



P. O. Box 1083
Corvallis, OR 97339
(541) 766-6908 Fax (541) 754-1792

A G E N D A
Corvallis Planning Commission
7:00 pm, Wednesday, October 17, 2012
Downtown Fire Station, 400 NW Harrison, 2nd Floor

- I. Visitors' Propositions
- II. Public Hearing - Grant Avenue Baptist Church Addition (CDP12-00003)
- III. Approval of Minutes-
September 19, 2012
- IV. Old Business
- V. New Business
- VI. Adjournment

For the hearing impaired, an interpreter can be provided with 48 hours notice.
For the visually impaired, an agenda in larger print is available.

Proposed Tentative Public Meeting Schedule for 2012

CC = City Council (for agendas or questions about meetings, call **541.766.6901**)

For questions about listed cases or about the following Boards or Commissions, call **541-766-6908**

PC Planning Commission (usually meets first and third Wednesdays at 7 p.m.)

LDHB Land Development Hearings Board (meets as needed)

DC Downtown Commission (meets second Wednesday at 5:30 pm in the Madison Avenue Meeting Room)

CCI Committee for Citizen Involvement (meets quarterly in the Madison Avenue Meeting Room)

HRC Historic Resources Commission (meets second Tuesday at 6 p.m.) - **Meetings are now held at the Fire Station Meeting Room. On occasion, an additional meeting may be held on the 4th Tuesday of the month, usually in the Madison Avenue Meeting Room.**

THE OFFICIAL ORDER OF BUSINESS FOR EACH MEETING WILL BE DETERMINED BY THE AGENDA. CC AGENDAS ARE DISTRIBUTED THE THURSDAY BEFORE A CITY COUNCIL MEETING; AGENDAS FOR OTHER MEETINGS (PC, LDHB, CCI, HRC) ARE USUALLY DISTRIBUTED ONE WEEK BEFORE EACH MEETING.

Meeting	Date	Description	Location
CCI, 5:30 pm and 7 pm	Oct. 11	Regular Meeting, Followed at 7 pm with Annexation Workshop (for all interested citizens)	**MAMR
CC, 6 pm	Oct. 15	Regular Meeting	*Fire Station
PC, 7 pm	Oct. 17	Public Hearing - Grant Avenue Baptist Church Addition (CDP12-00003)	*Fire Station
CC, 6 pm	Nov. 5	Public Hearing - 2012 Land Development Code Amendments	*Fire Station
PC, 7 pm	Nov. 7	TBD - Training?	*Fire Station
HRC, 6 pm	Nov. 13	Regular Meeting	*Fire Station
DC, 5:30 pm	Nov. 14	Regular Meeting	**MAMR
CC, 6 pm	Nov. 19	Deliberations/Continued Public Hearing - 2012 Land Development Code Amendments	*Fire Station
PC, 7 pm	Nov. 21	TBD	*Fire Station

*Fire Station, 400 NW Harrison Boulevard, second floor meeting room

**Madison Meeting Room, 500 SW Madison Avenue

*** Library Main Meeting Room, 645 NW Monroe Avenue, main level

The City Website is located at www.CorvallisOregon.gov

tbd=to be decided



TOPIC	REVIEW OF A CONDITIONAL DEVELOPMENT PERMIT APPLICATION
CASE	GRANT AVENUE BAPTIST CHURCH ADDITION (CDP12-00003)
REQUEST	The applicant is requesting approval of a Conditional Development Permit to construct a 2,463 square foot Fellowship Hall addition to an existing church. A Conditional Development Permit approval is required for religious assembly uses located in the RS-9 (Medium-Density Residential) zone.
APPLICANT / OWNER	Grant Avenue Baptist Church 1625 NW Grant Avenue Corvallis, OR 97330
SITE LOCATION	The subject property is located at 1625 NW Grant Avenue, which is at the northeast corner of Grant Avenue and 17th Street. The property is also illustrated on Benton County Assessor's Map # 11526CC (Tax Lot 1400).
SITE AREA	2.93 acres
COMPREHENSIVE PLAN DESIGNATION	Residential – Medium Density (MD)
ZONE DESIGNATION	Medium Density Residential (RS-9)
PUBLIC COMMENT	A pre-notification of this hearing was sent to all neighborhood associations, concerned citizens, and groups on record on September 24, 2012. On September 27, 2012, 170 public notices were mailed or emailed, and the site was posted. As of the date of this staff report, no comments have been received.

