

**ORDINANCE NO. 589  
CITY OF DAYTON, OREGON**

**Title: AN ORDINANCE TO ADOPT THE DAYTON ATLAS AND COMPREHENSIVE PLAN; ADOPT A TRANSPORTATION SYSTEM PLAN AS AN ELEMENT OF THE ATLAS AND COMPREHENSIVE PLAN; AND AMEND CHAPTER 7 OF THE DAYTON MUNICIPAL CODE (LAND USE AND DEVELOPMENT CODE) IMPLEMENTING THE TRANSPORTATION SYSTEM PLAN.**

**WHEREAS**, on July 8, 2008, 2008, the Planning Commission of the City of Dayton conducted a public hearing to consider replacing the current Dayton Planning Atlas and Comprehensive Plan with a new document titled "Dayton Atlas and Comprehensive Plan"; adopt a Transportation System plan as an element of the new Atlas and Comprehensive Plan (Comprehensive Plan Amendment File No. 08-01); and, amend the Dayton Land Use and Development Code to implement the Transportation System Plan (Land Use Code Amendment File No. 08-01); and

**WHEREAS**, notice of said public hearing was duly given pursuant to the Municipal Code of the City of Dayton and the public was given a full opportunity to be present and heard on the matter; and,

**WHEREAS**, said hearing was continued to, and reopened on, August 12, 2008, at which time the Planning Commission deliberated on the proposed action and approved a recommendation to the City Council; and

**WHEREAS**, on September 29, 2008, the City Council of the City of Dayton conducted a public hearing on the matter; and

**WHEREAS**, notice of said public hearing was duly given pursuant to the Municipal Code of the City of Dayton and the public was given a full opportunity to be present and heard on the matter; and,

**WHEREAS**, on September 29, 2008, the City Council deliberated on the proposed action, received and approved the recommendation of the Planning Commission, and considered the information provided by staff;

**THE PEOPLE OF THE CITY OF DAYTON ORDAIN AS FOLLOWS:**

1. **THAT** the City Council of the City of Dayton does hereby adopt those certain findings of fact attached hereto as Exhibit "A" and by this reference made a part hereof; and

2. **THAT** the City Council of the City of Dayton does hereby adopt the "Dayton Atlas and Comprehensive Plan" attached hereto as Exhibit "B" and by this reference made a part hereof; and
3. **THAT** the City Council of the City of Dayton does hereby adopt the "Dayton Transportation Plan" as an element of the Dayton Atlas and Comprehensive Plan attached hereto as Exhibit "C" and by this reference made a part hereof.
4. **THAT** the City Council of the City of Dayton does hereby adopt the amendments to Chapter 7 of the Dayton Municipal Code attached hereto as Exhibit "D" and by this reference made a part hereof; and
5. **THAT** this Ordinance shall become effective as April 2, 2009.

**PASSED AND ADOPTED** by the City Council of the City of Dayton on this 2<sup>nd</sup> day of March 2009.

Mode of Enactment:

Date of first reading: 2/2/2009 In full \_\_\_\_\_ or by title only

Date of second reading: 3/2/2009 In full \_\_\_\_\_ or by title only

No Council member present at the meeting requested that the ordinance be read in full.

\_\_\_\_\_ A copy of the ordinance was provided to each Council member; three copies were provided for public inspection in the office of the City Recorder not later than one week before the first reading of the Ordinance.

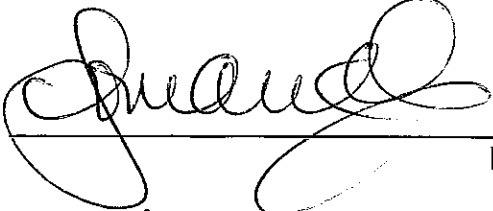
Final Vote:

In Favor: Blackburn, Evers, Hensley, Henry, White, Wytoski

Opposed: None

Absent: Dickson

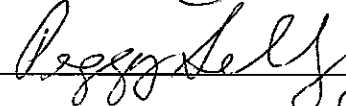
Abstained: None

  
\_\_\_\_\_

Mayor

3/5/09

\_\_\_\_\_ Date of Signing

  
\_\_\_\_\_

CITY RECORDER

4/2/09

\_\_\_\_\_ Date of Enactment

Attachments:

Exhibits "A", "B", "C" and "D"

**EXHIBIT “A”  
DAYTON CITY COUNCIL FINDINGS**

**I. NATURE OF THE APPLICATION**

This matter comes before the Dayton City Council on the application of the City of Dayton to replace the existing Planning Atlas and Comprehensive Plan with a single document; adopt a Transportation System Plan as part of the new document; and amend the Dayton Land Use and Development Code to implement the Transportation System Plan.

**II. GENERAL INFORMATION**

**A. Location**

This action affects all property within the City limits.

**B. Background Information**

The proposal combines the existing Planning Atlas and Comprehensive Plan, creating a new *Atlas and Comprehensive Plan* document. This single document updates all the background information contained in the current Planning Atlas, and where appropriate, establishes new Goals and Policies based on the revised information. In addition, this action will adopt a Transportation System Plan (TSP) for the City of Dayton. This TSP will become a part of the “Transportation” element of the new Atlas and Comprehensive Plan.

The proposal also establishes new regulations to implement the adopted Transportation System Plan. In general, the proposal includes the following changes to the Dayton Land Use and Development Code:

- (1) Establishes new definitions related to transportation and transportation systems.
- (2) Establishes provisions for park and ride lots in the commercial, industrial and public zones.
- (3) Requiring bikeways and pedestrian facility improvements as part of certain developments, and establishing specific design standards for those improvements.
- (4) Incorporating bicycle parking and bicycle parking improvements in the off-street parking requirements.
- (5) Establishing improved connectivity requirements for subdivisions, partitions, planned unit developments and general site developments.
- (6) Establishing notification and coordination requirements with affected local and state agencies regarding transportation matters.

Specific language is found in the Exhibit “B” – Dayton Atlas and Comprehensive Plan; Exhibit “C” – Dayton Transportation Plan and Exhibit “D” – Dayton Land Use and Development Code Amendments, attached as part of this Ordinance.

### III. PUBLIC HEARING

#### A. Planning Commission Action

A public hearing was duly held on this application before the Dayton Planning Commission on July 8, 2008. The City published the required notice pursuant to the Dayton Land Use and Development Code, Section 3.202.

At the hearing, Comprehensive Plan Amendment File No. 08-01 and Land Use Code Amendment File No. 08-01 were made a part of the record. At the conclusion of the hearing, the Planning Commission deliberated on the issue and voted to recommend the City Council approve the establishment of a new Atlas and Comprehensive Plan, incorporating the Transportation System Plan, and amendments to the Land Use and Development Code, finding the proposals complied with the applicable criteria.

#### B. City Council Action

A public hearing was duly held on this application before the Dayton City Council on September 29, 2008. The City published the required notice pursuant to the Dayton Land Use and Development Code, Section 3.202. At the recommendation of staff the hearing was continued to August 12, 2008.

At the hearing, Comprehensive Plan Amendment File No. 08-01 and Land Use Code Amendment File No. 08-01 were made a part of the record. At the conclusion of the hearing, the City Council deliberated on the issue and voted to accept the recommendations of the Planning Commission contained in Exhibits "B", "C" and "D". The Council also directed staff to prepare the adopting Ordinance.

