

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
WORK SESSION

Monday, July 10, 2006

6:00 p.m.

**Robert L. Simon Council Chambers
Keizer City Hall, Keizer, Oregon 97303**

1. CALL TO ORDER

2. ROLL CALL

3. DISCUSSION

a. Civic Center Funding Package

4. ADJOURN



CITY COUNCIL MEETING: _____

AGENDA ITEM NUMBER: _____

TO: MAYOR AND CITY COUNCIL

**FROM: CHRISTOPHER C. EPPLEY
CITY MANAGER**

SUBJECT: CIVIC CENTER FUNDING PACKAGE

BACKGROUND

In May of 2002 and again in March of 2004, Council appointed citizen task forces recommended that the City Council take steps to develop new City Hall and Police Department facilities on the existing City owned land at 930 Chemawa Road, NE. A space needs analysis was completed and the project was estimated at the time of the March 19, 2004 report from Arbuckle & Costic Architects to cost approximately \$10Million in 2007 dollars. It was thought by me that a funding package for this project would include a certain amount of Urban Renewal funds, a bond measure component of approximately \$4Million and the sale of City assets and/or grant proceeds to make up the balance of the equation. During the FY 2006-7 budget cycle, the City Council dedicated up to \$6Million in Urban Renewal funds toward the projected \$10Million project, which equates to 60% of the total funding package.

Since March of 2004, many things have happened to increase construction costs nationally including but not limited to Hurricane Katrina, a lingering war in the Iraq, significant increases in world prices of light sweet crude and a scarcity of steel and other construction materials due to the industrialization of the Chinese economy. Given these world conditions and in preparation for a potential bond measure for the November, 2006 election on a City Hall / Police Department facility construction, I recently requested that Arbuckle & Costic Architects provide a price update for the project based on current construction costs. On May 23, 2006, Alan Costic provided me the requested estimate update, which shows a 40% materials and labor increase with a new total project cost of \$13.4Million in 2007 dollars.

RECOMMENDATION

I recommend that the Urban Renewal Agency and City Council consider and adopt the following funding package for the City Hall / Police Department project given the new price estimate of \$13.4 Million.

Urban Renewal (At 60% of Projected Cost)	\$8,040,000
Urban Renewal (Redistribution of Land Acquisition Budget)	600,000
Bond Measure	4,000,000
Grants & City Asset Liquidation	760,000
<i>TOTAL</i>	<i>\$13,400,000</i>

In addition, I recommend that the City Council direct staff to prepare the appropriate ordinance for the July 17, 2006 meeting to place a bond measure of \$4Million on the November, 2006 general election for the purpose of constructing new City Hall and Police Department Facilities on existing City owned land at 930 Chemawa Road, NE.

**KEIZER CIVIC CENTER
KEIZER, OREGON
PRELIMINARY ESTIMATE OF PROBABLE PROJECT COST
40%
May 23, 2006**



Kim Arbuckle, AIA
Alan E. Costic, AIA
Clayton Vorse, AIA
Lisa Mance, IIDA
Richard S. Rothweiler, AIA
Richard S. Boyd, AIA

ARBUCKLE COSTIC ARCHITECTS, INC.

363 State Street
Salem, OR 97301-3533
503/581-4114 Fax: 503/581-3655
E-Mail: architects@arbucklecostic.com • www.arbucklecostic.com

Complete Master Plan Development

New Construction:

Police Station	16,100 s.f.	@	\$230 s.f.	3,703,000	
City Hall	26,350 s.f.	@	\$175 s.f.	4,611,250	
Lobby Addition	2,250 s.f.	@	\$180 s.f.	405,000	
Clock Tower				<u>91,000</u>	
Lump Sum					\$ 8,810,250

Remodel:

Auditorium	3,810 s.f.	@	\$70 s.f.	<u>266,700</u>	\$ 9,076,950
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Site Work:

Hard Scape	114,680 s.f.	@	\$4.25 s.f.	487,390	
Soft Scape	36,060 s.f.	@	\$3.75 s.f.	<u>135,225</u>	
				622,615	\$ 9,699,565

Demolition:

Other Existing Remodel	51,300 s.f.	@	\$4.25 s.f.	<u>218,025</u>	
Estimated Construction Subtotal					\$ 9,917,590

Contingency:

Construction Contingency	10%			<u>991,759</u>	
Estimated Construction Total					\$ 10,909,349

Architect/Engineer Fee	8%			872,750	
Reimbursables (Estimated)				87,000	
Permits, Surveys, Testing	4%			436,375	
Furniture/Equipment/Phone/Data	10%			<u>1,090,900</u>	
Estimated Total Project Budget (2007 Dollars)					\$ 13,396,374

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*

AGENDA

KEIZER CITY COUNCIL

REGULAR SESSION

Monday, July 10, 2006

7:00 p.m.

**Robert L. Simon Council Chambers
Keizer, Oregon**

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **FLAG SALUTE**
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. Keizer Development Code Revisions – Section 2.113 – Industrial Business Park and Section 2.119 – Employment General
6. **ADMINISTRATIVE ACTION**
 - a. **ORDINANCE** – Amending Keizer Development Code Section 2.3030 (Off-Site Parking and Loading) Section 2.309 (Site and Landscaping Design), Section 2.312 (Yard and Lot Standards), and Section 3.111 (Text Amendments); Amending Ordinance No. 98-389 (**SECOND READING**)
 - b. **ORDINANCE** – In the Matter of the Application of Scott and Sharon White to Annex A Portion of Property Located at 7029 Fir Grove Lane North, Keizer to the City Limits of the City of Keizer (Case No. 2005-35)
ORDER – In the Matter of the Application of Scott and Sharon White for Partition of a 3.48 Acre Parcel Located at 7029 Fir Grove Lane North, Keizer, Oregon (Case No. 2005-35)
 - c. **RESOLUTION** – Authorizing the City Manager to Award Contract to CBI Services, Inc. for Construction of Chemawa Station Water Storage Tank
7. **CONSENT CALENDAR**
 - a. **RESOLUTION** – Authorizing the City Manager to Enter Agreement with Blackline, Inc. for Slurry Seals on Various Streets within the city of Keizer

- b. **RESOLUTION** – Initiating Benson Estates Street Lighting District
- c. **RESOLUTION**- Initiating Naomi Start Subdivision Street Lighting District
- d. **RESOLUTION** – Approving Engineer’s Report for Brian Meadows Street Lighting District
- e. Approval of June 5, 2006 Regular Session Minutes
- f. Approval of June 19, 2006 Regular Session Minutes

8. **COMMITTEE REPORTS**

- a. Oregon Mayors Association – “If I Were Mayor, I Would...” Poster and Essay Contest Winners

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**

July 17, 2006

7:00 p.m. City Council Regular Session

August 7, 2006

7:00 p.m. City Council Regular Session

August 14, 2006

5:30 p.m. City Council Work Session

12. **ADJOURNMENT**



COUNCIL MEETING: _____
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: ZONE CODE REVISIONS

BACKGROUND:

On June 14, 2006, the Planning Commission unanimously supported the proposed text amendments to two sections of the zone code, Section 2.113 (Industrial Business Park) and Section 2.119 (Employment General). The intent of the proposed revisions is to clarify the code ambiguities and to allow flexibility with regard to potential lot dimension standards within the EG zone in the Keizer Station.

ISSUE:

1. *Section 2.113 (Industrial Business Park)* will allow movie theaters under the category of amusement and recreation in Section 2.113.02.L.4. It is considered that this use was overlooked during the development of the master plan for the Keizer Station and with potential plans to have a theater possibly be included as part of the Keizer Station it is appropriate to have the code amended to avoid any problems over this not being allowed.

There was interest by some property owners to have a discussion about regulations governing flex space found within Section 2.113.02.N. The intent of the flex space concept is to allow for a limited amount of commercial retail uses within an industrial zone district where it is otherwise not permitted. As it is written this language appears to be ambiguous on whether or not this can be allowed and if it is permitted should the standards that are used for development within the Keizer Station apply. The Planning Commission considered that since this issue was not included in the notice sent to DLCD that it would be best for it to be carried to a future time to allow for it to be properly noticed and then be considered.

2. *Section 2.119 (Employment General)* revisions will amend the dimensional standards in Section 2.119.09 to include a number of changes to allow flexibility in regard to partitioning of land that is designated “industrial” in the Keizer Station allow a more flexible allowance in determining lot size.

Section 2.119.09.A includes revisions to allow parcels to be considered whenever the term lot is used when determining dimensional standards. The term is significant in that lots are created through the subdivision process and parcels through the partition process.

By including the term “parcel” means that the partitioning process can be used to create the new properties.

Section 2.119.09.B contains four sub-sections that allows greater flexibility for lot division through a new concept of a “qualified abutting lot”. Strict adherence to the dimensional standards within this zone district will prohibit further division of lots. Interest has been expressed for individual businesses to own their land on which their building is located rather than leasing the land. This new definition will allow a qualified abutting lot to be considered in the aggregate as if they were a single lot for determining compliance with the actual dimensional standards within this section and the lots or parcels must have the same classification as either all industrial or all commercially designated lands. The number of qualified abutting lots that may be created by using this definition is limited to four. This section also defines which lots, parcels, or tracts that are exempt from the lot standards within the table within this sub-section.

Section 2.119.10 includes the allowance for parcels so as to be consistent with other provisions. It also allows for a reduction to the street-side building setback for development classified as ‘industrial’ in the Keizer Station from 20 to 10 feet. This is to be consistent with the fact that the majority of development within the Keizer Station is commercial and has a minimum 10 foot building setback. Finally, language has been inserted into this section that recognizes the requirement for a Master Parking Plan for the Keizer Station and allows individual businesses to provide parking consistent with this plan.

RECOMMENDATION:

Direct staff to prepare an ordinance with findings to adopt the proposed revisions to zone code regulations.

2.113 INDUSTRIAL BUSINESS PARK (IBP)

2.113.01 Purpose and Uses

- A. Purpose. The IBP zone is intended to provide for high quality light industrial and office parks with related commercial uses. It sets high design standards focusing on visual aesthetics, while providing a framework for the marketplace to work within creating vibrant, economically viable commerce centers. (5/98)
- B. Classification of Uses: Most permitted, special, and conditional uses are classified with reference to the Standard Industrial Classification (SIC), Manual, Numbers in parenthesis following a use designation indicate that the use is listed and described under the number in the SIC. Where particular activities otherwise included under a SIC category are excluded from the permitted, a special, or conditional uses, those particular activities are listed, preceded by the words, "BUT EXCLUDING" following the more general category from which they are excluded. Particular activities thus excluded may or may not be listed in other sections of this chapter. The IBP zone may be utilized in conjunction with overlay zones, such as the AC (Activity Center) overlay zone used within the Keizer Station Plan, which may include use and development standards which are more restrictive than those found in this chapter. (02/03)

2.113.02 Permitted Uses

The following uses, when developed under the general development standards in this zoning code applicable to the IBP district and to all such uses, generally, are permitted in the IBP district: (5/98)

- A. **Agriculture forestry and fishing;** (5/98)
 - 1. Agricultural production-crops (01). (5/98)
- B. **Manufacturing;** (5/98)
 - 1. Grain mill products. (5/98)
 - 2. Bakery products. (5/98)
 - 3. Beverages. (5/98)
 - 4. Miscellaneous food preparations and kindred products. (5/98)

5. The manufacture of meat products but excluding both meat packing plant and any on site abattoirs and slaughtering, rendering of fats, processing of hides and maintenance of live animals or fowl. (5/98)
6. Textile mill products. (5/98)
7. Apparel and other finished products made from fabrics and similar products. (5/98)
8. Wood kitchen cabinets. (5/98)
9. Nailed and lock corner wood boxes and shook. (5/98)
10. Wood products, not elsewhere classified. (5/98)
11. Furniture and fixtures. (5/98)
12. Paperboard containers and boxes. (5/98)
13. Printing, publishing, and allied industries. (5/98)
14. Drugs. (5/98)
15. Soaps detergents, and cleaning preparations, perfumes, cosmetics, and other toilet preparations. (5/98)
16. Miscellaneous plastic products. (5/98)
17. Leather and leather products BUT EXCLUDING leather tanning and finishing. (5/98)
18. Glass products, made of purchased glass. (5/98)
19. Pottery and related products. (5/98)
20. Metal cans and shipping containers. (5/98)
21. Cutlery, hand tools, and general hardware. (5/98)
22. Heating equipment, except electric and warm air, and plumbing fixtures. (5/98)
23. Fabricated structural metal products. (5/98)
24. Screw machine products, and bolts, nuts, screws, rivets, and washers. (5/98)
25. Metal forgings and stampings. (5/98)

26. Metalworking machinery and equipment. (5/98)
 27. Special industry machinery, except metalworking machinery. (5/98)
 28. Pumps and pumping equipment. (5/98)
 29. Office, computing, and accounting machines. (5/98)
 30. Electrical and electronic machinery, equipment, and supplies. (5/98)
 31. Transportation Equipment. (5/98)
 32. Measuring, analyzing, and controlling instruments; photographic, medical, and optical goods; watches and clocks. (5/98)
 33. Miscellaneous manufacturing industries. (5/98)
- C. **Transportation, communications, electric, gas, and sanitary services;**
1. Motor freight transportation and warehousing. (5/98)
 2. Communication. (5/98)
 3. Public Utility Structures and Buildings. (5/98)
- D. **Wholesale trade-nondurable goods** BUT EXCLUDING poultry and poultry products, livestock, farm-product raw materials, not elsewhere classified, chemicals and allied products, tobacco and tobacco products, and nondurable goods, not elsewhere classified. (5/98)
- E. **Wholesale trade-durable goods** BUT EXCLUDING automobiles and other motor vehicles, lumber and other construction materials, coal and other minerals and ores, construction and mining machinery and equipment and scrap and waste materials. (5/98)
- F. The uses (b) through (e), excluding c) iii) shall:
1. Be within an enclosed building; and
 2. Permit retail sales of products manufactured on the site. (5/98)
- G. **Services** (5/98)

1. Computer and data processing services. (5/98)
2. Research and development laboratories. (5/98)
3. Management, consulting, and public relations services. (5/98)
4. Noncommercial educational, scientific, and research organizations. (5/98)

H. **Public administration;** (5/98)

1. Fire protection. (5/98)

I. **Office Uses;** (5/98)

1. Any use allowed in Section 2.108, Commercial Office excluding those residential uses listed in 2.108.02.A, B, C, PP, and RR. (5/98)

J. **Retail trade;** (5/98)

1. Eating and drinking places. (5/98)

K. **Finance, Insurance, and Real Estate;** (5/98)

1. Commercial and Stock Savings Banks. (5/98)
2. Mutual Savings Bank. (5/98)
3. Savings and Loan Associations. (5/98)
4. Personal Credit Institutions. (5/98)

L. **Services** (5/98)

1. Hotels, motels, and tourist courts. (5/98)
2. Child daycare services. (5/98)
3. Membership sports and recreation clubs. (5/98)
4. Amusement and recreation (79), BUT EXCLUDING golf courses (7992) and amusement parks (7996). (5/98)

5. Motion pictures (78), BUT EXCLUDING drive-in motion picture theaters (7833).
 6. Public and private sports facilities including but not limited to stadiums, arenas, ice rinks, parks, and aquatic facilities. (5/98)
 7. Miscellaneous services. (5/98)
- M. **Transit stop shelters.** (5/98)
- N. **Flexible Space Uses**
1. The following uses, when restricted, developed, and conducted as required in subsection 2 below, are permitted in the IBP district
 - a. Food Stores (54). (5/98)
 - b. Apparel and Accessory Stores (56). (5/98)
 - c. Furniture, Home Furnishings and Equipment Stores (57). (5/98)
 - d. Miscellaneous Retail; BUT EXCLUDING used merchandise stores (59). (5/98)
 - e. Business Services. (5/98)
 - f. Miscellaneous Repair Services. (5/98)
 2. In the Keizer Station Plan where Flexible Space uses are to be developed within the IBP district, the following development limits apply; (02/03)
 - a. No single building shall be more than 25,000 square feet in area, with no more than 10,000 square feet to be utilized for any individual use listed in subsection 1(a) through (d). (7/04 Ord 2004-510)
 - b. The aggregate floor area for uses devoted to food stores (54), apparel and accessory stores (56), furniture, home furnishings, and equipment stores (57), and miscellaneous retail (59) shall not exceed two percent of the total land area in the IBP district. "IBP district" is defined as IBP zoned property within the Keizer Station, including any internal

public streets. In no case shall each contiguously zoned IBP district within the Keizer Station exceed 32,400 square feet of Flexible Use Space as set forth in sub-sections 1.a through d. (7/04 Ord 2004-510)

- c. The area developed in all flexible space uses shall in the aggregate not exceed 30 percent of the gross area of the IBP district. (5/98)
- d. Any outdoor storage area shall:
 - i. Be no more than 3,000 square feet per building and shall not be aggregated with the storage of another building;
 - ii. Be enclosed with a sight-obscuring fence or wall;
 - iii. Have at least one side conterminous with the building that it serves;
 - iv. Have no opening within fifty feet and visible from any property boundary; and
 - v. Meet the other applicable requirements of this ordinance. (5/98)
- e. Loading doors shall have no opening within seventy five feet and visible from any street or property boundary. (5/98)
- f. Buildings fronting a street and within fifty feet of an abutting property shall have glass frontage not less than thirty-five percent of the area of the street front wall. (5/98)
- g. All buildings shall be capable of development as flexible industrial space. (5/98)

O. **Wireless Telecommunications Facilities** (Section 2.427). (5/98)

2.113.03 Prohibited Uses

Within any IBP district, no building, structure, or land shall be used, erected, structurally altered, or enlarged for any use not permitted under this chapter. (5/98)

2.113.04 Industrial Performance Standards

In an IBP district no land or structure shall be used or occupied unless maintained and operated in continuing compliance with all applicable standards adopted by the Oregon Department of Environmental Quality (DEQ), including the holding of all licenses and permits required by DEQ regulation, local ordinance, and state and federal law. (5/98)

2.113.05 Development Standards

- A. **Design Standards** – Unless specifically modified by provisions in this Section, buildings located within the IBP zone shall comply with the Development Standards in Section 2.315. (5/98)
- B. **Location Standards**. (5/98)
1. Each IBP district shall have direct access onto an arterial or collector street. (5/98)
 2. Access to a local street abutting the district shall not be permitted from any lot within the IBP district; except that, access may be permitted to a local street if 75 percent of the property is zoned industrial or designated industrial in the Keizer Comprehensive Plan along both sides of the street for a distance of 600 feet from the center line of a proposed access in both directions along the street, or for the distance from said centerline to the next intersecting arterial or collector street in both directions, whichever is less. (5/98)
 3. Calculation of the percent of industrial property shall be based upon the street frontage of properties having frontage on the local street within the described distance of the centerline of the proposed access. (5/98)
 4. The Zoning Administrator may require street right-of-way and improvements for streets abutting or within the IBP district in accordance with the Development Code, except that for local streets to which access is not allowed under 2. above, the Zoning Administrator may only require right-of-way dedication, and not improvements. (5/98)
- C. **Height**. Within the IBP district buildings and structures erected, altered or enlarged shall not exceed 100 feet in height, except for the area within 50 feet of any residential zone where the maximum height shall be 15 feet. (5/98)

D. **Lot Area and Dimensions.** There are no minimum lot area requirements in an IBP district. (5/98)

E. **Yards Adjacent to Streets.** Within an IBP district:

1. Along the full extent of each lot line adjacent to a street, there shall be a required yard 20 feet in depth. (5/98)
2. Setbacks for accessory building and structures, except fences, shall be the same as for primary buildings. (5/98)
3. No parking will be allowed in required yards. (5/98)
4. No buildings or structures except transit shelters approved by the Salem Area Transit District shall be permitted in a required yard adjacent to a street. (5/98)

F. **Yards Adjacent to Other Districts.** (5/98)

1. Where an IBP district within the Keizer Station Plan abuts any other district, except another "I" district, directly or across an alley, there shall be a required yard 40 feet in depth adjacent to the lot line separating the IBP district from the abutting district. (5/98)
2. Where an IBP district not within the Keizer Station Plan abuts any other district, except another "I" district, directly or across an alley, there shall be a required yard 15 feet in depth plus 1 foot of depth for each foot of building height over 10 feet, adjacent to the lot line separating the IBP district from the abutting district. (5/98)
3. Where an IBP district within the Keizer Station Plan abuts another "I" district, directly or across an alley, there shall be a required yard 20 feet in depth adjacent to the lot line separating the IBP district from the abutting district. (5/98)
4. No buildings or structures shall be permitted in a required yard adjacent to an abutting district. (5/98)
5. All parking shall be set back at least 20 feet from the lot line separating the IBP district from the abutting district. (5/98)
6. Driveways shall be set back at least 20 feet from the lot line separating the IBP district from the abutting district, except where

the driveway provides direct access to the abutting property or to a street. (5/98)

G. **Side and Rear Yards.** Notwithstanding Section 2.113.05.F, There are no side or rear yard requirements in the IBP district except:

1. As may be required for a yard adjacent to another district as defined above. (5/98)
2. Where a side or rear yard is not required but is provided it shall:
 - a. Be at least ten feet in depth;
 - b. Not include buildings, structure, parking or driveways; and
 - c. Be landscaped. (5/98)
3. Driveways and accessways shall set back at least ten feet from property lines, except where the driveway or accessway provides direct access to an adjacent street, or where a common driveway is provided along a lot line between two separately owned properties. In case of the latter exception, at least ten feet of landscaped yard shall exist parallel and along each side of the common driveway. (5/98)

H. **Lot Coverage.** Each lot within an IBP district shall have a least 20 percent of its gross area landscaped; that portion of the required yards, which are landscaped, may be included in the calculation to meet the 20 percent landscaped area. (5/98)

I. **Open Storage**

1. Open storage of materials and equipment is prohibited in required yards, but is otherwise permitted provided that such storage is enclosed with a sight-obscuring fence, wall or berm at least six feet in height, or a sight obscuring hedge no less than four feet in height and capable of obtaining a height of six feet within two years, any of which shall be located on the property at the required set back line in the same manner as if such berm, fence, wall, or hedge were a building. (5/98)
2. Materials and equipment stored as permitted in this section shall be no more than 14 feet in height above the elevation of the storage area. (5/98)

J. **Landscaping**

1. Landscaping shall meet the requirements of the Keizer Development Code as well as the following requirements. (5/98)
2. Required yards shall include the following plant materials:. (5/98)

**Number of Plant Units or Square Feet of Living Ground Cover
Per 1000 Square Feet of Landscaped yard**

Plant Type	Boundary of IBP District	Other Locations
Trees	2	1
Shrubs	5	3
Evergreens and Conifers	1	
Living Ground Cover	500 sq. ft.	500 sq. ft.

3. Plant units shall be distributed not less than two units per each 100 linear feet of boundary or lot line and each ten feet of depth. (5/98)
4. Plant units meeting the above standards shall also be planted and maintained in any planting strip or area within the public right of way adjacent to a use. Trees within the planting strip shall be in conformance with City standards for street trees. (5/98)

K. **Off-Street Parking and Loading.** Within an IBP district all uses shall meet the requirements of the Parking Chapter of the Keizer Development Code as well as the additional requirements of this section:

1. **Parking**
 - a. All parking shall be set back at least ten feet from all interior property lines. (5/98)
 - b. Transit stop(s) approved, as to location, design and construction, by the Keizer Area Transit District may satisfy five percent of the parking space requirements for building sites located within 400 feet of any such transit stop(s). (5/98)

- c. A ride sharing program approved by the Director of Public Works may satisfy five percent of the parking space requirements. (5/98)
 - d. Bicycle parking at a ratio of one bicycle space for each twenty vehicle parking spaces may satisfy three percent of the parking space requirements. (5/98)
- 2. Loading
 - a. All loading spaces shall be screened from adjacent property by a sight-obscuring fence, wall, hedge, or berm at least four feet in height. (5/98)
 - b. Loading docks and loading doors shall be screened from the street by landscaping and shall be offset from driveway openings. (5/98)
- L. **Lighting.** Exterior lights fixtures shall be so located and designed that the light source, viewed by an observer five feet above the ground and five feet outside the boundary of the IBP district, shall within 50 feet of the base of the light standard be either:
 - 1. Completely shielded from direct view, or. (5/98)
 - 2. Not greater than five foot candles. (5/98)

2.119 GENERAL EMPLOYMENT (EG)

2.119.01 Purpose

The General Employment (EG) zone is located within the Keizer Station Plan (KSP) Area A – Village Center, and it corresponds directly with the Special Planning District (SPD) designation as described in the KSP and the Keizer Comprehensive Plan. Consistent with the KSP, the EG zone promotes a complementary mix of economic uses, development intensity, and development standards along with a wide range of employment opportunities. The EG zone regulations protect the health, safety and welfare of the public, address area character, and address environmental concerns, while enhancing economic opportunities in Keizer. The intent is to promote attractive industrial/commercial areas, which will support the economic viability of the City. In addition, the regulations provide certainty to property owners, developers, and neighbors about the limits of what is allowed. (2/03)

2.119.02 Commercial and Industrial Use Limitations

- A. To implement the KSP, the EG zone requires that a minimum of 25% of all the EG zone land area be devoted to listed Industrial Uses and allows a maximum of 75% of the EG zone land area to be developed with Commercial Uses. The specific Industrial and Commercial Uses are defined in this chapter. The EG zone is unique because the location of the particular areas devoted to Industrial and Commercial Uses shall be determined as part of the required Site Master Plan review described in Chapter 2.125 of this Zoning Ordinance. (2/03)
- B. The land use limitations of the EG zone include: (2/03)
1. Permitted and Special Permitted Industrial Uses, in Sections 2.119.03 and 2.119.04 respectively, represent the allowable uses for the portion of the EG zone so designated as part of the Site Master Plan approval required by Chapter 2.125. A minimum of 25% of the land area of the EG zone shall be devoted to these uses. (2/03)
 2. Permitted and Special Permitted Commercial Uses, in Sections 2.119.05 and 2.119.06 respectively, represent the allowable uses for the portion of the EG zone so designated as part of a Site Master Plan approval required by Chapter 2.125. A maximum of 75% of the land area of the EG zone may be devoted to these uses. (2/03)
 3. Use restrictions, which apply to the entire EG zone, are identified in Section 2.119.07. (2/03)

code revisions draft

Red proposed revisions to City Council

Page 1 of 16

2.119.03 Permitted Industrial Uses

Industrial Development. The following uses, drawn from the IBP and IG zones, when developed under the applicable development standards in the Zoning Ordinance, are permitted in the EG zone on a minimum 25% gross acreage of the Village Center: (2/03)

A Construction contractor's offices. (15) (2/03)

B. Manufacturing;

1. Bakery products. (205) (2/03)
2. Beverages. (208) (2/03)
3. Miscellaneous food preparations and kindred products. (209) (2/03)
4. The manufacture of meat products (201) but excluding both meat packing plant (2011) and any on site abattoirs and slaughtering, rendering of fats, processing of hides and maintenance of live animals or fowl. (Poultry slaughtering and processing (2015)) (2/03)
5. Textile mill products. (22) (2/03)
6. Apparel and other finished products made from fabrics and similar products. (23) (2/03)
7. Wood kitchen cabinets. (2434) (2/03)
8. Nailed and lock corner wood boxes and shook. (2441) (2/03)
9. Wood products, not elsewhere classified. (2499) (2/03)
10. Furniture and fixtures. (25) (2/03)
11. Paperboard containers and boxes. (265) (2/03)
12. Printing, publishing, and allied industries. (27) (2/03)
13. Drugs (283), **BUT EXCLUDING biological products, except diagnostic substances (2836)** (2/03)
14. Leather and leather products (31) **BUT EXCLUDING** leather tanning and finishing. (311) (2/03)

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15. Glass products, made of purchased glass. (323) (2/03)
16. Pottery and related products. (326) (2/03)
17. Metal cans and shipping containers. (341) (2/03)
18. Cutlery, hand tools, and general hardware. (342) (2/03)
19. Heating equipment, except electric and warm air, and plumbing fixtures. (343) (2/03)
20. Fabricated structural metal products. (344) (2/03)
21. Screw machine products, and bolts, nuts, screws, rivets, and washers. (345) (2/03)
22. Metal forgings and stampings. (346) (2/03)
23. Metalworking machinery and equipment. (354) (2/03)
24. Special industry machinery, except metalworking machinery. (355) (2/03)
25. Pumps and pumping equipment. (3561) (2/03)
26. Office, computing, and accounting machines. (Computer and Office Equipment (357); Calculating and Accounting Machines, Except Electronic Computers (3578); Office Machines, Not Elsewhere Classified (3579) (2/03)
27. Electrical and electronic machinery, equipment, and supplies. (Electronic and other electrical equipment and components, except computer equipment (36) (2/03)
28. Transportation Equipment. (37) (2/03)
29. Measuring, analyzing, and controlling instruments; photographic, medical, and optical goods; watches and clocks. (38) (2/03)
30. Miscellaneous manufacturing industries. (39) (2/03)