ATTACHMENTS

A – City GIS Maps

A-1: Existing Conditions

A-2: Comprehensive Plan Map

A-3: Zone Map

A-4: Natural Hazards Map

A-5: Natural Resources Map

B – Application, Narrative and Drawings

C – Previous Approvals

D – Applicable Review Criteria



Figure 1 - Site and Vicinity

SITE AND VICINITY

The subject site consists of one parcel and is approximately 2.93 acres in size. The site is currently developed (see **Attachment A-1 and Figure 1**), and contains a church, associated open space, children's playground and a parking lot. Dixon Creek runs along the eastern boundary of the site. The site is bordered on the north by existing single-family residential development, a dental office to the west across NW 17th Street, and single-family residences to the south across Grant Avenue.

The Comprehensive Plan designation on the subject property is Residential – Medium Density (MD) (see **Attachment A-2**). Properties to the west and north have the same designation, or have a Residential – Low Density (LD) designation. An office complex across 17th Street to the west has a Professional Office (PO) designation. Properties to the east and south have an LD designation.

The site is zoned RS-9 (see **Attachment A-3**). Properties to the north and west have the same zone designation. The subject property abuts a PD(RS-5) zone at its northwest corner. Properties to the east and south are zoned RS-3.5. The office complex to the west across 17th Street is zoned PD(P-AO) (Professional and Administrative Office with Planned Development Overlay).

The subject site contains Natural Hazards (see **Attachment A-4**) and Natural Resources (see **Attachment A-5**). Natural Hazards consist of the Partial Protection Floodplain. The site contains a 100-ft. Partial Protection Riparian Corridor.

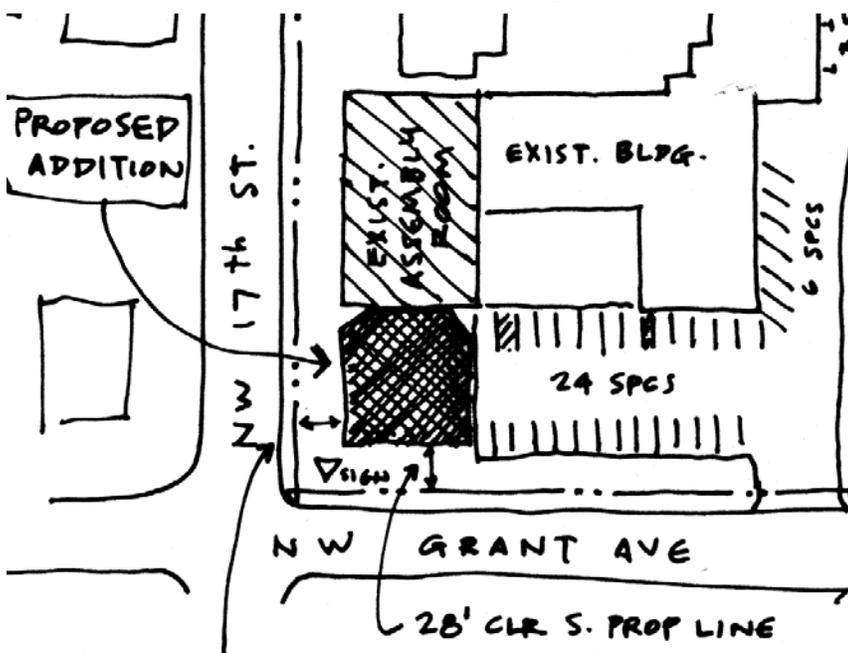
PREVIOUS LAND USE DECISIONS (see ATTACHMENT C)

- 1958: subject site and surrounding properties along Dixon Creek annexed into City limits.
- CD-91-2: approval of expansion to Grant Avenue Baptist Church for education wing
- LLA-91-2: property line adjustment between church property and residences to the north
- LLA-92-18: property line adjustment between church property and residences to the north
- CD-96-3: approval of new parking lot for church

APPLICANT'S PROPOSAL

The application was received on August 14, 2012. The applicant is the pastor for the Grant Avenue Baptist Church, and is proposing a 2,463 square foot Fellowship Hall addition to the existing church facility. The addition would be located at the southwest corner of the site (see **Figure 2 below**). The use is classified as religious assembly. The RS-9 zone requires Conditional Development Permit approval for religious assembly uses.

