's consultant with the State Office of Historic Preservation. This review determined that there were no documented historic sites or structures on the land. Also, there are no identified adjacent historic sites or structures that might be impacted by the use of this area as a park. Therefore, the proposal and use of the site with park uses will not impact this annexation provision.

11. *Improve and enhance the economy of the City; and*

The intent of this provision is to ensure that the city plans for its overall economic vitality. This proposal is to expand Keizer's urban growth boundary and concurrently annex land into the city limits, designate the land with a comprehensive plan designation of Park, and zone the property Public. This will allow for the expansion of Keizer Rapids Park to include the proposed land subject to this application. The proposed amendment does not impact the ability of the City of Keizer to seek any additional types of commercial development nor will it affect any established economic development strategies to encourage economic growth. The city is seeking to implement a special purpose UGB amendment to implement the Keizer Rapids Park Master Plan, and as such is not proposing to include land specific to economic development purposes.

The EOA documenting the composition of employment by industry in Keizer exhibits several large deviations from the statewide composition. The deviations represent Keizer's competitive advantages in the economy, which fall largely in population-driven services. Industry classifications such as Retail Trade, Education & Health, and Food Service & Drinking Places have a high

representation locally. These well-represented industries, in combination with economic development goals and input from the stakeholders, were used to devise potential future target industries. After discussing and ranking industries based on local aspirations and current representation of that industry in Keizer, the City Council determined that the following list of target industries are appropriate for Keizer to target:

- Medical facilities, including research, development and support
- Information technology/back office
- Educational services, including educational research and job training
- Professional services, including corporate headquarters
- Sporting events

This proposal for annexation will be strictly for park uses and will not result in any commercial or industrial uses on the site and therefore will not have any adverse impact on the economic development activities or uses within the city. Therefore, the proposal is consistent with this criterion.

12. *Provide quality, safe housing through a variety of housing types and price ranges.*

This provision requires the city to plan and provide for the housing needs of its residents. The area that the City of Keizer seeks to be able to include in its UGB is planned to be developed as a park in conjunction with the adjacent Keizer Rapids Park and is not planned to be developed with any single family residential or multiple family residential uses. The City of Keizer with Marion County, Polk County, and the City of Salem has developed a regional housing needs analysis for the upcoming 20 year planning period. In a follow up to the regional study, the city adopted its own local housing needs analysis as part of the city's Periodic Review that was geared specifically to Keizer and identified the projected 20 year housing needs for the city. The HNA indicated that over the upcoming 20-year period, that there will be a growth in the number of non-group households by 4,366 households which will represent a population growth of 11,833 new residents. This is consistent with Keizer's adopted 2032 forecast. When the

housing needs of the projected 2032 population is compared to the current housing supply, the analysis projects the need for 4,513 new units to house the future population. The HNA inventory did not include any of this site under consideration because it was dedicated for park use. As such, it will not impact the HNA analysis nor its conclusion regarding needed land for housing needs. The proposed annexation will result in the area being used only for park uses and will not be developed for any residential uses and so will not impact this annexation provision.

In consideration of the above discussed findings, the proposal complies with the city's annexation criteria. The City Council hereby approves the annexation.

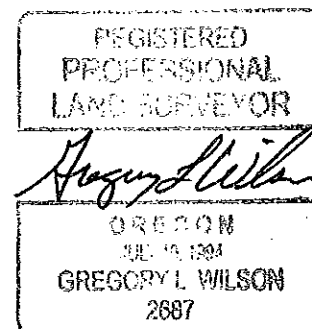
Legal Description For:
Property Annexed into City of Keizer



A tract of land situated in Section 4, Township 7 South, Range 3 West, Willamette Meridian in Marion County, Oregon, more particularly described as follows:

Beginning at a point in the centerline of the Willamette River, said point being the boundary line between Marion and Polk Counties in the State of Oregon, said point being on the Southerly extension of the west line of WARNER SUBDIVISION, as platted and recorded in Volume 32, Page 41, Book of Town Plats for Marion County, Oregon, and the Southerly extension of the east line of that tract of land conveyed to the City of Keizer by that instrument recorded in Reel 2582, Page 340, Marion County Deed Records; and running thence:
Westerly along the centerline of the Willamette River to a point on the Southerly extension of the east line of that tract of land conveyed to Jonathan Charge and Winifred Charge by that instrument recorded in Volume 617, Page 284, Marion County Deed Records;
thence North 0°12'50" West 1150 feet, more or less, along said east line to a point that is South 0°12'50" East 1482.00 feet from the northeast corner of said Charge tract, said point being the northeast corner of a 6.0-acre conservation easement;
thence North 89°30'00" West 320.68 feet along the north line of said conservation easement to a point in the west line of said Charge tract;
thence North 0°13'02" West 75.97 feet along said west line to a point on the Westerly extension of the south line of that tract of land conveyed to the City of Keizer by that instrument recorded in Reel 3289, Page 324, Marion County Deed Records;
thence North 88°32'06" East 1195.62 feet along said Westerly extension and said south line to the southeast corner of said tract, said point also being the northeast corner of the aforementioned City of Keizer tract described in Reel 2582, Page 340;
thence Southerly 1135 feet, more or less, along the east line of said City of Keizer tract to the Point of Beginning.

Bearings base on Marion County Survey Record No. 37202



EXPIRES: 6-30-14

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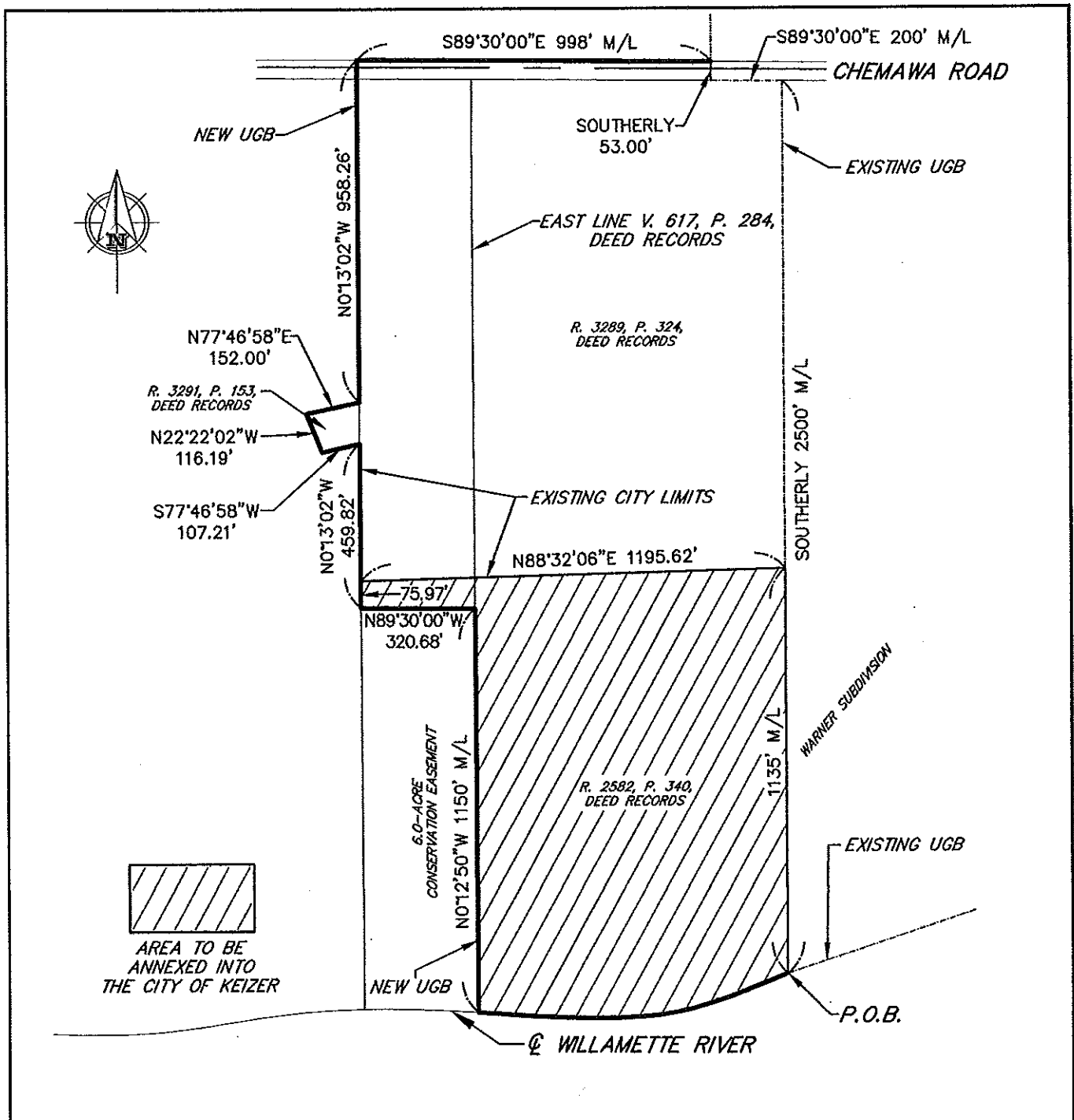


EXHIBIT MAP	0 400' 800'	CITY OF KEIZER COMMUNITY DEVELOPMENT	
ANNEXATION PROPERTY & MODIFIED URBAN GROWTH BOUNDARY	AFFECTED TAX LOTS: TAX MAP 7 3W 04 TAX LOTS: 900, 1100, 1200 & 1201		
		BY G.L.W.	DATE: 05/01/2014

1 BILL NO. ____

A BILL

ORDINANCE NO.

2014-_____

3 FOR

4
5 AN ORDINANCE

6
7 IN THE MATTER OF THE APPLICATION OF THE CITY OF
8 KEIZER FOR A COMPREHENSIVE PLAN MAP CHANGE TO
9 PARK AND A ZONE CHANGE TO PUBLIC FOR AN
10 APPROXIMATE 58 ACRE PARCEL LOCATED AT 1590
11 CHEMAWA ROAD NORTH, 1990 CHEMAWA ROAD
12 NORTH, AND 2010 CHEMAWA ROAD NORTH (PORTION
13 OF KEIZER RAPIDS PARK) (CASE NO. CP2014-05)
14

15 The City of Keizer ordains as follows:

16 Section 1. THE APPLICATION. This matter comes before the Keizer City
17 Council on the application of the City of Keizer for an Urban Growth Boundary
18 amendment, annexation, a comprehensive plan map amendment, and a zone change on
19 an approximate 58 acre parcel located at 1590 Chemawa Road North, 1990 Chemawa
20 Road North, and 2010 Chemawa Road North. The Marion County Tax Assessor's map
21 identifies the property as being located within Township 7 South, Range 3 West, Section
22 04, Tax Lots 900, 1100 (portion), 1200, and 1201. The Urban Growth Boundary and
23 annexation requests have been granted by separate Ordinances.

24 Section 2. JURISDICTION. The land in question in this Ordinance is within
25 the city limits of the City of Keizer. The City Council is the governing body for the City
26 of Keizer. As the governing body, the City Council has the authority to make final land
27 use decisions concerning land within the city limits of the City of Keizer.

1 Section 3. PUBLIC HEARING. Public hearings were held on this matter
2 before the Keizer Planning Commission on April 9, 2014 and the Keizer City Council on
3 May 5, 2014.

4 Section 4. FINDINGS. The City Council adopts the findings as set forth in
5 Exhibit “A” attached and by this reference incorporated herein.

6 Section 5. OBJECTIONS. No objections have been raised as to notice,
7 jurisdiction, alleged conflicts of interest, evidence presented or testimony taken at the
8 hearing.

9 Section 6. ACTION. The City of Keizer hereby approves the requested
10 comprehensive plan map change to “Park”, and the zone change to “Public” for the
11 subject property as shown on Exhibit “B” attached hereto and by this reference
12 incorporated herein..

13 Section 7. FINAL DETERMINATION. This Ordinance is the final
14 determination in this matter.

15 Section 8. EFFECTIVE DATE. This Ordinance shall take effect thirty (30)
16 days after its passage.

17 ///

18 ///

19 ///

20 ///

1 Section 9. APPEAL. A party aggrieved by the final determination in a
2 proceeding for a discretionary permit or a zone change may have it reviewed under ORS
3 197.830 to ORS 197.834.

4 PASSED this _____ day of _____, 2014.

5

6 SIGNED this _____ day of _____, 2014.

7

8

9

10

Mayor

11

12

13

City Recorder

I. GENERAL FINDINGS

- A. APPLICANT:** City of Keizer
- B. PROPERTY OWNER:** City of Keizer
- C. PROPERTY LOCATION:** The property is located at 1590, 1990, and 2010 Chemawa Road and is identified on Marion County Tax Assessor Map as Township 7 South; Range 3 West; Section 04; Lot 00900; 01100 (part); 01200; and, 01201.
- D. EXISTING PARCEL SIZE:** The area contains approximately 58 acres.
- E. EXISTING DEVELOPMENT AND PUBLIC FACILITIES:** A portion of the area is developed as part of Keizer Rapids Park and the remaining area is currently a hazelnut orchard in agricultural production. Water services have been provided to the dog park portion of the park.
- F. PLAN DESIGNATION AND ZONING:** Approximately 38 acres is designated Agricultural on the Marion County Comprehensive Plan Map and is zoned SA (Special Agriculture) on the Keizer Zoning Map. The remaining acreage is designated Primary Agriculture on the Marion County Comprehensive Plan Map and is zoned Marion County EFU (Exclusive Farm Use).
- G. ADJACENT ZONING AND LAND USES:** The site is bordered by single-family homes on lands to the east which are zoned Residential Single Family (RS) and the area is within the city limits. To the north and west are outside the city limits and are all zoned Marion County EFU.
- H. PROPOSAL:** The proposal is to expand the Urban Growth Boundary to bring in approximately 58 acres for park land (38 acres of which are already within the existing city limits and approximately half of the 58 acres are already developed as Keizer Rapids Park), annex all of the rest of this area into the Keizer city limits, re-designate the comprehensive plan map of this area from agriculture to park; and rezone the area to Public. The following Findings (Section III) only address the comprehensive plan map change and zone change requests.

- I. NOTICE:** Public notice was mailed, published and posted consistent with notice requirements in KDC § 3.204.
- J. PUBIC HEARINGS:** A public hearing was held before the Planning Commission on April 9, 2014 and before the City Council on May 5, 2014. The Planning Commission voted to recommend that the City Council adopt the proposed UGB/ annexation/ comprehensive plan map / zone change amendment and the City Council voted to approve the proposal and to direct staff to proceed with developing ordinances of approval together with findings. Public hearings were held before the Salem City Council on June 9, 2014 with the Salem City Council adopting ordinance No.9-14 relating to amending the shared Salem Area Comprehensive Plan and expanding the Urban Growth Boundary, a component of the Salem Area Comprehensive Plan on June 23, 2014. Marion County Board of Commissioners held a public hearing on June 11, 2014, continued it to June 25, 2014 and on July 9, 2014 adopted Ordinance No. 1343 amending the Marion County Comprehensive Plan by concurring in an urban growth boundary amendment to the Salem/Keizer urban growth boundary. Polk County Board of Commissioners adopted a resolution concurring with the proposed UGB amendment.