C. Transportation, communications, electric, gas, and sanitary services;

1. Communication. (48) (2/03)

2. Public Utility Structures and Buildings. (Electric, Gas, and Sanitary Services (49)) (2/03)
- D. **Wholesale trade-nondurable goods (51)** BUT EXCLUDING poultry and poultry products (5144), livestock (5154), farm-product raw materials, not elsewhere classified (5159), chemicals and allied products (516), tobacco and tobacco products (5194), and nondurable goods, not elsewhere classified. (5199) (2/03)
- E. **Wholesale trade-durable goods (50)** BUT EXCLUDING automobiles and other motor vehicles (5012), lumber and other construction materials (503), coal and other minerals and ores (5052), construction and mining machinery and equipment (5082) and scrap and waste materials. (5093) (2/03)
- F. **The uses listed in above A through D, excluding B(1) shall:**
 1. Be within an enclosed building; and(2/03)
 2. Permit retail sales of products manufactured on the site. (2/03)
- G. **Services**
 1. Computer and data processing services. (737) (2/03)
 2. Research and development laboratories. (2/03)
 3. Management, consulting, and public relations services. (Management and Public Relations Services (874) (2/03)
 4. Noncommercial educational, scientific, and research organizations. (2/03)
- H. **Office Uses:**
 1. Any use allowed in Section 2.108, Commercial Office excluding those residential uses listed in Section 2.108.02A, B, C, PP, and RR and parking lots U. (2/03)
- I. **Finance, Insurance, and Real Estate;**
 1. Commercial and Stock Savings Banks. (602) (2/03)
 2. Mutual Savings Bank. (2/03)

3. Savings and Loan Associations. (603) (2/03)

4. Personal Credit Institutions. (614) (2/03)

J Public Administration; (2/03)

1. Fire Protection. (9224) (2/03)

K. Retail trade;

1. Eating and drinking places. (2/03)

L. Services;

1. Hotels, motels, and tourist courts. (2/03)

2. Child daycare services. (2/03)

3. Membership sports and recreation clubs. (2/03)

4. Amusement and recreation (79), BUT EXCLUDING golf courses (7992) and amusement parks (7996). (2/03)

5. Motion pictures (78), BUT EXCLUDING drive-in motion picture theaters (7833).

6. Public and private sports facilities including but not limited to stadiums, arenas, ice rinks, parks, and aquatic facilities. (2/03)

7. Miscellaneous services, including pest control (7342). (2/03)

M. Transit stop shelters. (2/03)

N. Flexible Space Uses. (2/03)

1. The following flexible space uses, when restricted, developed, and conducted as required in subsection 2 below, are permitted as industrial business park uses within the EG zone:

a. Food Stores (54). (2/03)

b. Apparel and Accessory Stores (56). (2/03)

c. Furniture, Home Furnishings and Equipment Stores (57). (2/03)

- d. Miscellaneous Retail; BUT EXCLUDING used merchandise stores (59). (2/03)
 - e. Business Services. (2/03)
 - f. Miscellaneous Repair Services. (2/03)
2. In the Keizer Station where Flexible Space uses are to be developed as industrial business park uses within the EG zone, the following development limits apply; (2/03)
- a. No single building shall be more than 25,000 square feet in area, with no more than 10,000 square feet to be utilized for any individual use listed in subsection (L)(1)(a) – (d). (2/03)
 - b. The aggregate floor area for uses devoted to food stores (54), apparel and accessory stores (56), furniture, home furnishings, and equipment stores (57), and miscellaneous retail (59) shall not exceed two percent of the total land area in the acreage identified for IBP uses within the EG zone. The acreage identified for IBP uses within the EG zone is defined as parcel or area of land used for IBP use land development including building site, parking, landscaping, drainage facilities and any other development on site to support the use on site. (2/03)
 - c. The area developed in all flexible space uses shall in the aggregate not exceed 30 percent of the gross area of the acreage identified for IBP uses within the EG zone. (2/03)
 - d. Any outdoor storage area shall:
 - i. Be no more than 3,000 square feet per building and shall not be aggregated with the storage of another building; (2/03)
 - ii. Be enclosed with a sight-obscuring fence or wall; (2/03)
 - iii. Have at least one side conterminous with the building that it serves; (2/03)
 - iv. Have no opening within fifty feet and visible from any property boundary; and (2/03)

- v. Meet the other applicable requirements of this ordinance. (2/03)
- e. Loading doors shall have no opening within 75 feet and visible from any street or property boundary. (2/03)
- f. All buildings shall be capable of being redeveloped as flexible industrial space. (2/03)

2.119.04 Special Permitted Industrial Uses

- A. **Accessory structures and uses** prescribed in Section 2.203 are permitted when developed in conjunction with a use listed in Section 2.119.03 under the applicable development standards in this Zoning Ordinance. (2/03)

2.119.05 Permitted Commercial Uses

Commercial Development. The following uses, when developed under the applicable development standards in this Zoning Ordinance, are permitted in the EG zone on a maximum 75% gross acreage of the Village Center: (2/03)

- A. **One or more buildings with one or more dwelling units** or guest rooms, and/or, one or more other uses allowed in this section on a lot. (2/03)
- B. **Residential homes** and facilities. (2/03)
- C. **Child day care** service, including family day care provider. (8351) (2/03)
- D. **Public parks, playgrounds, community clubs** including swimming, tennis and similar recreational facilities, and other public and semi-public uses. (2/03)
- E. **Landscape** counseling and planning (0781). (2/03)
- F. **Offices** for any use listed in SIC Division C - Construction. (2/03)
- G. **Commercial printing** (275). (2/03)
- H. **Transportation, Communication and Utilities.** (2/03)
 - 1. **Public utility structures and buildings.** (2/03)
 - 2. **Post office** (43). (2/03)
 - 3. **Travel agency** (4722). (2/03)
 - 4. **Communications** (48). (2/03)

I. **Retail Trade.** (2/03)

1. **Building materials, hardware, retail nurseries, and garden supply** (52), BUT EXCLUDING mobile home dealers (527). (2/03)
2. **General merchandise stores** (53). (2/03)
3. **Food stores** (54). (2/03)
4. **Apparel and accessory stores** (56). (2/03)
5. **Home furniture, furnishings, and equipment stores** (57). (2/03)
6. **Eating and drinking places** (58). (2/03)
7. **Miscellaneous retail** (59), BUT EXCLUDING fuel and ice dealers (598). (2/03)
8. **Electrical and lighting shops and office machines and equipment stores.** (2/03)

J. **Business, Professional and Social Services.** (2/03)

1. **Finance, insurance and real estate** (60, 61, 62, 63, 64, 65, 67). (2/03)
2. **Hotels, motels and tourist courts** (701). (2/03)
3. **Organization hotels and lodging houses** on membership basis (704). (2/03)
4. **Personal services** (72) BUT EXCLUDING industrial launderers (7218). (2/03)
5. **Business services** (73) BUT EXCLUDING disinfecting and exterminating services (7342). (2/03)
6. **Parking lots** in accordance with Section 2.303.04 of this Ordinance. (7521) (2/03)
7. **Miscellaneous repair services** (76). (2/03)
8. **Motion pictures** (78), BUT EXCLUDING drive-ins (7838). (2/03)
9. **Amusement and recreation** (79), BUT EXCLUDING golf courses (7992) and amusement parks (7996). (2/03)
10. **Health services** (80), BUT EXCLUDING hospitals (806). (2/03)
11. **Legal services** (81). (2/03)
12. **Elementary and secondary schools** (8211). (2/03)

13. **Correspondence schools and vocational schools** (824). (2/03)
14. **Schools and educational services** not elsewhere classified (829). (2/03)
15. **Social services** (83). (2/03)
16. **Museums, art galleries, botanical and zoological gardens** (84). (2/03)
17. **Membership organizations** (86). (2/03)
18. **Miscellaneous services** (89). (2/03)

K. **Public Administration** (91 - 97). (2/03)

2.119.06 Special Permitted Commercial Uses

The following uses, when developed under the applicable development standards in the Ordinance and special development requirements, are permitted in the EG zone: (2/03)

- A. **Accessory structures and uses** prescribed in Section 2.203 are permitted when developed in conjunction with a use listed in Section 2.119.05 under the applicable development standards in this Zoning Ordinance. (2/03)
- B. The following **special uses** subject to the applicable standards in Section 2.4 and shall be considered commercial uses in the EG zone: (2/03)
 1. **House of Worship** (Section 2.423). (2/03)
 2. **Veterinary services** (074) (Section 2.414). (2/03)
 3. **Funeral service and crematories** (726) (Section 2.415). (2/03)
 4. **Used Merchandise Store** (Section 2.417). (2/03)
 5. **Service stations** (554) (Section 2.419) (2/03)
 6. **Automobile services** (75) (Section 2.420) BUT EXCLUDING automotive rental and leasing, without drivers (751), automotive repair shops (753), automotive repair (754). (2/03)
 7. **Commuter Rail Station**(2/03)

2.119.07 Use Restrictions

- A. The following uses are **prohibited** to be established in the EG zone: (2/03)

1. Farm Use. (2/03)
 2. The rendering, processing, or cleaning of animals, fish, seafood's, fowl, poultry, fruits, vegetables, or dairy products for wholesale use.
 3. Vehicle sales and secondary repair.
 4. General Storage, including boat and RV storage.
 5. Recreational vehicle parks (7033).
 6. Automotive Dealers (55).
 7. Automotive rental and leasing, without drivers (751).
 8. Automotive repair shops (753).
 9. Automotive services, except repair (754).
- B. A limitation of the total floor area of specified uses applies to all of Area A – Village Center of the Keizer Station Plan. A maximum total floor area of 800,000 square feet shall apply to the uses identified in Sections 2.119.03 (K) and 2.119.05 (I).

2.119.08 Development Standards

- A. Purpose. The Keizer Station Plan requires the development of Master Plans for each of the four areas. This process provides the City Council with an opportunity to review development proposals in conformance with the Keizer Development Code and the adopted Keizer Station Plan. Master Plans for each sub-area are required to meet the criteria identified in Section 3.113 of the Code.
- B. Master Plan Required. A master plan must be reviewed and approved by the City Council prior to subdivision platting or development. The Master Plan shall be reviewed through a Type II-B review process in accordance with this Section. It is recognized that the applicant of the master plan for the area may not own or control all the land within the master plan boundary. The master plan shall still cover the entire EG zone. For those portions not owned or controlled by the applicant, the Master Plan shall focus on a cohesive interconnected system of planned public facilities and shall set general guidelines to be used throughout the Master Plan area. Subdivision approval shall be based upon the zone and Section 3.108 as applicable.
1. The Master Plan will be developed and considered in accordance with the requirements of the Activity Center Overlay provisions (Section 2.125 of the Keizer Development Code). Once a Master Plan is adopted, the proposed development of each use shall be

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reviewed through Development Review as required in Section 2.315 of the Keizer Development Code. In the case of conflicts between the Keizer Station Plan and the Keizer Development Code, the Keizer Station Plan standards will apply.

2. The Master Plan shall include a detailed transportation system design plan for the EG zone. The location of transit facilities shall conform to Section 2.305 of the Code.

2.119.09 Dimensional Standards

- A. Purpose. The lot size standards promote new lots and parcels with sizes and shapes that are practical to assemble and develop. The standards are intended to prevent the creation of small lots or parcels, which are difficult to develop or to aggregate with other lots or parcels. The standards also discourage narrow lots or parcels, which increase demand for curb cuts. The EG zone is specifically designed for the property Contained in Area A – Village Center in the Keizer Station Plan. Uses in the gross acreage described shall be developed as a maximum seventy-five percent (75%) commercial uses listed in Sections 2.119.05 and .06 and a minimum twenty-five percent (25%) industrial uses listed in Sections 2.119.03 and 04. Uses shall be established in conformity with this Section and all other applicable regulations within the Keizer Development Code. Therefore, the division of such ground shall be approved to the standards in subsection 2.119.09.B. below.

B. Minimum Lot Dimension Requirements.

1. Unless exempted under Section (4) below, w Within the acreage identified for commercial uses, at least eighty percent (80%) of the area of lots or qualified abutting lots must meet Standard A stated in the table within this subsection and the remainder lots or parcels must meet Standard B.
2. Unless exempted under Section (4) below, w Within the acreage identified for industrial uses, at least eighty percent (80%) of the area of lots or qualified abutting lots must meet Standard C stated in the table within this subsection and the remainder of the lots or parcels must meet Standard D.
3. Qualified abutting lots:
 - a. Qualified abutting lots are defined as lots or parcels having the same classification as either all industrial or all commercially designated lands, lots that abut one another on at least one side and where there is no plan or proposal for curb cuts that would otherwise not be allowed if each

individual lot was required to meet the dimensional standards of this section. Qualified abutting lots may be considered in the aggregate as if they were a single whole lot for purposes of determining such qualified abutting lots' compliance with the dimensional standards of this section. Qualified abutting lots may be considered in the aggregate as if they were a single whole lot for purposes of classification of such qualified abutting lots under Section A, B, C, or D below.

- b. In the absence of the approval of a variance, for purposes of determining compliance with the dimensional standards below, any groups of qualified abutting lots shall consist of no more than four (4) individual lots or parcels.
4. Exemption Lots, Parcels or Tracts. Individual Lots, parcels or tracts created ~~(a)~~ only for the purposes of providing a right-of-way or dedicated utilities, public drainage facilities or open space or ~~(b)~~ having public rights of way frontage in excess of 40% of the perimeter of such individual lots or tracts are exempt from the lot size and shape standards of this section. Lots, parcels, or tracts that are less than one acre in size, the perimeter of which is 80% or more surrounded by existing public rights of way or land that has previously been dedicated to the public for public access purposes are exempt from the classification standards and dimensional standards in the chart in the section that immediately follows.

COMMERCIAL (2.119.05 & .06)	Standard A	20,000 sq. ft.	100 ft.	100 ft.
	Standard B	10,000 sq. ft.	75 ft.	75 ft.
INDUSTRIAL (2.119.03 & .04)	Standard C	3 acres	350 ft.	350 ft.
	Standard D	1 acre	150 ft.	150 ft.

* Note: by definition, Qualified Abutting lots are lots or parcels of the same use type designation – either commercial or industrial – that may be considered as if they are a single lot or parcel for purposes of determining compliance with applicable dimensional standards and to determine classification as Standard A-D under this chart.

individual lot minimum width and depth averages may be calculated in the aggregate

2.119.10 Development Standards

A. Height, Setback, Coverage, and Landscaping Requirements

Development Type	Building Standards		Building Setbacks				Minimum Landscaping
	Maximum Height	Maximum Lot or <u>parcel</u> Coverage	Street-side		Side/Rear Not Adjacent to Residential zone	Adjacent to Residential zone	Percentage of Lot or <u>parcel</u> Area
Commercial (2.119.05 & .06)	100 ft. (1)	85% (2)	10 ft.	20 ft. (3)	None	40 ft.	15% (5)(6)
Industrial (2.119.03 & .04)	100 ft. / 15ft. within 50 of any residential zone (1)	80% (2)	20 10 ft.	None	None	40 ft.	20% (5)(6)

- (1) Height Exceptions. Exceptions to the maximum height standard are stated below.
 - a. Projections allowed. Chimneys, flag poles, satellite receiving dishes, and other items similar with a width, depth, or diameter of 5 feet or less may rise 10 feet above the height limit, or 5 feet above the highest point of the roof, whichever is greater. If they are greater than 5 feet in width, depth, or diameter, they are subject to the height limit.
 - b. Rooftop mechanical equipment. All rooftop mechanical equipment must be set back at least 15 feet from all roof edges that are parallel to street lot lines. Elevator mechanical equipment may extend up to 16 feet above the height limit. Other rooftop mechanical equipment, which

cumulatively covers no more than 10 percent of the roof area may extend 10 feet above the height limit.

- c. Radio and television antennas, utility power poles, and public safety facilities are exempt from the height limit.
- (2) Maximum lot coverage allowed for buildings, accessory structures and paved parking.
- (3) Alternative maximum setback option for large commercial uses.
- a. Purpose. The intent of these regulations is to allow significantly deeper street setbacks for very large retail stores locating along transit street or street in a pedestrian district in exchange for a pedestrian and transit-friendly main street type of development. These large commercial sites can still be transit-supportive and pedestrian-friendly by placing smaller commercial buildings close to the street and by creating an internal circulation system that is similar to streets to separate the parking area into blocks. The intent is to encourage development that will, over time, form a pedestrian-friendly main street along the perimeter of the parking blocks. (2/03)
 - b. Regulation. Commercial buildings that exceed 100,000 square feet of floor area are exempt from the maximum setback requirements identified in Section 2.119.10.A. provided the pedestrian system connects buildings on the site to all adjacent properties. (2/03)
- (4) Landscaping. All required yards, except driveways, are required to be landscaped; that portion within the required yard, which is landscaped, may be included in the calculation to meet minimum landscape area requirements. Landscaping shall meet all applicable standards identified in Section 2.309 of the Keizer Development Code. In addition to landscaping provisions identified in Section 2.309, landscaping for properties within the EG zone shall be defined as follows: (2/03)
- "Landscaped Area" must be native or non-native trees, vegetation, ponds, rocks, ground cover, bark chips, cinders, terraces, vegetable or flower gardens, trellises, pathways, or structural features including but not limited to fountains, reflecting pools, outdoor art work, screen walls, fences and benches, which reasonably requires and continues to reasonably require human management to distinguish the area from a natural area. (2/03)
- Within the EG zone, landscape area requirements may be determined by the City Council to have a portion of landscaped or

streetscaped area within the right-of-way to be included within the minimum landscape area requirement. (2/03)

- (5) Streetscaping. Streetscaping is defined as pedestrian oriented improvements to property. Streetscape may include, but is not limited to, walkways with varied materials (other than plain concrete or asphalt), art features, water features, planters, benches, hanging plant baskets, and plazas. (2/03)
- (a) In accordance with Section 3.113 Keizer Station Master Plan Review, at the time of master plan approval by the Council, the Council may determine if streetscape areas may be included in the minimum landscape area for a proposed development. (2/03)

(6) Parking

(a) Averaging. KSP areas are master planned and as such are designed to be both planned and developed as a whole. Shared parking is encouraged in master planned areas. Therefore, parking within the KSP areas subject to a master plan, shall be deemed to meet the maximum and the minimum parking requirements set forth in the City's code so long as a parking plan is approved that contains a total number of parking spaces which is neither above the aggregate maximums nor below the aggregate minimums which result when parking requirements for the individual uses within the parking plan are calculated separately and the resulting maximums and minimums are totaled.

(b) Modify or waive off-street parking standards. The applicant may request a modification to or waiver of parking standards based on a parking impact study. The study allows the applicant to propose a reduced parking standard based on estimated peak use, reductions due to easy pedestrian accessibility; availability of transit service, and likelihood of carpool use; and adjacent on-street parking. The parking study is subject to review and approval or modification by the City.

- B. Design Standards. All development in the EG zone shall comply with applicable standards in Section 2.315 of the Keizer Development Code, in addition to the standards below: (2/03)

1. Exterior Display, Storage, and Work Activities.

- a. Exterior display and storage is allowed. Exterior display and storage shall not be located within required setbacks nor required landscaped areas. Exterior display and exterior

storage areas shall not be located within 100 feet of any property line within 60 feet of a residential zone. (2/03)

- b. Exterior work activities are allowed in the areas identified for industrial development. Exterior work activities shall not be located within required setbacks nor required landscaped areas. Such exterior work activities shall not be located within 100 feet of any property line within 60 feet of a residential zone. (2/03)

2. All development must comply with the applicable standards identified in the Keizer Development Code including, but not limited to, the following: (2/03)

Section 2.125	Activity Overlay Zone
Section 2.3	General Development Standards
Section 2.301	General Provisions
Section 2.302	Street Standards
Section 2.303	Off-Street Parking and Loading
Section 2.305	Transit Facilities
Section 2.306	Storm Drainage
Section 2.307	Utility Lines and Facilities
Section 2.308	Signs
Section 2.309	Site and Landscaping Design
Section 2.310	Development Standards for Land Divisions
Section 2.312	Yard and Lots Standards
Section 2.315	Development Standards
Section 2.4	Special Uses

CITY COUNCIL MEETING: July 10, 2006

AGENDA ITEM NUMBER: _____

TO: MAYOR CHRISTOPHER AND COUNCIL MEMBERS

THROUGH: CHRISTOPHER C. EPPLEY, CITY MANAGER

FROM: E. SHANNON JOHNSON, CITY ATTORNEY

SUBJECT: *KEIZER DEVELOPMENT CODE AMENDMENTS (PARKING, SITE DESIGN, YARD STANDARDS AND PROCEDURAL TEXT AMENDMENTS)*

After conducting the public hearing at the last Council meeting, Council directed us to prepare an appropriate Ordinance adopting the above referenced code amendments. Such Ordinance is attached for your review.

The Council discussed and voted on this item at the June 19, 2006 meeting. The motion passed 6-1 with Council President Walsh in opposition. Lacking a unanimous vote on this Ordinance, the matter is now back before the Council for a second reading.

RECOMMENDATION:

Adopt the attached Ordinance.

Please let me know if you have any questions. Thank you.

ESJ/tmh
attachments

1 BILL NO. ____

A BILL

ORDINANCE NO.

2006-_____

3 FOR

4
5 AN ORDINANCE

6
7
8 AMENDING KEIZER DEVELOPMENT CODE
9 REGARDING SECTION 2.303 (OFF-STREET
10 PARKING AND LOADING), SECTION 2.309 (SITE
11 AND LANDSCAPING DESIGN), SECTION 2.312
12 (YARD AND LOT STANDARDS), AND SECTION
13 3.111 (TEXT AMENDMENTS); AMENDING
14 ORDINANCE 98-389
15

16
17 WHEREAS, the Keizer Planning Commission has recommended to the Keizer
18 City Council amendments to the Keizer Development Code (Ordinance No. 98-389); and

19 WHEREAS, the City Council has held a hearing on this matter and considered the
20 testimony given and the recommendation of the Keizer Planning Commission; and

21 WHEREAS, the Keizer City Council has determined that it is necessary and
22 appropriate to amend the Keizer Development Code as set forth herein; and

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

1 NOW, THEREFORE,

2 The City of Keizer ordains as follows:

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

5 Section 2. AMENDMENT TO THE KEIZER DEVELOPMENT CODE. The
6 Keizer Development Code (Ordinance No. 98-389) is hereby amended by the adoption
7 of the changes to Section 2.303 (Off-Street Parking and Loading), Section 2.309 (Site
8 and Landscaping Design), Section 2.312 (Yard and Lot Standards), and Section 3.111
9 (Text Amendments) as set forth in Exhibit "B" attached hereto, and by this reference
10 incorporated herein.

11 Section 3. SEVERABILITY. If any section, subsection, sentence, clause,
12 phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional, or
13 is denied acknowledgment by any court or board of competent jurisdiction, including,
14 but not limited to the Land Use Board of Appeals, the Land Conservation and
15 Development Commission and the Department of Land Conservation and Development,
16 then such portion shall be deemed a separate, distinct, and independent provision and
17 such holding shall not affect the validity of the remaining portions hereof.

1 Section 4. EFFECTIVE DATE. This Ordinance shall take effect thirty (30) days
2 after its passage.

3 PASSED this _____ day of _____, 2006.

4
5 SIGNED this _____ day of _____, 2006.

6

7

8

9

10

11

12

Mayor

City Recorder

EXHIBIT “A”

FINDINGS REGARDING THE ADOPTION OF AMENDMENTS TO THE KEIZER DEVELOPMENT CODE (SECTION 2.303, OFF-STREET PARKING AND LOADING; SECTION 2.309, SITE AND LANDSCAPING DESIGN; SECTION 2.312, YARD AND LOT STANDARDS; AND, SECTION 3.111, TEXT AMENDMENTS)

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

The City of Keizer finds that:

1. **Impact of the proposed amendment on land use and development patterns within the city, as measured by the criteria in Section 3.111.04.A:**
 1. Traffic generation and circulation;
 2. Population concentration;
 3. Demand for public facilities and services;
 4. Maintenance of public health and safety;
 5. Level of park and recreation facilities;
 6. Economic activities;
 7. Protection and use of natural resources;
 8. Natural hazards and constraints;
 9. Compliance of the proposal with existing adopted special purpose plans or programs, such as public facilities improvement program.

FINDINGS: The purpose of the amendments will allow for revisions to four sections of the city’s zone code, Section 2.303 (Off-Street Parking and Loading), Section 2.309 (Site and Landscaping Design), Section 2.312 (Yard and Lot Standards), and Section 3.111 (Text Amendments).

Because the zone code revisions will only affect will have no impact on the traffic generation and circulation patterns of any street within residential neighborhoods and minimal if any impact along streets adjacent The code revisions will have no demand on any public facility or service, nor will the revisions impact any maintenance of the public health and safety, nor will any park or recreation facilities be impacted as none are located within an integrated business center. The city has floodplain regulations that govern the placement of structures within identified 100-year floodplains. There are no other regulations related to natural hazards. The revisions to the zone code will not impact any natural hazards and constraints. The city established a Resource Conservation overlay zone to maintain, preserve and protect the natural features adjacent to Claggett Creek. Amendments to the zone code regulations will not affect any of the city’s natural resources protection regulations or the lawful use of any properties that are within this overlay zone. The code amendments will not impact the land use and development

patterns as referenced in this section. As such, the proposed amendment complies with this provision of the code.

2. A demonstrated need exists for the product of the proposed amendment. Section 3.111.04.B.

Findings: The proposed revisions to the zone code to Section 2.303 (Off-Street Parking and Loading), Section 2.309 (Site and Landscaping Design), Section 2.312 (Yard and Lot Standards), and Section 3.111 (Text Amendments) reflects a demonstrate need. The City Council has recognized that from time to time the zone code should be updated to avoid the scenario of having a code that is so out of date that it requires a massive overall. The intent is to identify several chapters from time to time that can be updated in a manageable format. The revisions will allow for the zone code to be updated so that it is easier for the general public to read and understand, to eliminate a number of grammatical errors and confusions within the language of the regulations. Specifically, the parking amendments take into consideration recommendations from the Department of Land Conservation and Development and strive to meet with the intent of state regulations relative to per capita parking ratios for cities that are within a metropolitan planning organization. Therefore, the proposed code revision complies with this review criterion.

3. The proposed amendment to the Keizer Development Code complies with statewide land use goals and related administrative rules.

FINDINGS: The proposed text amendment complies with the statewide land use planning goals as discussed below.

Goal 1 – Citizen Involvement: The adoption of this ordinance followed notice to interested parties, and a public process of decision making involving a public hearing, deliberation, and ordinance adoption. This is consistent with provision of the opportunity for citizens to be involved in all phases of this planning process as required by this Goal and with implementing administrative rules within Oregon Administrative Rules.

Goal 2 – Land Use Planning: This ordinance amends the Keizer Development Code. The adoption proceeding was conducted in a manner consistent with requirements of the Keizer Comprehensive Plan, Keizer Development Code, and applicable state law. Notice was published in the Keizer Times, and public hearings were conducted before both the planning commission and city council. As such, the proposed revisions to the zone code 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 the city limits there is only one zone

located in the northwest portion of the city near the city's urban growth boundary that is designated to allow for commercial agricultural uses. The amendments involve the regulations within the boundaries of the city limits of Keizer. The amendments do not impact any properties that are designated to allow for agricultural uses. Therefore the proposed amendments will comply with the Farm Land Goal and with any implementing administrative rules.

Goal 4 – Forest Land: The intent of this goal is to protect lands that are designated for commercial forest uses. There are no lands designated within the city limits to allow for commercial forestry. The amendments to the zone code do not involve any land which is designated as Forest land, nor will it impact the use of any forest lands. Therefore, this Goal and implementing administrative rules are not applicable to the proposed zone code amendments.