The proposed Fellowship Hall addition would provide for an enclosed space for congregants to meet and socialize, and provides additional restrooms and informal seating areas for the church (see **Attachment B, page 6**). The addition would be accessed internally via an existing assembly room to the north, as well as through new exterior doors on the east and west walls of the addition. The applicant is proposing two designs for the exterior walls of the addition. The first option includes heavier use of brick on the south façade, with some brick carrying over to the east and west facades underneath the windows, and lap siding. The second option provides for a minimal amount of brick



veneer, and primarily uses lap siding. Both proposals include a large bank of windows on the south façade facing Grant Avenue, and four window assemblies on each of the west and east facades.

Figure 2 - Site Plan

CONDITIONAL DEVELOPMENT PERMIT

CONDITIONAL DEVELOPMENT MODIFICATION CRITERIA

Section 2.3.40 of the Corvallis Land Development Code (LDC) provides for opportunities to modify existing, approved Conditional Development Permits. In this case, the existing church has two associated approvals from 1991 and 1996 (**see Attachment C**). However, the proposed 2,463 square foot addition equates to a 15% increase in the existing floor area, which exceeds the 10% square footage thresholds identified in Section 2.3.40.02(a.8) and (a.10). Therefore, the proposal requires a new Conditional Development Permit approval.

FINDINGS OF FACT (LDC 2.0.50.10) AND APPLICABLE LDC REVIEW CRITERIA

The Corvallis Land Development Code (LDC) Section 2.3.30.04 contains the following review criteria which must be satisfied for this application to be approved. Code criteria are written in **bold, 10 point font** and are followed by findings, conclusions, and conditions where needed to meet criteria.

APPLICABLE LDC REVIEW CRITERIA

2.3.30.04 - Review Criteria

Requests for Conditional Developments shall be reviewed to ensure consistency with the purposes of this Chapter, policies of the Comprehensive Plan, and any other applicable policies and standards adopted by the City Council.

Section 2.3.20 - PURPOSES

Procedures and review criteria for Conditional Developments are established for the following purposes:

- a. Permit certain types of public and private development that provide a community service in locations related to their service areas;**
- b. Permit commercial development in locations related to its service area;**
- c. Ensure that Conditional Development is compatible with its immediate area and the affected part of the community;**
- d. Permit Uses when potentially adverse effects can be mitigated; and**
- e. Permit a mixture of residential development types.**

FINDINGS OF FACT

1. The proposal would provide for an additional indoor meeting area for congregants of the religious assembly facility, which enhances an existing community service. The proposed addition includes architectural massing and exterior architectural finish materials that blend with the existing church, which aids in making the development compatible with its immediate surroundings. This is consistent with LDC Section 2.3.20(a) and (c). The review criteria

outlined in LDC 2.3.30.04 address compatibility concerns, as discussed below. This is consistent with the purpose of the Conditional Development Permit review process identified above, in LDC Section 2.3.20.c. Potential adverse effects of the proposed Conditional Use are addressed in the discussion below.

CONCLUSIONS

The proposal is consistent with the purposes of the Conditional Development Permit review process, as discussed above, and outlined in LDC Section 2.3.20.

The application shall demonstrate compatibility in the following areas, as applicable:

a. Basic site design (the organization of Uses on a site and the Uses' relationships to neighboring properties);

FINDINGS OF FACT

1. The proposed Fellowship Hall addition is located at the southwest corner of the site, and would be attached to the existing 16,633 square foot church building. The addition is located in an area of the site where congregants gather outside of the main doors to the church, on a concrete patio. The existing church building occupies the center of the site, with vehicle parking and driveways surrounding the building on its south, east, and north sides. A children's playground is located at the northwest corner of the church.
2. The proposed addition is located near 17th Street and Grant Avenue, and would be immediately accessible to pedestrians and bicyclists from either of the street frontages. Doors provide access to the addition on its east and west facades.