### IV. FINDINGS OF FACT-GENERAL

The Dayton City Council, after careful consideration of the testimony and evidence in the record, adopts the following general Findings of Fact:

- A. The applicant is the City of Dayton.
- B. This action affects all property within the City limits.
- C. The proposal combines the existing Planning Atlas and Comprehensive Plan, creating a new *Atlas and Comprehensive Plan* document. This single document updates all the background information contained in the current Planning Atlas, and where appropriate, establishes new Goals and Policies based on the revised information. In addition, this action will adopt a Transportation System Plan (TSP) for the City of Dayton. This TSP will become a part of the "Transportation" element of the new Atlas and Comprehensive Plan.

The proposal also establishes new regulations to implement the adopted Transportation System Plan. In general, the proposal includes the following changes to the Dayton Land Use and Development Code:

- (1) Establishes new definitions related to transportation and transportation systems.
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- (3) Requiring bikeways and pedestrian facility improvements as part of certain developments, and establishing specific design standards for those improvements.
- (4) Incorporating bicycle parking and bicycle parking improvements in the off-street parking requirements.
- (5) Establishing improved connectivity requirements for subdivisions, partitions, planned unit developments and general site developments.
- (6) Establishing notification and coordination requirements with affected local and state agencies regarding transportation matters.

Specific language is found in the Exhibit "B" – Dayton Atlas and Comprehensive Plan; Exhibit "C" – Dayton Transportation Plan and Exhibit "D" – Dayton Land Use and Development Code Amendments, attached as part of this Ordinance.

- D. Approval or denial of this request shall be based upon the decision criteria contained in the Statewide Planning Goals and the Dayton Land Use and Development Code; Section 7.3.112 (Text Amendments).

## V. INTRODUCTION

- A. The City's planning program is based on two elementary documents: the Planning Atlas and the Comprehensive Plan. These documents were originally adopted in the late 1970s, and to staff's knowledge, have not been amended since. It has therefore been nearly three decades since both the Atlas and Plan were updated.
- B. In fiscal year 2005-2006, planning staff was directed to begin the process of updating the Atlas. The draft work was completed and work on the Comprehensive Plan began the following year. The project was further modified to include incorporating the Transportation System Plan (TSP) as well as transportation related changes to the Development Code.
- C. Therefore, the amendments will effectively create an updated Plan, combining both the old Planning Atlas and Plan documents. This new Plan will also include the TSP as an element of the Plan, thereby addressing the City's transportation issues. Finally, amendments to the Development and Land Use Code implement the TSP.

## VI. APPLICATION SUMMARY PLANNING ATLAS AND COMPREHENSIVE PLAN

- A. There are currently two separate City documents, the Planning Atlas, and, the Comprehensive Plan. The former provides background information and analysis while the later establishes goals and policies based on that analysis. The new document is titled *Planning Atlas and Comprehensive Plan (Atlas & Plan)* and combines the two documents into a single format. By combining the two, background information, analysis and goals and policies for a specific topic (or set of topics) will now be located in one volume instead of two.
- B. The City completed a Transportation System Plan (TSP) in 1999. The Plan and its recommendations were not adopted. The TSP is a lengthy document that includes recommendations for both amendments to the Comprehensive Plan as well as the Land Use and Development Code. While this is effectively a “stand alone” document, the TSP is incorporated as an “element” of the *Atlas & Plan*, in this case, Chapter 10. The following Sections summarize the new document.
- C. Chapter 1 - Introduction. This Chapter simply introduces the document to the reader, noting it contains background material as well as the goals and policies. It also provides some basic terminology. Throughout, “City limits” applies to the corporate limits of Dayton; “*Urban Growth Area (UGA)*” applies to those lands outside the City limits but subject to our Comprehensive Plan; and, “*Urban Growth Boundary (UGB)*” includes land within both the City limits and UGA.
- D. Chapter 2 - Physical Setting. This Chapter is somewhat introductory as well as describing the physical setting of the City. There were few changes from the current documents; most of the revisions focused on bringing the factual information up to date. New information on soils was added. The goals and policies recognize the City is located in a scenic area and it is a worthy goal to preserve that amenity.
- E. Chapter 3 - Natural, Scenic and Historic Resources. This Chapter identifies natural resources in the community: agricultural, forest land, open space, mineral, fish and wildlife, water, wetlands and historic. Some of the material was updated to include new information (e.g., winter steelhead as a threatened species). The list of historic sites was brought up to date, and, based on State information, there are no mineral deposits within the vicinity. The goals and policies essentially remain unchanged from our current language, emphasizing the need to maintain and enhance the resources, either independently or in cooperation with other agencies.
- F. Chapter 4 - Natural Hazards. This Chapter identifies the natural hazards in the City: flood, soils and slope. A new section (4.4) identified earthquake hazard issues. In addition, three new earthquake policies were added. The basic information and policies have not changed between the current and proposed language.

- G. Chapter 5 - Population. The preceding Chapters established a setting for the City. This Chapter begins the analysis regarding the built environment. Briefly, based on historical trends and other factors, staff estimates the City will grow at an approximate average annual rate of 2.25%. By 2028, this will yield a population of 3,892, a number accepted by Yamhill County as a coordinated population number. This Chapter also analyzes the most recent census information on population characteristics. Generally, since 1990, the City has become a bit younger and more educated. Goals and policies emphasize the need to monitor population growth and coordinate population projects with the County.
- H. Chapter 6 - Land Use and Urbanization. This is a key element of the *Atlas & Plan* and establishes the groundwork for the following two Chapters. Dayton contains 655.27 acres of land within its entire UGB. Of this, 440.99 acres are located within the City limits with the remaining 214.48 acres located in the UGA. There are approximately 139.61 acres available for development, with some 37% of this land is zoned for Public uses while another 22% is zoned for Industrial uses. From a residential standpoint, approximately 22% - 52.13 acres - of all residential zoned land is vacant and developable. Assuming no change in the development pattern do to unusual circumstances, there is sufficient land to meet population needs within the planning period. The goals and policies support providing the land to meet our needs and for coordination with the County regarding the UGB.
- I. Chapter 7 - Housing and Public Land Needs. This is a key chapter, given that most land is needed for residential purposes. The population trends will likely move the City toward more higher-density types of housing and slightly less single family housing; however, this change is likely not to be significant. Housing is relatively affordable in the community but not likely to remain so.

The following estimated housing mix is projected for the year 2028: single family homes - 80%; multiple family - 8%; specialty housing - 8%, and, manufactured home park spaces - 4%. There is sufficient land within the planning area to meet housing needs for the projected 2028 population based on anticipated housing trends. Currently, there is a deficiency of land for higher density residential uses. The analysis identifies a need for at least 7-acres to meet higher density – and specialty – housing needs. Again, unless unusual circumstances prevail, the entire housing needs of the community to the year 2028 can be met; there is no need for a UGB expansion at this point in time.

The City is fortunate to have adequate land for park and recreation purposes. The recently adopted Master Park and Recreation Plan emphasizes maintaining and improving existing facilities. New uses under consideration are a skateboard park and community center, activities that do not require significant amounts of land. Finally, there is more than adequate land to meet the needs for the School District. Goals and policies support creating 7-acres for higher density and improving parks.