II. WRITTEN COMMENTS

AGENCY COMMENTS:

- A.** Marion County Planning commented that the city will need to submit a letter to them requesting county concurrence after city council takes action.
- B.** City of Salem Community Development Department commented that Salem will also need to take concurrence action and will submit additional comments at a later date.
- C.** Public Works submitted comments relating to Chemawa Road capacity.

CITIZEN COMMENTS:

Written comments were received from Robye Parker, 4881 15th Ave N, who commented that Keizer Rapids Park was supposed to be a wildlife park and objects the loud music coming from the concerts.

Department of Land Conservation and Development staff commented that the HNA and Parks Master Plan be included in the report as an exhibits; include a map of the alternative sites; and, provide documentation of meeting OAR 660-024-0050(4) detailing that the need cannot be met on lands already in the UGB.

Jack and Marlema Witt at 4821 15th Ave, Keizer OR 97303 commented that the land should remain in park use and not be sold to a developer for any non-park use.

Rhonda Rich of the West Keizer Neighborhood Association commented that the land should remain in park use only; a requirement for a buffer zone should be included; and a tree replacement plan for removal of the orchard trees should be created.

Staff response:

The master plan for Keizer Rapids Park never intended that the park would be exclusively a natural setting, but would have a combination of uses that range from natural areas to more developed parts typically found in other parks. The level of park development has so far been consistent with the master plan. After the first season with concerts, the city received numerous complaints regarding noise and several sound mitigations were developed that appear to have worked.

Because comments have been received expressing concerns that the portion of land adjacent to Keizer Rapids Park may not be used for park purposes by the city, it may be appropriate to consider requiring the Keizer Rapids Park Master Plan be amended to include this area into the park. The Keizer Rapids Park Master Plan had extensive public involvement component where the concerns of the immediate neighborhood were considered. A master plan amendment would not be as significant as the original master plan project but even a much quicker planning process would allow for neighborhood involvement.

In response to comments from DLCD staff, the HNA and Parks Master Plan have been included in the Record. They are available on the city's web site.

Testimony from Planning Commission meeting on April 9, 2014: Rhonda Rich, Keizer, West Keizer Neighborhood Association President, reviewed the history of the park and urged that the annexed property be used only for park uses. She noted that the West Keizer Neighborhood Association

- Concurs with staff that this 28 acres should be added to the Keizer Rapids Park Master Plan,
- Requests that the existing buffer zone shown in the current master plan be extended and made 75-100 foot wide along the edge of the annexed property on the east edge of the park to Chemawa, and
- Requests that no trees be removed from the filbert orchard until the master plan for the area has been approved.

William Gard, Keizer, explained that he lives next to the pathway into the park off Tate and voiced concern regarding the "loose definition of the park". He encouraged stronger wording on what a park is and what amenities would be included in the park.

Testimony from City Council meeting on May 5, 2014: Rhonda Rich, Keizer, President of the West Keizer Neighborhood Association, voiced support for the urban growth boundary expansion and stated the Association's request to designate the annexed area for park use, continue the existing buffer to Chemawa Road, and to develop a master plan for the area before doing anything to the filbert orchard. She encouraged Council to accept the Planning Commission recommendation and to include the entire community in the master planning process.

Richard Walsh, Keizer, voiced support for the urban growth expansion and urged that the entire community be involved in the master planning process so that the needs of the community are addressed.

III FINDINGS

Review criteria for a comprehensive plan map change are found in Section 3.109 of the Keizer Development Code (KDC) and review criteria for a zone change are found in Section 3.110 of the Keizer Development Code.

Comprehensive Plan Map Criteria

Comprehensive Plan Map amendment proposals shall be approved if the applicant provides evidence substantiating the following:

KDC 3.109.04.A. Compliance is demonstrated with the statewide land use goals that apply to the subject properties or to the proposed land use designation. If the proposed designation on the subject property requires an exception to the Goals, the applicable criteria in the LCDC Administrative Rules for the type of exception needed shall also apply.

FINDINGS:

Goal 1 – Citizen Involvement: The proposal has included notice to interested parties, a public process of decision making involving public hearings, deliberation, and ordinance adoption. Public notice was provided and public hearings were held before the Planning Commission on April 9, 2014 and before the City Council on May 5, 2014. Citizens have been afforded the opportunity to participate in the public process either in person or through written testimony. Additionally, the Planning Commission and the City Council meetings are televised, further providing an avenue for awareness of the issue. All written letters that were received were forwarded to the Planning Commission and also to the City Council. At the Planning Commission, two people spoke in support of the proposal. This process is consistent with the provision for providing an opportunity for citizens to be involved in all phases of this planning process as required by this goal and with implementing administrative rules within Oregon Administrative Rules, and consistent with City of Keizer development code and comprehensive plan.

Goal 2 – Land Use Planning: This proposal will change the existing comprehensive plan map designation from Agricultural and Primary Agricultural to Park. The adoption proceeding was

conducted in a manner consistent with requirements of the City's Comprehensive Plan, Development Code, and applicable state law. A public hearing was conducted before the Planning Commission and also before the City Council where an opportunity for both verbal and written testimony was provided. Both the Planning Commission and the City Council considered such testimony in rendering their respective decisions. Any appeal of the City Council's decision is provided in ORS 197. The city's review and decision includes an adequate factual base and follows a post-acknowledged plan amendment process. Therefore, the proposed comprehensive plan map and zone change are consistent with this statewide planning goal and administrative rules.

Goal 3 –Farm Land The purpose of this goal is to protect lands that are designated for agricultural uses. Within Keizer, only the Special Agriculture (SA) zone is considered to be a state recognized Exclusive Farm Use (EFU) qualifying zone designation. The proposed comprehensive plan map revision only involves land that is either currently, or that is proposed as part of the concurrent annexation proposal to be within the city limits of Keizer, and will not affect any EFU zoned lands or lawful uses occurring on lands adjacent to the park development. A portion of the land involved in this application includes land that is now designated SA and that is within the city limits. This is land that was annexed into the city limits, but is outside of the urban growth boundary. Because this is unique in that it is both inside the city limits and outside the UGB, it is within two jurisdictions with regard to land use regulations. The portion of the site that is designated EFU, while outside the city limits and the UGB, has been approved by Marion County for a conditional use permit to be developed as a park. As such, it is not in farm use. Because this area is intended to be developed in conjunction with the adjacent Keizer Rapids Park it must be brought into the UGB and have its comprehensive plan map designation changed to park and the zone designation changed to Public. Therefore, the proposed revision to the comprehensive plan map will not be inconsistent with the Farm Land Goal nor with any implementing administrative rules.

Goal 4 –Forest Land The intent of this goal is to protect lands that are designated for commercial forest uses. There are no zone districts that are specifically designated within the city limits that will allow for commercial forestry. Also, there are no commercial forest lands near, or adjacent to the city limits of Keizer. The proposed comprehensive plan map change

does not involve any land which is designated as forest land, nor will it impact the use of any forest lands. The proposal will not affect lands which allow for commercial forestry or lawful uses occurring on those lands. Therefore, this Goal and implementing administrative rules are not applicable to the proposed comprehensive plan map change.

Goal 5 – Natural Resources: The intent of the Natural Resources Goal is to protect various natural resources such as wetlands, waterways, floodplain, big game habitat, etc. The city established overlay zones to maintain, preserve and protect the natural resources that are identified within the comprehensive plan. The proposed comprehensive plan map change will allow for the city’s natural resource protection regulations to become effective. The City of Keizer has a number of Goal 5 protections already in place such as an inventory of wetlands within the city limits, floodplain regulations, and Willamette River Greenway regulations. Outside of the Willamette River riparian area, there are no identified wetlands within the area proposed to be redesignated. A small portion of the area is shown on the floodplain maps as being affected by the 100 year flood plains and there is also a portion within the Greenway area. Any use, or development within this area, will be done in accordance to all applicable Willamette River Greenway and floodplain regulations. The site is flat and does not have any steep slopes outside of the engineered bank stabilization or the natural river banks along the Willamette River. The area is not identified as being in a big game habitat area. The intent of the proposal is for the area that is currently zoned SA and is not now part of Keizer Rapids Park be included as part of the park, and that the area that is currently owned by the city outside of the conservation easement within Keizer Rapids Park be included within the UGB. This proposal will ensure that this area is protected consistent with all city and state regulations. It is the goal of the Keizer Rapids Park Master Plan to preserve and maintain all the natural resources associated with Keizer Rapids Park. Including this area into the park will result in it being given the same resource protections as other land within the park. Prior to development of the expanded park area with park uses, a master planning effort will be undertaken to establish how the new park area will be developed. The master planning effort will take into consideration the natural resources implications of proposed park uses on the site. Therefore, the comprehensive plan map change is consistent with this goal and with administrative rules designed to implement this goal.

Goal 6 – Air, Water and Land Quality: The intent of this goal is to protect the city’s air, water and land qualities. The city has a number of regulations in place which aim to protect, maintain and enhance its natural resources such as air, water and land. To that end, the city has land use regulations which are geared to protecting these resources and which are strictly enforced. The City of Keizer provides its residents with city water from groundwater sources. Since the land in this application will be used for a park, there will be careful protection of city resources thereby eliminating the possibility of additional groundwater contamination from additional on-site septic systems. In addition, the city has been developing stormwater regulations aimed to protect water quality. This action will also give the city additional tools to address the two existing older septic systems in the subject area. The proposed comprehensive plan map change will have a positive impact on the quality of air, water, or land resources. This action will allow the land to be included as part of Keizer Rapids Park which has an adopted master plan that stresses the protection of the park’s natural resources and will prohibit the land from being developed in a manner that would be contrary to this master plan. As such, the proposed comprehensive plan map change complies with this goal and with administrative rules that implement this goal.

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

flood elevation, or flood proofing structures in the floodplain. Only in the area identified as a floodway will most forms of development be prohibited. The floodway is that area that is generally the channels of rivers and streams which during a flood event will experience very significant water depth and velocity flows. A small portion of the property which the city would include into the city's UGB is within the identified 100 year floodplain and is also within the floodway along the Willamette River. Any use within this area will be consistent with the city's floodplain regulations. The site is flat and contains no slopes so there will be no steep slope hazards. There are no other identified natural hazards associated with the site. The proposed comprehensive plan map change will be consistent with this goal and any administrative rules.

Goal 8 – Recreation: This goal requires the city to identify and plan for the current and future recreation needs of the residents of the city. There are a number of parks, playgrounds, and other recreational opportunities within the city as identified in the Parks and Recreation Master Plan. This plan inventoried 92 acres of parks within the city and another 120 acres (Keizer Rapids Park) under the city's jurisdiction, but outside the UGB. This is comprised of one large incorporated park (Keizer Rapids Park); one large 10.6 acre city park; 10 small city parks ranging in size from 1.3 acres to 5.9 acres; three water front parks ranging in size from 1.5 acres to 11.2 acres; one 15.4 acre special use park; two natural area parks ranging from 3.7 acres to 9.5 acres; and one 6.1 acre undeveloped park. The needs assessment determined that there are gaps in park level of service coverage; that the general west Keizer area is under served and that additional park land is needed. The adopted master plan established a level of service of 5 acres per 1,000 residents.

Keizer Rapids Park is located on the west end of the city of Keizer at the terminus of Chemawa Road. This is a 120 acre park that was developed through the cooperation of the City of Keizer, Marion County, and the State of Oregon. Keizer Rapids Park received conditional use approval from Marion County to operate as a park and has its own master plan to guide the development of this park. The intent of this action will result in the area which was recently annexed into the city limits but left outside the city's UGB be brought into the UGB and master planned and eventually developed with park uses that will complement the adjacent Keizer Rapids Park. The portion that is currently outside the UGB will then be included into the city limits and developed

consistent with the Keizer Rapids Park Master Plan. This addition is also consistent with the adopted park land need projections established in the HNA.

The Keizer Rapids Park Master Plan includes a variety of uses within the park. These include: open space areas, a boat ramp/dock located in the area where the open field adjoins the forested river bank, and a large open area planned to be developed as a multi-use open space that can accommodate play fields with permanent support facilities. In the northwest corner of the multiuse area is envisioned a site for a playground, caretaker's dwelling, amphitheater, and a planned educational facility. The amphitheater has been constructed and is a venue for music and presentations. North of the caretaker/educational hub is a cluster of uses along the east side of the access way that includes a parking area, restroom facility, and an off-leash dog park. In addition, a multi-use sport courts and playground are planned for this area.

The western portion of the park is significantly less developed than the eastern portion and captures the natural feeling of this portion of the park. The existing access road that serves this part of the park has been upgraded. Farther west is a small campsite along the river's edge that is available for use by water craft users. This camping area is accessible via the multi-use path and by water only. It is not intended that this site is available to car campers. In the northwest corner of the park is a parking area and disc golf course. The forested area adjacent to the boat ramp is restricted in use in a conservation easement area.

The plan emphasizes retaining a large portion of the park in a natural state and to allow ample opportunity for wildlife viewing, nature study and other passive recreational pursuits. The proposed Comprehensive Plan map change complies with this goal and its related rules.

Goal 9 – Economic Development: The intent of this goal is to ensure that the city plans for its overall economic vitality. The City of Keizer and Marion County, along with the cities of Salem and Turner, and Polk County developed a regional economic opportunities analysis which identified the economic potentials and constraints within the Salem – Keizer regional area. A follow up to that study, the Keizer Economic Opportunities Analysis, was undertaken and documented the economic trends and economic opportunities which are geared specifically to Keizer. This study was adopted by the Council as part of Periodic Review. This proposal for a comprehensive plan map amendment will be strictly for park uses and will not be for any

commercial or industrial uses. Therefore, it will not have any adverse impact on the economic development activities or uses within the city and will strengthen, in a significant way, the quality of life and economic vitality of the community. This proposal will designate the land with a comprehensive plan map designation of Park. It will not impact the ability of the City of Keizer to seek any additional types of commercial development nor will it affect any established economic development strategies to encourage economic growth. Therefore, the proposed comprehensive plan map change is consistent with this goal.

Goal 10 – Housing: This goal requires the county to plan and provide for the housing needs of its residents. The area that is involved in this application is land that is within Keizer Rapids Park and also adjacent to the park. This area is planned to be used for park uses and is not planned to be developed with any residential uses. The City of Keizer with Marion County, Polk County, and the City of Salem has developed a regional housing needs analysis for the upcoming 20 year planning period. In a follow up to the regional study, the city adopted its own local Housing Needs Analysis (HNA) as part of the city’s Periodic Review that was geared specifically to Keizer and identified the projected 20 year housing needs for the city. The local HNA indicated that over the upcoming 20-year period, that there will be a growth in the number of non-group households by 4,366 households which will represent a population growth of 11,833 new residents. When the housing needs of the projected 2032 population is compared to the current housing supply, the analysis projects the need for 4,513 new units to house the future population.