CONCLUSIONS

The proposed addition is located to take advantage of pedestrian and bicycle activity that occurs along the public sidewalks on Grant Avenue and 17th Street, and via the existing bicycle lanes on Grant Avenue. The addition provides an indoor gathering space at a location on site that already has considerable social activity on the outside patio, and may help mitigate some of the impacts of the social gatherings that occur presently, to make those activities more compatible with neighboring properties. This criterion is met without conditions.

b. Visual elements (scale, structural design and form, materials, etc.);

FINDINGS OF FACT

1. The proposed 2,463 square-foot addition is rectangular in shape, single story in height, and has a variable pitched roof with composition shingles.
2. The addition is approximately 18 feet tall at its peak.
3. The applicant is proposing two designs for the exterior walls of the addition. The first option includes heavier use of brick on the south façade, with some brick carrying over to the east and west facades underneath the windows, and lap siding. The second option provides for a minimal amount of brick veneer, and primarily uses lap siding. Both proposals include a large bank of windows on the south façade facing Grant Avenue, and four window assemblies on each of the west and east facades.
4. The existing south façade of the church uses lap siding.

CONCLUSIONS

The proposed building architecture uses materials that are intended to match the existing structure. Both options for the exterior wall finish materials would be considered visually compatible with the existing building and surrounding development. The roof form for the addition is intended to blend with the existing structure, and not detract from the prominent sweeping roof of the assembly hall. This criterion is met without conditions.

c. Noise attenuation;

FINDINGS OF FACT

1. The proposed Fellowship Hall addition will provide interior space for church members to congregate. It is expected that holding these activities indoors will have no adverse impact on neighboring properties in terms of noise impacts.

CONCLUSIONS

The noise impacts of the proposed addition are anticipated to be compatible with surrounding development. This criterion is met without conditions.

d. Odors and emissions;

FINDINGS OF FACT

1. The proposed addition will allow for members of the church to congregate and socialize, and includes seating areas, a coffee bar, and restrooms.
2. Emissions and odors will not exceed those typically expected for an enclosed building.

CONCLUSIONS

This criterion is met without conditions.

e. Lighting;

FINDINGS OF FACT

1. The applicant's narrative (**see Attachment B – page 4**) states that “any new lighting will be on the building near the entries and will be fully shielded to prevent glare onto the street or adjacent properties.”
2. The applicant has not provided additional information in the application about potential light fixtures.
3. Exterior lighting is required to be consistent with LDC Section 4.2.80. **Condition # 5** will ensure that lighting design and fixture details submitted as part of the building permit applications are consistent with the provisions in LDC Section 4.2.80.

CONCLUSIONS

The applicant has not proposed exterior lighting as part of this Conditional Development Permit application, but states that if provided, it will be fully shielded to prevent glare. A condition of approval has been provided which will ensure the lighting meets the LDC standards. As proposed and conditioned, this criterion is satisfied.

f. Signage;

FINDINGS OF FACT

1. The applicant's narrative states that no new signs are proposed with this Conditional Development Permit application.
2. Signs are required to be consistent with the provisions in LDC Chapter 4.7.

CONCLUSIONS

The application narrative indicates no signs are proposed. This criterion is met.

g. Landscaping for buffering and screening;

Section 4.1.40 - STANDARDS FOR OFF-STREET PARKING AND ACCESS

All off-street parking facilities, vehicle maneuvering areas, driveways, loading facilities, accessways, and private streets shall be designed, paved, curbed, drained, striped, and constructed to the standards set forth in this Section and the City's Off-street Parking and Access Standards, established by the City Engineer and as amended over time.

e. Screening - All parking areas containing four or more spaces and all parking areas in conjunction with an off-street loading facility shall require screening in accordance with the zoning requirements and Chapter 4.2 - Landscaping, Buffering, Screening, and Lighting. Where not otherwise specified by zoning requirements, screening along a public right-of-way shall include a minimum five-ft.-wide plant buffer adjacent to the right-of-way.

Section 4.2.40 - BUFFER PLANTINGS

Buffer plantings are used to reduce apparent building scale, provide a transition between contrasting architectural styles, and generally mitigate incompatible or undesirable views.