- J. Chapter 8 - Economy of the City. This Chapter addresses economic development and employment opportunities for the community. As expected, the majority of employment and commercial opportunities are located outside the City of Dayton. The City does not contain significant commercial businesses, such as a major grocery store, gas station or medical services. No major employer has moved to Dayton in the last two decades nor has any existing firm significantly increased the size of its work force.

The City's downtown, surrounding the central square, represents the primary commercial area of the community. Due to its location and historic character, this area has great potential but is unevenly developed and is in need of general upgrading. Future commercial development should be focused on the existing downtown area, recognizing the City does not have the land area, location or desire to attract major "big-box" retailers. To improve the quality of the downtown, and attract customers, renovation of existing structures and improved building design should be encouraged. One possible option is for the City to consider an emphasis on the wine industry as a means to attract tourists and associated supporting businesses to the community. In addition, existing industrial lands will need to be developed. There are some 44-acres of vacant (or nearly vacant) land available for development. *If* the Bypass is built, this will improve access to the site and improve development potential.

On balance, the City maintains sufficient land, and in suitable locations, to meet expected demand as well as sufficient surplus industrial land to meet potential manufacturing opportunities. Goals and policies encourage redevelopment of the downtown as a commercial center - and potential tourist attraction - and to work with other agencies to attract industry to industrial zoned property.

- K. Chapter 9 - Public Facilities and Services. This Chapter addresses both public and private utilities. The goals and policies address obvious needs for a sanitary sewer and storm sewer master plan. Minor revisions include the demise of the Dayton Tribune and the advent of a City Website.
- L. Chapter 10 - Transportation. This Chapter is somewhat different from the others as it incorporates the TSP as an element of the *Atlas & Plan*. This is necessary as the TSP is a stand alone document which includes both background information and *proposed recommendations* to the Comprehensive Plan policies, and, the Land Use and Development.

As noted, the TSP also includes recommendations regarding the Development Code (Appendix "G." of the TSP). Effectively, these will not become part of the *Atlas & Plan* but are considered separately as they amend the Development Code.

## VII. APPLICATION SUMMARY TRANSPORTATION SYSTEM PLAN (CHAPTER 10)

- A. The State of Oregon adopted a Transportation Planning Rule (TPR) requiring all jurisdictions to prepare and adopt a transportation system plan (TSP). The City, through the services of the Mid-Willamette Council of Governments, completed their TSP in 1999. The Plan inventoried the current transportation system, identified strengths and weaknesses, listed areas requiring additional improvement and suggested new language for the City's Development Code and Comprehensive Plan. For the record, this Plan was prepared in conformance to the requirements of the State TPR and in cooperation with the Oregon Department of Transportation.
- B. Dayton is a smaller compact community with a reasonably adequate transportation system, and currently, no significant issues. It features a grid street system that improves mobility but is somewhat inconsistent in the level of physical improvements. The current system is certainly adequate, but requires additional construction and maintenance as the population increases. The TSP recommends the following *general* actions:
1. Complete an engineering analysis of the streets. This will help in identifying improvement requirements and priorities.
  2. With ODOT, refine the preferred improvements for Ferry and Third Streets, and, improve levels of maintenance on these State Highways.
  3. Improve bicycle and pedestrian opportunities. This will include improved sidewalks and bicycle paths.
  4. Adopt new standards for streets including the identification of arterial and collector streets.
  5. Adopt necessary amendments to the Plan and Development Code.
  6. Continue efforts to obtain grants to finance improvements.

The last item is the key to ensuring an adequate transportation system is in place to serve a growing population. The best planning efforts become meaningless without the necessary funds to construct and maintain the improvements. The TSP is divided into nine Chapters. Each Chapter is summarized in the following Sections.

- C. Introduction. This Chapter simply introduces the document to the reader, noting the applicable State and Federal requirements. It also defines the key components of a TSP. It is critical to note a TSP is not just a street plan, but includes issues related to bicycles, pedestrians, railroads as well as airports, pipelines and ports.
- D. Determination of Need. This Chapter identifies the basic needs for the City's TSP. The factors included existing plans, public works requirements, population projections, street classifications, maintenance, accident history and the like. Essentially, this Chapter establishes the background information to identify what changes were necessary to conform to the Transportation Planning Rule.

- E. Street System. This Chapter inventoried the existing street system. As expected of a rural community, streets are the key element as the automobile is the primary means of transportation. Beyond simply identifying streets, the TSP seeks to find a way to integrate streets into a system that serves the automobile as well as pedestrians and bicyclists. The Plan considered issues of connectivity, access management, agency coordination, and maintenance. The project also looked at the key State Highways (including Highway 18), bridges and traffic volumes.

Generally, the City's grid system works to its advantage as it allows the free movement of traffic (and to a lesser degree, bicyclists). There are no significant land uses that create large volumes of traffic. Currently identified arterial and collector streets probably exceed any identified need. These types of streets are wider and generally designed to move traffic through the community and not to provide local access. Re-establishing these as local streets allows for a narrower improvement thereby reducing construction and maintenance costs.

The Plan concluded the City only requires two arterials – Third Street and Ferry Street (west of 3<sup>rd</sup> Street). Collectors would be limited to Ash Street, Fletcher Road, Flower Lane, Joel Palmer Way, 5<sup>th</sup> Street and 8<sup>th</sup> Street. All other streets are effectively local streets, although additional collectors may be required as the UGB expands. New street standards were included along with the street designations.

The City Engineer reviewed the street system and supported the designations with two recommended changes. First, as more residential development is directed on to the south side of the City, Neck Road will in time function as a collector street. Second Joel Palmer Way currently functions as a local street. A recently approved subdivision effectively removes any possibility of further connections and relegates the street to a local street. The Council agrees with these revisions.

The Plan recommended continuation of on-street parking as a way (along with narrower streets) to “calm” (i.e., slow) traffic. The City should designate and sign 8<sup>th</sup>, Fletcher, Ferry and Third as truck routes. As expected, the Plan suggested the priority for improvements be given to Ferry and 3<sup>rd</sup> Streets, followed by the recommended collector streets. Relative costs for suggested improvements (1999 dollars) ranged from \$1.83 to \$2.27 million.

- G. Pedestrian Bikeway Element. Walking and bicycling provide a suitable transportation for many residents. Like most cities in the Valley, this is somewhat constrained by relatively cheap fuel (in 1999), the weather and the lack of safe routes. There are currently no bicycle or pedestrian walkway plans for the City. And while sidewalks are often available, their condition varies considerably making it difficult for many residents to use.

The Plan calls for continually improving the existing sidewalk system. This includes wider sidewalks, ADA ramps and the like. Priority should be given to improving connections with residential areas to major attractors such as the local schools and the downtown. Bike lanes should also be identified on arterial and collectors. The Plan recognizes most bikeways are on “shared roadways.” These are local streets which provide access for both vehicles and bikes. Given the low volume of traffic this is generally acceptable and not a priority for improvements. Anticipated improvements (1999 dollars) range from \$0.15 to \$0.22 million.