The HNA documented that the largest share (50%) of one housing type is projected to be single-family detached homes. The remainder of units are projected to be some form of attached housing (46%), or mobile homes (4%). 54% are projected to be ownership units, while 46% are projected to be rental units. The inventory of buildable residential lands finds a current supply of 315.2 acres which are vacant, partially vacant or re-developable which can accommodate an estimated 2,422 units. The total 20-year unit need (4,513 units) minus this remaining buildable capacity (2,422 units), leaving a remainder of 2,090 units which must be accommodated beyond the City’s remaining capacity within its current boundary. The HNA estimates a 20-year need for 267 gross acres of residential land, to be accompanied by 43.5 acres of new land for parks to serve this new population, and 10 acres of land for new school facilities. This is a total of 385

gross acres. The proposed comprehensive plan map change will result in the area being used for park uses and will not be developed for any residential uses and will not impact this goal or any related rules.

Goal 11- Public Facilities and Services: The intent of this goal is to develop a timely, orderly and efficient arrangement of public facilities and services necessary to serve the residents of county. The City of Keizer provides its residents with water, sanitary sewer (through an arrangement with the city of Salem), an established street system, administrative services, police services, and public safety services. This proposal will not allow the extension of urban services outside of the urban growth limits. Fire service in the park will continue to be provided by the Keizer Fire District. The city has voluntarily taken ownership of this portion of Chemawa Road thereby relieving the county from being responsible for any improvement and maintenance issues associated with this portion of the street. The city is in the process of upgrading the street to meet its adopted urban standards. The anticipated level of services that will serve the portion of Keizer Rapids Park involved in this application would be limited to administrative services (Public Works support staff, police). This also provides for the potential to extend water and sanitary sewer lines needed to replace an aging out dated septic system. Water service currently serves the dog park portion of Keizer Rapids Park and sanitary sewer service is located immediately to the east of the site. Each of these services can be efficiently extended to provide additional service. The proposed comprehensive plan map change will not impact the city's public facilities and services, and so this goal and any rules are satisfied.

Goal 12 – Transportation: The City of Keizer has an adopted Transportation System Plan (TSP) (2009) that documents the city's transportation systems and plans for future transportation improvements over the coming 20-year planning period. This TSP includes streets, transit, bike, rail, and pedestrian transportation systems. As part of the previous land use decision granted by the county to operate Keizer Rapids Park (CUP 06-44), the city and the county entered into an intergovernmental agreement regarding the maintenance of the western portion of Chemawa Road. This agreement outlines that the City of Keizer shall be responsible for the maintenance and improvement of this section of the road as a condition of CUP 06-44. As specified in an updated IGA, the city has voluntarily taken ownership of this portion of Chemawa Road thereby eliminating the county from being responsible for any improvement and maintenance issues

associated with this portion of the street. Chemawa Road is in the process of a significant upgrade that includes road widening, curbs, sidewalks, bike lanes and storm drainage facilities. There are bicycle and pedestrian facilities that provide linkage to the park both along the frontage of the property along Chemawa Road as well as into the neighborhood to the east via an existing pedestrian / bicycle path that is stubbed at what will be the park boundary. These recent improvements, combined with the fact the area will only be used for park uses, will result in no significant negative impacts on the city's transportation systems. In addition, Public Works has commented that there is adequate capacity in the nearby street system to serve the park. Therefore, the proposed comprehensive plan map change will be consistent with this goal and all applicable rules will be met.

Goal 13 – Energy Conservation: This goal seeks to maximize the conservation of energy. All new construction requires compliance for review to applicable energy conservation standards. The proposed comprehensive plan map amendment will have no impact on this goal nor on any of the implementing administrative rules.

Goal 14 – Urbanization: The intent of this goal to provide for an orderly and efficient transition from rural to urban land use. The city has an adopted Comprehensive Plan and zone code that comply with this goal. A separate concurrent land use action is to expand the UGB for the area identified in this application and that it is included as part of Keizer Rapids Park, and for that portion already part of the park to continue its park use. Keizer Rapids Park received conditional use approval from Marion County in 2006 to allow its development as a park. The portion designated Special Agriculture and Exclusive Farm Use will be designated park which will not permit any subdivisions within this district. The site is adjacent to the developed urban area and will result in an orderly and efficient extension of urban services and facilities. The site being used for park uses will represent a minimal impact on any nearby farm uses as it will not allow for any residential or employment uses that might otherwise have large and adverse impacts on those areas. For these reasons the proposal is consistent with this goal and with its implementing administrative rules.

Goal 15 – Willamette River: This goal seeks to protect, conserve, and maintain the natural, scenic, historical, agricultural, economic and recreational qualities of lands along the Willamette

River. The Willamette River is located along the western flanks of Keizer. Portions of the site located along the Willamette River are within the 100-year floodplain along the river. In addition, some of the proposed area is also affected by the floodway. The established city floodway regulations seek to prohibit development which is within the floodway, or channel of the river. This is the portion of the floodplain which can experience high water flows and high river velocity during flood events. The risk of loss of life or property damage in the floodway during these events can be considered extreme. The City of Keizer has its own Greenway regulations. The area which the city seeks to re-designate the comprehensive plan map to Park and to rezone to Public is both outside and inside the Greenway along the Willamette River. As such, all development within this area will need to be done in accordance with the greenway regulations. The proposed amendment will give the city the ability to regulate uses along the river through compliance with the City's Willamette River Greenway overlay zone regulations and so this goal is met.

Goal 16 (Estuarine Resources), Goal 17 (Coastal Shorelands), Goal 18 (Beaches and Dunes), and Goal 19 (Ocean Resources) govern areas along the ocean. Since Keizer is located in the Willamette Valley and not along the Oregon coast Goals 16 to 19 are not applicable.

In consideration of these findings the proposal complies with this comprehensive plan criterion.

KDC 3.109.04.B. *Consistency with the applicable goals and policies in the Comprehensive Plan is demonstrated.*

Goal 4 Parks and Recreation Master Plan – Meet the park and recreation needs of Keizer's growing community.

FINDINGS:

As part of the recent Economic Opportunities Analysis (EOA) and HNA, the city documented that there is an identified need for 43.5 acres of park land to meet the future of the city. This was based on an adopted 20 year population forecast that was consistent with Marion County's coordinated 20 year population projection for the county. This park need also was based on the city's Parks and Recreation Master Plan. This action will allow the city to better meet the park and recreation needs of the city in a coherent and effective manner. Because there is a complete

lack of alternative sites within the city limits that could meet this projected need, the proposal to change the comprehensive plan map designation to Park on the area involved in this application demonstrates a viable alternative to meet this projected need and so meets with this goal.

Urban Growth Policy 8- Maintain an adequate land supply to meet the needs of the city.

FINDINGS:

As part of the recent EOA and HNA, the city documented that there is a need for 43.5 acres of park land to meet the future need of the city. This was based on an adopted 20 year population forecast that was consistent with Marion County's coordinated 20 year population projection for the county. This park need also was based on the city's Parks and Recreation Master Plan. This action will allow the city to meet a portion of the park and recreation needs of the city in a coherent and effective manner by bringing in new park land. Because there is a lack of alternative sites within the city limits that could meet this projected need, the proposal to amend the city's comprehensive plan map demonstrates a viable alternative to meet a portion of this projected need. As was previously addressed in this report, future planning efforts will be undertaken to address land supply need for other land use categories, and it is envisioned that at that time, the remaining park land need will be addressed as a part of that effort. Therefore, this proposed comprehensive plan map change meets with this proposal.

KDC 3.109.04.C. The Plan does not provide adequate areas in appropriate locations for uses allowed in the proposed land use designation and the addition of this property to the inventory of lands so designated is consistent with projected needs for such lands in the Comprehensive Plan.

FINDINGS:

The proposal will provide for land to allow the city to be able to meet a portion of its projected park needs as was determined as part of the HNA. The adoption of the HNA resulted in the city completing its periodic review and the state acknowledging the city's update. The result of this analysis is that there is a lack of park land to meet the projected park needs for the up-coming 20 year period. This proposal will result in the city being able to meet a portion of the projected need of 43.5 acres.

There are no alternative park lands that are adjacent to Keizer Rapids Park or other sites within the UGB that could serve as an alternative site. Within the city limits there are three relatively near small existing parks (Sunset, Palma Ciega and Wallace House) that were considered. Each has frontage to the river which makes it potentially attractive for consideration. However, each of these parks is of insufficient size that would preclude any additional park enhancement or development potential. Two of the small parks are each less than ½ acre in size and are in a natural undeveloped state. Each is further constrained by the fact that they have very limited access and no vehicle parking. The third site, Wallace House Park, has a playground piece of equipment, better access and some parking but functions as a small local neighborhood park which provides park amenities to the immediate local area.

There are existing public facilities such as sanitary sewer and water in the local streets that could readily serve each of the parks. Each of these alternative sites is served by a local street system, although there are no dedicated bike lanes along the immediate streets. Each of these alternative sites is surrounded by existing residential development with no adjacent vacant parcels thereby eliminating any expansion options. These sites are further limited in that along this portion of the Willamette River there is a fairly significant drop off to the water which limits recreational opportunities. While these alternatives are within the city limits, it has been illustrated that due to their small parcel sizes, complete lack of adjacent vacant lands, and constraining access that all of these sites are undesirable or impractical and do not meet the intent of the Keizer Rapids Park Master Plan. For this consideration each is determined to not meet the adopted locational criteria. Therefore, the proposed comprehensive plan map change to Park that will result in the land being used as a park is consistent with this criterion.

KDC 3.109.04.D. The Plan provides more than the projected need for lands in the existing land use designation.

FINDINGS:

The proposal will provide for land to allow the city to be able to meet a portion of its projected park needs as was determined as part of the HNA. The adoption of the HNA resulted in the city completing its periodic review and the state acknowledging the city's update. The result of this analysis is that there is a lack of park land to meet the projected park needs for the up-coming 20

year period. This proposal will result in the city being able to meet part of its projected need for parks land. Since the area was recently outside of the UGB and does not have a current city comprehensive plan map designation, this is not a comprehensive plan map change, but rather a “first time” designation for land that has been brought into the UGB. Because of this situation, this criterion is not truly applicable in the strict sense. However, it should be noted that the intent of this criterion is to demonstrate a need for specific land use types without removing needed land use types from the existing inventory. With this purpose in mind, the proposed comprehensive plan map change is consistent with the requirement of providing adequate land for specified land use types and therefore is consistent with this criterion.

KDC 3.109.04.E. The proposed land use designation will not allow zones or uses that will destabilize the land use pattern in the vicinity.

FINDINGS:

The proposed comprehensive plan map designation will be Park and the appropriate zone designation will be Public. The intent of this designation is to allow the development of the site with additional park and recreation uses in a manner that will complement and expand the existing Keizer Rapids Park. Adjacent properties to the east are developed with residential uses and are within the city limits. Land to the west is within Keizer Rapids Park and to the north are rural residences; to the northwest is a commercial gravel operation, as well as some properties that are in agricultural uses. Keizer Rapids Park has been in operation for 7 years and has been working with neighboring properties to be compatible and a good neighbor to both urban and rural neighboring properties.

Consistent with Objective 8 in the Keizer Rapids Master Plan, a buffer has been created along the east property with the lower field and fencing being included. The city has been sensitive to neighborhood concerns over noise from concerts that resulted in sound dampening measures placed to reduce the sound levels. Signage delineating the park boundaries has been placed to prevent trespass onto adjacent properties. Since the opening of the park there has been no evidence of the park destabilizing the surrounding neighborhood. If anything, the opposite has been observed. There have been two subdivisions created adjacent to the park with a selling point being the proximity to the park. In addition, the establishment of the park has created stability for

surrounding property owners to be able to plan for their future, knowing that the land use pattern will not be changed from a park to some other type of use. Without the inclusion of the proposed property, there is an uncertainty as to what, when, and if the property would develop with some other use inconsistent with the surrounding area. Therefore, the proposed comprehensive plan map change complies with this criterion.

KDC 3.109.04.F. Uses allowed in the proposed designation will not significantly adversely affect existing or planned uses on adjacent lands.

FINDINGS:

The intent of this designation is to allow the development of the site with park and recreation uses in a manner that will complement Keizer Rapids Park. Adjacent properties to the east are developed with residential and are within the city limits. To the west, land is within Keizer Rapids Park and to the north are rural residences, a commercial gravel operation, and some property that is in agricultural use. Keizer Rapids Park has been in operation for 7 years and has been working with neighboring properties to be compatible and a good neighbor.

Consistent with Keizer Rapids Park Master Plan Objective 8, a buffer has been created along the east property with the lower field and fencing being included. The city has been sensitive to neighborhood concerns over noise from concerts that resulted in sound dampening measures placed to reduce the sound levels. Signage delineating the park boundaries has been placed to prevent trespass onto adjacent properties. With the expansion of the park, a master planning effort will be undertaken. It is anticipated that this master plan amendment will build upon the policies and established pattern of park development previously approved. This process will assure that any adverse effects created by the park development and expansion are mitigated and/or prevented. Overall, the establishment and proposed expansion of the park will positively affect existing and proposed uses by providing stability of land use pattern, as well as recreational amenities to serve the area. Therefore, the proposed comprehensive plan map change complies with this criterion.

KDC 3.109.04.G. Public facilities and services necessary to support uses allowed in the proposed designation are available or are likely to be available in the near future.

FINDINGS:

The city currently provides city water to the dog park portion of Keizer Rapids Park. Sanitary sewer is not provided to the park. However, this service is located adjacent to the east and could be extended to provide service to the park if it is determined to be needed. There is adequate capacity in both the water and sanitary sewer systems to be able to serve the park if needed. Stormwater facilities can also be served, although given the ample space within the park it is envisioned that this would make use of detention / infiltration basins and swales as determined to be needed. Chemawa Road, which provides access to the site, is an improved city street with recent upgrades providing for safe and convenient vehicular, bicycle, and pedestrian access. In addition, Public Works has commented that there is adequate capacity in the street system to serve the park. Police protection will continue to be provided by the Keizer Police Department. The Keizer Public Works Department will continue to maintain the park and will be able to maintain the area under consideration. The city can provide all of these services in an efficient manner, and therefore this criterion is met.

For these reasons the proposal complies with the requirements outlined with the comprehensive plan map amendment criteria in Section 3.109.

Zone change Criteria

Zone change proposals shall be approved if the applicant provides evidence substantiating the following:

KDC 3.110.04.A. The proposed zone is appropriate for the Comprehensive Plan land use designation on the property and is consistent with the description and policies for the applicable Comprehensive Plan land use classification.

FINDINGS:

The proposed zone designation is Public which is appropriate and consistent for a comprehensive plan designation of Park. The Public zone allows for the development of the site with a park.