Goal 5 – Natural Resources: The intent of the Natural Resources Goal is to protect various natural resources such as wetlands, waterways, big game habitat, etc. The city established a Resource Conservation overlay zone to maintain, preserve and protect the natural features adjacent to Claggett Creek. Amendments to the zone code regulations will not affect any of the city's natural resources protection regulations or the lawful use of any properties that are within this overlay zone. Therefore, the amendments will be consistent with this goal and with administrative rules designed to implement this goal.

Goal 6 – Air, Water and Land Quality: The intent of this goal is to protect the city's air, water and land qualities. The city provides its residents with city water from groundwater sources. New construction is required to be connected to the established sanitary sewer system reducing the likelihood of groundwater contamination from failing on-site septic systems. The revisions to the city's zone code will not impact the quality of air, water, or land resources and so complies with this goal and with administrative rules that implement this goal.

Goal 7 – Natural Hazards: The purpose of this goal is to protect life and property from hazards resulting from flooding, steep slopes or other natural occurrences. The city has floodplain regulations that govern the placement of structures within identified 100-year floodplains. The revisions to the zone code will neither impact this goal nor any administrative rules.

Goal 8 – Recreation: This goal requires the city to identify and plan for the current and future recreation needs of the residents of the city. There are a number of parks, playgrounds, and other recreational opportunities within the city limits. The proposed amendments will only pertain to off-street parking, site design, landscaping and text amendment process, and will have no impact on the recreational activities or uses within the city. Therefore, this goal and any related rules is not applicable.

Goal 9 – Economic Development: The intent of this goal is to ensure that the city plans for its overall economic vitality. The revisions to the zone code will have no impact on opportunities for economic development. Therefore, the proposed amendments will comply with the goal and any related administrative rules.

Goal 10 – Housing: This goal requires the city to plan and provide for the housing needs of its residents. The proposed revisions to the landscaping section will have no impact on the ability of any to develop property with a residential multi-family development since currently the city requires landscapes. The revision will simply clarify the requirements in a number of places. The amendments to the yard and lot standards will not impact the ability of a property to be developed since they will have no impact on building setback, other than to indicate what features of a building may be permitted to encroach into a required yard. Because the revisions to the code are for parking, landscaping, text amendments, and yard they will have no impact on this goal or on any related rules.

Goal 11- Public Facilities and Services: The intent of this goal is to develop a timely, orderly and efficient arrangement of public facilities and services necessary to serve the residents of Keizer. The city provides its residents with water, sanitary sewer, has an established street system, administrative and police and public safety is also provided by the city. The proposed revisions will not impact any of the city's public facilities and services, and so this goal and any rules is not applicable.

Goal 12 – Transportation: The city has an adopted Transportation System Plan that describes the city's transportation systems. This system includes streets, transit bike, and pedestrian systems. Section 2.303 (Off-Street Parking and Loading) included a number revisions intended to clarify elements within this section. Notable are revisions to parking space requirement matrix in 2.303.06, moving parking related section from 2.312.05 to 2.303.04. Comments from the Department of Land Conservation and Development were received and they related to parking standards, parking reduction, removal of carpool, and alley intersection vision clearance distance. The revisions incorporates a large percentage of DLCD's concerns. The concerns were limited to four areas.

- a. Parking reduction- The revised draft includes their comments relating to parking reduction in 2.303.06.B and will allow for parking space reduction when transit amenities are provided. Retaining this provision encourages opportunities for increased transit usage.
- b. Car and vanpool parking - The revised draft also includes language that was proposed to be deleted on car and vanpool parking in 2.303.09 which will allow for a parking reduction if car or vanpool parking is provided. Retaining this provision allows for the potential for vanpool commuting.

although it must be recognized that this works best in larger employer facilities.

- c. Vision clearance – The City does not concur with the comments from DLCD over vision clearance with the proposed consolidation of sections in 2.303.09. This change is not excessive and will not lead to potentially high vehicle speeds. The intent of this change is simply to consolidate three sections into one section governing vision clearance for street/alley, street/street, and street/driveway situations.

- d. Parking standards - DLCD's comments are that the parking ratios appear to be inconsistent with the Transportation Planning Rule as found in OAR 660-012-0045(5)(c)(A). This section requires that a Metropolitan Planning Organization achieves a 10% reduction in the number of parking spaces per capita in the MPO area over the planning period. Keizer is within the Salem/Keizer MPO. This requirement expressly states that local governments shall adopt land use and subdivision regulations to reduce reliance on the automobile. Methods to achieve this include allowing transit oriented developments along transit routes; implement demand management program to meet measurable standards in the TSP; and to implement a parking plan which achieves a 10% reduction in the number of parking spaces per capita in the MPO area over the planning period. The Keizer Transportation System Plan indicates that the MPO had a per capita parking supply of 0.84 in 1995 and that by 2015 this ratio should be reduced to 0.76 spaces per person. Since we are midway in this planning period theoretically this number should be about 0.8 spaces per capita, but without any current data it is difficult to be certain. As part of the pending update of the TSP this number will be determined. However, it is not yet known and so difficult to accurately gauge how any of the proposed changes will affect the overall per capita parking supply within the greater Salem/Keizer metropolitan area. However, in an attempt to not be inconsistent with this state requirement staff has proposed a number of further revisions in part based on the model parking and loading code on DLCD's webpage. In comparing the proposed code revisions to DLCD's model code it is clear that the model code is geared to achieving a reduction in the number of parking spaces found in businesses as a means to encourage transit ridership. While this is commendable it also results in a number of categories that are impractical. For example, the category of movie theater assume that such a high number of people will be coming in same vehicle or taking mass transit which is probably infeasible. A comparison of the two codes is complicated by the fact that a number of uses require a separate land use action to determine the actual number of parking spaces so it is impossible to gauge how the city's code actually compares to the model code in these instances. While this approach takes into consideration the uniqueness of certain applications it is impossible to convey to potential developers how many parking spaces would be

required in these instances as the number is only determined after a review.

In an effort to be consistent with the intent of state regulations a number of categories within the city's parking space matrix have been amended. Specifically, several industrial classifications have been revised, single family dwellings and duplexes each now only are required to provide a minimum of two parking spaces and thereby eliminate the required third space which is provided either on site or on-street. This simple action would result in a significant required parking space reduction. Also, the category of real estate, lawyer, insurance broker is increased from the proposed 1/300sq ft to 1/500 sq ft as is in the model code. Also, to be further consistent with the state model code staff is proposing revising the standards for restaurants to match the state's recommended requirement. The proposed zone code revisions to Section 2.309 (Site and Landscaping Design), Section 2.312 (Yard and Lot Standards), and Section 3.111 (Text Amendments) will have no impact on the city's transportation system, and so this goal and any related rules is not applicable.

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 and so this goal and implementing administrative rules is not applicable.

Goal 14 – Urbanization: The intent of this goal to provide for an orderly and efficient transition from rural to urban land use. The city has an adopted Comprehensive Plan and zone code that complies with the goal. The proposed zone code revisions will have no impact on the intent of this goal as it only will involve land that is within the city limits and not the use of land being transitioned from rural to urbanized uses.

Goal 15 – Willamette River: This goal seeks to protect, conserve, maintain the natural, scenic, historical, agricultural, economic and recreational qualities of lands along the Willamette River. While the Willamette River is located along the western flanks of Keizer the proposed text amendments will not impact the Willamette River. The revisions will have no impact on the ability of the city to regulate uses along the river their its Willamette River overlay zone regulations and so this goal 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 not located along the coast these goals are not applicable

In consideration of the above findings the proposed zone code revisions to Section 2.303 (Off-Street Parking and Loading), Section 2.309 (Site and Landscaping Design), Section 2.312 (Yard and Lot Standards), and Section

3.111 (Text Amendments) complies with all applicable statewide land use goals and with all applicable administrative rules which implement the relevant goal.

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

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

5. **FINDINGS:** The proposed amendments to the zone code represent a logical implementation of the Keizer Comprehensive Plan. The amendments will correct several identified grammatical errors within the existing zone code and is intended to make a number of clarifications that will make the code easier to read. Specifically, the parking amendments take into consideration recommendations from the Department of Land Conservation and Development and strive to meet with the intent of state regulations relative to per capita parking ratios for cities that are within a metropolitan planning organization. None of the other proposed amendments are mandated by any federal, state, or local laws. The City Council has, by this adoption, determined that the text revisions are desirable, appropriate, and proper. As such, the proposal complies with this criterion.

2.303 OFF-STREET PARKING AND LOADING

2.303.01 Purpose

The purpose of this Section is to provide adequate areas for the parking, maneuvering, loading and unloading of vehicles for all land uses in the City of Keizer. (5/98)

2.303.02 Scope

The provisions of this Section shall apply to the following types of development: (5/98)

- A. New Building. Any new building or structure erected after the effective date of this Ordinance. (5/98)
- B. Expansion. The construction or provision of additional floor area, seating capacity, or other expansion of an existing building or structure. (5/98)
- C. Change in Use. A change in the use of a building or structure which would require additional parking spaces or off-street loading areas under the provisions of this Section. (5/98)

2.303.03 General Provisions Off-Street Parking and Loading

- A. Owner Responsibility. The provision and maintenance of off-street parking and loading space is a continuing obligation of the property owner. No building permit shall be issued until plans are presented that show property that is and will remain available for exclusive use as off-street parking and loading space. The subsequent use of property for which the building permit is issued shall be conditional upon the unqualified continuance and availability of the amount of parking and loading space required by this Ordinance. (5/98)
- B. Additional Parking Required Prior to Occupancy. Should the owner or occupant of any lot or building change the use to which the lot or building is used, thereby increasing off-street parking and loading requirements, it shall be unlawful and a violation of this ordinance to begin or maintain such altered use until such time as the increased off-street parking and loading requirements are observed. (5/98)
- C. Interpretation by Administrator. Requirements for types of buildings and uses not specifically listed herein shall be determined by the Zoning Administrator based upon the requirements of comparable uses listed and expectations of parking and loading need. The Zoning Administrator shall

have the authority to make adjustments based on parking demand analysis prepared by an applicant. (5/98)

- D. Combined Uses. In the event several uses occupy a single structure or parcel of land, the total requirements for off-street parking shall be the sum of the requirements of the several uses computed separately, unless a reduction is approved for shared parking pursuant to Subsection 2.303.05. (5/98)
- E. Use of Parking Spaces. Required parking spaces shall be available for the parking of operable passenger automobiles of residents, customers, patrons or employees only, and shall not be used for storage of vehicles or materials including solid waste collection containers. Garages for single family and duplex dwelling units shall not be counted in determining required parking spaces. (5/98)

2.303.04 Location and Use Provisions

Off-street parking and loading areas shall be provided on the same lot with the main building or structure or use except that: (5/98)

- A. Residential Zone. In any residential zone, automobile parking areas may be located on another lot if the lot is within 200 feet of the lot containing the main building, structure or use and a parking agreement is recorded; (5/98)
- B. Non-residential Zone. In any non-residential zone, the parking area may be located off the site of the use if it is within 500 feet of such site and a parking agreement is recorded. (5/98)
- C. Accessory Parking Use, Non-residential. Parking of vehicles in a structure, or outdoors, is a permitted accessory or secondary use in non-residential zones. (5/98)
- D. Accessory Parking Use, Residential. Parking of vehicles in a structure or outdoors is a permitted accessory use in conjunction with a dwelling in any zone provided: (5/98)
 - 1. All of the vehicles are owned by the owner or lessee of the lot. (5/98)
 - 2. Vehicles parked outdoors in a residential zone may be parked in a space within the front yard meeting the requirements for required parking in this Section. In the RS zone no more than four total vehicles shall be parked outdoors on a property. (5/98)
 - 3. Vehicles parked on a lot in a residential zone shall be for the personal use of the occupants of the dwelling. One vehicle used in conjunction

with a home occupation or other employment may be parked on the lot provided that in the RS, RL, RM, RH, RC and MU zones the vehicle shall be parked in an enclosed structure if it is rated at more than 1 ton capacity. (5/98)

- E. Yard Parking Restrictions. Exclusive of driveways, no parking vehicles, trailers, boats, or recreational vehicles shall be allowed placed within the required front yard area or yards located adjacent to a street. The side yard and rear yard areas may be used for parking of vehicles, boats, trailers, or recreational vehicles unless otherwise prohibited by this Ordinance. (5/98)
- F. Storage Restrictions. The yard areas adjacent to a street, other than driveways, shall not be used for the permanent storage of utility trailers, house or vacation trailers, boats, or other similar vehicles, unless the storage area is screened by a six foot sight-obscuring fence, wall, or hedge. The fence, wall, or hedge shall comply with the provisions regarding the location for fences and maintaining a vision clearance area. (5/98)

2.303.05 Joint Use

Parking area may be used for a loading area during those times when the parking area is not needed or used. Parking areas may be shared subject to Zoning Administrator's approval for commercial and industrial uses where hours of operation or use are staggered such that peak demand periods do not occur simultaneously. Such joint use shall not be approved unless satisfactory legal evidence is presented which demonstrates the access and parking rights of parties. (5/98)

2.303.06 Off-Street Automobile Parking Requirements

Off-street parking shall be provided in the amount not less than listed below. (5/98)

A. Parking Requirements

LAND USE ACTIVITY	SPACES	HOW MEASURED*
Single Family and Duplex	2 + 4	2 per dwelling unit on-site and 4 per dwelling unit provided either on-site or on-street within 200 feet of the property or in a parking lot or bay within 200 feet of the property. (See Illustrations below)
All other dwelling types	2	Per dwelling unit
Hotel, motel	1	Per guest room

Club, lodge		Combination of heaviest uses being conducted: hotel, restaurant, etc.
Hospital,	1	Per 2 beds
Nursing home, convalescent home	1	Per 3 beds
Health service, medical or doctor's office	1	Per 350 square feet
House of worship, auditorium, stadium, theater	1	Per 4 seats or every 8 feet of bench length
Elementary, middle school	2 + 1	Per classroom + per 350 sq ft of administrative office
High school	1 + 1 + 1	Per classroom + per 10 students + per 350 sq ft of administrative office
Bowling alley, skating rink, community center, recreation facility	1	Per 200 square feet
Golf course	4	Per green
Theater for movies or plays	1	Per 3 seats
Tennis courts, racquetball courts	2	Per court
Retail store	1	Per 300 square feet
Service repair center; retail store handling bulky merchandise (e.g. furniture, home furnishing, major equipment)	1	Per 900 square feet
Bank, ,	1	Per 250 square feet
Office used for real estate, lawyer, insurance, brokers,	1	Per 300 500 square feet
<u>General Office</u>	<u>1</u>	<u>Per 300 square feet</u>
Eating and drinking establishment	1	Per <u>125</u> square feet
Wholesale establishment	1 + 4	Per 1,000 square feet + Per 700 square feet of retail 2,000 sq ft

Government offices open to the general public	1	Per 500 square feet
Industrial, manufacturing, processing (0 - 24,999 sf)	1	Per 700 <u>1,000</u> square feet
Industrial, manufacturing, processing (25,000 - 49,999 sf)	1	Per 800 <u>1,000</u> square feet
Industrial, manufacturing, processing (50,000 - 79,999 sf)	1	Per 1,000 square feet
Industrial, manufacturing, processing (80,000 - 199,999 sf)	1	Per 2,000 square feet
Industrial, manufacturing, processing (200,000 sf and over)	1	Per 3,000 square feet
Warehousing and storage terminals 0 - 49,999 sf	1	Per 2,000 square feet
Warehousing and storage terminals 50,000 sf and over	1	Per 5,000 square feet

*Square footage = Gross floor area. (5/98)

B. Parking Reduction

The number of minimum required parking spaces may be reduced by up to 10% if transit related amenities such as ~~if a portion of the site is developed for transit related uses that such amenities as~~ transit stops, pull-outs, shelters, park and ride lots, transit oriented developments w and is when ~~when~~ abutting a street with transit service are provided. (5/98)

C. Parking Increase

The number of minimum required parking spaces shall not be increased by more than 50%. (5/98)

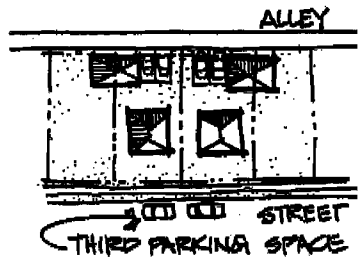


FIGURE 168110 AH 459
3.210.03 P – 3rd Parking Space
on Alley

2.303.07 Standards for Disabled Person Parking Spaces

Disabled Person Parking Spaces shall comply with the requirements of the Uniform Building Code and ODOT standards. (5/98)

2.303.08 Bicycle Parking

- A Bicycle Parking Required. Bicycle Parking shall be required in all public and semi-public, commercial and industrial development as well as park-and-ride lots. Bicycle parking shall be provided in the following amounts: (5/98)

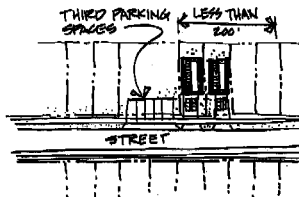


Figure Requirements
PAGEREF_Toc – 3rd Parking
Space in Parking Bay

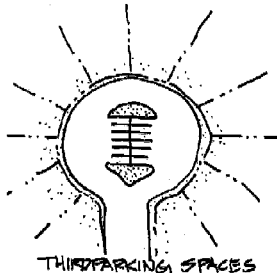


Figure 3.210.02 Applicability
and – 3rd Parking Space in Cul-

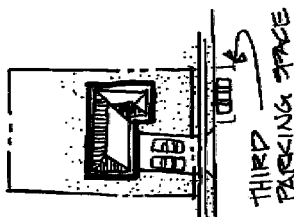


FIGURE GEREf_Toc168109 vH 459
– 3rd Park Space Provided On-Street

LAND USE ACTIVITY	BICYCLE SPACES	HOW MEASURED
Multi-family apartments with 4 or more units	1	Per 2 units
Hotel, motel	1	Per 40 guest rooms
Hospital, nursing home, convalescent home	1	Per 50 beds
House of worship, auditorium, stadium, theater	1	Per 20 required vehicle parking spaces
Elementary school	1	Per classroom with a maximum of 10 required
Middle school	1	Per classroom with a maximum of 10 required
High school	1	Per classroom with a maximum of 10 required
Bowling center, skating rink, community center	1	Per 40 required vehicle parking spaces with a maximum of 6 required
Retail store	1	Per 10 required vehicle parking spaces with a maximum of 6 required
Service repair center; retail store handling bulky merchandise (e.g. furniture)	1	Per 30 required vehicle parking spaces with a maximum of 6 required
Bank, offices, medical clinic, government offices	1	Per 20 required vehicle parking spaces with a maximum of 6 required
Eating and drinking establishment	1	Per 20 required vehicle parking spaces with a maximum of 6 required
Wholesale establishment	1	Per 30 required vehicle parking spaces with a maximum of 6 required
Industrial, manufacturing, processing	1	Per 30 required vehicle parking spaces
Warehousing and storage terminals	1	Per 30 required vehicle parking spaces

B. Bicycle Parking Development Requirements

1. **Space Size.** Each bicycle parking space shall be a minimum of six feet long and two feet wide and be accessible by a minimum four foot aisle. (5/98)
2. **Location.** All bicycle parking areas shall be within 50 feet of a building entrance and located within a well-lit area. (5/98)
3. **Rack Design.** Bicycle racks must be designed to secure the bicycle frame and at least one wheel, and, accommodate a locking device. Racks, lockers or other related facilities shall be securely anchored to the ground or to a structure. As an alternative, the bicycle spaces can be provided within a secured compound. (5/98)
4. **Access.** Access to a public right-of-way and pedestrian access from the bicycle parking area to the building entrance must be provided. (5/98)

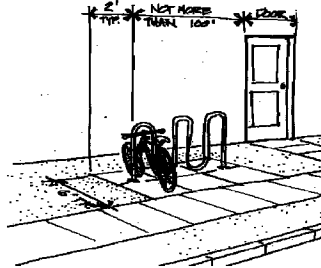


FIGURE 459

C. Exemptions

The following uses are exempt from the bicycle parking requirements: (5/98)

1. Seasonal or temporary businesses. (5/98)
2. Drive-in theaters
3. Self-storage facilities
4. Automobile oriented businesses such as automobile service stations, automobile repair shops, restaurants without seating facilities (either indoors or outdoors), or oil and lubrication services, but excluding automobile retail businesses such as dealers or auto parts stores. (5/98)

2.303.09 Carpool and Vanpool Parking

New office or industrial development with 100 or more parking spaces shall designate at least 5% of the parking spaces for carpool or vanpool parking. These designated spaces shall be the closest parking spaces to the building entrance normally used by employees, with the exception of handicapped parking spaces. The carpool/vanpool spaces shall be clearly marked "Reserved - Carpool/Vanpool Only" along with specific hours of use. Any other use establishing car and vanpool spaces may reduce the minimum parking requirement by 3 spaces for each carpool/vanpool space created. (5/98)

2.303.10 Off-Street Loading Requirements

Off-street loading space shall be provided as listed below: (5/98)

- A. Commercial Office. Commercial office buildings shall require a minimum loading space size of 12 feet wide, 20 feet long and 14 feet high in the following amounts: for buildings over 5,000 square feet of gross floor area, 1 space; for each additional 40,000 square feet of gross floor area, or any portion thereof, 1 space. (5/98)
- B. Commercial and Industrial. All other commercial or industrial buildings shall require a minimum loading space of 12 feet wide, 30 feet long, and 14 feet high in the following amount: for buildings containing over 5,000 square feet of gross floor area, 1 space; for each additional 40,000 square feet of gross floor area, or any portion thereof, 1 space. (5/98)

2.303.11 Parking and Loading Area Development Requirements

All Parking and loading areas shall be developed and maintained as follows:

- A. Surfacing. All driveways, parking and loading areas shall have a durable, hard, dust free surface built to Department of Public Works standards. (5/98)
- B. Parking Spaces
 - 1. Dimensions. Parking spaces shall be a minimum 9 feet wide and 18 feet in length.

2. Compact Spaces. Compact parking spaces, at a reduced width of 8.5 feet, shall be permitted on sites with more than five (5) parking spaces. No more than 30% of the required parking shall be compact spaces and each space must be identified as a "Compact Space."

C. Aisle

The following minimum aisle dimensions shall apply: (5/98)

1. Without adjacent parking:
 - a. Single family residence: 12 feet
 - b. One-way: 12 feet
 - c. Two-way: 22 feet
2. With adjacent parking: (5/98)

PARKING ANGLE	Aisle WIDTH
0 to 40	14 feet
41 to 55	15 feet
56 to 70	18 feet
71 to 90	24 feet

- D. Screening. When any parking or loading area abuts a residential zone the parking or loading area shall be screened or buffered as is required in Section 2.309.05 . (5/98)

E. Lighting. All lighting shall be directed entirely onto the loading or parking area and away from any residential use. The lighting shall not cast a glare or reflection onto the public rights-of-way. (5/98) F.

Landscaping. A tree shall be planted for every eight lineal parking spaces not located adjacent to a building. The planting space shall measure no less than 4 feet square

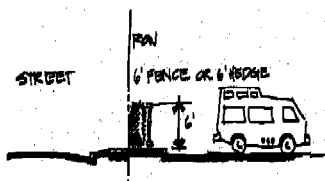
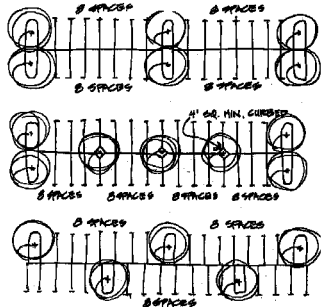


Figure E PAGEREF
Toc168108 1h – Parking Lot

and be surrounded by concrete curbing. The plant shall be of a species that the root system will not interfere with underground utilities or the parking surface, and, is capable of achieving a 15 foot radius. . (5/98)

- G. Traffic Flow. Service drives to off-street parking areas shall be designed and constructed to allow flow of traffic, provide maximum safety of traffic access and egress and the maximum safety of pedestrians and vehicular traffic on the site. (5/98)



- H. Entrance/Exits. Service drive exits shall have a minimum vision clearance area of 15 feet from the intersection of the street and driveway. (5/98)

- I. Bumper Rails. Parking spaces along the outer boundaries of a parking area shall be contained by a curb or a bumper rail to prevent a motor vehicle from extending over an adjacent property, a street, or a sidewalk. The bumper shall be at least 4" high and located a minimum of 3 feet from the property line. (5/98)

Figure 0 PRE-APPLICATION
CONFERENCE – Parking Lot Tree Siting

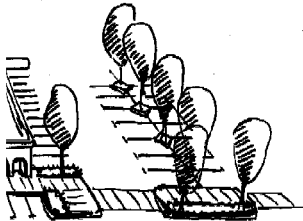


FIGURE F_Toc168107\H 459
3.21 – Parking Lot Landscaping

2.309 SITE AND LANDSCAPING DESIGN

2.309.01 Purpose

The purpose of the site and landscaping design requirements is to provide standards that can be used in the development of property. A development design that incorporates landscaping serves to enhance the appearance of not only the subject property but also that of the City; provides shade and windbreaks where appropriate to conserve energy in building and site design; and provides for buffer and screening of conflicting land uses.