- H. Public Transit. Public transit includes everything from light-rail, to buses and taxis. Currently, there are no fixed-route transportation services in the City. Limited intercity bus service is provided, but this is only regional with the elimination of service by Greyhound. However, one can go from Dayton to Portland via a connection with Tri-Met in Sherwood. It was estimated some 37% of the City (1999 - 565 people) were “transit disadvantaged.” In other words, these individuals did not have access to a personal vehicle, although current staff suspects this percentage is probably a bit lower given recent growth and changes in the demographics. However, if this percentage remains constant, more than 1,100 individuals would be transit disadvantaged by 2020. The Plan did not anticipate any significant change toward public transportation unless there was a significant increase in the costs of fuel. Dayton should remain active in seeking a regional response to this issue.
- I. Air, Rail, Water and Pipeline. There are no rail facilities within the City and the closest AMTRAK station is in Salem. While a port city at one time, no such facilities are available, and, there are no intercity or interstate pipelines. The closest *scheduled* airport is Portland International.
- J. Transportation System Demand and Management Element. This element requires a community to identify ways to reduce vehicle miles traveled and direct the public toward alternative transportation modes such as walking, bicycles or buses. The City is exempt from these provisions as it contains a population less than 25,000 and is not located within a “Metropolitan Planning Organization.”
- K. Council Considerations. This Chapter lists suggested actions by the Council. The three primary tasks are continued coordination with ODOT and County on transportation issues; construction and maintenance of the street system – including obtaining the necessary financing - to meet the needs of an increasing population; and, adopt the suggested changes to the Code and Comprehensive Plan.
- L. Appendices. The Appendices include a significant amount of background and technical information and include recommended amendments to the Comprehensive Plan and Development Code. Amendments to the Plan are surprisingly limited (Appendix M) and relate to policies involving pedestrian and bicycle improvements and rail connections. Proposed policies were specifically included in Chapter 10 of the *Atlas & Plan*.

VIII. CRITERIA AND FINDINGS  
ATLAS AND COMPREHENSIVE PLAN AND TSP

- A. Amendments to the Comprehensive Plan text are subject to provisions in Section 7.3.112 of the Dayton Land Use and Development. Findings in this Section apply to the new *Atlas & Plan*, including Chapter 10, the Transportation System Plan.
- B. Section 7.3.112.02 establishes procedural matters for amending the Code text. These actions can only be initiated by the Commission or Council and notice must comply with provisions in Section 7.3.204.

FINDINGS: The City Council initiated the proposal. Notice was provided pursuant to Code requirements.

- C. The specific decision criteria are contained in Section 7.3.112.03. Subsection A., requires the City to address the impact of the proposed amendment on land use and development patterns within the city, as measured by:

- 1. Section 7.3.112.03.A.1 - Traffic generation and circulation patterns.

FINDINGS: The TSP (Chapter 10) addressed this issue noting the City does not have businesses or activities that generate significant levels of traffic. Changes to Comprehensive Plan do not provide for new activities or uses that will affect traffic generation.

- 2. Section 7.3.112.03.A.2 - Demand for public facilities and services.

FINDINGS: The Comprehensive Plan simply updates information related to public facilities and notes new master sewer and storm sewer plans are necessary. However, this action does not establish new uses or activities that increase demand on public services. Adopted policies support development of the required master plans.

- 3. Section 7.3.112.03.A.3 - Level of park and recreation facilities.

FINDINGS: The document references the adopted Master Park and Recreation Plan, noting future emphasis is placed on improving existing facilities. Potential new uses – a skateboard park and community center – can be readily accommodated within the UGB. Policies are in place to support implementation of the Master Park and Recreation Plan.

- 4. Section 7.3.112.03.A.4 - Economic activities.

FINDINGS: Chapters 7 and 8 identify the economic requirements of the City.

It was noted McMinnville and other larger cities have effectively captured local retail and service trade. For this reason, there appears to be adequate land to meet anticipated needs with downtown redevelopment providing local goods and services. The City also has the potential to develop some 44-acres of industrial land. Policies are in place to support the continued development of the downtown and enhance economic opportunities.

5. Section 7.3.112.03.A.5 - Protection and use of natural resources.

FINDINGS: The new document identifies local natural resources that require protection. Policies are in place to support their protection and where feasible enhance their value.

6. Section 7.3.112.03.A.6 - Compliance of the proposal with existing adopted special purpose plans or programs, such as public facilities improvements.

FINDINGS: Applicable plans – Water and Parks – were referenced in the document. Nothing in the policies is contrary to the objectives of these documents.

D. Section 7.3.112.03.B., requires the City to determine whether a demonstrated need exists for the product of the proposed amendment.

FINDINGS: The City has not amended or otherwise updated the existing Planning Atlas and Comprehensive Plan since its original adoption in 1980. Circumstances have significantly changed in that time and the City finds it appropriate to update the material. The TSP element of the *Atlas & Plan* conforms to the requirements of State law.

E. Section 7.3.112.03.C., requires the proposed amendments to comply with all applicable Statewide Planning Goals and administrative rule requirements.

FINDING: Compliance with the Statewide Goals is noted as follows:

Goal 1, Citizen Involvement: Public hearings on the proposed amendments will be held before both the Commission and City Council. Adoption actions are consistent with the acknowledged Development Code.

Goal 2, Land Use Planning: The proposal does not involve exceptions to the Statewide Goals.

Goal 3, Agricultural Lands: The proposal does not involve or affect farm land.

Goals 4, Forest Lands: The proposal does not involve or affect identified forest lands.

Goal 5, Open Spaces, Scenic and Historic Areas, and Natural Resources: Historic, cultural, or natural resources were identified in the Plan and policies put in place to protect and enhance these resources.

Goal 6, Air, Water and Land Resource Quality: The new Plan does not encourage uses or activities which will adversely affect the environment.

Goal 7, Natural Hazards: Natural hazards were identified and policies enacted to ensure development in these areas is restricted or must conform to special development standards.

Goal 8, Recreational Needs: The new Plan references the Master Park and Recreation Plan. The Park Plan places an emphasis on enhancing existing facilities. Based on this prior work, the new Comprehensive Plan finds existing recreational lands are suitable.

Goal 9, Economic Development: Policies are in place to continually encourage development of the downtown and provide community economic opportunities.

Goal 10, Housing: The Plan concludes an additional 7-acres will be required for high density development. This can be accommodated within the existing UGB. Prior Development Code revisions now allow assisted living centers, a housing use encouraged by the new Plan document. On balance, the Plan determined there is sufficient land within the UGB to meet residential needs for the 20-year planning horizon.

Goal 11, Public Facilities and Services: The Plan continues to recognize the importance of public facilities and services and the need to ensure these are available as development occurs. This is supported by Plan policies as well as the identification and support of additional master plans to address sewer and storm sewer.

Goal 12, Transportation: The TSP element (Chapter 10) was completed in conformance with the State Transportation Planning Rule.

Goal 13, Energy Conservation: Energy conservation is supported through the encouragement of alternative modes of transportation, specifically, pedestrian, bicycle and mass transit. For the record, all new structures must comply with State building codes which require energy efficient construction.

Goal 14, Urbanization: The Plan update (and TSP) reflects the City's desire to retain its urban form and reduce the need for expanding the UGB. For the record, a UGB expansion is not required to meet the 2028 population projection.

Goals 15 to 19, Willamette River Greenway, Estuarine Resources, Coastal Shores, Beaches and Dunes, Ocean Resources: The proposals do not involve land within the Willamette Greenway or coastal areas.