Further, with the condition that the site be master planned and that it is included as part of Keizer Rapids Park will assure that the area is developed consistent with both the park and with Park land use classification. Therefore, the proposed zone designation of Public is consistent with this criterion.

KDC 3.110.04.B. The uses permitted in the proposed zone can be accommodated on the proposed site without exceeding its physical capacity.

FINDINGS:

The proposed zone designation is Public which will allow the development of the site with a park that will be used in conjunction with the adjacent Keizer Rapids Park. A portion of the area under consideration is presently being used as the park, with the remaining acres to be included in the park boundary, thereby expanding it from its current size. The site is flat and has no steep slopes, wetlands, or water features that might otherwise constrain its use or development. While it is adjacent to the Willamette River, this will not constrain its use since there is an existing state funded boat ramp that provides access to the river. Instead, the proximity of the Willamette River enhances its use as a park by providing access to this natural resource. No uses other than park uses are intended on the site. No commercial or residential uses will be allowed other than those that might be consistent with the master plan for the new park area. In addition, with the intent that the area will be master planned will further assure that the site is developed in a manner consistent with the Keizer Rapids Park Master Plan. Therefore, the proposed zone change will not exceed its physical capacity and so complies with this criterion.

KDC 3.110.04.C. Allowed uses in the proposed zone can be established in compliance with the development requirements in this Ordinance.

FINDINGS:

The proposed use of the site is for park uses. The requirement that the site is master planned as part of Keizer Rapids Park will assure that it is developed in a manner consistent and compatible with Keizer Rapids Park. This type of use is permitted within the Public zone district and so complies with this criterion.

KDC 3.110.04.D. *Adequate public facilities, services, and transportation networks are in place or are planned to be provided concurrently with the development of the property.*

FINDINGS:

The city currently provides city water to the dog park portion of Keizer Rapids Park. Sanitary sewer is not provided to the park. However, this service is located adjacent to the east and could be extended to provide service to the park if it is determined to be needed. There is adequate capacity in both the water and sanitary sewer systems to be able to serve the park if needed. Stormwater facilities can also be served, although given the ample space within the park it is envisioned that use of detention basins and swales will adequately provide for necessary stormwater improvements. Chemawa Road is an improved city street with recent upgrades and improvements which provides for safe and convenient vehicular, bicycle, and pedestrian access. In addition, Public Works has commented that there is adequate capacity in the street system to serve the park.

This proposal will result in the area under consideration to be included as part of Keizer Rapids Park. It will be connected to a pedestrian and bicycle pathway to the adjacent residential area just to the east of the park. This connection currently dead ends at the park property, but with the inclusion of this land as a part of the park, it will provide a second safe access for pedestrian and bicyclists. Police protection is now and will continue to be provided by the Keizer Police Department. The Keizer Public Works Department will continue to maintain the park and will be able to maintain the area under consideration. All of these services can be provided in an efficient manner and so this proposal complies with this zone change criterion.

KDC 3.110.04.E. *For residential zone changes, the criteria listed in the purpose statement for the proposed zone shall be met.*

FINDINGS:

The proposal involves a zone change to Public and will not involve a zone change to any of the city's residential zones, so this section is not applicable.

KDC 3.110.04.F. ***The following additional criteria shall be addressed:***

- 1. The supply of vacant land in the proposed zone is inadequate to accommodate the projected rate of development of uses allowed in the zone during the next 5 years, or the location of the appropriately zoned land is not locationally or physically suited to the particular uses proposed for the subject property, or lack site specific amenities required by the proposed use.***

FINDINGS:

The City of Keizer Parks and Recreation Master Plan and the Keizer Housing Needs Analysis (HNA) establishes the fact that the existing amount of park land, including the 120 acres of Keizer Rapids Park, is deficient to serve the projected population growth of the City. The HNA included an evaluation of the existing parks facilities serving the current population in order to determine any deficiencies. The City Parks Master Plan has adopted a standard of 5 acres of park land per 1000 residents. This previously adopted standard measured against the acknowledged population growth leaves the City with a deficit of 43.5 acres of needed park land. (see Keizer Parks and Recreation Master Plan—Service Needs Analysis, City of Keizer Housing Needs Analysis—Park and School Facility Analysis).

Within the city limits there are three relatively near small existing parks (Sunset, Palma Ciea and Wallace House) that were considered. Each has frontage to the river which makes it potentially attractive for consideration. However, each of these parks is of insufficient size that would preclude any additional park enhancement or development potential. Two of the small parks are each less than ½ acre in size and are in a natural undeveloped state. Each is further constrained by the fact that they have very limited access and no vehicle parking. The third site, Wallace House Park has a playground, better access and some parking but functions as a small local neighborhood park which provides park amenities to the immediate local area.

There are existing public facilities such as sanitary sewer and water in the local streets that could readily serve each of the parks. Each of these alternative sites is served by a local street system, although there are no dedicated bike lanes along the immediate streets. Each of these alternative sites is surrounded by existing residential development with no adjacent vacant parcels thereby

eliminating any expansion options. These sites are further limited in that along this portion of the Willamette River there is a fairly significant drop off to the water which limits recreational opportunities. While these alternatives are within the city limits it has been illustrated that due to their small parcel sizes, complete lack of adjacent vacant lands, and constrained access, these sites are undesirable or impractical and do not meet the intent of the Keizer Rapids Park Master Plan. For these reasons, each alternative is determined to not meet the adopted locational criteria. Since the entire area of Keizer Rapids Park has been included in the inventory of park land servicing the city, the zone change is simply acknowledging the existing use and plan for the area. As such, the proposed zone change meets this criterion.

KDC 3.110.04.2. The supply of vacant land in the existing zone is adequate, assuming the zone change is granted, to accommodate the projected rate of development of uses allowed in the zone during the next 5 years.

FINDINGS:

This proposal involves land that is needed for park use. As part of the HNA, the city analyzed the amount of land needed to meet its projected 20 year park needs. This was determined to be 43.5 acres. It was based on the 20 year population forecast and the city's Parks and Recreation Master Plan park land needs projections. As part of the review, there were determined to be no alternative sites within the existing zone that were determined to be adequate to meet this projected need. In addition, the specific characteristics as allowed further identified the lack of any viable sites so the proposed zone change complies with this criterion.

KDC 3.110.04.3. The proposed zone, if it allows uses more intensive than other zones appropriate for the land use designation, will not allow uses that would destabilize the land use pattern of the area or significantly adversely affect adjacent properties.

FINDINGS:

The proposed zone designation will be Public. The intent of this designation is to allow the development of the site with only park and recreation uses in a manner that will complement Keizer

Rapids Park. Adjacent properties to the east are developed with residential and are within the city limits. To the west land is within Keizer Rapids Park, and to the north are rural residences and a commercial gravel operation, and some property that is in agricultural use.

Consistent with Keizer Rapids Park Master Plan Objective 8, a buffer has been created along the east property with the lower field and fencing was included. The city has been sensitive to neighborhood concerns over noise from concerts that resulted in sound dampening measures placed to reduce the sound levels. Signage delineating the park boundaries has been placed to prevent trespass onto adjacent properties. Since the opening of the park there has been no evidence of the park destabilizing the surrounding neighborhood. If anything, the opposite may be observed since there have been two subdivisions created adjacent to the park with a selling point being the proximity to the park. Therefore, the proposal complies with this criterion.

For these reasons the proposed zone change to Public complies with the requirements outlined in Section 3.110.

Proposed Map Amendment

Marion County
Comp Plan: Primary Agriculture
Zoning: Exclusive Farm Use

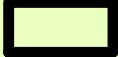
Proposed Keizer Comp Plan:
Park

Proposed Keizer Zoning:
Public

Approximate Acres: 58

User: johnsonb
Date: 8/14/2014

Legend

-  Existing UGB
-  Proposed UGB/ City Limits
-  Existing Park

0 500 Feet



CITY COUNCIL MEETING: September 2, 2014

AGENDA ITEM NUMBER:_____

TO: MAYOR CHRISTOPHER AND COUNCIL MEMBERS

THROUGH: CHRISTOPHER C. EPPLEY, CITY MANAGER

FROM: E. SHANNON JOHNSON, CITY ATTORNEY

SUBJECT: ORDINANCE ADOPTING THE KEIZER MEDICAL MARIJUANA FACILITY PERMIT PROCESS

At the August 4, 2014 meeting, Council directed staff to move forward with finalizing the Ordinance Adopting the Keizer Medical Marijuana Facility Permit Process. I have attached the Ordinance, as well as a draft showing the recent changes. Here are some highlights on the recent changes:

1. “Public Property” is defined in Section 2(Q) to mean all parks and any property zoned Public. This would exclude, for example, water pump stations and property that is typically excess property such as Keizer Station Area B and Area C properties. It would include all the properties shown on the attached map as indicated previously.
2. In Section 6(I), I have added a subsection prohibiting medical marijuana facilities within 1000 feet of each other. Though this is currently the state law, this provides an additional protection should the state law be changed.
3. Pursuant to Council direction, I have deleted a portion of Section 6(O) dealing with filing of returns by the operators.
4. Based on Council concerns, I have added Section 2(R) providing that spring guns and other types of “booby-traps” would be prohibited.
5. In Section 8(C), I have added a provision that would provide for revocation or suspension of the permit if the operator denies or interferes with access by the police department.
6. In Section 9(A), I have added some changes to the administrative process for revocation, suspension or denial of the permit by hearings officer.

I have been in contact with the Salem City Attorney's office. The information I received is that Salem will be moving forward shortly with a permit process somewhat similar to Keizer's draft ordinance. They are currently considering a \$2,000 annual fee, would permit edible marijuana products with certain labeling, and are considering a cap of approximately nine facilities within the City of Salem. Salem's distance requirements are slightly different. Facilities must be at least a 1000 feet from a public park, public playground, or public housing facility. In addition, Facilities must be at least 100 feet from residentially zoned property, certified child care facility, public or private youth center, public swimming pool, or video arcade facility.

Salem's background check requirements are slightly different than Keizer's proposed Ordinance. Keizer prohibits any felonies. Salem's draft ordinance prohibits any "felony or drug related misdemeanor within fifteen years of the date of the application for a license, or release from incarceration for any felony within ten years of the date of application for a license."

The permit fee issue for Keizer will be considered at the September 15, 2014 meeting as it needs to be properly noticed under state law for public comment on any fees. We will bring back further information with regard to this specific issue at the September 15, 2014 meeting. Following the Planning Commission's recommendation, we will be bringing to Council amendments to the Keizer Development Code to add medical marijuana facilities as a special permitted use in certain zones.

RECOMMENDATION:

Consider the attached Ordinance and take action as deemed appropriate.

Please contact me if you have any questions. Thank you.

ESJ/tmh

1 BILL NO. ____

A BILL

ORDINANCE NO.

2014-_____

3 FOR

4
5 AN ORDINANCE

6
7
8 ADOPTING THE KEIZER MEDICAL MARIJUANA
9 FACILITY PERMIT PROCESS

10
11
12 WHEREAS, Section 4 of the Keizer City Charter provides:

13 SECTION 4. POWERS OF THE CITY. The city shall have all
14 powers which the constitutions, statutes, and common law of the
15 United States and of this state expressly or impliedly grant or
16 allow municipalities, as fully as though this charter specifically
17 enumerated each of those powers;

18
19 WHEREAS, the above referenced grant of power has been interpreted as
20 affording all legislative powers home rule, constitutional provisions reserved to Oregon
21 Cities;

22 WHEREAS, the Oregon Legislature enacted House Bill 3460 in 2013 (ORS
23 475.314) which requires the Oregon Health Authority to develop and implement a
24 process to register Medical Marijuana Facilities;

25 WHEREAS, under Oregon law, local governments may regulate the operation and
26 location of certain types of businesses within their jurisdiction except when such action
27 has been specifically preempted by state statute;

1 WHEREAS, the City Council of the City of Keizer desires to allow operation of
2 Medical Marijuana Facilities in the City in ways that protect and benefit the public
3 health, safety and welfare of existing and future residents and businesses of the City;

4 WHEREAS, the Council finds that the unique characteristics of Medical
5 Marijuana Facility operations and their potential impacts makes it necessary to establish
6 particular time, place, and manner requirements for such operations and a separate
7 permitting process for Medical Marijuana Facilities;

8 WHEREAS, the Keizer Medical Marijuana Facilities Regulations Task Force has
9 considered the matter and made recommendations to Council;

10 WHEREAS, the City Council has duly considered the recommendation of the
11 Task Force and comments from the public;

12 NOW, THEREFORE, the City of Keizer ordains as follows:

13 Section 1. Purpose. The purpose of this Ordinance is to minimize any adverse
14 public safety and public health impacts that may result from allowing Medical
15 Marijuana Facilities in the City by adopting particular time, place and manner
16 requirements and a permitting process for such Facilities.

17 Section2. Definitions.

18 A. “Manager” means the City Manager of the City of Keizer or his/her
19 designee.

- 1 B. “Cash Accounting” means a cash basis system of accounting in which the
2 Operator of an enterprise records revenue and expenses when they are
3 paid, regardless of when goods are received or delivered.
- 4 C. “Company Principal” means a Person who is an officer or director of a
5 legal entity or has a controlling interest in the entity, through ownership or
6 control of 10% or more of the stock in the entity or 10% or more of the
7 total membership interest in the entity or 10% or more of the total
8 investment interest in the entity.
- 9 D. “Controlled Substances” means substances designated as Schedule I or
10 Schedule II controlled substances in the Code of Federal Regulations Title
11 21, Chapter II, Part 1308.
- 12 E. “Convicted” means found guilty by verdict or finding entered in a
13 criminal proceeding in a court of competent jurisdiction.
- 14 F. “Debt Financing” means secured or unsecured loans to provide funds for
15 use in the Medical Marijuana Facility business, except for monies owed
16 for the reasonable cost of goods or services received.
- 17 G. “Facility or Facilities” means a Medical Marijuana Facility or Medical
18 Marijuana Facilities.
- 19 H. “Financial Interest” exists when a Person, the Person’s immediate family,
20 or a legal entity to which the Person is a Company Principal (1) receives or

1 is entitled to receive directly or indirectly any of the profits of the Facility;
2 (2) rents or leases real property to the Operator for use by the business; (3)
3 rents or leases personal property to the Operator for a commercially
4 unreasonable rate; or (4) lends or gives money, real property, or personal
5 property to the Operator for use in the business.

6 I. “Marijuana” means all parts of the plant of the Cannabis Moraceae,
7 whether growing or not, the resin extracted from any part of the plant; and
8 every compound, manufacture, salt, derivative, mixture, or preparation of
9 the plant or its resin, as may be defined by Oregon Revised Statutes or as
10 they currently exist or may from time to time be amended. It does not
11 include the mature stalks of the plant, fiber produced from the stalks, oil or
12 cake made from the seeds of the plant, any other compound, manufacture,
13 salt, derivative, mixture, or predation of the mature stalks (except the resin
14 extracted therefrom), fiber, oil, or cake, or the sterilized seed of the plant
15 which is incapable of germination.