2.309.02 Scope

- A. Landscaping Required. All new construction, expansion of, or redevelopment of structures including interior remodeling as specified as Section 2.315, or parking lots for commercial, multi-family, or industrial uses shall be subject to the site and landscaping requirements of this Section.
- B. Landscape Plan Review. Landscaping plans shall be submitted for review subject to the procedures of this Section and subject to Type 1-A review procedures set forth in section 3.2. (5/98)
- C. Tree Plan. A tree plan in accordance with section 2.309.04.B.7 is required with all Type II and III applications and the following Type I applications: Conditional Use and Partitioning. (5/98)

2.309.03 Minimum Area Requirements

Landscaped areas may include landscaping around buildings; open spaces and outdoor recreation areas; islands and perimeter planting areas in parking and loading areas; and areas devoted to buffering and screening as required in this Section and elsewhere in this Ordinance. The minimum areas devoted to landscaping are established within the applicable zone district the property is located in. (5/98)

- . Expansions. For addition (s) onto an an existing development including interior remodeling as specified an Section 3.15, and parking lots, the minimum new landscaped area shall be determined by: first calculating the percentage of the increase of total floor area or parking area; multiplying the gross site area by this percentage of increase; multiplying the resulting area by the minimum percentage for the type of development, as noted above. This provision is not intended to include phase construction within a development. (5/98)

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2.309.04 General Provisions

- A. Landscaped Area. For purposes of satisfying the minimum requirements of this Ordinance, a "landscaped area" must be planted in a mixture of landscaping elements to include such things as lawn, ground cover plants, shrubs, annuals, perennials or trees, or desirable native vegetation, or be used for other landscape elements as defined in this Ordinance. Landscaping shall be designed, planted, and maintained in accordance with professional landscaping standards. Landscaping installed over asphalt shall be prohibited. (5/98)
- B. Submittal Requirements. A submitted landscaping plan shall include the following: (5/98)
1. Type, variety, scale and number of plants used; (5/98)
 2. Placement and spacing of plants; (5/98)
 3. Size and location of landscaped areas; (5/98)
 4. Contouring, shaping and preparation of landscaped areas; (5/98)
 5. Use and placement of non-plant elements within the landscaping. (5/98)
 6. Method of irrigation. (5/98)
 7. Location, and identification of any trees, both existing and planned consistent with 2.309.04.C.
 - a. On the Landscaping Plan the existing significant trees identified by their common names, along with the size of such significant trees. Existing significant trees shall include any trees which were removed within the two-year period prior to the date the application was first submitted shall be shown on the landscape plan. (5/98)
 - b. Which significant trees are proposed to be removed, or have been removed within the past two years. (5/98)
 - c. Which significant trees are to be left standing and what steps will be taken to protect and preserve those trees. (5/98)

d. Location, size and type of replacement trees proposed to be added, if any. (5/98)

B. Significant Trees. (5/98) As used herein, "significant trees" are trees having a height of more than fifty (50) feet and/or having a trunk whose diameter is more than twelve (12) inches diameter at breast height (5 feet above ground level). (5/98)

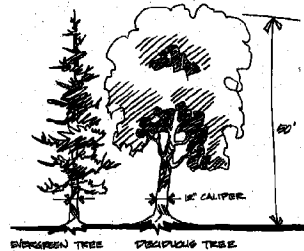


FIGURE 68105 VH 459

3.209.04 Cr – Significant Trees

- a. The City recognizes that factors such as disease, safety concerns, and site development requirements may require removal of significant trees. Depending on these factors, the removal of significant trees may be appropriate and approved as part of the landscaping plan. Development of the property shall be in conformance with an approved landscaping site plan that is a condition of a land use approval or a building permit. The City may require that significant trees that are removed (including trees removed within the one two year prior to the application) be replaced at the rate of up to two new trees for each significant tree removed or less if a tree specimen which will result in an increased tree size is planted. Replacement trees shall have a trunk, when measured at six (6) inches above ground level, of at least two (2) inches when planted, and shall be a type that will be at least twelve (12) inches in diameter at breast height (5 feet above ground level) when fully mature. (5/98)
- b. The above provisions include and apply to all significant trees located on the subject property or on any adjacent public right-of-way

C. Existing Vegetation. The landscape design shall also incorporate as much of the existing desirable vegetation on the site as is possible. (5/98)

2.309.05 Screening and Buffering

- A. Screening and Buffering. Screening and buffering shall be used to eliminate or reduce the impacts of the following uses: (5/98)
1. Commercial and industrial uses when abutting residential uses. (5/98)
 2. Industrial uses when abutting commercial uses. (5/98)
 3. Service areas and facilities, including garbage and waste disposal containers, recycling bins, and loading areas. (5/98)
 4. Outdoor storage areas. (5/98)
 5. Parking areas for 20 or more vehicles for multi-family developments, or 30 or more vehicles for commercial or industrial uses. (5/98)
 6. At and above-grade electrical and mechanical equipment, such as transformers, heat pumps, and air conditioners. (5/98)
 7. Shall be used to mitigate adverse visual impacts, dust, noise, or pollution, and to provide for compatibility between dissimilar adjoining uses.
- . (5/98)
- .
- B. Where screening or buffering is determined to be necessary, one of the following alternatives shall be employed: (5/98)
1. Width not less than 15 feet shall be planted with the following materials: (5/98)
 - a. At least one row of deciduous or evergreen trees staggered and spaced not more than 15 feet apart. (5/98)
 - b. At least one row of evergreen shrubs that will grow to form a continuous hedge at least five feet in height within one year of planting. (5/98)
 - c. Lawn, low-growing evergreen shrubs or evergreen ground cover covering the balance of the area. (5/98)

2. Width not less than 10 feet shall be developed in accordance with the following standards: (5/98)
 - a. Berm form should not slope more than 40 percent (1:2.5) on the side away from the area screened from view. The slope for the other side (screened area) may vary. (5/98)
 - b. A dense evergreen hedge shall be located so as to most effectively buffer the proposed use. (5/98)
 - c. The combined total height of the berm and hedge shall be not less than five feet. (5/98)

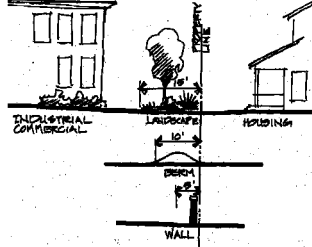


Figure Revocation PAGeref
_Toc1 – Alternative Buffering
Techniques

3. Width must not be less than five feet shall be developed in accordance with the following standards: (5/98)
 - a. A masonry wall or sight-obscuring fence not including vinyl slatted chain link fences not less than six feet in height. In addition, a fence shall be maintained in a safe and attractive manner. (5/98)
 - b. A mixture of lawn, low-growing evergreen shrubs, and evergreen ground cover covering the balance of the area. (5/98)
4. Other alternative methods which produce an adequate screening or buffering may be approved by the Zoning Administrator. (5/98)

2.309.06 Planting and Maintenance

- A. Planting Height. No sight-obscuring plantings exceeding 30 inches in height shall be located within any required vision clearance area in accordance with Section 2.312.09 of this Ordinance. (5/98)
- B. Plant Materials. Plant materials shall not cause a hazard. Landscape plant materials over walkways, pedestrian paths and

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- seating areas shall be pruned to a minimum height of eight feet and to a minimum height of 15 feet over streets and vehicular traffic areas. (5/98)
- C. Utility Interference. Landscape plant materials shall be selected which do not generally interfere with utilities above or below ground. (5/98)
- D. Installation. Landscape plant materials shall be properly guyed and staked to current industry standards as necessary. Stakes and guy wires shall not interfere with vehicular or pedestrian traffic. (5/98)
- E. Suitability. Plant materials shall be suited to the conditions under which they will be growing. As an example, plants to be grown in exposed, windy areas that will not be irrigated should be sufficiently hardy to thrive under these conditions. Plants should have vigorous root systems, and be sound, healthy, free from defects, diseases, and infections. (5/98)
- F. Deciduous Trees. Deciduous trees ~~should be fully branched,~~ shall have a minimum ~~caliper~~ of 2 inches, and a minimum height of 8 feet at the time of planting. (5/98)
- G. Evergreen Trees. Evergreen trees shall be a minimum of 6 feet in height and fully branched at time of planting. (5/98)
- H. Shrubbery. Shrubs shall be supplied in a minimum 1 gallon containers or 8 inch burlap balls with a minimum spread of 12 to 15 inches. (5/98)
- I. Ground Cover. Ground cover plants shall be spaced in accordance with current nursery industry standards to achieve covering of the planting area. Rows of plants are to be staggered for a more effective covering. Ground cover shall be supplied in a minimum 4 inch size container.. (5/98)
- J. Irrigation. All developments are required to provide appropriate methods of irrigation for the landscaping. Sites with over 1,000 square feet of landscaped area shall be irrigated with automatic sprinkler systems to insure the continued health and attractiveness of the plant materials unless otherwise approved by the Zoning Administrator. Sprinkler heads shall not cause any hazard to the public. Irrigation shall not be required in wooded areas, wetlands, floodplains, or along natural drainage channels or stream banks. (5/98)

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- K. Re-planting. Trees or shrubbery which die-off shall be replaced with a new plant of the same or similar type. Replacement is ultimately the responsibility of the property owner. (5/98)
- L. Maintenance. Landscaping shall be continually maintained. Appropriate methods of care and maintenance of landscaped plant material shall be provided by the owner of the property. (5/98)
- M. Plant Protection. Landscape plant material shall be protected from damage due to heavy foot traffic or vehicular traffic by protective tree grates, pavers or other suitable methods. (5/98)

3.111 TEXT AMENDMENTS

3.111.01 Purpose

The purpose of this chapter is to provide standards and procedures for legislative and quasi-judicial amendments to this Code and the land use district map. These will be referred to as “map & text amendments.” Amendments may be necessary from time to time to reflect changing community conditions, needs and desires, to correct mistakes, or to address changes in law. (2/01)

3.111.02 Process

Amendments to the Comprehensive Plan and Development Ordinance texts shall be reviewed in accordance with Type IV procedures specified in Section 3.203. Type IV reviews shall also apply to Comprehensive Plan amendments and Zone Changes involving more than 5 adjacent land ownerships, or, non-adjacent properties. (2/01)

3.111.03 Application and Fee

A Plan or Ordinance text amendment can be initiated by staff, the Planning Commission or City Council. Upon initiation of an amendment staff shall establish a file and set a schedule to review the proposed changes before the Planning Commission and the City Council. No fee is required. (2/01)

3.111.04 Criteria for Approval

Amendments to the Comprehensive Plan or Development Ordinance text shall be approved if the evidence can substantiate the following. Amendments to the map shall be reviewed for compliance with each of the following, while text amendments shall only be reviewed for compliance with B, C, and D: (2/01)

- A. Impact of the proposed amendment on land use and development patterns within the city, as measured by: (5/98)
 - 1. Traffic generation and circulation patterns; (5/98)
 - 2. Population concentrations; (5/98)
 - 3. Demand for public facilities and services; (5/98)
 - 4. Maintenance of public health and safety; (5/98)
 - 5. Level of park and recreation facilities; (5/98)
 - 6. Economic activities; (5/98)

7. Protection and use of natural resources; (5/98)
 8. Natural hazards and constraints;
 9. Compliance of the proposal with existing adopted special purpose plans or programs, such as public facilities improvement programs. (5/98)
- B. A need exists for the proposed amendment. (5/98)
- C. The proposed amendment complies with all applicable Statewide Planning Goals and applicable administrative rule requirements. (5/98)
- D. The amendment is appropriate as measured by at least one of the following criteria: (5/98)
1. It corrects identified error(s) in the provisions of the plan. (5/98)
 2. It represents a logical implementation of the plan. (5/98)
 3. It is mandated by changes in federal, state, or local law. (5/98)
 4. It is otherwise deemed by the council to be desirable, appropriate, and proper. (5/98)

2.312 YARD AND LOT STANDARDS

2.312.01 Lot Coverage, Generally

Specific standards for lot size or area, for lot dimensions, and for lot coverage are set forth in the applicable zone. Where a standard for lot coverage is expressed as a percentage, such standard means the percentage of total lot area covered by buildings and by roofed but unenclosed structures, whether or not attached to buildings. Covered structures less than five feet in height and having less than 20 square feet of gross floor area (such as pet shelters, play houses, etc.) shall not be included in calculating lot coverage. (5/98)

2.312.02 Yards and Yard Area, Generally

- A. Yards Apply Only to One Building. No required yard or other open space or required driveway provided around or for any building or structure for the purpose of complying with the provisions of this Ordinance shall be considered as providing a yard or open space for any other building, nor shall any yard or other required space on an adjoining lot be considered as providing a yard or open space on the lot whereon the building is to be erected. (5/98)
- B. Yards to be Unobstructed. A "required yard" is the minimum required setback area between a structure or manufactured dwelling and a lot line, whether or not additional open space is actually provided between the structure and the lot line. Every required yard or setback area shall be open and unobstructed by buildings, or structures from the ground to the sky except for those exceptions permitted in this Section. (5/98)

2.312.03 Separation of Lot or Yard Areas

- A. Reduction in Lot Area. Except as provided in 2.312.03.C., no portion of a lot necessary to provide the required area per dwelling unit shall be separated in ownership from the portion of the lot on which the building containing the dwelling units is located. (5/98)
- B. Separation of Required Yards. Except as provided in 2.312.03.C., no required yard or other open space around an existing building shall be separated in ownership from the lot upon which the building is located. (5/98)
- C. Exceptions. In a planned unit development building setbacks and yard areas, open space, and other areas without buildings established pursuant to the standards and the requirements of this Ordinance may be part of a lot

containing a dwelling if the area is not common area or other area required to be located within a lot owned by the homeowner's association. (5/98)

2.312.04 Special Street Setbacks

- A. Purpose. The special setbacks in this section are based upon the functional classification of streets and roads as described in the comprehensive plan. The purpose of these special setbacks is to allow for the expansion or improvement of streets and roads in order to safely accommodate vehicular or pedestrian traffic. The special setback shall be measured from the centerline of the street right-of-way are as noted in 2.312.04.D. (5/98)
- B. Setback Requirements. Required yards and setbacks adjacent to a street shall be in addition to the special setbacks required by this Section. These setback distances shall be measured at right angles to the centerline of the established right-of-way. (5/98)
- C. Special Provisions. Except as provided herein structures and paved surfaces shall not be located within the special setbacks specified in 2.312.04.D., below. Any portion of a structure lawfully established within a special street setback prior to adoption of this ordinance shall be considered a nonconforming structure. (5/98)
- D. Special setback requirements: (5/98)

FUNCTIONAL CLASSIFICATION	SPECIAL SETBACK
Major Arterial	36 feet
Minor Arterial	34 feet
Collector	34 feet
Local Street III*	24 feet
Local Street II*	23 feet
Local Street I*	22 feet
Cul-de-Sac	See equivalent Local Street requirement

* See functional classification in Section 2.302.04

MOVED TO 2.303.04

2.312.06 Front Yard Projections

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- A. Building Features. Cornices, eaves, gutters and fire escapes when not prohibited by any other code or ordinance, may project into a required front yard not more than two feet. (5/98)
- B. Architectural Features. Chimneys, flues, belt courses, leaders, sills, pilasters, lintels and ornamental features, window projections and catilevered second story portions of a building may project not more than two feet into a required front yard. (5/98)
- C. Decks and Patios. Uncovered porches and covered but unenclosed porches, or awnings that are not more than one story high may extend ten feet into the front yard setback.

2.312.07 Side Yard Projections

- A. Building Features. Cornices, eaves, gutters and fire escapes when not prohibited by any other code or ordinance, may project into a required side yard not more than one-third of the width of the side yard, nor more than four feet in any case. (5/98)
- B. Architectural Features. Chimneys, flues, belt courses, leaders, sills, pilasters, lintels and ornamental features may project not more than one and one-half feet into a required side yard, provided, however, chimneys and flues shall not exceed six feet in width. (5/98)
- C. Decks and Patios. Uncovered decks and patios attached to the main building when measured directly beneath the outside edge of the deck or patio may be extended to the side yard property line when they are three feet or less in height from ground level. (5/98)

2.312.08 Rear Yard Projections

- A. Building Features. A fire escape, outside stairway, cornice, eaves, gutters or other unenclosed, unroofed projections may project not more than 5 feet into a required rear yard. (5/98)
- B. Architectural Features. Chimneys, flues, belt courses, leaders, sills, pilasters, lintels, gutters, other ornamental features, window projection, and catileverd second story portions of the building, may project not more than two feet into a required rear yard, provided, however, chimneys and flues shall not exceed six feet in width. (5/98)

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. (5/98)

- C. Steps, Porches, ~~e~~ Decks, and ~~p~~ Patios. Planter boxes, steps, decks, patios, uncovered porches, and covered but unenclosed porches including covered patios which are not more than 30 inches above grade, are exempt from the minimum rear yard depth requirements. These same features that are more than 30 inches above grade may encroach up to a maximum of ten feet into the rear yard setback area . (5/98)

2.312.09 Vision Clearance

A vision clearance area shall be maintained where roadways, including streets, alleys, and private points of access, intersect except where the intersection is controlled by a traffic signal. The vision clearance area shall conform to the following unless it is determined by the Keizer Traffic Engineer that other methods may be more feasible: (5/98)

- A. Generally. A vision clearance area is a triangular area at the intersection of two streets, or a street and a driveway, two sides of which are lines measured from the corner intersection for a specific distance. The third side of the triangle is a line across the corner of the lot joining the ends of the other two sides.

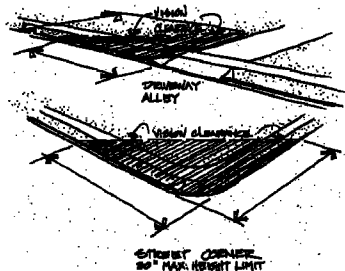


FIGURE
3.209.02 General Provision –

Where the lines at the intersections have rounded corners the lines will be extended in a straight line to a point of intersection. The vision clearance area shall be measured from the face of the curb, and extend at right angles the designated distance in both directions along the intersection. Where there is no curb, the vision clearance area shall be measured from the edge of the pavement and extend at right angles for the appropriate distance in both directions along the intersection. (5/98)

- B. Street-Driveway Intersection. A vision clearance area at the intersection of a street and a driveway shall be the triangular area established according to the following procedure: (5/98)

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1. A line extending ten feet from the intersection along the public street right-of-way; (5/98)
2. A line extending ten feet from the intersection along the driveway; (5/98)
3. A third line that creates the triangular vision clearance area by connecting the ends of the lines described in (1) and (2) , above. (5/98)

. (5/98)

- C. Street-Street Intersections, including intersections with and without major traffic controls, street-access easement, and street-alley intersections. The vision clearance area for street-street intersections without traffic signals or without stop signs on all approach legs shall be computed as above but with legs of 30 feet in each direction. (5/98)

- D Prohibited Development. A vision clearance area shall contain no planting, fence, wall, structure, temporary or permanent obstruction exceeding 30 inches in height, measured from the top of the curb or, where no curb exist, from the established street centerline grade, except that the following may be allowed in the vision clearance area: (5/98)

1. Trees, provided all branches and foliage are removed to a height of seven feet above grade; (5/98)
2. Telephone, power, and cable television poles; and
3. Telephone switch boxes provided they are less than ten inches wide at the widest dimension. (5/98)

2.312.10 Fences, Walls and Hedges

- A. Residential, Public and Semi-Public Uses

1. Height, location: Fences, walls and hedges may be located in any required yard or along the edge of any yard, subject to the maintenance of any vision clearance area identified in Section 2.312.09 ~~and location to street requirements~~. Fences

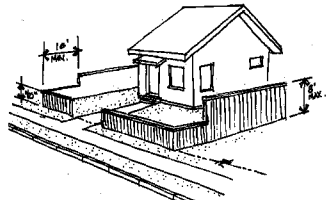


Figure AGEREF _Toc168103 \h
459 – Fence Standards

and walls shall not exceed a height of three and one-half feet within ten feet of any property line adjacent to the street. A fence, or wall, may not exceed eight feet in height. A fence or wall over six feet in height will require a building permit. (5/98)

2. Construction material: Fences or walls constructed of the following materials, including, but not limited to barbed wire, electric fencing, broken glass, wooden pallets, tarps, corrugated metal, and spikes shall generally be prohibited. Agricultural uses may utilize electric and barbed wire fencing. (5/98)
4. An entrance wall or gate to a subdivision, planned unit development or other residential development shall be permitted provided the wall or gate does not exceed six feet in height nor violate provisions of the vision clearance area. (5/98)

B. Commercial and Industrial Uses

1. Height, location: Fences, walls and hedges may be located in any required yard or along the edge of any yard, subject to the maintenance of clear-vision area. A fence, or wall, may not exceed 12 feet in height. A fence or wall over six feet in height will require a building permit. (5/98)
2. Construction material: A conditional use shall be required for an electrical or barbed wire fence in the CM zone. Electric and barbed wire fencing shall be permitted in the IG and AI zones. Barbed wire fencing shall be angled inward. (5/98)

CITY COUNCIL MEETING: July 10, 2006

AGENDA ITEM NUMBER: _____

TO: MAYOR CHRISTOPHER AND COUNCIL MEMBERS

THROUGH: CHRISTOPHER C. EPPLEY, CITY MANAGER

FROM: E. SHANNON JOHNSON, CITY ATTORNEY

SUBJECT: *WHITE ANNEXATION/PARTITION (CASE NO. 2005-35)*

This matter came before the Council for public hearing in April. The Council directed staff to prepare necessary ordinances/orders for approval of the annexation and partition. However, there has been some delay because the exact legal description for the annexation was not supplied by the applicant.

We have now received and confirmed the legal description. The matter is therefore before Council for final adoption. An Ordinance with regard to the annexation and an Order with regard to the partition approval are attached for your review.

RECOMMENDATION:

Adopt the attached Ordinance, followed by the Order.

Please let me know if you have any questions. Thank you.

ESJ/tmh
attachments

1 BILL NO. ____

A BILL

ORDINANCE NO.

2006-_____

3 FOR

4
5 AN ORDINANCE

6
7 **IN THE MATTER OF THE APPLICATION OF**
8 **SCOTT AND SHANNON WHITE TO ANNEX A**
9 **PORTION OF PROPERTY LOCATED AT 7029**
10 **FIR GROVE LANE NORTH, KEIZER, OREGON**
11 **TO THE CITY LIMITS OF THE CITY OF KEIZER**
12 **(CASE NO. 2005-35)**

13
14 WHEREAS, there exists a portion of land located at 7029 Fir Grove Lane North,
15 Keizer, Oregon (hereinafter "annexation area") which lies adjacent to, but outside of, the
16 City of Keizer city limits;

17 WHEREAS, such annexation area is within the recognized Urban Growth
18 Boundary for the Salem/Keizer area;

19 WHEREAS, pursuant to ORS 222.125, owners and resident electors of the
20 annexation area have submitted their written consents to the annexation of such
21 annexation area to the City of Keizer;

22 NOW, THEREFORE, the City of Keizer ordains as follows:

23 Section 1. FINDINGS. The Keizer City Council finds that one hundred percent
24 (100%) of the owners of property in the annexation area, and not less than fifty percent
25 (50%) of the electors residing in the annexation area, have consented in writing to the

1 annexation of such area to the City of Keizer and have filed their statements of consent
2 with the Keizer City Council.

3 Section 2. FINDINGS. The findings relevant to the decision in this matter are set
4 forth in Exhibit "A" attached and are in conformance with the City's comprehensive plan
5 and KDC 3.112.02(B).

6 Section 3. PROCLAMATION OF ANNEXATION. Pursuant to ORS 222.125
7 and KDC 3.112, the Keizer City Council declares that the final boundaries of the area to
8 be annexed are set as described in Exhibit "B" attached and by this reference
9 incorporated herein, and hereby proclaims the annexation of such area to the City of
10 Keizer. The Keizer City Council further declares that the area to be annexed be
11 designated Low Density Residential (LDR) and zoned Residential Single Family (RS).

12 Section 4. EFFECTIVE DATE. This Ordinance shall be effective thirty (30)
13 days after its passage.

14 PASSED this _____ day of _____, 2006.

15
16 SIGNED this _____ day of _____, 2006.

17
18
19
20
21
22
23

Mayor

City Recorder

EXHIBIT "A"

Findings

This particular annexation meets the relevant criteria as found in the Keizer Comprehensive Plan and KDC 3.112.02(B) as follows:

1. Affect the community's air resources. KDC 3.112.02(B)(1)

Findings: The proposed annexation will have no significant impact on the community's air resources. The annexation of the portion of the property that is within the UGB is approximately 2.78 acres and will be designated RS upon annexation. Any use of this portion of the property will be required to be in accordance with the City's RS zone regulations. This zone will not allow any commercial or industrial uses so there will not be any air pollution as might be experienced as part of the manufacturing of any products. As such, the proposal satisfies this criterion.

2. Promote an orderly, timely and economical transition of rural and agricultural lands into urbanized lands. KDC 3.112.02(B)(2)

Findings: The property is located outside the city limits. It is within the UGB and is contiguous to the city limits along the east side of the property. The property is unique in that it contains land that is both within and outside of the City's UGB. In the vast majority of instances, the UGB follows property lines or physical barriers such as roads or rivers and avoids splitting properties. However, in this particular case, the boundary bisects the property. The majority of the property (2.78 acres) is situated within the City's UGB but approximately .70 acres is located outside of the UGB. The UGB is located just to the west of the bottom of the north-south oriented ridge which also bisects the property. The decision to locate the UGB as it is located probably took into account a number of reasons such as use of adjacent properties to the west were in agricultural uses, and that the west portion of the property is capable of being used for agricultural uses. Also the hillside slope on the property probably was considered a logical natural barrier for any future development with future development limited to the flat upper portion of the property.

The applicants proposed two alternatives for annexation – their preference is to annex the portion of the property east of the top of the ridgeline for a total of approximately 2.28 acres. Their second alternative is to annex everything that is within the UGB for a total of approximately 2.78 acres. The annexation of all of the applicant's property that is within the UGB is appropriate as it would eliminate the prospect of having a strip of land between the new city limits line and the UGB line on the applicant's property and so decreases the potential for any future mapping errors. The Planning Commission found the preferred alternative to be acceptable. In making this recommendation to annex that portion of the property from the top of the ridge eastward, they determined that this would be consistent with the location of the city limits on other nearby properties and that the area to not be annexed essentially is the slope of the ridge with no development potential. Marion County Planning Department commented that the annexation appears to meet the criteria for annexation and that any future partitioning be limited to avoid any potential multi-jurisdictional conflicts. Given the fact the UGB bisects the property it will be unavoidable that if the property is partitioned, one parcel will have part of it within and part outside of the city limits.

The annexation of a portion of the property that is within the UGB will have no impact on the use of that portion that is outside the UGB, or the use of any other adjacent property outside the UGB. The land that is within the UGB is recognized and planned to one day be included as part of the city limits and to be developed in a manner consistent with City regulations. However, the portion of the property that is located to the east of the top of the ridge line is realistically all the property which will be developed for single family uses. Even with the level of development the applicants proposed (an additional two homes), all future development will be no closer to any agricultural uses than the existing house on the property. The entire width of the ridge from its top to bottom is treed and will act as a buffer from the urban uses and the agricultural uses to the west. This should mitigate any adverse impacts development of the property could have on any farm uses to the west. The property is within the UGB and is planned to one day be included as part of the city limits. Properties to the north and east are within the city limits. The annexation will not result in a patch-work or "cherry-stem" annexation and so is considered to be an orderly extension of the city limits. With the upper portion of the property that is proposed for annexation not being used for agricultural production, no land will be

taken out of commercial production and so will have no impact on agricultural commercial farming. Therefore, the annexation will make a good economical transition from commercial farming to non-farm urban uses. The annexation of all of the property that is within the UGB will be consistent with this criterion.

3. Relate to areas with natural hazards. KDC 3.112.02(B)(3)

Findings: The Keizer Comprehensive Plan identifies that the only type of natural hazards located in Keizer is related to the 100-year floodplain. This floodplain is located along the Willamette River and along other secondary streams within the city limits. The lower portion of the property that is outside of the UGB appears to be located within the 100-year floodplain associated with Claggett Creek. This area is not proposed to be annexed into the city limits and so will remain outside the UGB. The upper portion of the property is approximately 55 feet above the base floodplain elevation and to the east of the floodplain. Given the location away from the creek, the annexation will have no impact on this natural hazard area. While not officially designated as a natural hazard, the ridge has a steep hill side that ranges from an elevation of 175 feet along the ridge top to approximately 125 feet at the base of the hillside. With future development associated with the annexation avoiding the hillside will further minimize any development issues associated with any development on the hillside. As such, the annexation meets this criterion.

4. Affect the fish and wildlife in the proposed annexation. KDC 3.112.02(4)

Findings: The subject property is not located along the Willamette River; however the western portion of the site is adjacent to Claggett Creek which has a floodplain alongside it. The annexation of the property will not involve the portion of the property that is located west of the top of the ridge on the property, including that portion that is outside the UGB. The annexation of the upper portion that is within the UGB will result in future development being located approximately 250 feet to the east of Claggett Creek. This will protect this creek corridor from any future development associated with the annexation of the property. In addition, limiting the future development of the property to the upper flat portion and avoiding the steep hillside will further ensure this hillside habitat area remains available for birds and other wildlife. As such, the annexation satisfies this criterion.

5. Utilize energy resources and conserve energy use. KDC 3.112.02(B)(5)

Findings: The annexation of the property will allow for the subsequent partitioning of that portion of the property that is within the UGB. Any development of the undeveloped parcels will need to be in accordance with both the City's RS regulations and also with State Building Code requirements that stipulate energy conservation specification that must be addressed. Therefore, the annexation satisfies this criterion.

6. Protect open spaces and scenic views and areas. KDC 3.112.02(B)(6)

Findings: The Keizer Comprehensive Plan identifies open space in the city as "city parks, the Willamette and Claggett Creek corridors, McNary Golf Course, and floodplains at the northwestern edge of the city and school grounds". The subject property is not located near any city park, is not along the Willamette River, is not near the McNary Golf Course, nor near any school grounds. However, the property is adjacent to Claggett Creek. The annexation is limited to only the portion of the property that is inside the UGB and so will not result in there being any development within the identified open space associated with Claggett Creek. The area that will be available for future development is approximately 55 feet higher than the creek and over 200 feet east of the creek. While not identified in the Keizer Comprehensive Plan for its open space attributes, from the top of the ridgeline on the property the property overlooks the floodplains and farmlands to the west and northwest of the community. In addition, any future development planned for the flat upper portion of the property to the east of the ridge top will further seek to protect this open space resource from any future development associated with the annexation of the property. As such, the annexation satisfies this criterion.

7. Provide for transportation needs in a safe, orderly and economic manner. KDC 3.112.02(B)(7)

Findings: There is an existing street system serving the property. While there is a private access easement serving the property, Ridgeview Drive which dead ends at the property is classified as a residential street in the Keizer Transportation System Plan. During development of the property, a new public street extension designed to the standards of the Keizer Department of Public Works will be

required. This will require sufficient dedication to the public. The applicant supplied a plan for an extension of the roadway with a '3/4' wide cul-de-sac and 25 foot wide right of way extension which could allow for possible extension to an adjacent property to the south so as to not preclude any redevelopment potential for this parcel. The extension shall be constructed to the standards of a cul-de-sac with a 45 foot property line radius (38 foot curb radius), or other alternative improvements acceptable to the City Public Works Department. Plans for the above required public improvements shall be submitted to the Department of Public Works for review and approval. Prior to the plan submittal, a pre-design conference with the Department of Public Works shall be held to discuss the required design standards. This improvement will result in the street system being extended in an orderly, safe, and economic manner and therefore the annexation of the property complies with this criterion.