- F. Section 7.3.112.03.D., requires the City to determine whether the amendment is appropriate as measured by at least one of the following criteria:
- (1) It corrects identified error(s) in the provisions of the plan.
  - (2) It represents a logical implementation of the plan.
  - (3) It is mandated by changes in federal, state, or local law.
  - (4) It is otherwise deemed by the council to be desirable, appropriate, and proper.

FINDINGS: The new *Atlas & Plan* is considered desirable and appropriate in order to provide updated information. The TSP element of the Plan implements State TPR requirements.

#### IX. APPLICATION SUMMARY DEVELOPMENT CODE AMENDMENTS

- A. Appendix "G" of the Transportation System Plan (TSP) included recommended changes to the Development Code. For the most part, the proposed amendments involve definitions, requirements for subdivision layouts to support connectivity and increased emphasis on pedestrian and bicycle improvements. These are very similar to requirements found in other cities and do not impede, or present difficult challenges, to development in general.
- B. However, the TSP's major recommendation is to adopt "skinny street" standards whereby the right-of-way and improvement widths will be significantly reduced. For example, a typical local residential street will contain a 39-foot right-of-way with a 28-foot wide paving improvement. Parking will be located on both sides effectively creating a single lane of traffic at times. By contrast, the current regulations allow right-of-way widths from 46 to 50-feet, with corresponding improvements ranging from 30 to 34-feet. The width and improvement is based solely on the anticipated level of traffic or the number of dwelling units.
- C. The City Engineer reviewed the street improvement requirements and raised a number of concerns. His comments appear in a letter dated November 9, 2007 and part of this record. The primary concern is one of safety for emergency vehicles. Implementing the proposed standards simply does not allow sufficient width for fire apparatus. The City Engineer recommended the existing street standards be retained and these recommendations are incorporated into Exhibit "D."



## X. CRITERIA AND FINDINGS

- A. Amendments to the Development Code text are subject to provisions in Section 7.3.112 of the Dayton Land Use and Development. Findings in this Section apply to proposed new language designed to implement the TSP.
- B. Section 7.3.112.02 establishes procedural matters for amending the Code text. These actions can only be initiated by the Commission or Council and notice must comply with provisions in Section 7.3.204.

FINDINGS: The City Council initiated the proposal. Notice was provided pursuant to Code requirements.

- C. The specific decision criteria are contained in Section 7.3.112.03. Subsection A., requires the City to address the impact of the proposed amendment on land use and development patterns within the city, as measured by:

- 1. Section 7.3.112.03.A.1 - Traffic generation and circulation patterns.

FINDINGS: The TSP addressed this issue noting the City does not have businesses or activities that generate significant levels of traffic. The existing grid system more than adequately serves the City. To ensure this system is maintained, amending language was developed to encourage connectivity.

- 2. Section 7.3.112.03.A.2 - Demand for public facilities and services.

FINDINGS: The TSP is designed to address transportation issues. The implementing language in the Code will not alter the City's ability to provide necessary public services.

- 3. Section 7.3.112.03.A.3 - Level of park and recreation facilities.

FINDINGS: Policies are in place to support implementation of the Master Park and Recreation Plan. The TSP does not affect this Plan.

- 4. Section 7.3.112.03.A.4 - Economic activities.

FINDINGS: Maintaining connectivity and encouraging transportation alternatives will ensure local citizens connect with commercial areas of the City. Nothing within the amending language restricts or precludes economic activity.

- 5. Section 7.3.112.03.A.5 - Protection and use of natural resources.

FINDINGS: Nothing in the amending language reduces the City's ability to protect and enhance natural resources.

6. Section 7.3.112.03.A.6 - Compliance of the proposal with existing adopted special purpose plans or programs, such as public facilities improvements.

FINDINGS: The TSP is an element of the Comprehensive Plan. The new Development Code language implements the recommendations and policies of the TSP and does not directly affect and special purpose plans or programs.

- D. Section 7.3.112.03.B., requires the City to determine whether a demonstrated need exists for the product of the proposed amendment.

FINDINGS: The TSP element of the Plan conforms to the requirements of State law. The Development Code language is necessary to implement the provisions of the TSP.

- E. Section 7.3.112.03.C., requires the proposed amendments to comply with all applicable Statewide Planning Goals and administrative rule requirements.

FINDING: Compliance with the Statewide Goals is noted as follows:

Goal 1, Citizen Involvement: Public hearings on the proposed amendments will be held before both the Commission and City Council. Adoption actions are consistent with the acknowledged Development Code.

Goal 2, Land Use Planning: The proposal does not involve exceptions to the Statewide Goals.

Goal 3, Agricultural Lands: The proposal does not involve or affect farm land.

Goals 4, Forest Lands: The proposal does not involve or affect forest lands.

Goal 5, Open Spaces, Scenic and Historic Areas, and Natural Resources: The new Code language does not prohibit or reduce protection of historic, cultural, or natural resources identified in the Plan.

Goal 6, Air, Water and Land Resource Quality: The new Code language encourages connectivity and alternatives to the motor vehicle. On balance, this is expected to enhance the City's air, water and land resource quality.

Goal 7, Natural Hazards: The new Code language does not alter or reduce development requirements for identified hazard areas.

Goal 8, Recreational Needs: The new Code language does not alter or reduce the ability of the City to implement the adopted Master Park and Recreation Plan.

Goal 9, Economic Development: Policies are in place to continually encourage

development of the downtown and provide for economic opportunities within the community. This is not altered by the proposed Code implementing language.

Goal 10, Housing: The new Code language does not alter or reduce the ability of the City to provide necessary housing. The language is expected to enhance livability by ensuring connectivity between developments.

Goal 11, Public Facilities and Services: The new Code language does not alter or reduce the ability of the City to provide necessary services.

Goal 12, Transportation: The new Development Code language implements the TSP element (Chapter 10) of the revised Comprehensive Plan.

Goal 13, Energy Conservation: Energy conservation is supported through the encouragement of alternative modes of transportation, specifically, pedestrian, bicycle and mass transit.

Goal 14, Urbanization: The new Development Code language implements the TSP element (Chapter 10) of the revised Comprehensive Plan. The TSP provides policies and guidelines to serve an urban area.

Goals 15 to 19, Willamette River Greenway, Estuarine Resources, Coastal Shores, Beaches and Dunes, Ocean Resources: The proposals do not involve land within the Willamette Greenway or coastal areas.

F. Section 7.3.112.03.D., requires the City to determine whether the amendment is appropriate as measured by at least one of the following criteria:

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

FINDINGS: The TSP element of the Plan, and proposed Development Code language, implements State legal requirements.

## XI. CONCLUSION

The request to establish the new *Atlas and Comprehensive Plan*, including the Transportation System Plan (TSP) as an element of the *Plan*, and to amend the Land Use and Development Code implementing the TSP complies with the decision criteria.

**EXHIBIT "B"**

**DAYTON ATLAS AND COMPREHENSIVE PLAN**

**EXHIBIT "C"**

**TRANSPORTATION SYSTEM PLAN  
(Chapter 10 – Atlas and Comprehensive Plan)**

**EXHIBIT "D"**  
**Transportation System Plan**  
**Dayton Land Use and Development Code Revisions**

The following revisions to the Dayton Land Use and Development Code implement the Dayton Transportation System Plan. Unless specified, new wording is underlined. Words to be deleted are shown as ~~strikeout~~. Only those sections of the ordinance requiring changes are cited below.