16 J. “Medical Marijuana” means all parts of marijuana plants that may be used
17 to treat or alleviate a Medical Marijuana Qualifying Patient’s debilitating
18 medical condition or symptoms associated with the patient’s debilitating
19 medical condition.

1 K. "Medical Marijuana Facility or Facilities" means a Medical Marijuana
2 Facility that is registered by the Oregon Health Authority under ORS
3 475.300-475.346 and that sells, distributes, transmits, gives, dispenses or
4 otherwise provides Medical Marijuana to qualifying patients.

5 L. "Medical Marijuana Qualifying Patient" means a registry identification
6 cardholder (Person who has been diagnosed by a physician as having a
7 debilitating medical condition) as further defined by ORS 475.302(3) or
8 the designated primary caregiver of the cardholder is defined by ORS
9 475.302(5).

10 M. "Minor" means any Person under 21 years of age.

11 N. "Operator" means the Person who is the proprietor of a Facility, whether
12 in the capacity of Company Principal, owner, lessee, sub-lessee,
13 mortgagee in possession, licensee or any other capacity. If the Operator is
14 a corporation, the term Operator also includes each and every member of
15 the corporation's Board of Directors whose directorship occurs in a period
16 during which the Facility is in operation. If the Operator is a partnership
17 or limited liability company, the term Operator also includes each and
18 every member thereof whose membership occurs in a period during which
19 the Facility is in operation.

1 O. "Person" means natural Person, joint venture, joint stock company,
2 partnership, association, club, company, corporation, business, trust,
3 organization, or any group or combination acting as a unit, including the
4 United States of America, the State of Oregon and any political
5 subdivision thereof, or the manager, lessee, agent, servant, officer or
6 employee of any of them.

7 P. "Premises" means a location registered by the State of Oregon as a
8 Medical Marijuana Facility and includes all areas at the location that are
9 used in the business operated at the location, including offices, kitchens,
10 restrooms, storerooms, and including all public and private areas where
11 individuals are permitted to be present.

12 Q. "Public Property" means all City of Keizer parks, and any real property
13 zoned Public.

14 Section 3. Annual Permit Required. The Operator of any Medical Marijuana
15 Facility in the City must possess a valid annual Medical Marijuana Facility permit
16 issued under this Ordinance and must comply with the requirements of any and all
17 state or local laws.

18 Section 4. Initial Permit Application and Fee Requirements.

19 A. Application forms for Medical Marijuana Facility permits will be available
20 at the Keizer Community Development Department. Applications for

1 initial and renewal Medical Marijuana Facility permits must be submitted
2 to the Community Development Department and must be signed under
3 penalty of perjury. The application documents must include at least the
4 following:

- 5 1) The location of the proposed Facility.
- 6 2) The true names and addresses of the Persons or legal entities that
7 have an ownership interest in the Facility; that have loaned or given
8 money or real or personal property to the applicant for use by the
9 Facility within the preceding year; or that have leased real property
10 to the applicant for use by the Facility.
- 11 3) A detailed description of the type, nature and extent of the
12 enterprise to be conducted.
- 13 4) A detailed description of the proposed accounting and inventory
14 systems for the Facility.
- 15 5) Certification that the proposed Facility is registered as an Oregon
16 Medical Marijuana Facility pursuant to ORS 475.300-475.346.
- 17 6) Certification that the proposed Facility has met all applicable
18 requirements in the Keizer Development Code.
- 19 7) Certification that all current fees and taxes owed have been paid.

1 8) Detailed illustrations (to scale) of all proposed signage and location
2 of such signage.

3 9) Such other information deemed necessary by the Manager to
4 conduct any investigation or background check (including the
5 names and fingerprints) of the Operator(s), employees, volunteers,
6 Persons with a Financial Interest, and Persons or entities providing
7 Debt Financing for the Facility.

8 B. At the time of submission of an initial Facility permit application, the
9 applicant must pay a Medical Marijuana Facility permit application and
10 investigation fee. The fee amount shall be set by Council Resolution. No
11 portion of the Medical Marijuana Facility permit fee is refundable in the
12 event operation of the Facility is discontinued for any reason.

13 C. A separate permit application must be submitted for each proposed
14 Facility location.

15 Section 5. Permit Termination – Renewal – Fee.

16 A. A Facility permit terminates automatically on June 30 of each year, unless
17 a permit renewal application is approved.

18 B. A Facility permit terminates automatically if federal or state statutes,
19 regulations or guidelines are modified, changed, or interpreted in such a

1 way by state or federal law enforcement officials as to prohibit operation
2 of the Facility under this Ordinance.

3 C. A permit renewal application shall include information similar in nature to
4 that provided on the permittee's initial permit application and must be
5 submitted to the Community Development Department no less than thirty
6 (30) days prior to expiration of the permit.

7 D. At the time of submission of a Facility permit renewal application, the
8 permittee must pay a Medical Marijuana Facility permit renewal
9 application and investigation fee. The fees shall be set by Council
10 Resolution.

11 Section 6. Permit Conditions. Any Medical Marijuana Facility must comply
12 with the following requirements, in addition to any other state or local requirements:

13 A. The Facility must continue to be registered in good standing as an Oregon
14 Medical Marijuana Facility pursuant to state law.

15 B. The Facility must meet applicable laws and regulations, including, but not
16 limited to, building and fire codes, including the payment of all fines, fees,
17 and taxes owing to the City.

18 C. The Facility must not manufacture or produce any extracts, oils, resins or
19 similar derivatives of Marijuana on-site and must not use open flames or
20 gases in the preparation of any products.

1 D. Marijuana and tobacco products must not be smoked, ingested or
2 otherwise consumed on the Premises of the Facility.

3 E. Operating hours for retail sales to Medical Marijuana Qualifying Patients
4 must be no earlier than 10:00 a.m. or later than 7:00 p.m. on the same day.

5 F. The Facility must utilize an air filtration and ventilation system which, to
6 the greatest extent feasible, confines all objectionable odors associated
7 with the Facility to the Premises. For the purposes of this provision, the
8 standard for judging “objectionable odors” shall be that of an average,
9 reasonable Person with ordinary sensibilities after taking into
10 consideration the character of the neighborhood in which the odor is made
11 and the odor is detected.

12 G. The Facility must provide for secure disposal of Marijuana remnants or
13 by-products; such remnants or by-products shall not be placed within the
14 Facility’s exterior refuse containers.

15 H. The Facility must not be co-located on the same tax lot or within the same
16 building with any Marijuana social club, smoking club, or grow site.

17 I. A Facility shall not be located:

18 A) Within 1500 feet from any public or private school; or

19 B) Within 1000 feet of any Public Property, not including right-of-
20 way;

1 C) Within 1000 feet of another Medical Marijuana Facility.

2 Such distances shall be measured between the closest points of the
3 respective lot lines.

4 J. Signage shall not include logos or illustrations, and shall emphasize
5 identification of the Premises without drawing undue attention.

6 K. The Facility shall have no Marijuana in edible form.

7 L. No Minor is allowed on the Premises unless the Minor is a Medical
8 Marijuana Qualifying Patient and is accompanied by a parent, guardian, or
9 caregiver whose purpose is to procure the Minor's Medical Marijuana.

10 M. A Person with any felony convictions may not (1) be an Operator,
11 Company Principal, employee, or volunteer of a Facility; or (2) have a
12 Financial Interest in the Facility.

13 N. The Facility must have an accounting system specifically designed for
14 enterprises reliant on transactions conducted primarily in cash and
15 sufficient to maintain detailed, auditable financial records. If the Manager
16 finds the books and records of the Operator are deficient in any way or if
17 the Operator's accounting system is not auditable, the Operator must
18 modify the Facility's accounting system to meet the requirements of the
19 Manager.

1 O. Each Facility Operator must keep and preserve for a period of at least
2 three (3) years records containing at least the following information:

- 3 1) Daily wholesale purchases (including grow receipts) and retail
4 sales, including a cash receipts and expenses journal;
- 5 2) State and federal income tax returns;
- 6 3) Names and any aliases of any Operator of the Facility, as that term
7 is defined in Section 2 of this Ordinance;
- 8 4) Names and any aliases of employees/volunteers of the Facility;
- 9 5) Names of and any aliases of Persons with a Financial Interest in the
10 Facility; and
- 11 6) The Manager may require additional information as he or she
12 deems necessary.

13 P. Each Facility must display its current permit inside the Facility in a
14 prominent place easily visible to Persons conducting business in the
15 Facility.

16 Q. Sales or any other transfers of Marijuana products must occur completely
17 inside the Facility building and must be conducted only between the
18 Facility and Medical Marijuana Qualifying Patients. No walk-up or drive-
19 through service is allowed.

1 R. The Facility shall not place, allow, or use any type of device or apparatus
2 designed to injure, maim, or kill by the contact of any person with any
3 string, wire, rod, stick, spring, or other contrive affixed to it or connected
4 with it or with its trigger, including, but not limited to, any spring gun or
5 set gun as prohibited under state law.

6 Section 7. Background Checks. The Community Development
7 Department will send to the Keizer Police Department the information provided on
8 each initial or renewal Facility permit application pursuant to Section 4(A)(2). The
9 Police Department will conduct criminal background checks under ORS 181.534 to
10 determine whether any Person therein (including, but not limited to, an Operator,
11 Person with Financial Interest, Company Principal, employee or volunteer) has any
12 history of felony convictions and inform the Community Development Department
13 whether or not all the Persons named in the permit application passed the required
14 background checks. If, following an initial application or renewal, an additional
15 person is proposed to be an Operator, Person with Financial Interest, Company
16 Principal, employee or volunteer, then such person must pass the background check
17 prior to assuming such position.

18 Section 8. Examination of Books, Records and Premises.

19 A. To determine compliance with the requirements of this Ordinance, Keizer
20 Development Code, and any and all applicable regulations, the Manager

1 may examine or cause to be examined by an agent or representative
2 designated by the Manager, at any reasonable time, the Premises of the
3 Facility, including wastewater from the Facility, and any and all Facility
4 financial, operational and Facility information, including books, papers,
5 payroll reports and state and federal income tax returns. Every permittee
6 is directed and required to furnish to the Manager the means, Facilities and
7 opportunity for making such examinations and investigations.

8 B. As part of investigation of a crime or violation of this Ordinance which
9 law enforcement officials reasonably suspect has taken place on the
10 Premises, the Keizer Police shall be allowed to view surveillance
11 videotapes or digital recordings at any reasonable time.

12 C. Without reducing or waiving any provisions of this Ordinance, the Keizer
13 Police Department shall have the same access to the Facility, its records
14 and its operations, as allowed to state inspectors. Denial or interference
15 with access shall be grounds for revocation or suspension of a Facility
16 Permit.

17 ///

18 ///

19 ///

20 ///

1 Section 9. Administrative and Other Remedies for Noncompliance,
2 Administrative Appeals, and Penalties.

3 A. The Manager may deny, suspend, or revoke a Facility permit for failure to
4 comply with this Ordinance or rules adopted under this Ordinance, for
5 submitting falsified information to the City or the Oregon Health
6 Authority, or for noncompliance with any other City Ordinances or
7 regulations, or violation of any state laws.

8 1) Any suspension or revocation pursuant to this section shall be in
9 writing, setting forth the reasons therefor, and giving the permittee
10 written notice by first-class United States Mail at least ten (10)
11 calendar days prior to effective date of the revocation or
12 suspension.

13 2) A decision to deny, suspend, or revoke a Facility permit may be
14 appealed by filing a Notice of Appeal in writing physically
15 delivered to the Manager on or before the effective date. Unless
16 Manager has declared imminent danger to the public will exist, the
17 Manager's decision to revoke or suspend is stayed pending appeal.
18 The matter shall be heard by the Keizer Hearings Officer who
19 shall determine, by preponderance of the evidence, whether the
20 Manager's decision should be upheld or reversed, or upheld in part

1 and reversed in part. The hearing shall be conducted no later than
2 twenty (20) days from the date of appeal, unless a different date is
3 stipulated by the City and the applicant, or good cause is shown for
4 setting the matter forward. Testimony at the hearing shall be taken
5 upon oath or affirmation of the witnesses. The Hearings Officer
6 shall consider only the matters set forth in the Notice of Appeal.
7 The Findings and Decision of the Hearings Officer shall be served
8 upon the appellant by first class mail within ten (10) days after the
9 hearing concludes. The Hearings Officer decision shall be
10 effective ten (10) days following the date of the decision. The
11 Findings and Decision of the Hearings Officer shall be final and
12 conclusive, subject only to writ of review under ORS 34.010 to
13 34.100, which shall be the sole remedy.

14 B. In addition to the remedies of suspension and revocation, failure to comply
15 with the requirements of this Ordinance constitutes an infraction under the
16 Civil Infraction Ordinance. Violations are subject to fines not to exceed
17 \$500.00 per day. Each day in violation constitutes a separate offense.
18 Company Principals, Operators, employees, and volunteers are jointly and
19 severably liable for such offenses.

1 C. The remedies provided in this Section are not exclusive and shall not
2 prevent the City from exercising any other remedy available under the law,
3 nor shall the provisions of this Ordinance prohibit or restrict the City or
4 other appropriate prosecutor from pursuing criminal charges under state
5 law or City Ordinance. Such remedies include, but are not limited to, any
6 equitable remedies such as temporary restraining orders or other injunctive
7 relief.

8 Section 10. Confidentiality. Except as otherwise required by law, it shall be
9 unlawful for the City, any officer, employee or agent to divulge, release or make
10 known in any manner any financial or employee information submitted or disclosed
11 to the City under the terms of this Ordinance. Nothing in this Section shall prohibit:

12 A. The disclosure of the names and addresses of any Operator or provider of
13 equity or Debt Financing for a Facility; or

14 B. The disclosure of general statistics in a form which would prevent
15 identification of financial information regarding a Facility Operator; or

16 C. The presentation of evidence to a court, or other tribunal having
17 jurisdiction in the prosecution of any criminal or civil claim by the City
18 under this Ordinance; or

19 D. The disclosure of information when such disclosure of conditionally
20 exempt information is ordered under public records law procedures.

1 Section 11. Severability. If any section, subsection, paragraph, sentence or
2 word in this Ordinance is deemed to be invalid or beyond the authority of the City, either
3 on its face or is applied, the invalidity of such provision shall not affect the other
4 sections, subsections, paragraphs, sentences, or words of this Ordinance, and the
5 application thereof; and to that end sections, subsections, paragraphs, sentences and
6 words of this Ordinance shall be deemed severable.

7 Section 12. Effective Date. This Ordinance shall take effect thirty (30) days after
8 its passage.

9 PASSED this _____ day of _____, 2014.

10

11 SIGNED this _____ day of _____, 2014.

12

13

14

15

Mayor

16

17

18

City Recorder

1 BILL NO. ____

A BILL

ORDINANCE NO.