8. Provide for an orderly and efficient arrangement of public services. KDC 3.112(B)(8)

Findings: The annexation of the property that is within the UGB will allow for the development in a manner that is consistent with the Keizer Comprehensive Plan. The area to be annexed is within the UGB and is planned to one day be included within the city limits. The intent of the annexation is to be able to partition the property. Any development will require the extension of public facilities in order to serve the new development. A public sanitary sewer extension will be required and to be constructed to the standards of the City of Salem. Also, an extension of the existing public water line in Ridgeview Drive will be required. These facilities are adequate to handle the anticipated demand associated with the annexation and subsequent partitioning of the property. The extension to serve the annexed area will result in an orderly and efficient extension of services and will avoid any issues associated with "cherry-stem" annexations. Consistent with the Comprehensive Plan the City of Keizer is the appropriate provider of urban services and the applicant will be responsible for the cost associated with any needed extension of public facilities. The annexation of the property complies with this criterion.

9. Provide for the recreation needs of the citizens. KDC 3.112.02(B)(9)

Findings: Upon annexation of the property that is within the UGB, the area will be designated RS and will allow for uses consistent with the RS zone district. The site will not be designated for Public use and is not planned to be developed with any recreation facilities that could serve the recreational needs of the city's residents. Nor is this property adjacent to any public park that is planned for future expansion. The City currently has approximately 100 acres of parks which allow for a wide range of recreation uses ranging from picnicking to organized sports. The City is presently in the process of developing a new 120 acre park along the Willamette River that will provide for additional recreational opportunities. The annexation of this property will have no impact on the ability of the City to provide for the recreation needs of its citizens. Therefore, the annexation of the property complies with this criterion.

10. Affect identified historical sites and structures and provide for the preservation of such sites and structures. KDC 3.112.02(B)(10)

Findings: There is an existing single family dwelling on the property. While the City does not have an inventory of historic structures, the single family dwelling is not considered to be a historic structure, nor is the property suspected of being a historic site. There are no known nearby historic sites or structures that could be impacted by the annexation of the property. The annexation of the property will have no impact or affect of any historical sites and structures within the community. Therefore, the annexation of the property complies with this criterion.

11. Improve and enhance the economy of the City. KDC 3.112.02(B)(11)

Findings: The annexation of the property will not have any significant impact on the economy of the City. The property is planned for future residential development and not for any commercial or industrial development. The annexation of the property will not result in any commercial or industrial development on the property. Therefore, its economic viability will be limited to only the uses allowed within the RS zone district. The annexation and the subsequent development of the property will result in jobs within the construction sector of the economy within the city; overall this is a relative short term gain and will not have a dramatic long-term impact on the overall city-wide economy. The allowance for new homes will, however result in new residents that will

have the ability to purchase goods and services from businesses within the city limits. The City has been active in taking steps to improve and enhance the economy in a number of significant ways in recent years. These include the recent and ongoing development associated with the Keizer Station, the River Road Renaissance project which is aimed specifically at enhancing the economic viability of River Road, and the Urban Renewal District. The annexation of the property that is within the UGB does not involve property that is either within, or nearby any of these areas, and so therefore the annexation satisfies this criterion.

12. Provide quality, safe housing through a variety of housing types and price ranges. KDC 3.112.02(B)(12)

Findings: The purpose of the annexation of the property that is within the UGB is to allow for its subsequent partition. One of the parcels will have the existing single family on it and the other two will be available for residential single family development. This will allow for additional housing types and price ranges to better serve the members of the community. It will be a requirement that any future residential development be limited to the construction of single family homes and that any homes be constructed consistent with State Building Code requirements. Therefore, the annexation will meet this criterion.

Exhibit B

Annexation To The City of Keizer

A Portion of that certain tract of land described as Parcel 1 in Reel 1855, Page 440, Deed Records for Marion County, Oregon, more particularly described as follows:

Beginning at a point on the Keizer City Limits, on the East line of the Alvis Smith Donation Land Claim Number 69, in Township 6 South Range 3 West Willamette Meridian, Marion County, Oregon, at a point which is 2631.52 feet south of the Northeast Corner of said Claim; thence West, along the North line of said Parcel 1, a distance of 400.00 feet, more or less, to the top of bank of Claggett Creek; thence Southerly, along the top of said bank, a distance of 245.00 feet, more or less, to a point on the south line of said Parcel 1; thence East, along the south line of said Parcel 1, a distance of 410.00 feet, more or less, to a point at the Southeast Corner of said Parcel 1; thence North, along the East Line of said Parcel 1, a distance of 245.00 feet to the point of beginning. The above-described tract of land is located in the Northwest Quarter and Southwest Quarter of Section 26, and The Northeast Quarter and Southeast Quarter of Section 27, Township 6 south Range 3 West, Willamette Meridian, Marion County, Oregon.

CITY COUNCIL, CITY OF KEIZER, STATION OF OREGON

ORDER

**IN THE MATTER OF THE APPLICATION OF
SCOTT AND SHANNON WHITE FOR PARTITION
OF A 3.48 ACRE PARCEL LOCATED AT 7029 FIR
GROVE LANE NORTH, KEIZER, OREGON
(CASE NO. 2005-35)**

The City of Keizer orders as follows:

Section 1. THE APPLICATION. This matter comes before the Keizer City Council on the application of Scott and Shannon White for a partition to divide a 3.48 acre parcel located at 7029 Fir Grove Lane North, Keizer, Oregon into three parcels containing approximately 16,500 square feet for Parcel 1, 24,000 square feet for Parcel 2, and 2.55 acres (both inside and outside the city limits) for Parcel 3. The Marion County Tax Assessor's office identifies the subject property as Township 7 South, Range 3 West, Section 26CB, Tax Lot #08000.

Section 2. JURISDICTION. The land in question in this Order is within the city limits of the City of Keizer. The City Council is the governing body for the City of Keizer. As the governing body, the City Council has the authority to make final land use decisions concerning land within the city limits of the City of Keizer.

Section 3. PUBIC HEARING. A public hearing was held on this matter before the Keizer City Council on April 3, 2006. The following persons either appeared at the

1 City Council hearing or provided written testimony on the application:

2 1. Nate Brown, Community Development Director

3 2. Richard Berger, Applicant's Representative

4 3. Mary O'Brien, Neighbor

5 Section 4. EVIDENCE. Evidence before the City Council in this matter is
6 summarized in Exhibit "A" attached.

7 Section 5. OBJECTIONS. No objections have been raised as to notice,
8 jurisdiction, alleged conflicts of interest, evidence presented or testimony taken at the
9 hearing.

10 Section 6. CRITERIA AND STANDARDS. The criteria and standards relevant
11 to the decision in this matter are set forth in Exhibit "B" attached.

12 Section 7. FACTS. The facts before the City Council in this matter are set forth
13 in Exhibit "C" attached.

14 Section 8. JUSTIFICATION. Justification for the City Council's decision in this
15 matter is explained in Exhibit "D" attached.

16 Section 9. ACTION. The decision of the City Council is set forth in Exhibit "E"
17 attached.

18 Section 10. FINAL DETERMINATION. This Order is the final determination in
19 this matter.

1 Section 11. EFFECTIVE DATE. This Order shall become effective thirty (30)
2 days after its passage.

Section 12. APPEAL. A party aggrieved by the final determination in a proceeding for a discretionary permit or a zone change may have it reviewed under ORS 197.830 to ORS 197.834.

6 PASSED this _____ day of _____, 2006.

8 SIGNED this _____ day of _____, 2006.

Mayor

City Recorder

EXHIBIT "A"

Evidence

Official notice has been taken of the Planning Department files and reports in this matter, including the application and exhibits contained therein.

City Attorney Shannon Johnson explained the matter was before Council in a quasi judicial hearing and suggested that barring objections, the reading of the exact list of criteria be waived and asked if anyone objected. There were no objections. He added that any questions could be brought up during testimony and that testimony, arguments and evidence must be directed toward the criteria or other criteria believed to apply to this decision. Failure by the applicant or others to raise constitutional or other issues related to the proposed conditions of approval with sufficient specificity to allow the Council or its designees to respond to that issue precludes an action for damages in Circuit Court. He noted that if anyone had any objection as to conflict of interest, bias, jurisdiction, notice and opportunity to be heard, it should be brought up at the time of testimony and any Council members wanting to disclose conflict of interest, bias or prejudice on this case should do so at this time.

Nate Brown, Community Development Director, referred to the map and explained the issues including the topography of the properties. He pointed out that one of the conditions for the partition was from Public Works which required a cul-de-sac at the end of Ridgeway. The Planning Department has developed an alternative to this which includes a "bulb" with a dedicated area that would go to parcel 2 and does not preclude the opportunity for the property owner to the south to use it to allow for future development of the property to the south of the subject property.

Mr. Brown explained that portions of the property are contiguous to the city limits, others are within the urban growth boundary (UGB) and another portion is outside the UGB. He noted that the proposal is to bring the upper flat section of the property into the city limits leaving the sloped area outside the city limits and inside the UGB (2.25 acres). Staff recommended bringing all property (including the slope) (2.78 acres) into the city limits. The Planning Commission supported exclusion of the sloped area. The applicants wish to divide the property into three lots, one lot for the existing home and two other parcels. This is not allowed in Marion County, but would be allowed inside Keizer city limits. Applicants are willing to hook up to city sewer and water facilities.

Discussion then took place regarding the location of the urban growth boundary, and the county "transition zones", annexation of the sloped area, public street extension and dedicated right-of-way.

Mayor Christopher opened the public hearing.

Richard Berger, Salem, representing the owners of the property noted that his clients would like to limit the annexation to just the property above the slope and they were hoping to reach a mutual agreement on the design of the proposed roadway. He explained why his client did not want to include the sloped area in the annexation focusing on the partition and annexation, location of the city limits on surrounding properties, the condition of the slope in question and fire protection. Additional discussion followed at length regarding roadway options.

Mayor Christopher closed the public hearing.

EXHIBIT "B"

Criteria and Standards

The criteria and standards relevant to this application are found in the Keizer Development Code (KDC). The specific criteria are set forth below:

1. KDC 2.102.05 (Dimensional Standards).
2. KDC 2.301 (General Provisions).
3. KDC 2.302 (Street Standards).
4. KDC 2.303 (Off-Street Parking and Loading).
5. KDC 2.305 (Transit Facilities).
6. KDC 2.306 (Storm Drainage).
7. KDC 2.307 (Utility Lines and Facilities).
8. KDC 2.309.04(B)(7) (Significant Trees).
9. KDC 2.310 (Development Standards for Land Division).
10. KDC 2.311.09 (Modification of an Approved PUD).
11. KDC 2.316 (Infill Development Standards).
12. KDC 3.107 (Partitions).

No other specific criteria and standards were identified at the hearing.

EXHIBIT "C"

Facts

FINDINGS: GENERAL

1. The applicants are Scott and Shannon White.
2. The subject property is located at 7029 Fir Grove Lane N. The Marion County Tax Assessor's office identifies the property as Township 7 South, Range 3 West, Section 26CB, Tax Lot # 08000.
3. The subject property contains approximately 3.48 acres. However, due to the location of the Urban Growth Boundary (UGB) that bisects the applicant's property the applicants are requesting to only annex some, or all if necessary, of the portion of the property that is within the UGB (2.78 acres). No land outside the UGB is proposed to be annexed.
4. The subject property contains a single family dwelling and an accessory structure. The existing house is currently on private well and septic system. The proposed parcels will have access from a public street and can be served by public sewer and water.
5. The subject property is zoned Residential Single Family (RS).
6. The surrounding properties to the north, south, and east are zoned RS (Residential Single Family) and developed with single family homes. The property to the west is outside the UGB and zoned Marion County Exclusive Farm Use.
7. The proposal is to divide the existing 3.48 acre parcel to create three separate parcels containing 16,500 square feet for Parcel 1, 24,000 square feet for Parcel 2, and 2.55 acres (both inside and outside the city limits) for Parcel 3.
8. The approval or denial of a partition is based on compliance with the decision criteria found in Section 3.107 of the Keizer Development Code. Section 3.107.07 requires all land divisions to comply with the provisions in Sections 2.301 through and including 2.307, 2.310, 2.311.09, and the dimensional standards of the applicable zoning district.

FACTS: INFILL PARTITIONING CRITERIA AND RELATED FINDINGS

9. An infill development parcel is any residential parcel not more than two (2) acres in size that is a lot of record, and which meets any two of the following criteria: 1) A parcel with less than 250 feet of frontage along a public street; 2) A parcel with an existing structure; 3) A parcel that is irregular in shape, such that it cannot be partitioned or subdivided to meet the maximum density of the underlying zone without a variance; 4) A parcel that is bounded on two or more sides by existing development or natural constraints (i.e. waterways, steep slopes, resource protections areas).

FINDINGS: The subject property will be more than two acres in area and so the standards outlined in Section 2.316 *Infill Development Standards* of the Keizer Development Code are not applicable.

FACTS: PARTITIONING CRITERIA AND RELATED FINDINGS

10. Each parcel shall meet the access requirements of Section 2.310.03(D): All lots and parcels created after the effective date of this Order shall provide a minimum frontage, on an existing or proposed public street, equal to the minimum width required by the underlying zone. The following exceptions apply: Lots obtaining access from a cul-de-sac lot shall have a minimum frontage of 25 feet, flag lots shall have a minimum frontage of 20 feet along the flag portion of the lot.

FINDINGS: No variances were requested. The property will be located within a RS zone. The minimum lot frontage requirement on a public street in a RS zone is forty (40) feet. The applicant's preliminary site plan submitted for review indicates Parcel '1' will have 100 feet of frontage; Parcel '2' and Parcel '3' are both shown gaining their access via an access easement. However, with the requirement that the applicant be responsible for providing a cul-de-sac, or alternative as determined to be acceptable to the City, at the dead end of Ridgeview Drive will result in one for potentially all of the parcels then being able to obtain access off the extension of this street. All parcels meet the minimum lot frontage requirement. Therefore, with the conditions imposed in Exhibit "E", this request satisfies this criterion.

11. Each parcel shall satisfy the dimensional standards of the applicable zoning district, unless a variance from these standards is approved:

FINDINGS: The property is located in a RS zone which requires a minimum average lot width of forty (40) feet. The minimum average depth requirement

EXHIBIT "C"

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of a lot in a RS zone is seventy (70) feet. Parcel '1' will have 100 feet in width and 165 feet in depth. Parcel '2' is 100 feet in width and 240 feet in depth. Parcel '3' is 145 feet in width and 500 feet in depth. Therefore, each parcel exceeds the minimum lot width and depth requirements as outlined in Section 2.102.05.A of the Keizer Development Code and so this criterion is met.

12. Each parcel shall comply with the requirements of Section 2.310.

- a. Minimum lot area shall conform to the requirements of the zoning district in which the parcel is located.

FINDINGS: The minimum lot area for a single-family dwelling in the RS zone is 5,000 square feet for a detached single family dwelling and 4,000 square feet for a zero side yard dwelling. The proposed area for the three parcels is 16,500 square feet for Parcel '1', 24,000 square feet for Parcel '2,' and 2.55 acres (1.63 acres inside the city limits) for Parcel '3'. Each parcel exceeds the minimum lot area requirements as outlined in Section 2.102.05.B of the Keizer Development Code. This request satisfies this criterion.

- b. Lot width and depth. The depth of a lot or parcel shall not be more than three (3) times the width of the parcel.

FINDINGS: The applicant's preliminary site plan submitted indicates Parcel '1' is approximately 100 feet in width and 165 feet in depth and so complies with this provision. Parcel '2' is approximately 100 feet in width and 240 feet in depth. Parcel '3' is approximately 145 feet in width and 500 feet in depth. Even though the parcel dimensions for this parcel does not appear to meet this provision, Section 2.310.02.B allows that a modification to the standard can be made when it is considered infeasible due to parcel shape, terrain, or location of existing structure. It is considered that the compelling features that can be used to justify a modification is related to the location of a steep hillside. This hillside will preclude any development along the western portion of each parcel, so if the top of the ridge line is used as the practical developable extend of each parcel then each parcel will conform with this provision. Therefore, each proposed parcel does not contain a depth greater than three times the width and so will satisfy the intent of this criterion.

- c. The side lines of lots, as far as practicable, shall run at right angles to the right-of-way line of the adjacent street. The rear lot line shall be no less than ½ the dimension of the front lot line.

FINDINGS: The property boundaries run, as far as practicable, at right angles to the right of way lines of the adjacent streets. The rear lot lines are no less than one-half the dimension of the front lot line. This request can satisfy this criterion.

- d. Utility easements shall be provided on lot area where necessary to accommodate public facilities. Such easements shall have a minimum total width as specified in Section 2.302.04 of the Keizer Development Code.

FINDINGS: Appropriate easements will be required for any public water or sewer mains located within the subject property, if located outside platted right of ways. In addition, PGE commented that a 10 foot wide public utility easement should be required as a condition of approval along the frontage of the applicant's property with any public streets. This is a development requirement and shall be placed as a condition of approval of this partition application. Therefore, with the conditions imposed in Exhibit "E", this request can comply with this criterion.

- e. Adequate public facilities shall be available to serve the existing and newly created parcels.

FINDINGS: Public water and sewer are available to the subject property. A public sanitary sewer extension will be required, constructed to the standards of the City of Salem. Also, an extension of the existing public water line in Ridgeview Drive will be required. With the condition that these facilities be provided by the applicant prior to any future development will ensure compliance with this criterion.

- f. Street Frontage Improvements. If the street frontage of the subject property is less than or equal to 250 feet, the property owner shall sign a non-remonstrance agreement with the City of Keizer. If the street frontage of the subject property exceeds 250 feet, or extends an existing dedicated right of way, the applicant shall make improvements as outlined in Section 2.310.05.C.2 of the Keizer Development Code.

FINDINGS: The street frontage of the subject property is approximately 50 feet. While street frontage improvements are not required for properties less than or equal to 250 feet, in this particular instance since Ridgeview Drive dead-ends at the subject property, it would be appropriate for it to be extended with a suitable turn-around provided and that the applicants provide for

EXHIBIT "C"

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sufficient right of way to accommodate this extension. This shall be placed as a condition of approval of this partition application. Therefore, with the conditions of approval in Exhibit "E", this request may comply with this criterion.

- g. Adequate storm drainage shall be available to serve the existing and newly created parcels.

FINDINGS: Storm drainage plans for any development on the subject property shall be designed to be consistent with Section 2.306 of the Keizer Development Code. 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 for review and approval 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 and Keizer Development Code, particularly as follows: Keizer Development Code Section 2.306 Storm Drainage.

- 13. Rough Proportionality. Improvements or dedications that are required as a condition of development approval, if not voluntarily accepted by the applicant, shall be roughly proportional to the impact of the development:

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 street improvements are provided in order to provide safe traffic, pedestrian, and bicyclist access, without which, dangerous or hazardous traffic conditions are created. Because Ridgeview Drive dead ends at the applicant's property, the applicants will need to provide for a public street extension that is designed to the standards of the Department of Public Works. The extension shall be constructed to the standards of a cul-de-sac with a 45 foot property line radius (38 foot curb radius). The applicants originally had submitted a site plan that showed a hammer-head turn around which was determined to be insufficient given the size of the property and the potential for it and for other adjacent properties to be divided further at some point in the future. As an alternative to requiring that a full cul-de-sac be constructed by the applicant at the end of Ridgeview Drive, it was determined that a '3/4' cul-de-sac straddling the south property line with a 25 foot wide right of way dedication extension west of the bulb could be provided. This will minimize the impact onto the applicant while at the same allowing for a

EXHIBIT "C"

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safe and functional turn around and not preclude any redevelopment potential of property immediately to the south. Additionally, a public sanitary sewer extension will be required, constructed to the standards of the City of Salem. Also, an extension of the existing public water line in Ridgeview Drive will be required. Plans for the above required public improvements shall be submitted to the Department of Public Works for review and approval. Prior to the plan submittal, a pre-design conference with the Department of Public Works shall be held to discuss the required design standards.

14. Each parcel shall comply with the requirements of Section 2.301 through and including 2.307:

a. Section 2.301 of the Keizer Development Code prohibits development, including building permits, unless improvements are provided as outlined in the "Public Facilities Improvement Requirements Table" of the Keizer Development Code.

FINDINGS: Partitions shall require City water, sewer, and storm drain hook-up. This is a requirement of approval of this partition request and shall be placed as a condition of approval of this application. With the above placed as conditions of approval this request can comply with this criterion.

b. Section 2.309.04(B)(7f) - The City recognizes that factors such as disease, safety concerns, and site development requirements may require removal of mature trees. Depending on these factors, the City of Keizer may require removal of mature trees. Development of the property in conformance with an approved landscaping plan shall be a condition of land use approval or building permit. The City may require significant trees that are removed (including trees that are removed within the year prior to the application) be replaced at the rate of up to two new trees for each significant tree removed. Replacement trees shall have a trunk, when measured at six (6) inches above ground level, of at least one and one-quarter (1 ¼) inches when planted, and shall be a type that will be at least twelve (12) inches in diameter at ground level when fully mature.

FINDING: The applicant does not indicate whether or not any significant trees shall be removed. However, should the applicant find the need for removal of any significant trees, a tree removal and landscaping plan shall be submitted to, and approved by the City prior to issuance of any building permits. The plan shall indicate the location, size, and type of replacement trees proposed to be planted prior to issuance of a building permit. The City

EXHIBIT "C"

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will require the replacement of significant trees (including trees removed within the year prior to this application) at the rate of up to two new trees for each significant tree removed. The trees shall be planted prior to final inspection approval for each proposed dwelling. Further, existing significant trees and their root zone within the tree drip line shall be protected during construction. Therefore, with appropriate conditions this request can meet with this criterion.

EXHIBIT "D"

Justification

The applicants have the burden of proving that the application meets relevant standards and criteria to be applied in the particular case.

In this case, the applicants are requesting a partition of a 3.48 acre property into three parcels containing approximately 16,500 square feet for Parcel 1, 24,000 square feet for Parcel 2, and 2.55 acres (1.63 acres inside the city limits) for Parcel 3.

The applicants have objected to conditions related to public street improvements. An area designed to allow a cul-de-sac with a 45 foot property line radius is required (Condition 12). This will provide needed connectivity and a safe transportation network in the area and is supported by the findings set forth in Exhibit "C" (Finding 13).

The applicant has demonstrated that when the conditions set forth in Exhibit "E" are imposed and complied with, the proposal meets the applicable criteria set forth in the Keizer Development Code. As conditioned, the application should be granted.

EXHIBIT "E"

Action

The City of Keizer hereby ORDERS as follows:

The requested partition is hereby GRANTED subject to the following conditions and requirements:

1. The Keizer Development Code requires the developer to connect to public utility services. The Development Code also requires all utility services to be placed below ground. These requirements apply to this request. Further, the developer is responsible for all utility connection costs.
2. The City's System Development Charges for park development, water system improvements and transportation improvements shall be the fee in place at the time of building permit application. These Development Charges, as well as those involving the extension of sewer, water, and storm drainage, will apply at the time of any eventual development.
3. The subject property is located outside of the original Keizer Sewer District. Therefore a sanitary sewer trunk line acreage fee will be required. Connection to an existing sewer line in the area will be the responsibility of the developer.
4. Street opening permits are required for any work within the City Right of Way that is not covered by a Construction Permit.
5. All grading which results in fill in excess of three (3) feet located within the identified building envelop on a subdivision lot or parcel must be engineered.

General:

6. Improvement work shall not commence until plans have been checked for adequacy and approved by the Department of Public Works. Plans shall be prepared in accordance with requirements of the City.
7. Improvement work shall not commence until the Public Works Department has been notified in advance; and, if work has been discontinued for any reason, it shall not be resumed until the Public Works Department has been notified.

8. Improvements shall be constructed under the inspection and to the satisfaction of the City Engineer and the Director of Public Works. The City may require changes in typical sections and details in the public interest, if unusual conditions arise during construction to warrant the change.

9. Connection to existing sewers that serve the general area is required and is the responsibility of the developer of the property. The existing sanitary sewer line in Ridgeview Drive will accommodate the proposed development. The existing public sanitary sewer line will be required to be extended to the westerly end of the proposed new public street.

Prior to Plan Submittal:

10. 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 for review and approval 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 and Keizer Development Code, particularly as follows: Keizer Development Code Section 2.306 Storm Drainage.

11. Local sewer permits are required prior to construction and are issued through the City of Salem. The City of Salem requires sanitary sewer laterals be constructed that serve each lot conforming with the City of Salem Sewer Design Standards. Sewer laterals shall be located within the new street construction, access and utility easements or other appropriate easements. Prior to submitting plans to the City of Salem for approval, plans shall be submitted to the Public Works Department for review and determination of compliance with the City of Keizer's Master Sewer Plan for the area.

Prior to Issuance of Construction Permits by the Department Of Public Works:

12. A new public street extension designed to the standards of the Department of Public Works will be required. The extension and dedication to the public shall allow the construction of a cul-de-sac with a 45 foot property line radius (38 foot curb radius), or other alternative improvements acceptable to City Public Works Department. Additionally, a public sanitary sewer extension will be required, constructed to the standards of the City of Salem. Also, an extension of the existing public water line in Ridgeview Drive will be required. Plans for the above required public improvements shall be submitted to the Department of Public Works for

EXHIBIT "E"

Page 2 of 4

review and approval. Prior to the plan submittal, a pre-design conference with the Department of Public Works shall be held to discuss the required design standards.

13. Construction of any public improvements shall be assured through an improvement agreement or some other instrument acceptable to the City of Keizer Department of Public Works prior to any building permits being issued for any of the proposed lots.

During Public Improvements:

14. All construction of the required public facilities shall be constructed to the standards of the Department of Public Works in conformance with the requirements covered during the pre-design conference.

Prior to Satisfaction of Improvements:

15. All construction of public improvements shall be in conformance with the standards of the City of Keizer and the City of Salem (sanitary sewers) and shall be completed to the requirements of the permits issued for all public improvements.

Prior to Preliminary Plat Approval:

16. A detailed preliminary plat shall be submitted to the Marion County Surveyor's Office for review. The Marion County Surveyor's Office will then submit the preliminary plat to Keizer for review. The Preliminary Plat must be submitted for review prior to submittal of a final plat.

- a. Parcels ten acres and less must be surveyed.
- b. Per ORS 92.050, plat must be submitted for review.
- c. Checking fee, second Mylar fee, and recording fee is required by the Marion County Surveyor's Office.
- d. Plant service report and/or title report must be submitted to the Marion County Surveyor's Office at the time of review.

The detailed preliminary plat shall include the following provisions:

- e. Include all engineering elements as required by the Department Of Public Works requirements.
- f. Right of way dedication for the required street extension shall be required. A 10 foot public utility easement (PUE) shall be shown on the preliminary plat adjacent to all new street dedication.

EXHIBIT "E"

Page 3 of 4

- g. With the exception of Parcel 3's width-to-depth ratio all other dimension standards shall be met.

Prior to Final Plat approval (Mylar):

17. All existing wells on the subject property shall be abandoned. All conflicts between existing wells and proposed sanitary sewers shall be removed. A copy of a well abandonment permit from the State Water Resources Department indicating completion of the abandonment of any conflicting wells on the property shall be submitted to the Public Works Department. Any wells on the property that are required to be abandoned will require a copy of a well abandonment permit from the State Water Resources Department indicating completion of the abandonment. The abandonment permit(s) shall be submitted to the Keizer Public Works Department.

18. The applicant shall submit a final partitioning plat prepared by a registered professional surveyor which conforms to the approved preliminary plat. Following plat approval, the final plat and title transfer instruments accomplishing the property adjustments shall be recorded with the Marion County Clerk by June 20, 2007. The plat shall include all engineering elements as required by the Department of Public Works and shall show all lot sizes and dimensions.

Prior To Obtaining Building Permit(s):

19. All public facilities and platting shall be completed prior to issuance of any building permits on the subject property.

Prior to Obtaining Building Permit Final for each dwelling within the partition:

20. The residential address requirements found in the Oregon Uniform Fire Code shall be completed as approved by the Keizer Fire District.

OTHER PERMITS AND RESTRICTIONS:

21. This approval does not remove or affect any covenants or restrictions imposed on the subject property by deed or other instrument. The proposed use may require permits from other local, State or Federal agencies. This decision does not take the place of, or relieve the responsibility for obtaining other permits or satisfying any restrictions or conditions thereon.