A. *The following new definitions will either replace existing language in, or be added to, Section 7.1.200:*

**7.1.200 DEFINITIONS**

7.1.200.03 Definitions

Access: The way or means by which pedestrians, bicycles, and vehicles shall have safe, adequate and usable ingress and egress to property.

Access Management: Regulation of access to streets, roads, and highways from public roads and private driveways.

Accessway: A right-of-way or easement, not located within a street right-of-way, that provides space for either or both pedestrian and bicycle passage.

Bicycle Facilities: Any facilities provided for the benefit of bicycle travel, including bikeways and parking facilities as well as all other roadways not specifically designated for bicycle use.

Bikeway: A paved facility provided for use by bicyclists. There are four types of bikeways:

1. Shared Roadway: A type of bikeway where motorists and bicyclists occupy the same roadway area.
2. Shoulder Bikeways: A bikeway which accommodates bicyclists on paved roadway shoulder.

Bike Lanes: A section of the roadway designated for exclusive bicycle use.

Bike Paths: Bike lanes constructed entirely separate from the roadway.

Carpool: Two or more persons each with valid drivers licenses commuting in a single vehicle.

Multi-use path: An accessway physically separated from motor vehicle traffic by an open space or barrier and either within a highway right-of-way or within an independent right-of-

way or easement, used by bicyclists, pedestrians, joggers, skaters and other non-motorized travelers.

Nearby: Activities or uses within ¼ mile which can be reasonably expected to be used by pedestrians or within 1 mile which can reasonably expected to be used by bicyclist.

Neighborhood Activity Centers: Existing or planned schools, parks, shopping areas, transit stops or employment centers.

Park and Ride Lot: Parking spaces, dedicated or shared use, that are provided for motorists who transfer to and from single occupancy vehicles to either public transportation vehicles or to a carpool or vanpool operation.

Parking Space: On and off street spaces designated for the parking of one motor vehicle; off street spaces shall be connected with a street or alley by a surfaced driveway which affords ingress and egress.

Pedestrian Connection: A continuous, unobstructed, reasonably direct route intended and suitable for pedestrian use between two points.

Pedestrian Plaza: A small semi-enclosed area usually adjoining a sidewalk or a transit stop which provides a place for pedestrians to sit, stand, or rest.

Reasonably Direct: a route that does not deviate unnecessarily from a straight line or a route that does not involve a significant amount of out-of-direction travel for likely users.

Street: The entire width between the right of way lines of every way of travel which provides for ingress and egress for motor vehicle, bicycle, and pedestrian traffic and the placement of utilities to one or more lots, parcels, areas, or tracts of land. Streets shall follow the street designation identified in the Dayton Comprehensive Plan. A private way that is created to provide ingress and egress to land in conjunction with the use of such land for forestry, mining, or agricultural purposes is excluded from this definition.

1. Alley: A minimum transportation facility for less than two lanes of traffic, designed to pass through a block and give access to the back or side of properties, which front on a two lane transportation facility.
2. Arterial: A minimum two lane transportation facility designed to carry "through" traffic; generally, emphasizes mobility over access by fronting properties; some access to fronting properties is provided within the urban growth boundary, but where possible access for fronting properties should be diverted to side streets, alleys, or shared access between two or more fronting properties; generally, arterial street traffic has priority over traffic from all other streets; provides bikeways; provides sidewalks; may provide on street parking.

3. Collector: A minimum two-lane transportation facility designed to provide internal links between neighborhoods; such linkage is accomplished by connecting the local internal streets to the community arterial streets system; may provide through traffic movement; generally, collector street traffic has priority over local street traffic; while access is available to all properties fronting the collector street, some circumstances may require access being diverted to side streets, alleys, or shared with abutting properties; provides bikeways; provides sidewalks; may provide on street parking
4. Cul-de-sac: A minimum two-lane transportation facility, with one end connected to a street and the other end terminated by a vehicle turn around or a dead end; generally, emphasizes fronting property access over mobility; may provide bikeways; provides sidewalks; may provide on street parking.
5. Half Street: A portion of the width of a street, usually along the edge of a subdivision, where the remaining portion of the street could be provided in another subdivision or development.
6. Local Street: A minimum two-lane transportation facility designed to provide access to all fronting properties; generally, emphasizes fronting property access over mobility; provides connectivity between neighborhoods and may provide some “through” traffic; may provide bikeways; provides sidewalks; may provide on street parking; all streets not designated arterial or collector streets are local streets.

Vanpool: More than five persons commuting in a single vehicle.

B. Section 7.2.105 will be amended with the following new language:

**7.2.105 COMMERCIAL RESIDENTIAL ZONE (CR)**

7.2.105.04 Conditional Uses

The following uses require a Conditional Use Permit:

- E. Park and ride lot: Parking spaces cannot count as required parking or be used for vehicle storage.
- F5. Commercial activities which do not comply with the provisions in Section 7.2.105.02.C.



G. Section 7.2.106 will be amended with the following new language:

**7.2.106 COMMERCIAL (C)**

7.2.106.04 Conditional Uses

The following uses require a Conditional Use Permit:

- 13. Park and ride lot: Parking spaces cannot count as required parking or be used for vehicle storage.

H. Section 7.2.107 will be amended with the following new language:

**7.2.107 INDUSTRIAL (I)**

7.2.107.04 Conditional Uses

The following uses shall require a Conditional Use Permit:

- 9. Park and ride lot: Parking spaces cannot count as required parking or be used for vehicle storage.

- ~~109.~~ All uses not specifically . . . .

I. Section 7.2.108 will be amended with the following new language:

**7.2.108 PUBLIC (P)**

7.2.108.04 Conditional Uses

The following uses shall require a conditional use permit:

- C. Park and ride lot: Parking spaces cannot count as required parking or be used for vehicle storage.

- ~~D3.~~ Cemetery.

J. Section 7.2.301 will be amended with the following new language:

**7.2.301 GENERAL PROVISIONS**

7.2.301.03 Application of Public Facility Standards

Revise the following table: *Italics* denotes new information.

**PUBLIC FACILITIES IMPROVEMENT REQUIREMENTS TABLE\***

LAND USE	FIRE HYDRANT	STREET IMPROVEMENT	WATER HOOKUP	SEWER HOOKUP	STORM DRAIN	<u>BIKE PARKING and BIKEWAYS; PEDESTRIAN ACCESS WAYS</u>
SFD/Duplex	No	C-2	Yes	Yes	Yes	<u>Yes</u>
MFD	Yes	Yes	Yes	Yes	Yes	<u>Yes (4 plus units)</u>
New Public, Commercial or Industrial	Yes	Yes	Yes	Yes	Yes	<u>Yes</u>
Public, Commercial or Industrial Expansion	C-1	Yes	Yes	Yes	Yes	<u>Yes</u>
Partition, Subdivision, MHP	Yes	Yes	Yes	Yes	Yes	<u>Yes</u>

**Legend:** No = Not required                      Yes = Required                      C = Conditional, as noted:

C-1: Fire Hydrants for Commercial or Industrial Expansions: One or more fire hydrants are required when the total floor area of a new or expanded building exceeds 2,500 square feet, or the proposed use is classified as Hazardous (H) in the Uniform Building Code or Uniform Fire Code.