2014-_____

3 FOR

4
5 AN ORDINANCE

6
7
8 ADOPTING THE KEIZER MEDICAL MARIJUANA
9 FACILITY PERMIT PROCESS

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12 WHEREAS, Section 4 of the Keizer City Charter provides:

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16 during which the Facility is in operation. If the Operator is a partnership
17 or limited liability company, the term Operator also includes each and
18 every member thereof whose membership occurs in a period during which
19 the Facility is in operation.

1 O. "Person" means natural Person, joint venture, joint stock company,
2 partnership, association, club, company, corporation, business, trust,
3 organization, or any group or combination acting as a unit, including the
4 United States of America, the State of Oregon and any political
5 subdivision thereof, or the manager, lessee, agent, servant, officer or
6 employee of any of them.

7 P. "Premises" means a location registered by the State of Oregon as a
8 Medical Marijuana Facility and includes all areas at the location that are
9 used in the business operated at the location, including offices, kitchens,
10 restrooms, storerooms, and including all public and private areas where
11 individuals are permitted to be present.

12 P.Q. "Public Property" means all City of Keizer parks, and any real
13 property zoned Public.

14 Section 3. Annual Permit Required. The Operator of any Medical Marijuana
15 Facility in the City must possess a valid annual Medical Marijuana Facility permit
16 issued under this Ordinance and must comply with the requirements of any and all
17 state or local laws.

18 Section 4. Initial Permit Application and Fee Requirements.

19 A. Application forms for Medical Marijuana Facility permits will be available
20 at the Keizer Community Development Department. Applications for

1 initial and renewal Medical Marijuana Facility permits must be submitted
2 to the Community Development Department and must be signed under
3 penalty of perjury. The application documents must include at least the
4 following:

- 5 1) The location of the proposed Facility.
- 6 2) The true names and addresses of the Persons or legal entities that
7 have an ownership interest in the Facility; that have loaned or given
8 money or real or personal property to the applicant for use by the
9 Facility within the preceding year; or that have leased real property
10 to the applicant for use by the Facility.
- 11 3) A detailed description of the type, nature and extent of the
12 enterprise to be conducted.
- 13 4) A detailed description of the proposed accounting and inventory
14 systems for the Facility.
- 15 5) Certification that the proposed Facility is registered as an Oregon
16 Medical Marijuana Facility pursuant to ORS 475.300-475.346.
- 17 6) Certification that the proposed Facility has met all applicable
18 requirements in the Keizer Development Code.
- 19 7) Certification that all current fees and taxes owed have been paid.

1 8) Detailed illustrations (to scale) of all proposed signage and location
2 of such signage.

3 9) Such other information deemed necessary by the Manager to
4 conduct any investigation or background check (including the
5 names and fingerprints) of the Operator(s), employees, volunteers,
6 Persons with a Financial Interest, and Persons or entities providing
7 Debt Financing for the Facility.

8 B. At the time of submission of an initial Facility permit application, the
9 applicant must pay a Medical Marijuana Facility permit application and
10 investigation fee. The fee amount shall be set by Council Resolution. No
11 portion of the Medical Marijuana Facility permit fee is refundable in the
12 event operation of the Facility is discontinued for any reason.

13 C. A separate permit application must be submitted for each proposed
14 Facility location.

15 Section 5. Permit Termination – Renewal – Fee.

16 A. A Facility permit terminates automatically on June 30 of each year, unless
17 a permit renewal application is approved.

18 B. A Facility permit terminates automatically if federal or state statutes,
19 regulations or guidelines are modified, changed, or interpreted in such a

1 way by state or federal law enforcement officials as to prohibit operation
2 of the Facility under this Ordinance.

3 C. A permit renewal application shall include information similar in nature to
4 that provided on the permittee's initial permit application and must be
5 submitted to the Community Development Department no less than thirty
6 (30) days prior to expiration of the permit.

7 D. At the time of submission of a Facility permit renewal application, the
8 permittee must pay a Medical Marijuana Facility permit renewal
9 application and investigation fee. The fees shall be set by Council
10 Resolution.

11 Section 6. Permit Conditions. Any Medical Marijuana Facility must comply
12 with the following requirements, in addition to any other state or local requirements:

13 A. The Facility must continue to be registered in good standing as an Oregon
14 Medical Marijuana Facility pursuant to state law.

15 B. The Facility must meet applicable laws and regulations, including, but not
16 limited to, building and fire codes, including the payment of all fines, fees,
17 and taxes owing to the City.

18 C. The Facility must not manufacture or produce any extracts, oils, resins or
19 similar derivatives of Marijuana on-site and must not use open flames or
20 gases in the preparation of any products.

1 D. Marijuana and tobacco products must not be smoked, ingested or
2 otherwise consumed on the Premises of the Facility.

3 E. Operating hours for retail sales to Medical Marijuana Qualifying Patients
4 must be no earlier than 10:00 a.m. or later than 7:00 p.m. on the same day.

5 F. The Facility must utilize an air filtration and ventilation system which, to
6 the greatest extent feasible, confines all objectionable odors associated
7 with the Facility to the Premises. For the purposes of this provision, the
8 standard for judging “objectionable odors” shall be that of an average,
9 reasonable Person with ordinary sensibilities after taking into
10 consideration the character of the neighborhood in which the odor is made
11 and the odor is detected.

12 G. The Facility must provide for secure disposal of Marijuana remnants or
13 by-products; such remnants or by-products shall not be placed within the
14 Facility’s exterior refuse containers.

15 H. The Facility must not be co-located on the same tax lot or within the same
16 building with any Marijuana social club, smoking club, or grow site.

17 I. A Facility shall not be located:

18 A) Within 1500 feet from any public or private school; or

19 B) Within 1000 feet of any ~~publicly-owned~~ Property, not including
20 right-of-way;

~~B)C)~~ Within 1000 feet of another Medical Marijuana Facility.

Such distances shall be measured between the closest points of the respective lot lines.

J. Signage shall not include logos or illustrations, and shall emphasize identification of the Premises without drawing undue attention.

K. The Facility shall have no Marijuana in edible form.

L. No Minor is allowed on the Premises unless the Minor is a Medical Marijuana Qualifying Patient and is accompanied by a parent, guardian, or caregiver whose purpose is to procure the Minor's Medical Marijuana.

M. A Person with any felony convictions may not (1) be an Operator, Company Principal, employee, or volunteer of a Facility; or (2) have a Financial Interest in the Facility.

N. The Facility must have an accounting system specifically designed for enterprises reliant on transactions conducted primarily in cash and sufficient to maintain detailed, auditable financial records. If the Manager finds the books and records of the Operator are deficient in any way or if the Operator's accounting system is not auditable, the Operator must modify the Facility's accounting system to meet the requirements of the Manager.

1 O. ~~Every Facility must, on or before the 25th day of the month following the~~
2 ~~end of each calendar quarter (in the months of April, July, October and~~
3 ~~January), file a return with the Manager on forms provided by the City~~
4 ~~presenting the information in paragraphs 1 through 6 below for each~~
5 ~~month of the preceding quarter. The Operator may request, or the~~
6 ~~Manager may require, shorter reporting periods for any Operator if the~~
7 ~~Operator or Manager deems it necessary in order to ensure timely~~
8 ~~reporting.]~~ Each Facility Operator must keep and preserve for a period of
9 at least three (3) years records containing at least the following
10 information:
11 1) Daily wholesale purchases (including grow receipts) and retail
12 sales, including a cash receipts and expenses journal;
13 2) State and federal income tax returns;
14 3) Names and any aliases of any Operator of the Facility, as that term
15 is defined in Section 2 of this Ordinance;
16 4) Names and any aliases of employees/volunteers of the Facility;
17 5) Names of and any aliases of Persons with a Financial Interest in the
18 Facility; and
19 6) The Manager may require additional information as he or she
20 deems necessary.

1 P. Each Facility must display its current permit inside the Facility in a
2 prominent place easily visible to Persons conducting business in the
3 Facility.

4 Q. Sales or any other transfers of Marijuana products must occur completely
5 inside the Facility building and must be conducted only between the
6 Facility and Medical Marijuana Qualifying Patients. No walk-up or drive-
7 through service is allowed.

8 Q.R. The Facility shall not place, allow, or use any type of device or
9 apparatus designed to injure, maim, or kill by the contact of any person
10 with any string, wire, rod, stick, spring, or other contrive affixed to it or
11 connected with it or with its trigger, including, but not limited to, any
12 spring gun or set gun as prohibited under state law.

13 Section 7. Background Checks. The Community Development
14 Department will send to the Keizer Police Department the information provided on
15 each initial or renewal Facility permit application pursuant to Section 4(A)(2). The
16 Police Department will conduct criminal background checks under ORS 181.534 to
17 determine whether any Person therein (including, but not limited to, an Operator,
18 Person with Financial Interest, Company Principal, employee or volunteer) has any
19 history of felony convictions and inform the Community Development Department
20 whether or not all the Persons named in the permit application passed the required

background checks. If, following an initial application or renewal, an additional person is proposed to be an Operator, Person with Financial Interest, Company Principal, employee or volunteer, then such person must pass the background check prior to assuming such position.

Section 8. Examination of Books, Records and Premises.

A. To determine compliance with the requirements of this Ordinance, Keizer Development Code, and any and all applicable regulations, the Manager may examine or cause to be examined by an agent or representative designated by the Manager, at any reasonable time, the Premises of the Facility, including wastewater from the Facility, and any and all Facility financial, operational and Facility information, including books, papers, payroll reports and state and federal income tax returns. Every permittee is directed and required to furnish to the Manager the means, Facilities and opportunity for making such examinations and investigations.

B. As part of investigation of a crime or violation of this Ordinance which law enforcement officials reasonably suspect has taken place on the Premises, the Keizer Police shall be allowed to view surveillance videotapes or digital recordings at any reasonable time.

C. Without reducing or waiving any provisions of this Ordinance, the Keizer Police Department shall have the same access to the Facility, its records

1 and its operations, as allowed to state inspectors. Denial or interference
2 with access shall be grounds for revocation or suspension of a Facility
3 Permit.

4 Section 9. Administrative and Other Remedies for Noncompliance,
5 Administrative Appeals, and Penalties.

6 A. The Manager may deny, suspend, or revoke a Facility permit for failure to
7 comply with this Ordinance or rules adopted under this Ordinance, for
8 submitting falsified information to the City or the Oregon Health
9 Authority, or for noncompliance with any other City Ordinances or
10 regulations, or violation of any state laws.

11 1) Any suspension or revocation pursuant to this section shall be in
12 writing, setting forth the reasons therefor, and giving the permittee
13 written notice by first-class United States Mail at least ten (10)
14 calendar days prior to effective date of the revocation or
15 suspension.

16 2) A decision to deny, suspend, or revoke a Facility permit may be
17 appealed by filing a Notice of Appeal in writing physically
18 delivered to the Manager on or before the effective date. Unless
19 Manager has declared imminent danger to the public will exist, the
20 Manager's decision to revoke or suspend is stayed pending appeal.

1 The matter shall be heard by the Keizer Hearings Officer who
2 shall determine, by preponderance of the evidence, whether the
3 Manager's decision should be upheld or reversed, or upheld in part
4 and reversed in part. The hearing shall be conducted no later than
5 twenty (20) days from the date of appeal, unless a different date is
6 stipulated by the City and the applicant, or good cause is shown for
7 setting the matter forward. Testimony at the hearing shall be taken
8 upon oath or affirmation of the witnesses. The Hearings Officer
9 shall consider only the matters set forth in the Notice of Appeal.
10 The ~~F~~findings and Decision of the Hearings Officer ~~shall be final~~
11 ~~and conclusive, and~~ shall be served upon the appellant by first class
12 mail within ten (10) days after the hearing concludes. The
13 Hearings Officer decision shall be effective ten (10) days following
14 the date of the decision. The Findings and Decision of the
15 Hearings Officer shall be final and conclusive, subject only to writ
16 of review under ORS 34.010 to 34.100, which shall be the sole
17 remedy.

18 B. In addition to the remedies of suspension and revocation, failure to comply
19 with the requirements of this Ordinance constitutes an infraction under the
20 Civil Infraction Ordinance. Violations are subject to fines not to exceed

1 \$500.00 per day. Each day in violation constitutes a separate offense.

2 Company Principals, Operators, employees, and volunteers are jointly and
3 severably liable for such offenses.

4 C. The remedies provided in this Section are not exclusive and shall not
5 prevent the City from exercising any other remedy available under the law,
6 nor shall the provisions of this Ordinance prohibit or restrict the City or
7 other appropriate prosecutor from pursuing criminal charges under state
8 law or City Ordinance. Such remedies include, but are not limited to, any
9 equitable remedies such as temporary restraining orders or other injunctive
10 relief.

11 Section 10. Confidentiality. Except as otherwise required by law, it shall be
12 unlawful for the City, any officer, employee or agent to divulge, release or make
13 known in any manner any financial or employee information submitted or disclosed
14 to the City under the terms of this Ordinance. Nothing in this Section shall prohibit:

15 A. The disclosure of the names and addresses of any Operator or provider of
16 equity or Debt Financing for a Facility; or

17 B. The disclosure of general statistics in a form which would prevent
18 identification of financial information regarding a Facility Operator; or

1 C. The presentation of evidence to a court, or other tribunal having
2 jurisdiction in the prosecution of any criminal or civil claim by the City
3 under this Ordinance; or

4 D. The disclosure of information when such disclosure of conditionally
5 exempt information is ordered under public records law procedures.

6 Section 11. Severability. If any section, subsection, paragraph, sentence or
7 word in this Ordinance is deemed to be invalid or beyond the authority of the City, either
8 on its face or is applied, the invalidity of such provision shall not affect the other
9 sections, subsections, paragraphs, sentences, or words of this Ordinance, and the
10 application thereof; and to that end sections, subsections, paragraphs, sentences and
11 words of this Ordinance shall be deemed severable.

12 Section 12. Effective Date. This Ordinance shall take effect thirty (30) days after
13 its passage.

14 PASSED this _____ day of _____, 2014.

15
16 SIGNED this _____ day of _____, 2014.

17
18
19 _____
20 Mayor

21
22 _____
23 City Recorder

CITY COUNCIL MEETING: September 2, 2014

AGENDA ITEM NUMBER:_____

TO: MAYOR CHRISTOPHER AND COUNCIL MEMBERS

THROUGH: CHRISTOPHER C. EPPLEY, CITY MANAGER

FROM: E. SHANNON JOHNSON, CITY ATTORNEY

**SUBJECT: REQUEST FOR WAIVER OF FEES FOR USE OF KEIZER
ROTARY AMPHITHEATRE FOR MOVIE IN THE PARK**

Previously, Clint Holland (KRA) mentioned that he was planning on having a movie event at the Keizer Rotary Amphitheatre. Such movie event is planned for September 13, 2014. It is anticipated that the movie will be "The Amazing Spiderman."