They are used to soften rather than block viewing. Where required, a mix of plant materials shall be used to achieve the desired buffering effect. At minimum, this mix shall consist of trees, shrubs, and ground cover, and may also consist of existing vegetation, such as natural areas that will be preserved.

At minimum, buffering is required in areas identified through Conditions of Approval, in areas required by other provisions within this Code, and in Through Lot areas, and as required below.

Parking, Loading, and Vehicle Maneuvering Areas -

- a. Buffering is required for parking areas containing four or more spaces, loading areas, and vehicle maneuvering areas. Boundary plantings shall be used to buffer these uses from adjacent properties and the public right-of-way. A minimum five-ft.-wide perimeter landscaping buffer shall be provided around parking areas; and a minimum 10 ft.-wide perimeter landscaping buffer shall be provided around trees. Additionally, where parking abuts this perimeter landscape buffer, either parking stops shall be used or planters shall be increased in width by 2.5 ft. On-site plantings shall be used between parking bays, as well as between parking bays and

vehicle maneuvering areas. Low-lying ground cover and shrubs, balanced with vertical shrubs and trees, shall be used to buffer the view of these facilities.

FINDINGS OF FACT

1. Because the applicant is redeveloping a portion of an existing developed site, areas excavated for development will need to be finished with plant materials consistent with the standards in LDC 3.4.40 and Chapter 4.2.
2. Landscape buffers are required between vehicular circulation areas and pedestrian circulation areas, per LDC Section 4.0.30.b.3.e., and are used to reduce building scale and provide buffer effect for incompatible uses.
3. Landscape buffers are required between parking areas, and vehicle circulation areas and adjacent right-of-way, per LDC Sections 4.1.40.e and 4.2.40.a.
4. The proposed Fellowship Hall addition will immediately abut an existing vehicle parking and circulation area, where vehicles will be entering and backing out of spaces adjacent to the new east wall of the addition. The applicant has indicated that there is sufficient space for vehicle maneuvering and to be able to provide a minimum 3-ft. landscape buffer between the west end of the parking lot and the new building (**see Attachment B, page 21**).
5. Provision of a 3-ft. landscape buffer along the east wall of the new addition will help to buffer the building from the parking area, consistent with LDC Section 4.2.40 (**see Condition # 4**).

CONCLUSIONS

The applicant has indicated that an adequate landscape buffer can be provided between the east wall of the addition and the existing parking lot. Provision of the buffer is consistent with applicable LDC development standards. This criterion is met, as conditioned.

h. Transportation facilities;

i. Traffic and off-site parking impacts;

FINDINGS OF FACT – EXISTING TRANSPORTATION FACILITIES and TRAFFIC

1. The proposed conditional development is for an addition to an existing church.
2. The site is located on a 2 lane collector street.
3. The applicant submitted a trip generation analysis showing an increase of 2.1 additional AM peak hour trips and 2.4 PM peak hour trips, below the City's 30 trip threshold to an intersection.
4. LDC requirements are to be met with development of the site as discussed in the applicable sections below.

CONCLUSIONS

The site and adjacent streets are compatible with the conditional use for the proposed addition to the existing church. No additional off-site traffic impacts are expected as a result of the use of the addition.

APPLICABLE DEVELOPMENT STANDARDS – CHAPTER 4.1 (VEHICLE PARKING)

Section 4.1.20 - GENERAL PROVISIONS

- a. **Provision and Maintenance - The provision of required off-street parking for vehicles and bicycles, and loading facilities for vehicles, is a continuing obligation of the property owner. Building or other Permits will only be issued after receipt of**

site plans drawn to a suitable scale and showing the location of permanent parking and loading facilities. New vehicle and bicycle parking spaces shall be provided in accordance with the provisions of this Code.

- d. **Alteration of Existing Structures -** When an existing structure is altered to the extent that the existing Use is intensified, vehicle and bicycle parking shall be provided in the amount required for such intensification. When increased intensity requires no more than two additional vehicle and/or bicycle spaces, no additional parking facilities shall be required. However, the effects of changes, additions, or enlargements shall be cumulative, and when the net effect of one or more changes generates a need for more than two spaces, they shall be provided in accordance with the provisions of this Chapter. Additional spaces shall be required for the intensification but not for the original Use. New vehicle and bicycle parking spaces shall be provided in accordance with the provisions of this Code.