CITY COUNCIL MEETING: _____

AGENDA ITEM NUMBER: _____

TO: MAYOR CHRISTOPHER AND CITY COUNCIL MEMBERS

THROUGH: CHRIS EPPLEY
CITY MANAGER

FROM: ROB KISSLER, PUBLIC WORKS DIRECTOR
WILLIAM I PETERSON, CITY ENGINEER

SUBJECT: CHEMAWA STATION TANK (AREA D) KEIZER STATION

BACKGROUND:

The City of Keizer's Water System Master Plan identifies the need for elevated storage to assist in maintaining pressure through out the City in case of power failure and provide fire protection. The Keizer Station Development is required to provide through development review additional capacity to the City's Water System and pay a portion of construction costs. The location of the Tank is in Area D of the Keizer Station (Attachment A). Tank schematics and characteristics for internal and external (Attachment B). On June 29, 2006, bids were received and opened for the construction of the Chemawa Station Tank.

The Work is Summarized as Follows:

The design, fabrication, and erection of a 500,000 gallon Single Pedestal Spheroidal Potable Water Storage Tank, including the design and construction of its foundation, erosion control, clearing and grubbing, earthwork, piping, interior and exterior painting, and appurtenances common to such tanks.

All bids were received on time and have been certified by the City Engineer. After bid certification, the low bidder on this project is CBI Services, Inc., for a total amount of \$1,797,600.00. The average of the two bids was \$1,826,300.00. The highest bid received for was \$1,855,000.00. The Engineers estimate for this project was \$1,750,000.00

FISCAL IMPACT:

Funds for this project are identified in the Water Facilities Fund (\$1,200,000) and the Keizer Station LID (\$674,100). As development continues in the Keizer Station Areas B and C, funds will be reimbursed to the City for its cost of the Elevated Storage Tank.

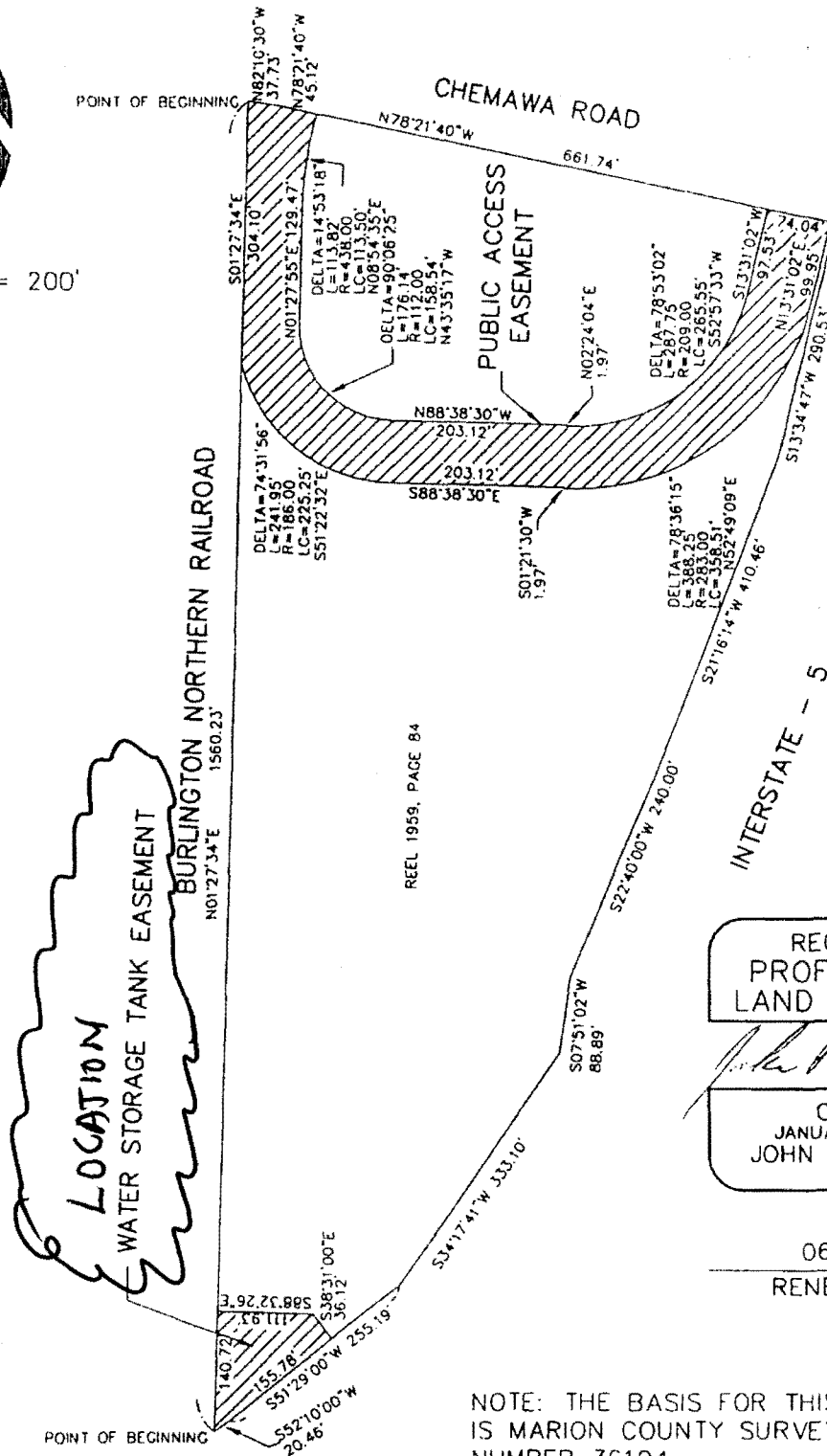
RECOMMENDATION:

It is recommended the City Council adopt the attached Resolution authorizing the City Manager to enter into a contract awarding the project to CBI Services, Inc. for construction of the Chemawa Station Tank for a total cost of \$1,797,600.00. Please contact me if you have questions.

ATTACHMENT "A"



SCALE: 1" = 200'



REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JANUARY 15, 1987
JOHN P. TACCHINI
2267

06-30-06
RENEWAL DATE

NOTE: THE BASIS FOR THIS DESCRIPTION
IS MARION COUNTY SURVEY OF RECORD
NUMBER 36194.

EXHIBIT MAP 'A'
CHEMAWA STATION
WATER STORAGE TANK EASEMENT
IN THE SOUTHEAST 1/4 OF SECTION
6, T.6 S., R. 3 W., W.M., CITY OF
KEIZER, MARION COUNTY, OREGON.

DATE	20JUNE05
DRAWN BY	JPT
CHECKED BY	BRS
REVISIONS	
JOB NO.	1693-01(C)

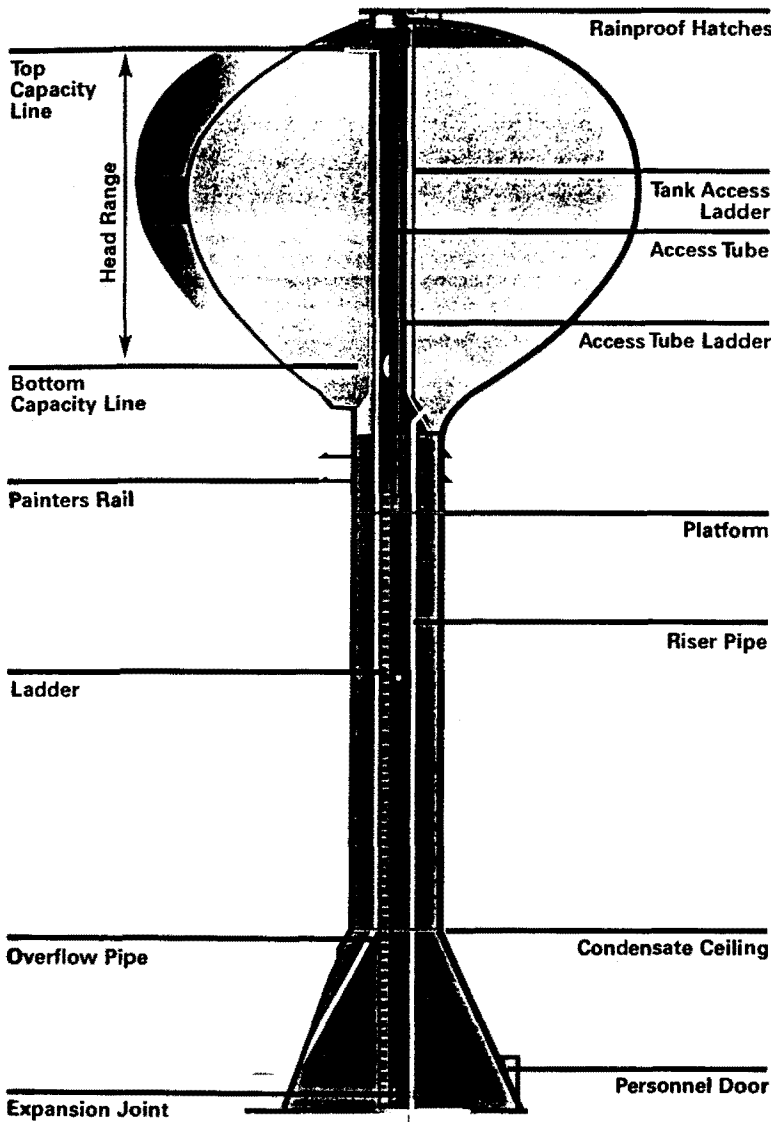
WESTLAKE
CONSULTANTS INC.

ENGINEERING • SURVEYING • PLANNING

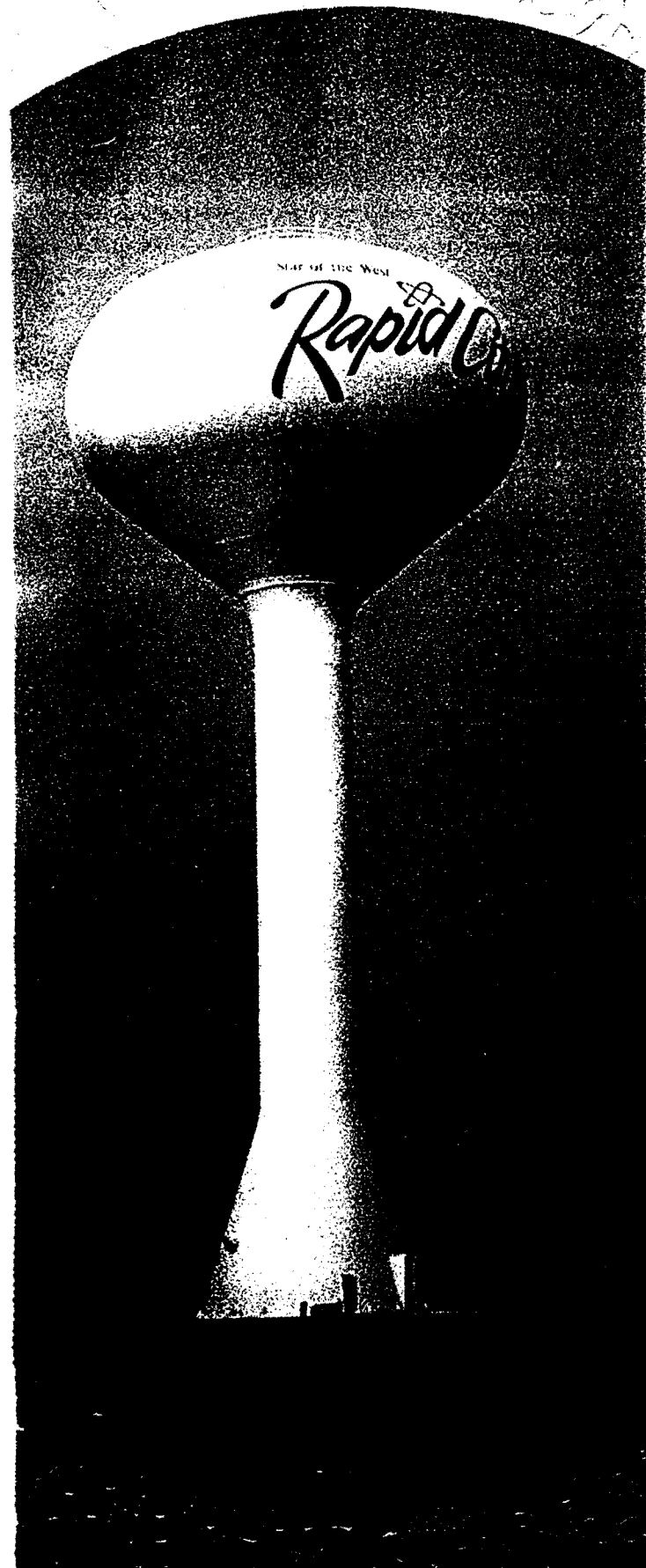
PACIFIC CORPORATE CENTER
15115 S.W. SEQUOIA PARKWAY, SUITE 150 (503) 884-0652
TIGARD, OREGON 97224 FAX (503) 624-0157

CBI Standard Dimensions

WATERSPHERE



Capacity U.S. Gallons	Spheroid Diameter	Head Range
150,000	35'-0"	30'-0"
200,000	39'-10"	30'-0"
250,000	42'-10"	32'-6"
300,000	46'-6"	32'-6"
400,000	50'-8"	37'-6"
500,000	55'-10"	37'-6"
600,000	58'-2"	40'-0"
750,000	64'-8"	40'-0"
1,000,000	74'-8"	40'-0"
1,250,000	78'-10"	44'-2"
1,500,000	86'-6"	46'-0"
2,000,000	93'-0"	52'-0"



CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

Resolution R2006-_____

AUTHORIZING THE CITY MANAGER TO AWARD CONTRACT TO CBI SERVICES INC., FOR CONSTRUCTION OF CHEMAWA STATION WATER STORAGE TANK

WHEREAS, the City of Keizer's Water System Master Plan identifies the need for elevated storage to assist in maintaining pressure throughout the City in case of power failure and provide fire protection;

WHEREAS, the Keizer Station project, through development review, is required to provide additional capacity to the City's water system and pay a portion of the construction costs. The location of the proposed storage tank is located in Area D of the Keizer Station development.

WHEREAS, on June 29, 2006 bids for this project were received and opened. The low bidder on the project was CBI Services, Inc. with the total bid of \$1,797,600.00. The bid has been reviewed and certified by the City Engineer. NOW, THEREFORE

BE IT RESOLVED by the City Council of the City of Keizer that the City Manager is hereby authorized to award a contract to CBI Services, Inc. for construction of the Chemawa Station water storage tank at a cost of \$1,797,600.00.

PASSED this ____ day of _____, 2006.

SIGNED this ____ day of _____, 2006.

Mayor

City Recorder

CITY COUNCIL MEETING: _____

AGENDA ITEM NUMBER: _____

TO: MAYOR CHRISTOPHER AND CITY COUNCIL MEMBERS

**THROUGH: CHRIS EPPLEY
CITY MANAGER**

**FROM: BILL LAWYER
PUBLIC WORKS SUPERINTENDENT**

SUBJECT: ANNUAL STREET MAINTENANCE

DATE: JULY 6, 2006

BACKGROUND:

The Department of Public Works in conjunction with Marion County solicited bids for slurry sealing various streets in Keizer. Slurry seals are a low cost maintenance method used to extend the life of our streets. This project consists of 54 streets totaling approximately 8.4 miles. See attachment "A" for a map showing the selected streets. The bids were received and opened on June 20th 2006. Two bids were received ranging from a high of \$157,326.17 to \$153,262.00. The lowest price was received from Blackline Inc. in the amount of \$153,262.00

FISCAL IMPACT:

Funds for this project are available in the fiscal year 06/07 Street Fund Budget line 100.

RECOMMENDATION:

Staff recommends council adopt the attached resolution authorizing the City Manager to enter into a contract with Blackline Inc. in the amount of \$153,262.00 for the slurry sealing of various City streets.

Please contact me with any questions or concerns.

1 CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

2 Resolution R2006-_____

3 AUTHORIZING THE CITY MANAGER TO ENTER AN AGREEMENT WITH
4 BLACKLINE, INC. FOR SLURRY SEALING ON VARIOUS STREETS
5 WITHIN THE CITY OF KEIZER
6

7 WHEREAS, the City of Keizer works in conjunction with Marion County for
8 slurry sealing various streets within the City of Keizer;

9 WHEREAS, as part of this program, 8.4 miles have been targeted to receive
10 the slurry seal maintenance to extend their street life;

11 WHEREAS, on June 20th bids were received and opened. The lowest of these
12 bids was received from Blackline, Inc. to seal the various streets as outlined in
13 Exhibit "A" which is attached hereto and by this reference made a part hereof. The
14 bid for this project is \$153,262.00. This bid has been reviewed and certified. NOW
15 THEREFORE

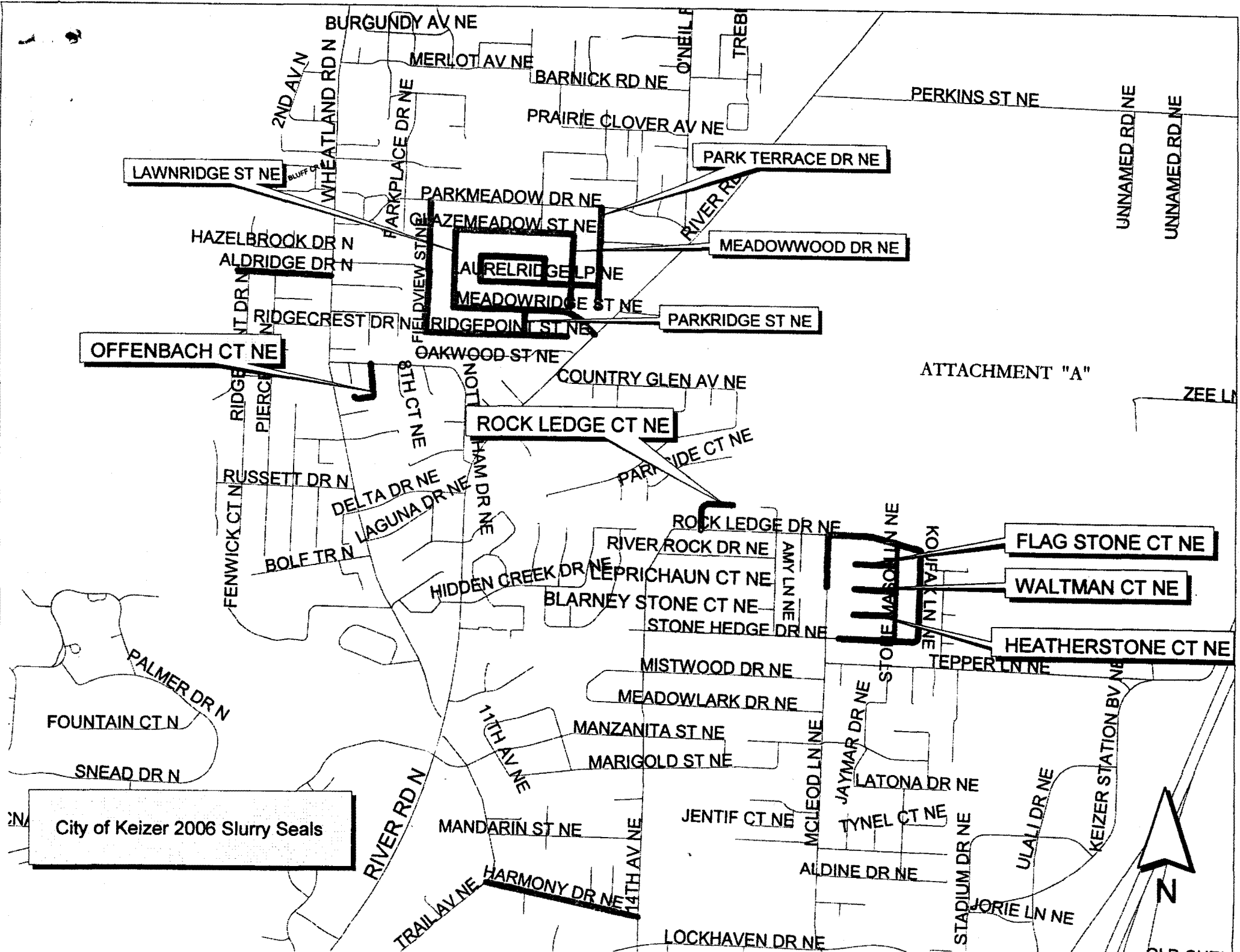
16 BE IT RESOLVED by the City Council of the City of Keizer that the City
17 Manager is hereby authorized to enter into an agreement with Blackline, Inc. to
18 slurry seal various streets within the City of Keizer for a cost of \$153,262.00.

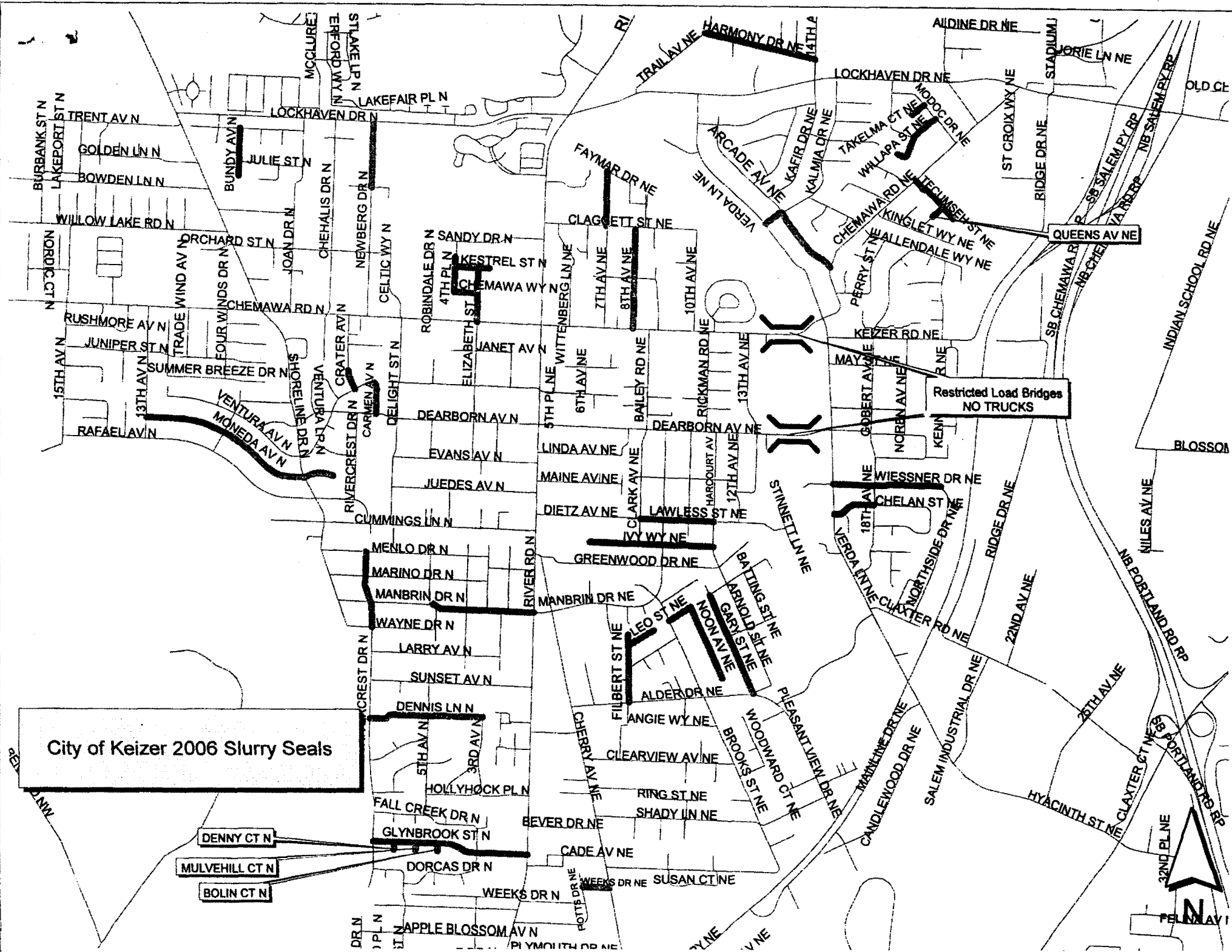
19 PASSED this _____ day of _____, 2006.

20 SIGNED this _____ day of _____, 2006.

21
22 _____
23 Mayor

24
25 _____
26 City Recorder





COUNCIL MEETING: July 10, 2006

AGENDA ITEM NUMBER: _____

TO: MAYOR CHRISTOPHER AND CITY COUNCIL MEMBERS

**THROUGH: CHRIS EPPLEY
CITY MANAGER**

**FROM: TRACY L. DAVIS, MMC
CITY RECORDER**

**SUBJECT: INITIATING BENSON ESTATES STREET LIGHTING LOCAL
IMPROVEMENT DISTRICT**

ISSUE:

Shall the City Council initiate Benson Estates Street Lighting Local Improvement District?

DISCUSSION:

A petition was filed on May 22, 2006 by the developer of Benson Estates to form a local improvement district for street lights in this area of Keizer. The petition contained the required signatures of the property owner as outlined by City of Keizer Ordinance 94-278.

RECOMMENDATION:

It is recommended that the City Council approve the Resolution Initiating Benson Estates Street Lighting Local Improvement District and direct the City Engineer to prepare a survey of the area.

1 **CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON**

2
3 **Resolution R2006-_____**

4
5 **DECLARING THE CITY'S INTENT TO INITIATE A STREET LIGHTING**
6 **LOCAL IMPROVEMENT DISTRICT (BENSON ESTATES) AND DIRECTING THE**
7 **CITY ENGINEER TO MAKE A SURVEY AND FILE A WRITTEN REPORT WITH**
8 **THE CITY RECORDER**
9

10 WHEREAS, the City Council of the City of Keizer has received a petition from the
11 developer to initiate a street lighting district in the Benson Estates development in the
12 City of Keizer, Oregon; and

13 WHEREAS, pursuant to City of Keizer Ordinance 94-278, the necessary
14 signatures of land owner comprising two-thirds of the property to be included within
15 Benson Estates Street Lighting District have requested the formation of the district;
16 NOW, THEREFORE,

17 BE IT RESOLVED by the City Council of the City of Keizer that:

- 18 1. The City Council declares its intent to initiate Benson Estates Street
19 Lighting Local Improvement District;
20 2. The map attached hereto, marked Exhibit "A", and by this reference
21 incorporated herein sets forth the proposed boundaries of the district;
22 3. The City Engineer is hereby directed to make a survey of the District;
23 4. The City Engineer shall file a written report with the City Recorder to be
24 considered by the City Council on August 21, 2006.

25 PASSED this ____ day of _____, 2006.

26 SIGNED this ____ day of _____, 2006.

27
28 _____
29 Mayor

30
31 _____
32 City Recorder

PETITION TO FORM LOCAL IMPROVEMENT DISTRICT FOR STREET LIGHTING

To the City Council for the City of Keizer:

The undersigned being the owner or contract purchaser of the described property hereinafter set opposite my or its name, hereby petition the Keizer City Council to form a STREET LIGHTING LOCAL IMPROVEMENT DISTRICT for:

Benson Estates

within the City of Keizer.

The legal description of the proposed district is:

T6S R3W 23 CD Lot # 00600

PLEASE ATTACH A MAP OF THE AREA

This petition to form this district is in conformity with the charter, ordinances and regulations of the City of Keizer.