This matter is before the Council to consider whether it is appropriate to waive fees for the movie event. The fees involved for an event of this type would be a Permit Application Fee and Reservation Fees. An example of the total fees for an application for a two hour event is as follows:

Application Fee	\$ 52.00
Refundable Deposit	\$150.00
Use Fees	\$ 74.00
Electricity	<u>\$ 10.00</u>
	\$286.00

Keizer's Park Regulations allow the Public Works Director to allow a special-permitted event to occur after regular closing hours. I anticipate we will handle the movie the same way and be certain that there is sufficient light for exiting the premises.

For the free concert/theatre events, the City still requires payment of the application fee. We will still require appropriate insurance and Oregon Liquor Control Commission paperwork if alcoholic beverages are going to be served.

It is appropriate for Council to consider the matter of the fees and make a minute motion to reject the waiver, waive some of the fees, or waive all of the fees for the movie event at the Keizer Rotary Amphitheatre.

RECOMMENDATION:

The City Council should consider the matter and make a minute motion to formalize its intent with regard to waiving fees and whether waiver includes the application fee.

Please contact me if you have any questions in this regard. Thank you.

ESJ/tmh

CITY COUNCIL MEETING: September 2, 2014

AGENDA ITEM NUMBER:_____

TO: MAYOR CHRISTOPHER AND COUNCIL MEMBERS

THROUGH: CHRISTOPHER C. EPPLEY, CITY MANAGER

FROM: E. SHANNON JOHNSON, CITY ATTORNEY

SUBJECT: PURCHASE OF TELEVISION EQUIPMENT FOR K23

Bids were solicited for the replacement of the TriCaster Broadcast used by K23. Three bids were received with the low bid being received from Core Microsystems in the amount of \$15,483.85. Such bid includes a trade in of the TriCaster Broadcast currently in use by K23.

Funds for this project are included in the FY 14-15 PEG Fund. The Surplus Ordinance allows disposal of City-owned surplus property by several methods, including any method that is in the best interests of the City. Staff is recommending disposal of the current TriCaster Broadcast as a trade in, credited toward the new equipment.

RECOMMENDATION:

Adopt the attached Resolution.

Please contact me if you have any questions in this regard. Thank you.

ESJ/tmh

1 CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

2
3 Resolution R2014-_____

4
5 AUTHORIZING THE CITY MANAGER TO PURCHASE
6 TELEVISION EQUIPMENT FOR K23 AND AUTHORIZING
7 DISPOSITION OF SURPLUS PROPERTY
8

9 WHEREAS, the City of Keizer budgeted funds in the 2014-2015 Public
10 Education Government Fund to purchase a new TriCaster 460 and associated equipment
11 to replace the TriCaster Broadcast that has provided years of service to K23;

12 WHEREAS, the City has received three proposals for the purchase of a TriCaster
13 460 and associated equipment with the lowest total bid being \$15,483.85 from Core
14 Microsystems;

15 WHEREAS, such bid included the trade in of a TriCaster Broadcast;

16 WHEREAS, Ordinance No. 2008-579 allows for surplus property to be disposed
17 of;

18 WHEREAS, the TriCaster Broadcast has been identified as having a trade-in
19 value of approximately \$5,000.00;

20 WHEREAS, Ordinance No. 2008-579 allows the disposal of City-owned surplus
21 property by several methods, including any method that in the City's discretion is in the
22 best interests of the City;

23 WHEREAS, staff has recommended the disposal of the TriCaster Broadcast as
24 surplus property because it is no longer useful or needed;

1 WHEREAS, the City Manager approves of the disposal of the TriCaster
2 Broadcast as surplus property;

3 NOW, THEREFORE,

4 BE IT RESOLVED by the City Council of the City of Keizer that the City
5 Manager is hereby authorized to purchase a TriCaster 460 and associated equipment
6 from Core Microsystems for a net purchase price of \$15,483.85 after trade-in credit
7 described below.

8 BE IT FURTHER RESOLVED that the City Council of the City of Keizer
9 declares the TriCaster Broadcast as surplus property.

10 BE IT FURTHER RESOLVED that the TriCaster Broadcast be disposed of by
11 use as a trade-in against the TriCaster 460 with a value of \$5,000.00.

12 BE IT FURTHER RESOLVED that the City Manager is authorized to take any
13 and all necessary acts to effectuate the purchase of the TriCaster 460 and the disposal of
14 the surplus property.

15 BE IT FURTHER RESOLVED that this Resolution shall take effect immediately
16 upon the date of its passage.

17 PASSED this _____ day of _____, 2014.

18 SIGNED this _____ day of _____, 2014.

19

20

21

Mayor

22

23

24

City Recorder



MINUTES
KEIZER CITY COUNCIL
Monday, August 4, 2014
Keizer Civic Center, Council Chambers
Keizer, Oregon

CALL TO ORDER

Mayor Christopher called the meeting to order at 7:00 pm. Roll Call was taken as follows:

Present:

Lore Christopher, Mayor
Joe Egli, Council President
Dennis Koho, Councilor
Kim Freeman, Councilor
Marlene Quinn, Councilor
Cathy Clark, Councilor

Staff:

Chris Eppley, City Manager
Shannon Johnson, City Attorney
Nate Brown, Community Development
John Teague, Police Chief
Tracy Davis, City Recorder

Absent:

Jim Taylor, Councilor

FLAG SALUTE

Mayor Christopher led the pledge of allegiance.

**PUBLIC
TESTIMONY**

Jonathan Thompson, Keizer, reported that the Planning Commission had voted to recommend allowing tow trucks to park in driveways, unloaded and backed in. They did not recommend disabling the back-up beeper.

Ryan Edsall, Keizer, reported that he had been participating in "Boys Nation" which meets in Washington DC and runs a mock senate. He was elected senator, toured the monuments, and met Senator Merkley and President Obama.

Bill Quinn, Keizer, requested clarification regarding the finances of the Keizer Rotary Amphitheater. City Manager Chris Eppley explained that Council had approved reimbursing KRA up to \$2000 after an audit if they have expenses greater than revenues at the end of the season.

Christine Dieker, Keizer Chamber of Commerce introduced *Tori Hittner* and reviewed her background and honors. Ms. Hittner distributed fliers for the "Pig in the Park" event and maps that will be distributed throughout Keizer while Ms. Deiker voiced support for the agenda item waiving amphitheater fees noting that this is an event to show appreciation to educators, coaches and Sunday school teachers.

Greg McLeod, Keizer, provided detailed explanation of the PGE LED lighting project noting that the mixture of lighting fixtures will not provide

consistent lighting. PGE is replacing 100-watt fixtures with 47-watt LED fixtures which give equal lumens and results in a 63% savings. He noted that residents within street lighting districts are paying the same amount as before and questioned who will be receiving the rebates. He also noted that the light poles on River Road are 180 feet apart but the light footprint is less than that. PGE is replacing 200 watt fixtures with 66 watt fixtures which put out less light on River Road. He noted that the manufacturer recommendation is to replace a 200 watt bulb with a 139 watt LED fixture in order to get the same number of lumens on the ground. Additionally he noted that the LED lighting does not filter through leaves so tree limbs should be cut back. He urged that more poles be added on River Road to provide for the lower lighting of the LED lights.

City Manager Chris Eppley indicated that Public Works Director Bill Lawyer would have knowledgeable answers for Mr. McLeod. City Attorney Shannon Johnson added that the Street Lighting District funds are “pass through” so eventually the resident’s bills will go down.

Jerry McGee, Keizer, reported that a short was repaired in the statue lighting and the underbelly of the horse is now very well lit. He noted that since vehicular traffic had a limited time to view the statue, it was not practical to add upper lighting. He thanked Public Works for their assistance in this project.

PUBLIC HEARINGS None.

ADMINISTRATIVE ACTION

a. Keizer Police Service Dog Bruno and Recognition of Donors

Taken out of Order. Chief John Teague introduced the new police dog, Bruno, and recognized the donors who made it possible to purchase and outfit the dog: James Varner, Marilyn Robb, James and Patricia Wilson, Leland Prentiss, Joyce Graham, Keizer Volunteer Firefighters Association, Mary Shepherd, Randy Hostetler, Louis Nordyke, Patricia Taaffe, George McVey, Donald Knapp, Jim Smith, Betty Seitz, Patricia LaRock, Beverly Paprocki, Bill Quinn, Enya Wallace, Petco Foundation, and the American Cancer Society.

b. Request for Waiver of Fees for Use of Keizer Rotary Amphitheatre for Chamber Appreciation Barbeque

City Attorney Shannon Johnson explained that the issue before Council is whether they want to waive any of the fees or some of the fees or all of the fees. Mayor Christopher noted that the hard costs are the application fee, the electricity and the user fee – about \$135; \$150 is the refundable deposit. To be consistent with what the City does with KRA the City would ask the Chamber to pay the \$52 application fee which defrays the staffing cost of processing the application. Discussion then took place regarding the refundable deposit and electricity costs.

Councilor Koho moved that the Keizer City Council waive the \$150 refundable deposit for the amphitheater. Councilor Freeman seconded.

Mayor Christopher offered a friendly amendment to waive the user fees and electricity consistent with KRA. Councilors Koho and Freeman

accepted the amendment.

Mayor Christopher restated the motion: That Keizer City Council waive the \$150 refundable deposit, the user fees and the electricity, requiring the Chamber to pay a \$52 application fee to pay for staff time processing the application. Motion passed as follows:

AYES: Christopher, Egli, Koho, Quinn, Freeman and Clark (6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Taylor (1)

**c. Keizer Channel
23 Social Media
Experiment**

City Manager Chris Eppley explained that the way people receive news has been changing; they get it through social media. One of the things that K23 was intended for was to get the City message out to the public and now it is time to take it to the next step. This is the first attempt at that. The cost for this experiment would be about \$4900 which is available in the PEG (Public, Educational and Governmental) fund.

Rex Robertson commended the leadership of Keizer for opening the lines of communication via K23 and Keizer23.com. He added that now is the time to take the next step by taking social media communication to the next level.

David Dahl referred to information in the Council packet and explained that he and Rex want to share the great stories of Keizer through a series of seven stories planned every month for the next two months. He reviewed the parameters of the proposed City Council page, the analytics and goals and explained that the City would be pioneering a new means of civic communications. Mr. Dahl then reviewed the 10 shows that were done last month and requested approval of the two-month experiment doing seven stories a month. He added that Rex Robertson has offered to subsidize their production costs for the next two months in order to get this project going.

Mr. Robertson clarified that the cost is for the seven videos at \$350 each, but if the City decides to move ahead and make this part of the monthly deal, then K23 would produce seven videos for \$1750 per month or \$250 per video.

Discussion followed regarding the PEG fund, the allocation of the \$4900, channeling ideas from the public to K23, the project goal, expanding and enhancing communication, equitable distribution of the cost, and the power of social media.

Councilor Egli moved that the Keizer City Council direct staff to prepare the appropriate budget amendment to allocate PEG contingency funds for the two-month K23 social media experiment in the amount of \$4900.

Council Clark seconded. Motion passed as follows:

AYES: Christopher, Egli, Koho, Quinn, Freeman and Clark (6)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: Taylor (1)

d. Greater Gubser Neighborhood Association Request for Carry Over Funds

City Manager Chis Eppley reminded Council of the request to carry over funds from the previous budget year to the current budget year to cover the cost of the Greater Gubser Neighborhood Association newsletter.

Councilor Egli moved that the Keizer City Council adopt the staff recommendation to add an additional \$245.25 to the Greater Gubser Neighborhood Association budget for the 2014-15 fiscal year. Councilor Clark seconded. Motion passed as follows:

AYES: Christopher, Egli, Koho, Quinn, Freeman and Clark (6)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: Taylor (1)

e. RESOLUTION – Approving Marion County Order to Initiate Formation of Marion County Extension and 4-H Service District

City Attorney Shannon Johnson reminded Council that they had directed staff to prepare a resolution of consent in support of the formation of the Special District. Discussion followed regarding compression, other cities opting out of the District, and the effect of outstanding levies.

Councilor Egli moved that the Keizer City Council adopt a Resolution Approving Marion County Order to Initiate Formation of Marion County Extension and 4-H Service District. Councilor Clark seconded. Motion passed as follows:

AYES: Christopher, Egli, Koho, Quinn, Freeman and Clark (6)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: Taylor (1)

f. ORDINANCE – Adopting the Keizer Medical Marijuana Facility Permit Process

City Attorney Shannon Johnson reminded Council that they had considered the recommendations of the Medical Marijuana Facilities Regulation Task Force and directed staff to prepare an order consistent with the Council's direction. He reviewed main points of the ordinance, comparisons with other cities and the map and concluded with a request that Council not approve the ordinance tonight to allow staff more time to work out details. Council

- Indicated a desire to follow the State regulations on security.
- Suggested that the fees cover actual costs for the ongoing management of the program and urged staff to work with Salem to develop consistent fees between the two cities.
- Agreed by consensus to reduce the age for eligibility to purchase medical marijuana with a card from 21 to 18.
- Indicated that they wanted to delete the quarterly returns.
- Requested a definition for "publically owned spaces"

Councilor Clark asked staff to review the language of the recreational marijuana initiative and how it would impact the Keizer ordinance. Council agreed that this could be done after the state initiative has been put on the ballot. Council agreed to address the medical marijuana issue at the first meeting in September.

CONSENT CALENDAR

A. Approval of July 7, 2014 Regular Session Minutes

Mayor Christopher moved for approval of the Consent Calendar.
Councilor Egli seconded. Motion passed as follows:

AYES: Christopher, Egli, Koho, Quinn and Freeman (5)

NAYS: None (0)

ABSTENTIONS: Clark (1)

ABSENT: Taylor (1)

COMMITTEE REPORTS

Councilor Quinn announced the upcoming National Night Out, Meet 'N Greet for the school superintendent, and Community Build Task Force and Parks Board meetings and urged anyone interested in volunteering at the Big Toy booth at RiverFair to contact Ron Freeman.

Councilor Egli announced upcoming Planning Commission and Management meetings and the Marion County Commissioners Breakfast. He expressed gratitude to Lou Nordyke, Debora Knaupp, Enya Wallace and the Keizer Volunteer Firefighters Association for their donation to the K-9 program.

Councilor Freeman commended the Planning Commission for their recent work on the tow truck issue, invited everyone to the RiverFair, announced that she would be riding with Officer Wampler during National Night Out and commended Patrick Lamb for a great concert at Keizer Rotary Amphitheater.

Councilor Clark announced the upcoming Mid-Willamette Area Commission on Transportation and Personnel Policy Committee meetings, urged drivers to be aware of construction changes on I-5 at Woodburn, and reported that the Shoreline project is moving along.

Councilor Koho announced that the Water Wastewater Task Force will be starting up soon, filing deadlines are coming up, and recent contacts from citizens were resolved quickly and with satisfaction.

Mayor Christopher thanked Patrick Lamb and urged everyone to support the new Madison Delany Grill at the old Caruso's site.

OTHER BUSINESS

Chief Teague reported that 38 neighborhoods were participating in National Night Out.