C-2: Street Improvements for Single Family Dwellings: New single family dwellings which require a street extension must provide street improvements to City street standards; otherwise, street improvements are not required. Street extensions are required for (1) the extension of an unimproved street; or, (2) the extension of a partially or fully improved street.

MFD = Multi-family dwelling (3 or more units);                      MHP = Manufactured home park;  
SFD = Single family dwelling

\* Specific improvements for streets, water, sewer, drainage shall be found in this Section.

K. Section 7.2.302 will be amended with the following revisions:

## **7.2.302 STREET AND ACCESSWAY STANDARDS**

### 7.2.302.01 Purpose

The purpose of the street standards ~~are~~ area to provide for safe, efficient, and convenient vehicular movement in the City; to provide reasonably direct ~~adequate~~ access to all proposed developments; to provide adequate area in all public rights-of-way for sidewalks pedestrians, bicycles, sanitary sewers, storm sewers, water lines, power lines and other utilities commonly and appropriately placed in such rights-of-way, and to provide improvement standards for dedicated but unimproved or partially improved right-of-ways.

### 7.2.302.02 Scope

The provisions of this Section shall be applicable for the following:

- A. Land Divisions. The creation, dedication or construction of all new public or private streets, and accessways in all subdivision, partitions or other developments in the City.
- C. Utility Improvements. The construction or modification of any utilities ~~or~~ sidewalks, or bikeways in public rights-of-way or street easements.

### 7.2.302.03 General Provisions

The following provisions shall apply to the dedication, construction, improvement or other development of all public streets in the City of Dayton:

- B. Continuation of Streets and accessways. Where feasible development proposals shall provide for the continuation of, and connection to, existing principal all streets, and access ways within and outside the development ~~where necessary~~ to promote appropriate traffic vehicle, bicycle, and pedestrian circulation in the vicinity of the development. Exceptions may be granted if one or more of the following conditions exist:
  - 1. Physical or topographic conditions make a street or accessway connection impracticable.
  - 2. Building or other existing development on adjacent lands physically preclude a connection now or in the future considering the potential for redevelopment; or
  - 3. Where streets or accessways would violate provisions of leases, easements, covenants, restrictions or other agreements existing as of

May 1, 1995 which preclude a required street or accessway connection.

- C. Alignment: All streets other than minor local streets or cul-de-sacs, as far as practical, shall be in alignment with existing streets by continuation of the existing centerlines. Staggering of street alignments resulting in "T" intersections shall, wherever practical, be avoided. If unavoidable, the "T" intersection shall meet with the approval of the City Engineer and minimally acceptable traffic safety standards.

7.2.302.09 Design Standards for Accessways.

Accessways shall meet the following design standards:

- A. Connections with adjoining streets shall be provided if either of the following conditions exists:
1. If any portion of the site has frontage on a collector or arterial street, or
  2. If the local street frontage is over 600 feet.
  3. Exceptions may be granted if one or more of the following conditions exist:
    - a. Physical or topographic conditions make a street or accessway connection impracticable.
    - b. Building or other existing development on adjacent lands physically preclude a connection now or in the future considering the potential for redevelopment; or
    - c. Where streets or accessways would violate provisions of leases, easements, covenants, restrictions or other agreements existing as of May 1, 1995 which preclude a required street or accessway connection.
- B. Minimum dedicated width: 15 feet
- C. Minimum improved width: 10 feet
- D. Maximum length: 250 feet, with a clear line of vision for the entire length of the accessway.
- E. When an accessway is in excess of 100 feet in length, then pedestrian scale lighting fixtures shall be provided along the access ways and lighted to a level where the access ways can be used at night.

F. The accessway shall be designed to prohibit vehicle traffic.

G. The accessway shall be maintained by a home owners association or other mechanism acceptable to the City.

H. Section 7.2.303 will be amended with the following revisions:

**7.2.303 Off-Street Parking and Loading**

**7.2.303.03 General Provisions Off-Street Parking and Loading**

E. Park and ride spaces, handicapped parking and parking for carpools and vanpools cannot count as required parking, loading, or be used for vehicle storage.

Add to the following column *in italics*:

**7.2.303.06 Off Street Vehicle Parking Requirements**

**PARKING REQUIREMENTS**

#	LAND USE ACTIVITY	<u>MOTOR VECHICLE SPACES</u>	<u>BICYCLE SPACES</u>	HOW MEASURED
1	All dwelling types	2	<i>(a)</i>	Per dwelling unit
2	Senior apartments	1	<i>(a)</i>	Per dwelling unit
3	Hotel, motel, bed & breakfast	1	<i>(b)</i>	Per guest room
4	Club, lodge	<i>(Combination of uses being conducted: hotel, restaurant, etc.)</i>		
5	Hospital, nursing home, convalescent home, <u>assisted care centers</u>	1	<i>(b)</i>	Per 2 beds
6	Churches, auditorium, stadium, theater	1	<i>(b)</i>	Per 4 seats, or, every 8 feet of bench length
7	Elementary/junior high school	2	<i>(c)</i>	Per classroom
8	High school	1 + 1	<i>(c)</i>	Per classroom + per 10 students
9	Bowling alley, skating rink, community center	1	<i>(b)</i>	Per 200 square feet
10	Retail store	1	<i>(b)</i>	Per 300 square feet
11	Service repair center; retail store handling bulky merchandise (e.g. furniture)	1	<i>(b)</i>	Per 900 square feet
12	Bank, offices, medical clinic	1	<i>(b)</i>	Per 300 square feet
13	Eating and drinking establishment	1	<i>(b)</i>	Per 250 square feet
14	Wholesale establishment	1 + 1	<i>(d)</i>	Per 1,000 square feet + Per 700 square feet of retail
15	Government offices	1	<i>(b)</i>	Per 600 square feet
16	Industrial, manufacturing, processing (0 – 24,999 sf)	1	<i>(b)</i>	Per 700 square feet
17	Industrial, manufacturing, processing (25,000 – 49,999 sf)	1	<i>(b)</i>	Per 800 square feet

18	Industrial, manufacturing, processing (50,000 – 79,999 sf)	1	(b)	Per 1,000 square feet
19	Industrial, manufacturing, processing (80,000 – 199,999 sf)	1	(b)	Per 2,000 square feet
20	Industrial, manufacturing, processing (200,000 sf and over)	1	(b)	Per 3,000 square feet
21	Warehousing and storage terminals (0 – 49,999 sf)	1	(d)	Per 2,000 square feet
22	Warehousing and storage terminals (50,000 sf and over)	1	(d)	Per 5,000 square feet
23				

- (a) None required for less than three dwelling units; otherwise, one for every three dwelling units.
- (b) One bicycle space, plus one for every 20 vehicle parking spaces
- (c) Six (6) bicycle spaces per classroom
- (d) One bicycle space, plus one for every 40 vehicle parking spaces

7.2.303.10 Bicycle Parking Development Requirements

A. Minimum Development Requirements: At a minimum bicycle parking facilities shall be consistent with the following design guidelines.