Section 4.1.30 - OFF-STREET PARKING REQUIREMENTS

Minimum parking requirements for Use Types in all areas of the City, with the exception of the Central Business (CB) Zone and the Riverfront (RF) Zone, are described in Sections 4.1.30.a through 4.1.30.f. Minimum parking requirements for the Central Business (CB) Zone are described in Section 4.1.30.g.

b. Civic Use Types -

Unless noted otherwise, number of spaces refers to vehicle parking requirements, and the number of spaces for bicycle parking shall be 10 percent of required vehicle parking or two bicycle spaces, whichever is greater. However, where fewer than three vehicle spaces are required, then only one bicycle parking space shall be required.

8. Religious Assembly - One space per four fixed seats, where 24 lineal in. of bench shall be considered one seat, and one space per 50 sq. ft. of public assembly area where there are no fixed seats.

FINDINGS OF FACT – OFF-SITE PARKING IMPACTS

1. LDC Section 4.1.30 requires that vehicle and bicycle parking spaces for civic uses be provided on the development site. The LDC standards in Section 4.1.30.b specify a standard for the provision of a certain number of vehicle parking spaces, as well as a standard for a certain number of bicycle parking spaces determined as a percentage of the required vehicle parking spaces.
2. The method for calculating required vehicle parking for religious assembly uses involves the assembly use where main church services are held. In this particular case, the proposed addition does not add to the assembly area where the main church services are held. Therefore, it is not anticipated that the addition will generate a need for additional vehicle or bicycle parking, since the persons using the space will likely be visiting the church for activities that occur in other parts of the building.

CONCLUSIONS

The proposed addition will not generate the need for additional vehicle or bicycle parking, because the use of the space is not part of the methodology for determining vehicle parking requirements for religious assembly uses, as prescribed in LDC Section 4.1.30.b. The criterion is satisfied.

j. Utility infrastructure;

FINDINGS OF FACT

1. The proposed conditional development is for an addition to an existing church.
2. There are existing City utilities in the vicinity of the site. The site is already served with existing service laterals.
3. LDC requirements are to be met with development of the site as discussed in the applicable sections below.

CONCLUSIONS

Adjacent utilities are compatible with the conditional use for the addition to the existing church. No additional utility impacts are expected as a result of the addition to the existing church.

k. Effects on air and water quality (note: a DEQ permit is not sufficient to meet this criterion);

FINDINGS OF FACT

1. The applicant is proposing a Fellowship Hall addition to the existing church facility.
2. Corvallis is currently in compliance with applicable State and Federal air and water quality standards.

CONCLUSIONS

The proposed addition is anticipated to have a negligible impact on air and water quality, both during its construction and its use. This criterion is met without conditions.

l. Consistency with the applicable development standards, including the applicable Pedestrian Oriented Design Standards;

APPLICABLE DEVELOPMENT STANDARDS – RS-9 ZONE

Section 3.4.20 - PERMITTED USES

3.4.20.02 - Special Development

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

p. Religious Assembly

Section 3.4.30 - RS-9 DEVELOPMENT STANDARDS

Table 3.4-1

<p>e. Setbacks</p> <p>1. Front yard</p> <p>2. Rear yard and Side yards Interior attached townhouses exempt from interior side yard setbacks.</p> <p>a) Single Detached</p>	<p>10 ft. minimum; 25 ft. maximum Also, unenclosed porches may encroach into front yards, provided that a minimum front yard of 5 ft. is maintained.</p> <p>5 ft. minimum and each lot must have a minimum 15 ft. usable yard either on the side or rear of each dwelling. Additionally, the setbacks listed below apply for side yards not being used as the usable yard described above.</p>
---	--

b) Single Attached and Zero Lot Line Detached c) Duplex, Triplex and Fourplex d) Abutting a more restrictive zone 3. Corner Lot See also “k,” and “l,” below.	5 ft. minimum each side yard 0 ft. one side; 8 ft. minimum on opposite side 10 ft. minimum each side 10 ft. minimum 10 ft. minimum on side abutting the street. Vision clearance areas in accordance with Section 4.1.40.c of Chapter 4.1 - Parking, Loading, and Access Requirements.
h. Maximum Structure Height	30 ft., not to exceed a solar envelope approved under Chapter 2.18 - Solar Access Permits or Chapter 4.6 - Solar Access.
i. Maximum Lot Coverage	70 percent of lot area maximum; interior attached townhouses exempt from this provision. Green Area is calculated per lot.
j. Off-street Parking	See Chapter 4.1 - Parking, Loading, and Access Requirements.