PETITION SUBMITTED BY:

NAME: Brad Benson

ADDRESS: 11062 SE Happy Valley Dr.
Portland OR 97236

PHONE NUMBER: 1(503) 784-0583

DATE	DEED HOLDER/CONTRACT BUYER	SIGNATURE	ADDRESS OF PROPERTY (IF VACANT - LOT NUMBER/SECTION)
<u>5/22/06</u>	<u>Brad Benson, member of</u>	<u>Bdwb</u>	<u>1269 Barnick Rd NE</u>
<u>7/20</u>	<u>5 LOTS, LLC</u>		

SURVEYOR'S CERTIFICATE:

I, Edward L. Query, a Registered Professional Land Surveyor in Oregon, do hereby say that during the month of April, 2005, I did accurately survey and mark with proper monuments the land represented on the attached map, being more particularly described as follows:

Beginning at the Initial Point of this partition plat, which is a 5/8-inch by 30-inch iron rod with a yellow plastic cap marked "QUERY PLS 1653" set on the west line of HUNTER ADDITION PHASE 2 (V. 45, P. 101, B.O.T.P.) at a point which is South 89° 52' 01" East 920.71 feet and North 00° 13' 50" East 447.40 feet from the quarter corner between Sections 23 and 26 in Township 6 South, Range 3 West of the Willamette Meridian in Marion County, Oregon, said iron rod also marking the southeast corner of that tract of land conveyed to Brad Benson by deed recorded in Reel 2396, Page 453, Records for Marion County, Oregon;

Thence North 89° 52' 01" West along the south line of said Benson tract, a distance of 166.21 feet to an iron rod marking an angle corner in said south line;

Thence North 00° 13' 50" East 41.00 feet to an iron rod marking a second angle corner in the south line of said Benson tract;

Thence North 89° 52' 01" West continuing along the south line of said Benson tract, a distance of 150.13 feet to the southwest corner thereof, said point being on the east line of THE VINEYARDS NORTH (V. 43, P. 58, B.O.T.P.);

Thence North 00° 12' 51" East along said east line, a distance of 100.25 feet to an iron rod marking the northeast corner of subdivision, being also the northwest corner of the aforesaid Benson tract of land;

Thence South 89° 51' 23" East along the north line of said Benson tract, a distance of 316.37 feet to an iron rod marking the northeast corner thereof, being also the northwest corner of the aforesaid HUNTER ADDITION PHASE 2;

Thence South 00° 13' 50" West along the west line of said HUNTER ADDITION PHASE 2, a distance of 141.19 feet to the point of beginning and containing 38,519 square feet of land (0.8843 acres), more or less.

Edward L. Query
Registered Professional Land Surveyor No. 1653
License expires December 31, 2006



PVT. =

COUNCIL MEETING: July 10, 2006

AGENDA ITEM NUMBER: _____

TO: MAYOR CHRISTOPHER AND CITY COUNCIL MEMBERS

**THROUGH: CHRIS EPPLEY
CITY MANAGER**

**FROM: TRACY L. DAVIS, MMC
CITY RECORDER**

**SUBJECT: INITIATING NAOMI START SUBDIVISION STREET LIGHTING
LOCAL IMPROVEMENT DISTRICT**

ISSUE:

Shall the City Council initiate Naomi Start Subdivision Street Lighting Local Improvement District?

DISCUSSION:

A petition was filed on May 1, 2006 by the developer of the Naomi Start Subdivision to form a local improvement district for street lights in this area of Keizer. The petition contained the required signatures of the property owner as outlined by City of Keizer Ordinance 94-278.

RECOMMENDATION:

It is recommended that the City Council approve the Resolution Initiating Naomi Start Subdivision Street Lighting Local Improvement District and direct the City Engineer to prepare a survey of the area.

Resolution R2006-_____

WHEREAS, the City Council of the City of Keizer has received a petition from the developer to initiate a street lighting district in the Naomi Start Subdivision in the City of Keizer, Oregon; and

WHEREAS, pursuant to City of Keizer Ordinance 94-278, the necessary signatures of land owner comprising two-thirds of the property to be included within Naomi Start Subdivision Street Lighting District have requested the formation of the district; NOW, THEREFORE,

1. The City Council declares its intent to initiate Naomi Start Subdivision Street Lighting Local Improvement District;
2. The map attached hereto, marked Exhibit "A", and by this reference incorporated herein sets forth the proposed boundaries of the district;
3. The City Engineer is hereby directed to make a survey of the District;
4. The City Engineer shall file a written report with the City Recorder to be considered by the City Council on August 21, 2006.

SIGNED this _____ day of _____, 2006.

City Recorder

Recd
5-1-06

04/28/2006 FRI 14:08 FAX 5033908288

0002/002

PETITION TO FORM LOCAL IMPROVEMENT DISTRICT FOR STREET LIGHTING

To the City Council for the City of Kelzer:

The undersigned being the owner or contract purchaser of the described property hereinafter set opposite my or its name, hereby petition the Keizer City Council to form a STREET LIGHTING LOCAL IMPROVEMENT DISTRICT for:

Naomi Start Subdivision

within the City of Kelzer.

The legal description of the proposed district is:

1250 Alder St. NE Marion County Tax Map No. 073W11BA04100

PLEASE ATTACH A MAP OF THE AREA

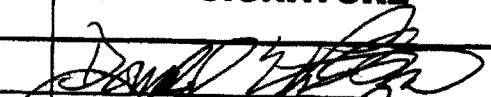
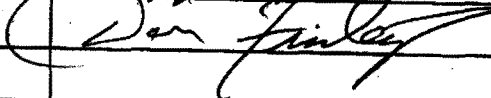
This petition to form this district is in conformity with the charter, ordinances and regulations of the City of Kelzer.

PETITION SUBMITTED BY:

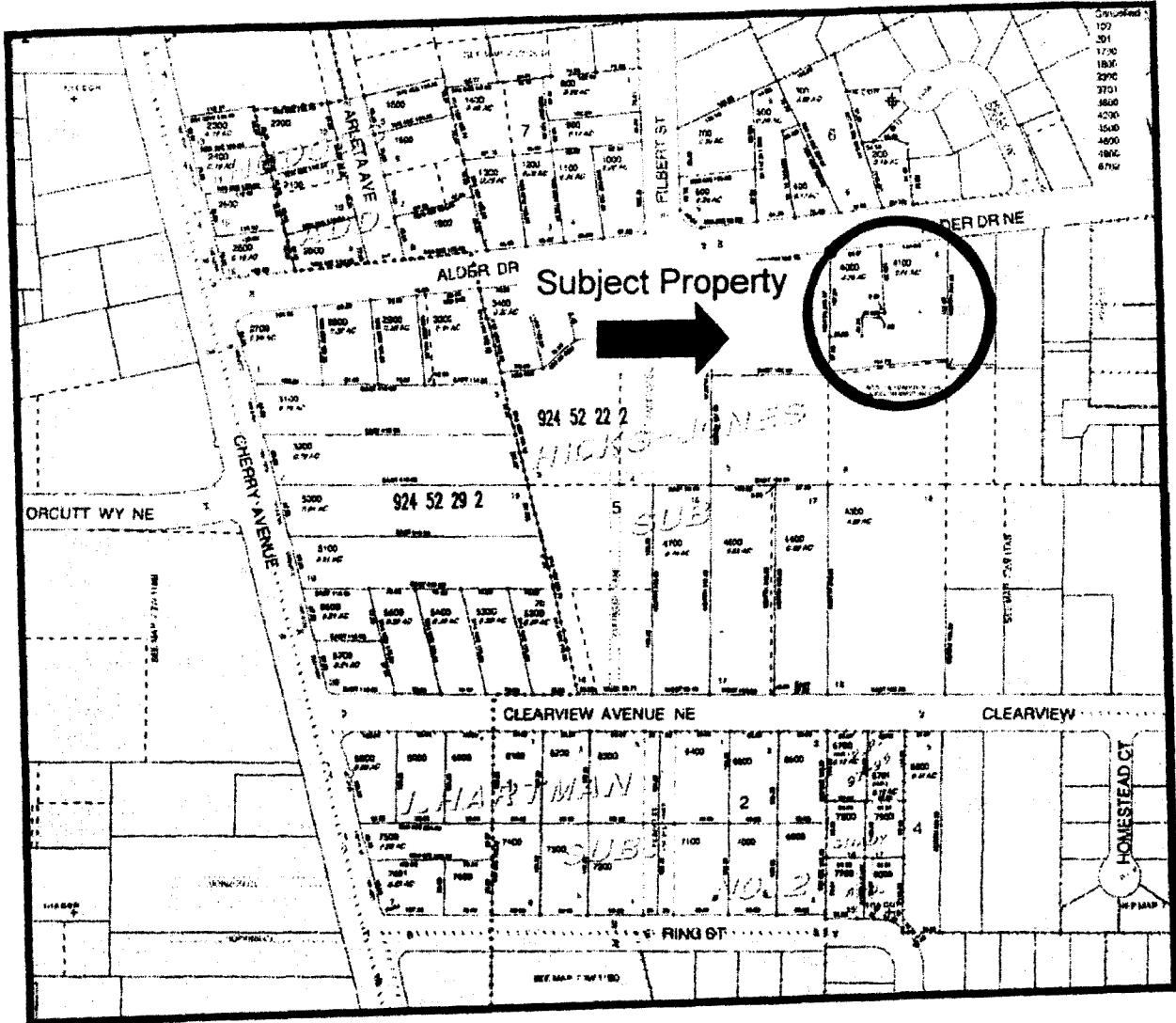
NAME: Don Finley

ADDRESS: 1763 Sunburst Ter NW

PHONE NUMBER: 503-363-1583

DATE	DEED HOLDER/CONTRACT BUYER	SIGNATURE	ADDRESS OF PROPERTY (IF VACANT - LOT NUMBER/SECTION)
4/27/06	Donald E. Pike		
5/1/06	Donald R. Finley		

Subdivision Case 2005-09
For Hearings Officer's Meeting
April 14, 2005



VICINITY MAP

COUNCIL MEETING: July 10, 2006

AGENDA ITEM NUMBER: _____

TO: MAYOR CHRISTOPHER AND CITY COUNCIL MEMBERS

**THROUGH: CHRIS EPPLEY
CITY MANAGER**

**FROM: TRACY L. DAVIS, MMC
CITY RECORDER**

**SUBJECT: BRIAN MEADOWS STREET LIGHTING LOCAL IMPROVEMENT
DISTRICT**

ISSUE:

On July 18, 2005, the City Council adopted Resolution R2005-1615 declaring the City's intent to initiate Brian Meadows Street Lighting Local Improvement District and directing the City Engineer to make a survey and file a written report with the City Recorder. This Council action was taken in response to a petition from the developer requesting the formation of a lighting district in this area.

Attached to this staff report is a City Engineer's report filed for Brian Meadows Street Lighting Local Improvement District. The report was reviewed by the Public Works Department and found to meet the guidelines as outlined in the City of Keizer Ordinance for development of street lighting districts. Upon adoption of the report by the City Council, a public hearing will be scheduled to receive any remonstrances to the formation of this street lighting district.

FISCAL IMPACT:

The costs for establishing the district in the first year include a fee for the engineers report and an administrative fee to cover the costs for advertising and staff time in establishing the district. The City receives reimbursement from the property owners for these costs and the actual electricity used through assessments placed on the tax rolls. All activity is budgeted through the Street Lighting District Fund.

RECOMMENDATION:

It is recommended City Council adopt a Resolution approving the City Engineer's Report and set the public hearing date for August 7, 2006 to consider remonstrances and other comments on the district's formation and objections to proposed assessments.

CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

Resolution R2006-_____

**APPROVING THE CITY ENGINEER'S REPORT; DECLARING
THE CITY'S INTENT TO FORM BRIAN MEADOWS STREET LIGHTING LOCAL
IMPROVEMENT DISTRICT; PROVIDING NOTICE AND SETTING HEARING**

BE IT RESOLVED by the City Council of the City of Keizer, Oregon:

Section 1. That the City Council hereby finds the City Engineer's Report, marked as exhibit "A" and by this reference incorporated herein, containing preliminary plans and an estimate of probable costs for Brian Meadows Street Lighting Local Improvement District which was filed with the City Recorder on September 27, 2005 to be satisfactory, and the same are hereby approved and adopted.

Section 2. That the City Council hereby declares its intention to form Brian Meadows Street Lighting Local Improvement District and to make the lighting district improvements to serve Brian Meadows Street Lighting Improvement District.

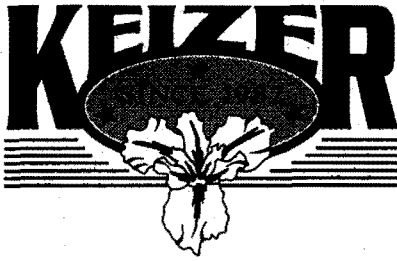
Section 3. That the City Council hereby directs the City Recorder to give notice of its intention to form Brian Meadows Street Lighting Local Improvement District and to make the improvements by sending notice to the property owners within the district stating a public hearing will be held on August 7, 2006, said notice to also provide that information required under City of Keizer Ordinance 94-278, an ordinance providing for procedures for municipal lighting districts and special assessments.

PASSED this ____ day of _____, 2006.

SIGNED this ____ day of _____, 2006.

Mayor

City Recorder



City of Keizer

Phone: (503) 390-3700 • Fax: (503) 393-9437
930 Chemawa Rd. N.E. • P.O. Box 21000 • Keizer, OR 97307-1000

ENGINEER'S REPORT

FOR

BRIAN MEADOWS SUBDIVISION

STREET LIGHTING DISTRICT

For City Council Action October 3, 2005



Renewal date: December 31, 2006

PREPARED BY:
Peterson Eng. Consultants, Inc.
4300 Cherry Ave. N
Keizer, OR 97303
(503) 390-7402

Date: September 20, 2005

Project File: 0940

"Pride, Spirit and Volunteerism"

TO: The Hon. Mayor and City Council

FROM: City Engineer's Office

SUBJECT: Street Lighting District for Clear Lake Meadows Subdivision

Authority and Purpose: This report is submitted in accordance with the requirements of City of Keizer **Ordinance No. 94-278** and Council **Resolution 2005-1615** for the purpose of creating the subject Street Lighting District.

District Boundaries and Map: A Map of the proposed District is attached showing the areas benefitted by the street lights proposed to be installed.

Lighting Plan The lighting improvements will consist of 5, 100 Watt, high pressure sodium, flat lens luminaries mounted on 6 foot long mast arms and attached to 30 foot gray fiberglass poles. This design is selected to be consistent with adjacent lighted areas. It is recommended that installation be accomplished by the following method:

The Developer would supply and install the luminaries and poles. Portland General Electric Co. (PGE) would install the underground or overhead wiring. PGE would also supply the electrical power to the District and maintain the luminaries and poles.

Estimated Costs:

Initial Cost and Annual costs -

5 Poles & 100 Watt luminaries @ \$5.60 per month each x 12 mos. =	\$336.00
Administrative Fee @ \$6.90/Lot:	151.80
Engineering @ \$14.00/Lot:	<u>308.00</u>
Total Assessment	<u>\$795.80</u>
(1)Per Lot Assessment (First Year, 22 Lots)	\$36.17

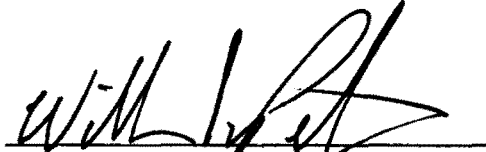
(1) Includes tax roll preparation, audit, delinquencies and miscellaneous administrative costs to the City as authorized by Res. 94-716.

Method of Assessment: It is recommended that the costs be assessed on a per lot basis to each parcel in the district.

The first year assessment would include the one time costs for District formation and engineering. Subsequent years assessments would reduce to \$15.27 per lot.

Assessment Roll: The attached preliminary assessment roll identifies the benefitted properties and the first year assessments to be levied against each.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'William I. Peterson', is written over a horizontal line.

William I. Peterson, PE

PRELIMINARY ASSESSMENT ROLL

**BRIAN MEADOWS SUBDIVISION
STREET LIGHTING DISTRICT**

***Assessors Maps 06 3W 35DD & 06 3W 36CC**

<u>Tax Lot #:</u>	<u>Owners Name and Address</u>	<u>Cost per Lot</u>	<u>Lots</u>	<u>Assessment</u>
35DD-7600 36CC-5200	FBO MONTGOMERY, KENNETH M & LINCOLN TRUST CO. TRE P.O. BOX 991 LAKE OSWEGO, OR 97034	\$36.17	22	\$795.80

TOTAL ASSESSMENT: \$795.80

ST LTS TO BE PLACED 7'
BEHIND CURB/SIDEWALK

⚡ - Proposed Street Light
(5)

POLE #0198
INSTALL 2" POLE CONDUIT UNIT
WITH 12" BRACKETS,
1-M2 C/O FIST
& LIGHTNING ARRESTER

POLE RELOCATED
ON JOB #383704

THIS PORTION OF TRENCH
TO BE IN ACCESS &
UTILITY EASEMENT

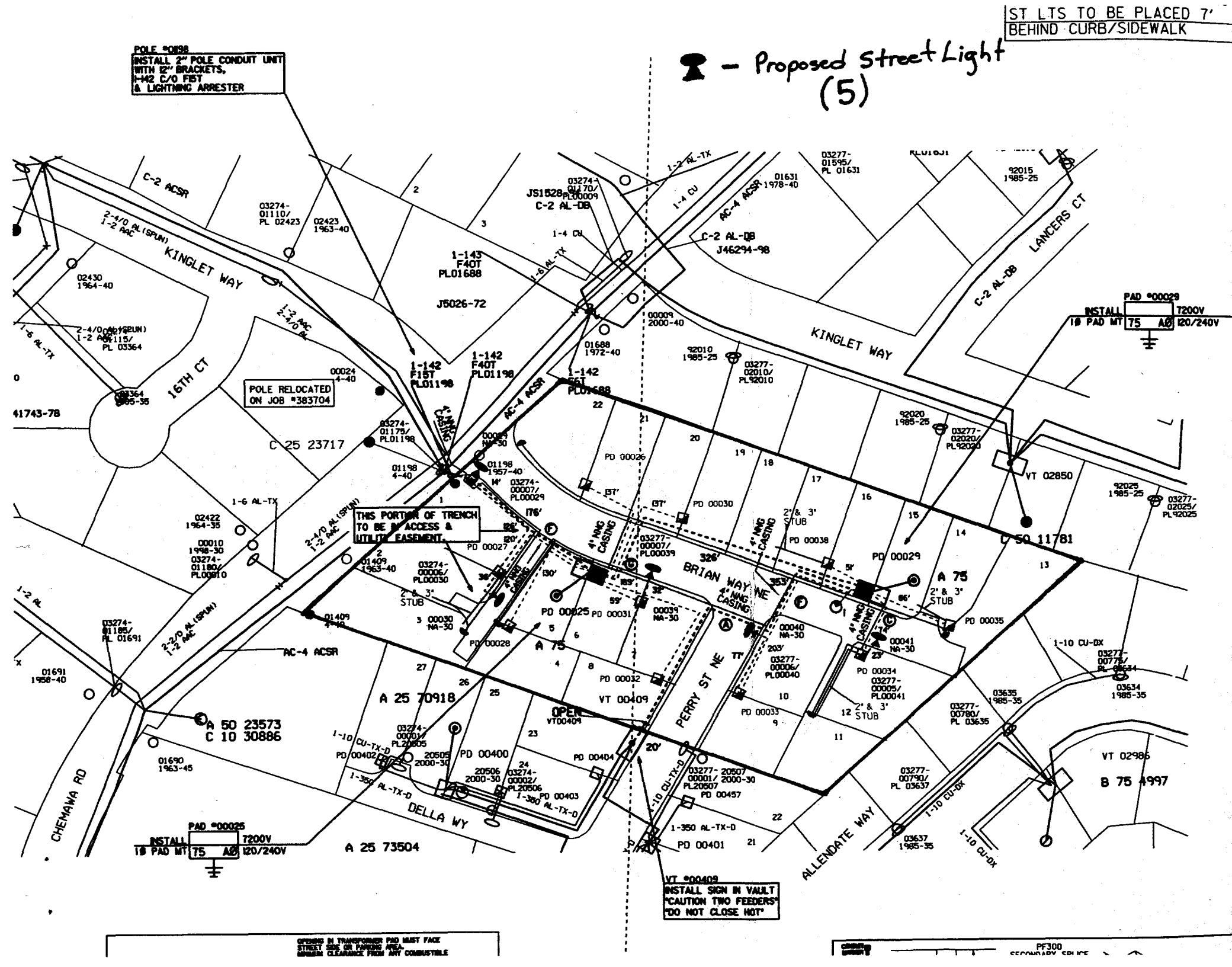
VT #00409
INSTALL SIGN IN VAULT
"CAUTION TWO FEEDERS"
"DO NOT CLOSE HOT"

PAD #00025
INSTALL 75 A 7200V
10 PAD MT 120/240V

PAD #00029
INSTALL 75 A 7200V
10 PAD MT 120/240V

OPENED IN TRANSFORMER PAD MUST FACE
STREET SIDE ON PARKING AREA
MINIMUM CLEARANCE FROM ANY COMBUSTIBLE

PF300
SECONDARY COIL W/PE





MINUTES
KEIZER CITY COUNCIL
Monday, June 5, 2006
Keizer City Hall
Robert L. Simon Council Chambers
Keizer, Oregon

**CALL TO
ORDER**

Mayor Christopher called the regular meeting to order at 7:37 pm. Roll Call was taken as follows:

Present:

Lore Christopher, Mayor
Richard Walsh, Council President
Jim Taylor, Councilor
Chuck Lee, Councilor
David McKane, Councilor
Jacque Moir, Councilor
Troy Nichols, Councilor

Staff:

Shannon Johnson, City Attorney
Chris Eppley, City Manager
Nate Brown, Community
Development
Rob Kissler, Public Works
Tracy Davis, City Recorder

Absent:

A.J. Perez, Youth Councilor

FLAG SALUTE
PUBLIC
TESTIMONY

Scotta Callister, publisher of Keizer Times, led the flag salute.

None

PUBLIC
HEARINGS
a. Keizer
Development
Code Text
Amendments

Community Development Director, Nate Brown summarized the recommended changes in the Development Code which included amendments of Off-street Parking and Loading, Site and Landscape Design Requirements, Yard and Lot Standards and an amendment to section 3.111 which would allow staff to initiate text amendments. He summarized that many of the changes were basically "housekeeping" and gave details on some of the changes. Discussion took place at length regarding the parking code, DLCDD approval, the goals and intents of the transportation planning rules and resultant eligibility for grants. Additional discussion took place regarding landscaping text amendments and fencing.

Mayor Christopher opened the Public Hearing.

With no testimony, Mayor Christopher closed the Public Hearing.

Councilor Moir moved to direct staff to prepare an ordinance with findings to adopt the proposed revisions to the Zone Code Regulations.
Councilor Nichols seconded.

Councilor Walsh moved to amend to keep the residential parking at 2 + 1 instead of changing it to just 2. Councilor McKane seconded. Motion failed as follows:

AYES: Christopher, Walsh and McKane (3)

NAYS: Lee, Moir, Nichols and Taylor (4)

ABSTENTIONS: None (0)

ABSENT: None (0)

Councilor Walsh moved to match the City of Salem maximum parking at 75% of minimum. Councilor McKane seconded.

Discussion took place at length regarding how this is determined. Shannon Johnson pointed out that if Council as a whole is concerned about the numbers, staff should review the entire issue. Discussion took place regarding increasing the maximum and initiating separate standards for residential and commercial.

Councilors Walsh and McKane withdrew their motion to amend.

Mayor Christopher restated the motion: To direct staff to prepare an ordinance with findings to adopt the proposed revisions to the Zone Code Regulations. Motion passed as follows:

AYES: Christopher, Lee, McKane, Moir, Nichols and Taylor (6)

NAYS: Walsh (1)

ABSTENTIONS: None (0)

ABSENT: None (0)

ADMINISTRATIVE ACTION

a. RESOLUTION – Authorization for Transportation Enhancement Grant Request

Nate Brown reviewed the background on this issue adding that the request is for \$885,968 of federal funds with a match from the city of \$101,513 as well as an expenditure of staff time. He added that in order to apply for this grant a motion of support must be in place.

Discussion took place regarding where the matching funds would come from since this amount is not in the budget. Councilor Walsh pointed out that many jurisdictions are supporting this effort and, if it was awarded to the city, the improvements to Chemawa Road would be substantial with 90% of the funding coming from outside the city's budget. Mr. Brown pointed out that typical award is for 50% of the request. Discussion took place regarding Street Fund and timing of the grant.

Councilor Walsh moved to adopt Resolution R2006 Supporting the Request for Transportation Enhancement Funds for Improvements to Chemawa Road North. Councilor Lee seconded. Motion passed unanimously as follows:

AYES: Christopher, Walsh, Lee, McKane, Moir, Nichols and Taylor (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

CONSENT CALENDAR

A. RESOLUTION – Authorizing the City Manager to Sign Keizer Police Association Agreement

Councilor Walsh moved to approve the Consent Calendar. Councilor Nichols seconded. Motion passed unanimously as follows:

AYES: Christopher, Walsh, Lee, McKane, Moir, Nichols and Taylor (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

COMMITTEE REPORTS

a. Report by City of Salem Staff on Salem/Keizer Housing Consortium

Taken out of order.

Sheri Wahgren, Urban Development Housing Manager, Salem

introduced her staff: Dan Urie, Rena Peck and Sara Deprees and reviewed the history of the consortium and the agreements, programs, plans and committees in place. She detailed the application process and project highlights.

Dan Urie, Construction Project Coordinator, Salem explained that he oversees the technical portion of the single family rehabilitation, home buyer and multi-family projects and detailed his duties. He then described the available programs for the area.

Rena Peck, Finance Project Coordinator, Salem explained that she helps to ensure that funds are spent and documented in accordance with regulatory requirements. She detailed two programs that are funded through this plan.

Sarah Devries, Administrative Analyst III, Salem explained the monitoring requirements adding that the program mission is to provide safe, decent and sanitary housing for low to moderate income individuals.

City Manager Chris Eppley thanked Salem staff and complimented them on their administration of this program. Mr. Urie then fielded questions from Council regarding applicant requirements, locations of homes that were funded and improved value of the funded properties. Mayor Christopher pointed out that applications for this program are available through the Keizer's Community Development Department.

OTHER BUSINESS

a. New Business b. Old Business

Councilor Moir reported that MWACT (Mid-Willamette Valley Area Commission on Transportation) has determined their two projects for allocations in 2008-11 and one of them is the Keizer Trans Station at \$2,500,000 out of a \$24 million project list. For this reason the TSP update should be updated so that bids for any project can be submitted.

Councilor Taylor invited everyone to the upcoming Keizer Points of Interest Committee at the Keizer Heritage Center at 6:30.

Councilor Walsh reported that

- Bikeways Committee rodeo went well. They submitted a proposal for Keizer Rapids Park bike trails and riding areas at the RIVERR Task Force meeting, helped support a skate park event at the Iris Festival which raised over \$600, and they have been distributing helmets.
- RIVERR Task Force Charettes are on June 16 and 17 and should result in 6 designs for the Keizer Rapids Park. He encouraged the

public to attend the open house to vote on the designs.

- The National Park Service Rivers and Trail Program is being considered for phasing out unless the populace offers support of the program. Anyone wishing information can contact Councilor Walsh.
- The second leg of the water trail opened with a float that included Governor Kulongoski who mentioned Keizer Rapids Park in his speech.

Councilor Lee reported that

- Youth Compact met on May 30 to review budgets and view a program by Salem Police and the Marion County Sheriff focusing mainly on the increased activity of gangs in the area. The group also received an update on the KROC center.
- No Meth, Not in My Neighborhood Task Force met on May 16 and agreed to continue their efforts with presentations throughout the area and continuation of current programs. He suggested that because the Keizer No Meth Task Force has completed its task and the efforts can now be carried on by larger organizations, the task force be disbanded some time in the future.
- The Marion County Children and Families Commission is working on strategic priorities: foster care forever and receiving homes, mental health, volunteer and mentor center and 0-3 Infant and Toddler Institute. 75 new foster families have been trained and established and a new forever home has opened in Woodburn in May.

Mayor Christopher stated that she had noticed more graffiti in town and asked staff to follow up. Additionally, she requested that an article be written by the local paper to bring this to light and to request paint donations.

Rob Kissler reported that Public Works has been working for the last few months with a consultant to develop a strategic plan and that process is coming to a close. He requested a work session on June 26 at 6 p.m. to provide the results of that plan.

Nate Brown reported that the Iris Festival information booth will be used at the Marion County Fair. Councilor Moir commended Cathy Lenox for her work on the information booth.

WRITTEN COMMUNICATIONS

Mayor Christopher explained that she had done a "Board Breaking" for the opening of Ireland's Black Belt Academy and received a plaque and designation as an Honorary First Degree Black Belt, the first in Oregon. She requested that these be displayed at City Hall.

The Mayor also reported that the 2005 Annual Survey compilation was completed by the League of Oregon Cities. She reviewed the results in detail stating that Crime Prevention, Methamphetamine Use and Traffic Congestion were the three highest concerns of citizens. A summary of the survey and the executive summary are available on the Keizer website.