1. Location: All bicycle parking shall be
  - a. Within 100 feet from a building entrance;
  - b. Located within a well lighted area; and
  - c. Clearly visible from the building entrance.
2. Bicycle parking shall be convenient and easy to find. Where necessary, a sign shall be used to direct users to the parking facility.
3. Each bicycle parking space shall be at least 2 feet by 6 feet with a vertical clearance of 6 feet
4. An access aisle of at least 5 feet in width shall be provided in each bicycle parking facility.
5. Bicycle parking facilities shall offer security in the form of either a lockable enclosure in which the bicycle can be stored or a stationary object, i.e., a “rack”, upon which the bicycle can be locked. Structures that require a user supplied lock shall accommodate both cables and U-shaped locks and shall permit the frame and both wheels to be secured (removing the front wheel may be necessary.)
6. Where bicycle parking is provided for employees on a “work shift”, it shall be sheltered, i.e., covered, from the weather or employees shall

be provided access to a secure room within a building for bicycle parking.

I. Section 7.2.307 will be amended with the following revisions:

**7.2.307 DEVELOPMENT STANDARDS FOR LAND DIVISIONS**

7.2.307.03

B. Access. All lots and parcels created after the effective date of this Code shall provide a minimum frontage, on an existing or proposed public street, equal to the minimum lot width required by the underlying zone. The following exceptions shall apply:

5. Access standards for streets are:

<u>Street Classification</u>	<u>Access Spacing</u>
<u>Arterial</u>	<u>150 feet (+/- 20%)</u>
<u>Collector</u>	<u>75 feet</u>
<u>Local</u>	<u>25 feet</u>

7.2.307.04 Additional Design Standards for Subdivisions

A. Standards for Blocks. The length, width, and shape of blocks shall be designed with regard to providing adequate building sites for the use contemplated; consideration of needs for convenient access, circulation, control, and safety of street traffic including pedestrian and bicyclist; and recognition of limitations and opportunities of topography. Blocks should not exceed 600 feet in length between street lines, except blocks adjacent to arterial streets may be greater in length but not more than 1,300 feet without an accessway, or unless the previous adjacent development pattern or topographical conditions justify a variation. Block perimeters should not exceed 1,800 feet in length. Exceptions to block length and perimeter may be granted if one or more of the following conditions exist:

1. Physical or topographic conditions make a street or accessway connection impracticable;
2. Building or other existing development on adjacent lands physically preclude a connection now or in the future considering the potential for redevelopment;
3. Where streets or accessways would violate provisions of leases, easements, covenants, restrictions or other agreements existing as of May 1, 1995 which preclude a required street or accessway connection;
4. Where one side of the block is an arterial street; or
5. Where an accessway exists in the block.

~~The recommended minimum distance between intersections on arterial streets is 1,800 feet.~~

- B. Traffic Circulation. The proposed subdivision shall be laid out to provide safe, convenient, and direct vehicle, bicycle and pedestrian access to nearby residential areas, neighborhood activity centers such as school and parks, commercial areas, and industrial areas; and to provide traffic circulation with safe, convenient and reasonably direct access ~~direct traffic circulation~~. At a minimum, "nearby" is interpreted to mean uses within ¼ mile which can be reasonably expected to be used by pedestrians, and uses within 1 mile of the subdivision boundary which can reasonably expected to be used by bicyclist.
- E. Design Standards for Pedestrian/Bicycle Accessways. Such Accessways shall meet the following design standards:
1. Connections with adjoining arterial and collector streets shall be provided if any portion of the site's arterial or collector street frontage is over 600 feet from either a subdivision access street or other accessway. Exceptions may be granted if one or more of the following conditions exist:
    - a. Physical or topographic conditions make a street or accessway connection impracticable.
    - b. Building or other existing development on adjacent lands physically preclude a connection now or in the future considering the potential for redevelopment; or
    - c. Where streets or accessways would violate provisions of leases, easements, covenants, restrictions or other agreements existing as of May 1, 1995 which preclude a required street or accessway connection.
  24. Minimum dedicated width: 15 feet
  32. Minimum improved width: 10 feet
  4. Maximum length: 250 feet, with a clear line of vision for the entire length of the accessway.
  5. When an accessway is in excess of 100 feet in length, then pedestrian scale lighting fixtures shall be provided along the access ways and lighted to a level where the access ways can be used at night.
  63. The accessway shall be designed to prohibit vehicle traffic.



74. The accessway shall be maintained by a home owners association or other mechanism acceptable to the City.

J. Section 7.3.105 will be amended with the following revisions:

**7.3.105.03 PARTITIONS**

7.3.105.03 Submittal Requirements for Preliminary Review

- B. Submittal Requirements. Each application shall be accompanied by a preliminary partition plat drawn to scale on a minimum 11" x 17" sheet and containing at a minimum, the following:

7. The approximate location of existing streets, and bicycle and pedestrian easements or right-of-ways adjacent to, or within, the subject property, and existing improvements on the property.

K. Section 7.3.106 will be amended with the following revisions:

**7.3.106 SITE DEVELOPMENT REVIEW**

7.3.106.05 Submittal Requirements

The following information shall be submitted as part of a complete application for Site Development Review.

- 1 All existing and proposed structures, roadway access, adjacent roads, bikeways, pedestrian facilities, public or private, easements or right-of-way to, or within 200 feet of the subject property, and utilities, including finished floor elevations and setbacks;
- 2 Motor vehicle, Vehicular, bicycle, and pedestrian circulation patterns, parking, loading and service areas;
- 3 Proposed access to public roads, and bikeways, pedestrian facilities, railroads or other transportation systems;

L. Section 7.3.109 will be amended with the following revisions:

**7.3.109 SUBDIVISIONS AND PLANNED UNIT DEVELOPMENTS**

7.3.109.02 Submittal Requirements

Submittal Material. The following submittal requirements shall apply to all Preliminary Plan applications for subdivisions and planned unit developments.

B. Applicant for subdivision shall submit the following:

7. The approximate location of existing streets, bikeways, pedestrian facilities, public or private, easements or right-of-ways adjacent to, or within, the subject property, and, existing improvements on the property.

M. Section 7.3.202 will be amended with the following revisions:

**7.3.202 Procedures**

7.3.202.01 Procedure for Type I Review

- C. Referrals may be sent to affected agencies such as City departments, police and fire departments, school district, utility companies, and applicable state agencies at the Administrator's option. When a land use development has either direct access or creates an additional 20% average daily traffic on a county road or state highway, then a referral shall be sent to the Yamhill County Public Works Department or ODOT, as appropriate.

7.3.202.02 General Procedures for Type II and Type III Actions

- C. Referrals will be sent to affected agencies such as City departments, police and fire departments, school district, utility companies, and applicable state agencies. When a land use development has either direct access or creates an additional 20% average daily traffic on a county road or state highway, then a referral shall be sent to the Yamhill County Public Works Department or ODOT, as appropriate.

N. Section 7.3.204 will be amended with the following revisions:

**7.3.204 Public Notice Requirements**

7.3.204.01 Type I Actions. Consistent with State statutes, written notice of a Type I decision shall be mailed to the applicant and all property owners, including county and state agencies responsible for roads and highways, within 100 feet of the subject property. Written notice for a Type I Action shall include the following:

7.3.204.02 Type II and Type III Actions

Written notice of any public hearing shall be mailed at least 20 days prior to the hearing date to the applicant and owners of property, including county and state agencies responsible for roads and highways, within 200 feet of the boundaries of the subject property.