WRITTEN

None

COMMUNICATION

AGENDA INPUT

August 11, 2014

5:45 p.m. – City Council Work Session - *Cancelled*

August 18, 2014

7:00 p.m. – City Council Regular Session

September 2, 2014 (Tuesday)

7:00 p.m. – City Council Regular Session

ADJOURNMENT

Mayor Christopher adjourned the meeting at 8:56 p.m.

MAYOR:

APPROVED:

Lore Christopher

Debbie Lockhart, Deputy City Recorder

COUNCIL MEMBERS

Councilor #1 – Dennis Koho

Councilor #4 – Cathy Clark

Councilor #2 – Kim Freeman

Councilor #5 – Joe Egli

Councilor #3 – Marlene Quinn

~ Absent ~

Councilor #6 – James Taylor

Minutes approved: _____



MINUTES
KEIZER CITY COUNCIL
Monday, August 18, 2014
Keizer Civic Center, Council Chambers
Keizer, Oregon

CALL TO ORDER

Mayor Pro Tem Joe Egli called the meeting to order at 7:00 pm. Roll Call was taken as follows:

Present:

Joe Egli, Council President
Kim Freeman, Councilor
Marlene Quinn, Councilor
Cathy Clark, Councilor
Jim Taylor, Councilor

Staff:

Chris Eppley, City Manager
Shannon Johnson, City Attorney
Nate Brown, Community Development
John Teague, Police Chief
Bill Lawyer, Public Works Director
Susan Gahlsdorf, Finance Director
Tracy Davis, City Recorder

Absent:

Lore Christopher, Mayor
Dennis Koho, Councilor

FLAG SALUTE

Mayor Pro Tem Egli led the pledge of allegiance.

**PUBLIC
TESTIMONY**

Bill Criteser, Keizer, reported on recent activity of the Parks Advisory Board including award of \$1,000 for a matching grant to purchase audio equipment at the Keizer Rotary Amphitheater and planning the September 27 charrette to update the master plan for Keizer Rapids Park.

Matt Chappell, Keizer, reported that the Planning Commission had unanimously approved with two absences the recommended amendment clarifying ambiguities in the Keizer Development Code and asked staff to revisit the deletion of Section 2.207: Zone Change. He noted that his term and the term of John Rizzo will expire at the end of September.

PUBLIC HEARINGS

Mayor Pro Tem Egli opened the Public Hearing.

**a. Keizer
Development
Code Text
Amendments
Relating to
Parking of Tow
Vehicles**

City Attorney Shannon explained that because this was an amendment to the Keizer Development Code it needed to go through the Land Use process which includes a hearing at the Planning Commission. He reviewed the history and details of the amendment which the Planning Commission recommended for Council adoption.

Mayor Pro Tem Egli suggested that the wording in section 2.303 page 2 "No vehicle may be towed or loaded on the tow vehicle" be rewritten. Mr. Johnson suggested "when parked in a residential area" be added.

Rhonda Rich, Keizer, President of the West Keizer Neighborhood Association, voiced opposition to allowing tow truck parking in residential areas and urged that the ordinance passed in 2005 be left unchanged.

Liz Rumelhart, Wiltse Towing, Salem, announced that it is not the towing company's intent to cause harm to any neighborhood but there are very few businesses that operate 24-7. She provided suggestions for enforcement and suggested that if the ordinance is not adopted, then residents who violate it should be asked to move in order to be fair to the companies that abide by the law.

Councilor Freeman noted that she had met with Ms. Rumelhart and Jack from Affordable Towing and learned that tow trucks can deter crime because they are in neighborhoods in the middle of the night and that not all tow trucks are noisy. She thanked towing companies for their service to the community.

Jeff Asher, BC Towing, announced that Bi-Mart has given his company permission to park in their lot; companies can seek opportunities for parking in various areas. He added that a tow truck would fit in his driveway.

With no further testimony Mayor Pro Tem Egli closed the public hearing.

Councilor Taylor moved to direct staff to prepare an ordinance adopting the amendments to the Keizer Development Code which allow tow vehicles to be parked in residential areas. Councilor Clark seconded.

Councilors Quinn, Taylor and Freeman indicated that although they were not opposed to supporting business, the livability of Keizer residents is also important and therefore they would not be supporting this.

Motion failed as follows:

AYES: None (0)

NAYS: Egli, Quinn, Freeman, Taylor and Clark (5)

ABSTENTIONS: None (0)

ABSENT: Christopher and Koho (2)

ADMINISTRATIVE ACTION

a. ORDINANCE – Amending Keizer Comprehensive Plan Relating to Environmental and Public Services

City Attorney Shannon Johnson reminded Council that they had directed staff to prepare this ordinance adopting the changes to the Comprehensive Plan relating to environmental and public services.

Councilor Taylor moved that the Keizer City Council adopt an Ordinance Amending Keizer Comprehensive Plan Relating to Environmental and Public Services (Amending Ordinance no. 87-077). Councilor Clark seconded. Motion passed unanimously as follows:

AYES: Egli, Quinn, Freeman, Taylor and Clark (5)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Christopher and Koho (2)

**b. RESOLUTION –
Authorization
for
Supplemental
Budget and
Appropriations
Transfers**

Finance Director Susan Gahlsdorf explained that Oregon Budget Law provides for Supplemental Budget and Resolution Transfers when unanticipated conditions occur. She read the list of adjustments and provided a brief explanation on each.

Councilor Taylor moved that the Keizer City Council adopt a Resolution - Authorization for Supplemental Budget and Appropriations Transfers (Statue, Production, Auto Insurance, Training, Cameras, Appraisal, ADA, and Computer Software and Hardware. Councilor Clark seconded. Motion passed as follows:

AYES: Egli, Quinn, Freeman, Taylor and Clark (5)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Christopher and Koho (2)

**CONSENT
CALENDAR**

- A. RESOLUTION – Authorizing City Manager to Enter Into Agreement with Kentucky Underground Storage
- B. RESOLUTION – Authorization for Disposition of Police Service Dog “Bas”
- C. RESOLUTION – Authorizing the City Manager to Purchase Vehicle for Public Works Department
- D. Approval of July 21, 2014 Regular Session Minutes

Councilor Taylor pulled Items A and B.

Councilor Taylor moved for approval of Items C and D of the Consent Calendar. Councilor Clark seconded. Motion passed as follows:

AYES: Egli, Quinn, Clark, Taylor and Freeman (5)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Christopher and Koho (2)

Councilor Taylor clarified that records were not actually stored “under ground”. Chief Teague explained that Bas will live with his handler in retirement.

Councilor Taylor moved for approval of Items A and B of the Consent Calendar. Councilor Clark seconded. Motion passed as follows:

AYES: Egli, Quinn, Clark, Taylor and Freeman (5)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Christopher and Koho (2)

**COMMITTEE
REPORTS**

Councilor Clark reported that Keizer Festivals and Events Services Team had approved the FlexTones for one of the KRA Free Concerts at Keizer Rapids Park; the Keizer Rapids Park Master Plan Update charrette will be during the League of Oregon Cities Conference which she would be

attending. She announced upcoming events including the Transit District open house, Economic Development and Government Affairs meeting, Habitat house dedication, City Hall Week at Newberg and urged everyone to participate in the on-line transit survey. She also thanked Chief Teague for arranging for the Hubbard K-9 Division to participate at the RiverFair.

Councilor Freeman thanked participants in the National Night Out and explained how to access neighborhood crime reports on the City website. She announced the second night of the cycle event at Keizer Rapids Park. She urged everyone to check the KeizerTimes website to see pictures taken at the Keizer RiverFair event, check out the Mural at Keizer Florist and to drive carefully during the darker morning hours.

Councilor Quinn reported that the Community Build Task Force has reached 46% of the fundraising goal.

Councilor Taylor announced that the Keizer Points of Interest Committee did not meet due to lack of a quorum; the Traffic/Bicycle/Pedestrian Committee will meet Thursday.

Councilor Egli reported on the upcoming Fire lunch.

OTHER BUSINESS

2013-2014 Surplus Property Report: Council had no questions for Finance Director Susan Gahlsdorf on the 2013-2014 Surplus Property Report.

Public Works Director, Bill Lawyer provided project updates on Shoreline Drive and Chemawa Road.

WRITTEN COMMUNICATION

None

AGENDA INPUT

September 2, 2014 (Tuesday)

7:00 p.m. – City Council Regular Session

- Comp Plan/Zone Change/Lot Line Adjustment (4800-4900 block of Verda Lane)

September 8, 2014

5:45 p.m. – City Council Work Session

- City Council/Parks Tour

September 15, 2014

7:00 p.m. – City Council Regular Session

ADJOURNMENT

Mayor Pro Tem Egli adjourned the meeting at 7:55 p.m.

MAYOR:

APPROVED:

~ Absent ~

Lore Christopher

Debbie Lockhart, Deputy City Recorder

COUNCIL MEMBERS

~ Absent ~

Councilor #1 – Dennis Koho

Councilor #4 – Cathy Clark

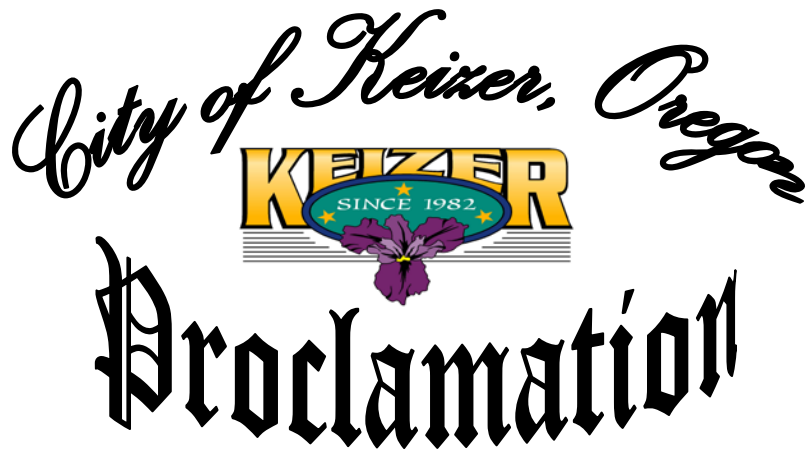
Councilor #2 – Kim Freeman

Councilor #5 – Joe Egli

Councilor #3 – Marlene Quinn

Councilor #6 – James Taylor

Minutes approved:_____



WHEREAS, September 17, 2012 marks the two hundred twenty-seventh anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and

WHEREAS, it is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary; and to the patriotic celebrations which will commemorate the occasion; and

WHEREAS, Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as Constitution Week;

NOW, THEREFORE, I, LORE CHRISTOPHER, by the virtue of the authority vested in me as Mayor of the City of Keizer in the State of Oregon, do hereby proclaim the week of September 17th through 23rd as

CONSTITUTION WEEK

AND ask our citizens to reaffirm the ideals of the Framers of the Constitution had in 1787 by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties, remembering that lost rights may never be regained.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Keizer, Oregon to affixed this 2nd day of September, 2014.

MAYOR LORE CHRISTOPHER
City of Keizer, Oregon

COUNCIL MEETING: September 2, 2014

AGENDA ITEM NUMBER: _____

TO: MAYOR CHRISTOPHER AND CITY COUNCIL MEMBERS

**THROUGH: CHRIS EPPLEY
CITY MANAGER**

**FROM: TRACY L. DAVIS, MMC
CITY RECORDER**

SUBJECT: KEIZER BUDGET COMMITTEE APPOINTMENT

ISSUE:

There are currently three vacancies on the Keizer Budget Committee. A media release was distributed and an application received from Jerry McGee. At their recent meeting, the Volunteer Coordinating Committee heard testimony from the applicant, reviewed the application materials, and recommended Dr. McGee to fill position #3 on the Committee.

RECOMMENDATION:

It is recommended City Council accept the recommendation of the Volunteer Coordinating Committee and appoint Jerry McGee to fill position #3 on the Keizer Budget Committee with his term expiring August 31, 2017.

COUNCIL MEETING: September 2, 2014

AGENDA ITEM NUMBER: _____

TO: MAYOR CHRISTOPHER AND CITY COUNCIL MEMBERS

**THROUGH: CHRIS EPPLEY
CITY MANAGER**

**FROM: TRACY L. DAVIS, MMC
CITY RECORDER**

SUBJECT: KEIZER POINTS OF INTEREST COMMITTEE (KPIC) APPOINTMENT

ISSUE:

There are currently three vacancies on the Keizer Points of Interest (KPIC) Committee. After several media releases were distributed, an application was received from Tanja Homrichhausen. At their recent meeting, the Volunteer Coordinating Committee heard testimony from the applicant, reviewed the application materials, and recommended Ms. Homrichhausen to fill position #2 on the Committee.

RECOMMENDATION:

It is recommended City Council accept the recommendation of the Volunteer Coordinating Committee and appoint Tanja Homrichhausen to fill position #1 on the Keizer Points of Interest (KPIC) Committee with her term expiring November 30, 2016.

COUNCIL MEETING: September 2, 2014

AGENDA ITEM NUMBER: _____

TO: MAYOR CHRISTOPHER AND CITY COUNCIL MEMBERS

**THROUGH: CHRIS EPPLEY
CITY MANAGER**

**FROM: TRACY L. DAVIS, MMC
CITY RECORDER**

**SUBJECT: KEIZER FESTIVALS AND EVENTS SERVICES TEAM (K-FEST) COMMITTEE
APPOINTMENT**

ISSUE:

For several months, there has been a vacant position on the Keizer Festivals and Events Services Team (K-FEST) Committee. After several media releases were distributed, an application was received from Jeff Lewis. At their recent meeting, the Volunteer Coordinating Committee heard testimony from the applicant, reviewed the application materials, and recommended Mr. Lewis to fill position #1 on the Committee.

RECOMMENDATION:

It is recommended City Council accept the recommendation of the Volunteer Coordinating Committee and appoint Jeff Lewis to fill position #1 on the Keizer Festivals and Events Services Team (K-FEST) Committee with his term expiring May 31, 2015.

COUNCIL MEETING: September 2, 2014

AGENDA ITEM NUMBER: _____

TO: MAYOR CHRISTOPHER AND CITY COUNCIL MEMBERS

**THROUGH: CHRIS EPPLEY
CITY MANAGER**

**FROM: TRACY L. DAVIS, MMC
CITY RECORDER**

SUBJECT: KEIZER ARTS COMMISSION APPOINTMENT

ISSUE:

Recently, Amy Ripp tendered her resignation from position #3 on the Keizer Arts Commission. A media release was distributed and an application received from Tanja Homrichhausen. At their recent meeting, the Volunteer Coordinating Committee heard testimony from the applicant, reviewed the application materials, and recommended Ms. Homrichhausen to fill position #3 on the Commission.

RECOMMENDATION:

It is recommended City Council accept the recommendation of the Volunteer Coordinating Committee and appoint Tanja Homrichhausen to fill position #3 on the Keizer Arts Commission with her term expiring May 31, 2016.