City Manager, Chris Eppley pointed out that at least 60% of the citizens felt they were getting a good value for their Keizer tax dollar.

Rob Kissler advised the general public that protected permissive left turns have been installed on Dearborn and River and Manbrin and River.

AGENDA INPUT

June 12, 2006

6:00 p.m. Executive Session

June 19, 2006

6:30 p.m. Urban Renewal Agency

- 2006-2007 URA Budget Public Hearing and Adoption

7:00 p.m. City Council Regular Session

- 2006-2007 City of Keizer Budget Public Hearing and Adoption
- Public Hearing – Water Rate Fee Increase
- Mario's Bar Liquor License Application
- Cost Plus World Market Liquor License Application

July 3, 2006

7:00 p.m. City Council Regular Session

ADJOURNMENT

Mayor Christopher adjourned the meeting at 9:13 p.m.

APPROVED:

MAYOR:

Debbie Lockhart, Deputy City Recorder

Lore Christopher

COUNCIL MEMBERS

Councilor #1 – David McKane

Councilor #4 – Jacque Moir

Councilor #2 – Troy Nichols

Councilor #5 – Richard Walsh

Councilor #3 – Charles E. Lee

Councilor #6 – James Taylor

Minutes approved:



**MINUTES
KEIZER CITY COUNCIL**

Monday, June 19, 2006

Keizer City Hall

**Robert L. Simon Council Chambers
Keizer, Oregon**

**CALL TO
ORDER**

Mayor Christopher called the regular meeting to order at 7:37 pm. Roll Call was taken as follows:

Present:

Lore Christopher, Mayor
Richard Walsh, Council President
Jim Taylor, Councilor
Chuck Lee, Councilor
David McKane, Councilor
Jacque Moir, Councilor
Troy Nichols, Councilor
A.J. Perez, Youth Councilor

Staff:

Shannon Johnson, City Attorney
Chris Eppley, City Manager
Susan Gahlsdorf, Finance
Director
Nate Brown, Community
Development
Rob Kissler, Public Works
Tracy Davis, City Recorder

**FLAG SALUTE
PUBLIC
TESTIMONY**

Susan Gahlsdorf led the pledge of allegiance.

Prior to any public testimony, Mayor Christopher noted that staff had requested additional time to prepare for the issue (Item 6b on the agenda) *In the Matter of the Application of Scott and Sharon White to Annex a Portion of Property Located at 7029 Fir Grove North, Keizer to the City Limits of the City of Keizer (Case No. 2005-35)*. By consensus Council agreed to postpone this issue to the July 10, 2006 Council meeting.

Sheri Wahrgren, City of Salem, reported that inadvertently Salem had submitted for adoption the 2005-2006 One-Year Action Plan instead of the 2006-2007 Plan. Upon review, it was noted that the dates on the Consent Calendar Resolution were incorrect. Council members agreed to pull this item, amend it and adopt it as amended.

Rich Ford, Keizer, Oregon, explained that the Parks Advisory Board is beginning the process for updating the master plan. Four categories have been decided upon:

- 1) Identify needs and opportunities
- 2) Consolidate all plans/master plan all parks
- 3) Better promotion of parks/recreation
- 4) Consolidate/Update Policies-Ordinances

Mr. Ford gave details on each of these categories and added that, with

**PUBLIC
HEARINGS**
**a. Mario's Bar
Liquor
License
Application**

the substantial addition of Keizer Rapids Park, the future budget needs of the Parks Department will most likely increase.

Further discussion took place regarding the recently held Charette for Keizer Rapids Park planning. Nate Brown explained that 150 ballots were submitted; the votes and written responses will be compiled and a staff recommendation submitted to Council along with copies of the scenarios. When Council determines the park of choice, this scenario would be submitted to the Marion County Planning for a land use determination and public hearing. Nate concluded that he hopes that within the next three months an application would be submitted to Marion County. He then reviewed in detail the process which took place at the Charette adding that the scenarios will be placed on the website for viewing and any questions or concerns can be submitted to the Community Development Department.

Mr. Brown also explained that the Task Force needs to establish interim policies prior to land use approval by Marion County. He concluded that he will submit a proposal at August meeting regarding the cessation of the Task Force.

Council members voiced appreciation to Nate Brown, Sam Litke and the park hosts, Shane and Maleah Witham, for all their work.

City Manager Chris Eppley reported that an application was submitted for a Full On Premises Sales Liquor License for Mario's Bar at 5179 River Road North in Keizer, Oregon. A public hearing was scheduled, notice published, necessary notification given, a background check was done, and Keizer Planning Department finds the location of the establishment to be properly zoned and has no comment on the application. Staff recommends that following a public hearing Council approve the application.

Councilor Taylor stated that he had a possible conflict of interest because he wife works in the area, but that he would be voting on the issue.

Mayor Christopher opened the Public Hearing.

Rich Giddens, Petitioner and Executive Chef fielded questions regarding parking, proximity to neighborhood and school, outdoor seating, music, and the Responsible Vendor Program.

Virginia McClure, Keizer, voiced opposition to the granting of the liquor license because of the increased traffic in the Sandy Drive neighborhood, overflow parking, and the fact that liquor just does not, in her opinion, fit into the neighborhood. She encouraged the Council to reconsider the issuance of this liquor license.

Mayor Christopher pointed out that the final authority rests with the OLCC and that Council simply makes a recommendation.

Marcella Oldenberg, Keizer, echoed Ms. McClure's comments.

With no further testimony Mayor Christopher closed the Public Hearing.

Councilor Walsh moved to approve the application for a Full On Premises Liquor License for Mario's Bar under the guidelines as established by ORS 471.178 and the Ordinances of the City of Keizer, and to forward the recommendation to the Oregon Liquor Control Commission for final approval. Councilor Moir seconded.

Discussion took place regarding parking, the noise ordinance and traffic. Councilor Walsh noted that this business has received an award as one of the best restaurants and welcomed the business owners. Councilor Lee echoed Councilor Walsh and encouraged the owners to be good neighbors. Nate Brown urged the neighbors opposed to the granting of this liquor license to contact the OLCC for the process in this matter.

Motion passed as follows:

AYES: Christopher, Walsh, Lee, McKane, Moir and Nichols (6)

NAYS: Taylor (1)

ABSTENTIONS: None (0)

ABSENT: None (0)

**b. Cost Plus
World Market
Liquor
License
Application**

City Manager Chris Eppley reported that an application was submitted for an Off Premises Sales Liquor License for Cost Plus World Market, 6160 Ulali Drive NE, in Keizer, Oregon. A public hearing was scheduled, notice published, necessary notification given, a background check was done, and Keizer Planning Department finds the location of the establishment to be properly zoned and has no comment on the application. Staff recommends that following a public hearing Council approve the application.

Mayor Christopher opened the Public Hearing.

With no testimony, Mayor Christopher closed the Public Hearing.

Councilor Walsh moved to approve the application for an Off Premises Liquor License for Cost Plus World Market under the guidelines as established by ORS 471.178 and the Ordinances of the City of Keizer, and to forward the recommendation to the Oregon Liquor Control Commission for final approval. Councilor Moir seconded. Motion passed unanimously as follows:

AYES: Christopher, Walsh, Lee, McKane, Moir, Nichols and Taylor (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

**c. ORDINANCE
~ Setting
Water Rates
(2006)
Repealing
Ordinance
2005-528**

Susan Gahlsdorf explained how Finance Department researched the various fees charged to customers and citizens of Keizer, how this will be organized and how the fee review and change will become uniform. Mayor Christopher reminded citizens that the cost of Service Analysis done in 2002 resulted in an agreed upon annual tax increase for a period of 8 years which will raise \$87,000 to build into the system the capital improvement projects: new wells, replacement wells, reservoirs and water line replacements. She noted that there will be three more annual increases. Rob Kissler explained this in more detail. An analysis is done every year because the increase is related to usage.

Ms. Gahlsdorf explained that staff is proposing increased charges for various services including Shut-off Processing, After Hours Fees and Tampering Fees.

Mayor Christopher opened the Public Hearing.

With no testimony, Mayor Christopher closed the Public Hearing.

Rob Kissler explained what would happen if this issue was not passed. Councilor Taylor pointed out that Keizer has some of the best and purest water in the west due to the diligence of staff in keeping the system up to date. Councilor Walsh added that this is a safety, health and fire issue.

Councilor Walsh moved to adopt Ordinance No. 2006 Setting Water Rates (2006); Repealing Ordinance 2005-528. Councilor Taylor seconded. Motion passed unanimously as follows:

AYES: Christopher, Walsh, Lee, McKane, Moir, Nichols and Taylor (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

**d. Proposed
Land Use,
Sign Permits,
Plan Check
and
Construction
Permit Fee
Increases**

Finance Director Susan Gahlsdorf reviewed the background, issues and fiscal impact of the recommended change in fees adding that this was primarily a "housekeeping" issue. Discussion took place regarding tying fees to an "index". Mayor Christopher suggested tying the Land Use Application Fee to an index with the understanding that if a greater increase was necessary it could be adjusted. Ms. Gahlsdorf agreed to this and suggested that it be reviewed and adjusted every three years.

Discussion then took place regarding the various fees and sign permits.

Mayor Christopher opened the Public Hearing.

With no testimony, Mayor Christopher closed the Public Hearing.

Councilor Walsh moved to adopt Resolution 2006, Sign Permit Fees (Repealing R90-465). Councilor Nichols seconded.

Director Gahlsdorf inquired if Council wished to amend these resolutions to include indexing methodology.

Councilor Walsh withdrew his motion and moved to adopt Resolution

R2006 Sign Permit Fees (Repealing R90-465) amended to include automatic adjustments for Portland CPI every three years. Councilor Taylor seconded. Motion passed unanimously as follows:

AYES: Christopher, Walsh, Lee, McKane, Moir, Nichols and Taylor (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

Councilor Walsh moved to adopt Resolution R2006 Land Use Fee Schedule (Amending R2004-1492) amended to include automatic adjustments for Portland CPI every three years. Councilor Taylor seconded. Motion passed unanimously as follows:

AYES: Christopher, Walsh, Lee, McKane, Moir, Nichols and Taylor (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

Councilor Walsh moved to adopt Resolution R2006 Plan Check and Construction Permit Fees (Amending R200-1163). Councilor Taylor seconded. Motion passed unanimously as follows:

AYES: Christopher, Walsh, Lee, McKane, Moir, Nichols and Taylor (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

e. Proposed Police Impounds, City Hall Room Rental, Park Reservation and Administrative Service Fee Increases

Director Gahlsdorf reviewed the fees which affect the general fund: Administrative Fees, Police Impound Fees, City Hall Rental Fees and Park Reservation Fees. She stated that none of these fee increases were included in the revenue forecasts for the upcoming 2006-07 budget and then fielded questions from Council. A correction (\$11.00 to \$12.00 on line 15) was made on the Park Reservation Fee Resolution.

Mayor Christopher opened the Public Hearing.

With no testimony, Mayor Christopher closed the Public Hearing.

Councilor Walsh moved to adopt Resolution R2006 Establishing Fees for Certain Administrative Services (Repealing R2003-1404 and R2003-1437). Councilor Moir seconded.

Susan Gahlsdorf pointed out that this resolution calls for review every three years but does not specify the Cost of Living Index.

Councilors Walsh and Moir withdrew their motion and second.

Councilor Walsh moved to adopt Resolution R2006 Establishing Fees for Certain Administrative Services (Repealing R03-1404 and R03-1437) amended to include automatic adjustments for the Portland CPIW every three years. Councilor Moir seconded. Motion passed unanimously as follows:

AYES: Christopher, Walsh, Lee, McKane, Moir, Nichols and Taylor (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

Councilor Walsh moved to adopt Resolution R2006 Policy for Community Use of City Hall Facilities (Repealing R2001-1287) amended to include automatic adjustments for the Portland CPIW every three years. Councilor Moir seconded. Motion passed unanimously as follows:

AYES: Christopher, Walsh, Lee, McKane, Moir, Nichols and Taylor (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

Councilor Walsh moved to adopt Resolution R2006 Keizer Park Reservation Fees and the Amounts of Those Fees (Amending R99-1112) amended to include automatic adjustments for the Portland CPIW every three years and amended to include the correction on line 15 (\$11.00 to \$12.00). Councilor Moir seconded. Motion passed unanimously as follows:

AYES: Christopher, Walsh, Lee, McKane, Moir, Nichols and Taylor (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

Councilor Walsh moved to adopt a Bill for an Ordinance Increasing the Administrative Fee for Vehicles that are Uninsured or Driven by Drivers without Driving Privileges; Amending Ordinance No. 94-310; repealing Ordinance No. 98-396 and Ordinance No. 2001-453 amended to include automatic adjustments for the Portland CPIW every three years. Councilor Moir seconded. Motion passed unanimously as follows:

AYES: Christopher, Walsh, Lee, McKane, Moir, Nichols and Taylor (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

Councilor Walsh moved to adopt a Bill for an Ordinance Increasing the Administrative Fee for Vehicles Operated by Persons Under the Influence of Intoxicants; amending Ordinance No. 95-322; Repealing Ordinance No. 98-395 and Ordinance No. 2001-454 amended to include automatic adjustments for the Portland CPIW every three years. Councilor Moir seconded. Motion passed unanimously as follows:

AYES: Christopher, Walsh, Lee, McKane, Moir, Nichols and Taylor (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

**f. RESOLUTION –
Application Fee
for Public**

Finance Director Susan Gahlsdorf reviewed the background, issues and fiscal impact of this resolution and fielded questions from Council.

**Improvements
Reimbursement
Districts
(Amending
R2003-1443)**

Mayor Christopher opened the Public Hearing.

With no testimony, Mayor Christopher closed the Public Hearing.

Councilor Walsh moved to adopt Resolution R2006 Application Fee for Public Improvements Reimbursement Districts (Amending R2003-1443). Councilor Lee seconded. Motion passed unanimously as follows:

AYES: Christopher, Walsh, Lee, McKane, Moir, Nichols and Taylor (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

**g. RESOLUTION –
Change in
Sewer
Administration
Fee**

Finance Director Susan Gahlsdorf reviewed the background, issues and fiscal impact of this resolution.

Mayor Christopher opened the Public Hearing.

With no testimony, Mayor Christopher closed the Public Hearing.

Councilor Walsh moved to adopt Resolution R2006 Change in Sewer Administration Fee (Repealing R2003-1413). Councilor Lee seconded. Motion passed unanimously as follows:

AYES: Christopher, Walsh, Lee, McKane, Moir, Nichols and Taylor (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

**h. RESOLUTION –
Authorization
for Resolution
Transfer
(Supplemental
Budget)**

Finance Director Susan Gahlsdorf explained that staff has identified the following items for supplemental budget: General Fund, Street Fund, 9-1-1 Fund, Public Education Government Fund, Keizer Station LID Fund, Park Improvement Fund, Sewer Reserve Fund and Street Lighting District Fund. She added that these adjustments were anticipated in preparing the fiscal year 2006-2007 Budget.

Mayor Christopher opened the Public Hearing.

With no testimony, Mayor Christopher closed the Public Hearing.

Councilor Walsh moved to adopt Resolution R2006 Authorization for Resolution Transfer. Councilor Nichols seconded. Motion passed unanimously as follows:

AYES: Christopher, Walsh, Lee, McKane, Moir, Nichols and Taylor (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

**i. RESOLUTION ~
Adopting FY
2006-2007 City**

Finance Director Susan Gahlsdorf reviewed the background, issues and fiscal impact of the 2006-2007 Budget. She noted that since the Budget Committee Approved Budget passed, new information has become

**of Keizer
Budget, Making
Appropriations
and Imposing
and
Categorizing
Taxes**

available that affects various funds. She then reviewed recommended adjustments to the fiscal year 2006-2007 Budget.

Mayor Christopher opened the Public Hearing.

With no testimony, Mayor Christopher closed the Public Hearing.

Councilor Walsh moved to adopt Resolution R2006 Adopting the FY2007 Budget, Making Appropriations and Imposing and Categorizing Taxes with staff recommended changes. Councilor Moir seconded.

Councilor McKane offered a friendly amendment to revise the general fund under Administration, line number 52, removing \$6,000 for the Library Grant.

Councilor Walsh did not accept the amendment.

Councilor McKane moved to amend the budget to revise the general fund under Administration, line number 52, removing \$6,000 for the Library Grant. Councilor Nichols seconded.

Councilor Walsh pointed out that the \$6,000 is a matching portion; if the grant is received the City would contribute \$6,000 and the state would contribute approximately \$35,000 to hire a professional to work on this project.

Motion failed as follows:

AYES: Nichols, McKane and Moir (3)

NAYS: Christopher, Walsh, Taylor and Lee (4)

ABSTENTIONS: None (0)

ABSENT: None (0)

Mayor Christopher restated the original motion: To adopt Resolution R2006 Adopting the FY2007 Budget, Making Appropriations and Imposing and Categorizing Taxes with staff recommended changes.

Motion passed unanimously as follows:

AYES: Christopher, Walsh, Lee, McKane, Moir, Nichols and Taylor (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

**ADMINISTRATIVE
ACTION**

**a. ORDINANCE –
Amending
Keizer
Development
Code**

City Attorney, Shannon Johnson, noted that his copy was not in color but the language is all correct and it amends the various sections.

Councilor Walsh moved to adopt a Bill for an Ordinance Amending Keizer Development Code Regarding Section 2.303 (Off-Street Parking and Loading), Section 2.309 (Site and Landscaping Design), Section 2.312 (Yard and Lot Standards), and Section 3.111 (Text Amendments); Amending Ordinance 98-389. Councilor Moir seconded.

Councilors Walsh and Taylor voiced opposition to the parking reductions.

Motion passed as follows:

AYES: Christopher, Lee, McKane, Moir, Nichols (5)

NAYS: Walsh and Taylor (2)

ABSTENTIONS: None (0)

ABSENT: None (0)

This issue will be brought back for a second reading at the July 10 Council meeting.

CONSENT CALENDAR

- A. RESOLUTION – Declaring the City’s Election to Receive State Shared Revenue**
RESOLUTION – Certifying the City of Keizer Provides Four or More Municipal Services
- B. Postponement of July 3, 2006 Regular Session to July 10, 2006**
- C. RESOLUTION – Authorizing the City Manager to Sign Contract with Houck Construction for 2006 Street Overlay projects**
- D. Approval of May 15, 2006 Regular Session Minutes**
- E. RESOLUTION – Adopting the Housing and Community Development Action Plan One Year Use of Funds – Salem and Keizer 2005-2006 and Housing and Community Development Consolidated Plan FY 2005-2006 (Repealing R2006-1692)**

Councilor Walsh pulled item E. Councilor Moir pulled item D.

Councilor Walsh moved to approve items A, B, and C on the Consent Calendar. Councilor Nichols seconded. Motion passed unanimously as follows:

AYES: Christopher, Walsh, Lee, McKane, Moir, Nichols and Taylor (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

Councilor Moir corrected “Salem Waterways Task Force” to “Salem Water Wastewater Task Force” and moved approve the May 15, 2006 Regular Session Minutes as amended. Councilor Nichols seconded. Motion passed unanimously as follows:

AYES: Christopher, Walsh, Lee, McKane, Moir, Nichols and Taylor (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

Councilor Walsh moved to approve Resolution R2006 Adopting the Housing and Community Development Action Plan One Year Use of Funds – Salem and Keizer, as amended (Amending R2006-1692) Councilor Nichols seconded. Motion passed unanimously as follows:

AYES: Christopher, Walsh, Lee, McKane, Moir, Nichols and Taylor (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

COMMITTEE REPORTS

a. Volunteer of the Quarter Award – A.J. Perez

Mayor Christopher explained that the Volunteer Coordinating Committee had created a new volunteer recognition program to recognize the youth volunteers within the community and A.J. Perez was the first recipient of this award. The award was presented to him along various other gifts from Council. Council members praised A.J. and wished him well.

OTHER BUSINESS

a. New Business

b. Old Business

Councilor Walsh reported that the RIVERR Task Force would not be meeting again until August.

Councilor Taylor stated that he hoped to have a report about “Nessie” the lost train at the next meeting.

Councilor Moir reported that the Wallace House Task Force would be meeting the next day and she would have a report at the next Council meeting.

Mayor Christopher reported that submissions were in for the Mayors Association contest (essays and posters) and winners will be coming to the next meeting with the winning essay and poster being forwarded on to the final competition.

Chief Marc Adams reported on staffing changes in the department and reported that extensive damage was caused to a police car over the weekend but it will be repaired.

Rob Kissler reminded Council of the Public Works Strategic Plan Work Session on June 26 at 5:45 p.m.

Nate Brown reported that June River Task Force was cancelled but the next meeting will be in **July**.

Youth Councilor Perez thanked Council adding that he had learned a lot during his year with the Council.

WRITTEN COMMUNICATIONS

Mayor Christopher read a letter from a recent graduate of Keizer Elementary who just received an award as the Fifth Grader Most Likely to Become the President of the United States, Kevin Walsh.

AGENDA INPUT

July 3, 2006

Meeting Postponed to July 10, 2006

July 10, 2006

7:00 p.m. City Council Regular Session

July 17, 2006

7:00 p.m. City Council Regular Session

ADJOURNMENT

Mayor Christopher adjourned the meeting at 9:45 p.m.

APPROVED:

MAYOR:

Debbie Lockhart, Deputy City Recorder

Lore Christopher

COUNCIL MEMBERS

Councilor #1 – David McKane

Councilor #4 – Jacque Moir

Councilor #2 – Troy Nichols

Councilor #5 – Richard Walsh

Councilor #3 – Charles E. Lee

Councilor #6 – James Taylor

Minutes approved:

COUNCIL MEETING: July 10, 2006

AGENDA ITEM NUMBER: _____

TO: MAYOR CHRISTOPHER AND CITY COUNCIL MEMBERS

**FROM: TRACY L. DAVIS, MMC
CITY RECORDER**

**SUBJECT: OREGON MAYOR'S ASSOCIATION 2006 STUDENT POSTER AND
ESSAY CONTEST**

The Oregon Mayors Association (OMA) sponsored a statewide poster and essay contest for Middle School and High School students. The Middle School students were asked to create an original hand-designed poster that illustrates what their city would look like if their ideas as Mayor became a reality. The High School students were asked to write an essay addressing the subject with the opening line, "If I Were Mayor, I Would...."

Posters and Essays were to be submitted at the local level first for judging. The first place winners in each category will be forwarded on to the state-wide competition. Each of the 271 cities in Oregon may provide a poster and essay winner. The grand prize at the state level will be a lap top computer for the winning essay and a desk top computer for the winning poster.

On June 26th, the Keizer City Council each voted on 1st, 2nd, and 3rd place winners for the poster contest. The following winners have been notified and asked to attend the Council meeting this evening. The City purchased \$25.00 gift certificates at Border's Books for the winners.

- 1st Place – Will Opgenorth – Whiteaker Middle School
- 2nd Place – Katie Lee – Claggett Creek Middle School
- 3rd Place – Kayla Carranza – Claggett Creek Middle School

The City received one entry for the High School essay contest. Evan Christopher from McNary High School submitted the essay and has been invited to the meeting to read his essay.

"If I Were Mayor, I Would..."

2006 Student Poster & Essay Contest



The Oregon Mayors Association (OMA) invite Middle School and High School students to participate in a statewide poster and essay contest. Oregon's mayors want to hear what students would do if they were in the mayor's shoes.

Middle School students are asked to create an original hand-designed poster that illustrates what their city would look like if their ideas as mayor became a reality.

High School students are asked to write an original essay addressing the subject with the opening line, "If I Were Mayor, I Would..."

Students must submit their original work to their local City Hall at the address below. Local Prizes will be awarded and one (1) poster finalist and one (1) essay finalist from each participating Oregon City (possible of 271 total) will be forwarded and eligible for the Statewide Prizes:

Grand Prize of a lap-top computer for the
winning essay
Grand Prize of a desk-top computer for the
winning poster

Grand prize winners will also be recognized at the League of Oregon Cities annual conference in Portland on September 28-30, 2006. Posters will be displayed; the original essay will be read.

Winner's parent(s) or guardian(s) must be available to accompany the student to the conference.

How to Enter

Submit your original poster or essay **with** a completed entry form to:

Attention Tracy Davis, City of Keizer
930 Chemawa Road
Keizer, Oregon 97303

Local Contact telephone: 503-390-3700
E-mail: DavisT@Keizer.org

What Does a Mayor Do?

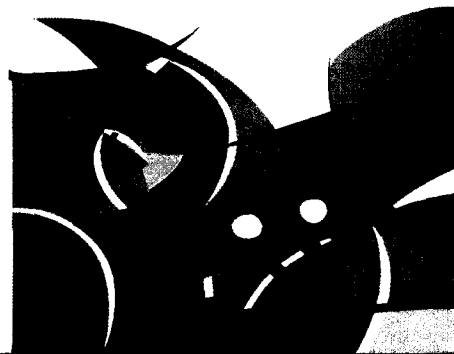
Oregon mayors are elected to serve as the head of a city's governing body—the city council. They are the recognized civic leader in the eyes of the community. The mayor presides over council meetings and participates in discussions. In many cases he or she votes on issues only in cases of a tie. Depending on the city's charter, the mayor may also appoint committees with council approval, veto ordinances (city laws) passed by the council, and sign ordinances and other records approved by the council.

Contest Deadline

Submissions must be received by May 31, 2006.
Local winners will be notified by approximately June 30, 2006.

Questions?

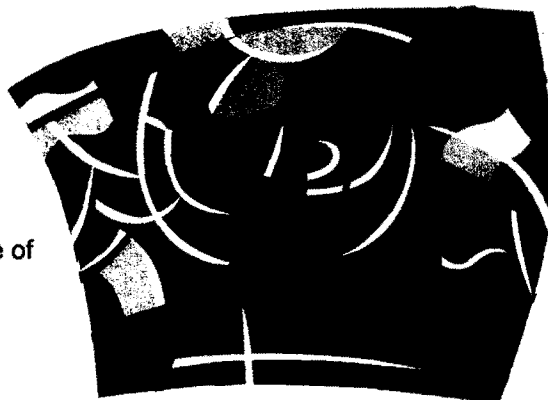
Contact Joann Ghelfi, League of Oregon Cities, at (503) 588-6550 or jghelfi@orcities.org



Judging Criteria

Local judging will be conducted by the City Council. Statewide judging will be conducted by a panel of Mayors. In selecting the winners, the judges will consider:

- ✓ **Creativity** – Does the student demonstrate curiosity and originality?
- ✓ **Clarity / Sincerity of Thought** – Is the writing or drawing well thought out and organized?
- ✓ **Proper Use of Grammar** – Does the submission contain proper spelling, grammar and punctuation?
- ✓ **Subject Relevancy** – Are the major points relevant to the role of a government leader? Does the student demonstrate an understanding of municipal government?



Contest Rules

GENERAL:

- All submissions must be accompanied by a completed entry form, signed by the student's parent or guardian. Entry forms may be photocopied.
- Only one submission per student will be accepted.
- Submissions will not be returned and will become the property of OMA/LOC.
- OMA/LOC retains the right to publish essays and posters along with the names and likenesses of each student.
- Prior winners are not eligible to enter.
- LOC employees and dependents are not eligible to enter.

POSTERS:

- The poster contest is open to students enrolled in Middle School or being home-schooled at the Middle school grade level for the 2005-06 school year.
- Poster size must be 17" x 27".
- Students are encouraged to be creative and may use any art medium (e.g., poster paints, felt pens, colored pencils, pastels, crayons, etc.). The poster may be in color or black and white.
- The student's name and day-time phone number must appear on the back of the poster.

ESSAYS:

- The essay contest is open to students enrolled in High School or being home-schooled at the High School level for the 2005-06 school years.
- Essays must be 350 to 700 words in length and typed.
- The student's name and day-time phone number must appear at the top of the essay.

"If I Were Mayor, I Would . . ." Official Entry Form

Student name: _____

Home phone: _____

Home address: _____

City/State: Zip: _____

School: _____

Sponsoring teacher: _____

Name of parent/guardian: _____

Signature of parent/guardian: (required) _____

Verification Statement: I hereby verify that the work enclosed was produced by the student whose name appears on this entry form.

Signature: _____

Print name: _____

Relationship (parent/guardian, teacher): _____

Submissions must be accompanied by a completed entry form and received no later than 5:00 p.m. on Weds. May 31, 2006.