Section 3.4.40 - GREEN AREA REQUIREMENTS

- a. A minimum of 30 percent of the gross lot area, and a minimum of 20 percent for center-unit townhouses on interior lots, shall be retained and improved or maintained as permanent Green Area to ensure that the 70 percent maximum lot/site coverage standard of Section 3.4.30 is met. A minimum of 15 percent of the gross lot area and a minimum of 10 percent for center-unit townhouses on interior lots shall consist of vegetation consisting of landscaping or naturally preserved vegetation.
- b. Landscaping within the required Green Area shall be permanently maintained in accordance with Chapter 4.2 - Landscaping, Buffering, Screening, and Lighting. Landscaping shall primarily consist of ground cover, ferns, trees, shrubs, or other living plants with sufficient irrigation to properly maintain all vegetation. Droughttolerant plant materials are encouraged. Design elements such as internal sidewalks, pedestrian seating areas, fountains, pools, sculptures, planters, and similar amenities may also be placed within the permanent Green Areas.

Section 3.4.90 - COMPLIANCE WITH CHAPTER 4.10 - PEDESTRIAN ORIENTED DESIGN STANDARDS

The requirements in Chapter 4.10 - Pedestrian Oriented Design Standards shall apply to the following types of development in the RS-9 Zone:

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

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

4.10.70.01 – Applicability

- b. Independent or cumulative expansions of a commercial, industrial, or civic structure in existence and in compliance with this Code on December 31, 2006, or constructed after December 31, 2006, pursuant to a valid Conceptual or Detailed Development Plan approved on or before December 31, 2006, shall not be required to comply with this section provided that:
1. The expansion adds floor area of 500 sq. ft. or less; or
 2. The expansion adds floor area of 3,000 sq. ft. or less and is equivalent to 20 percent or less of the existing structure's gross floor area.

FINDINGS OF FACT – RS-9 DEVELOPMENT STANDARDS

1. The site is located in the RS-9 zone, and is subject to the development standards in LDC Section 3.4.30. As noted in Section 3.4.20.02(p), religious assembly facilities require Conditional Development Permit approval.
2. LDC Section 3.4.30.e lists applicable building setbacks for structures in the R-9 zone. This includes a minimum front yard of 10 feet, and a maximum front yard setback of 25 feet, as well as a minimum exterior side yard setback of 10 feet. These standards apply to the Grant Avenue (front yard) and 17th Street (exterior side yard) frontages.
3. The applicant's site plan and narrative indicate that the structure will comply with the building setback standards of the RS-9 zone.
4. LDC Section 3.4.30.h states that the applicable maximum building height is 30 feet. As noted above, the proposed addition has a maximum height of approximately 18 feet.
5. LDC Section 3.4.30.i limits lot coverage to no more than 70 percent.
6. The applicant's narrative (**see Attachment B, page 2**) indicates that after accounting for the proposed addition, lot coverage will be approximately 60%. Compliance with the lot coverage standard also demonstrates that the proposal will meet the green area requirement of 30%, as specified in LDC Section 3.4.40.
7. LDC Section 3.4.90 and 4.10.70.01.b, provide thresholds for determining whether or not an addition to an existing structure is required to comply with the Pedestrian Oriented Design Standards for a civic structure in LDC Section 4.10.70. The proposed addition is 2,463 square feet in area, which equates to approximately 15% of the existing floor area of the church. This falls below the thresholds in LDC Section 4.10.70.01.b. Therefore, this Conditional Development is not required to comply with the Pedestrian Oriented Design Standards.

CONCLUSIONS

As discussed above, the proposal is consistent with applicable development standards in the RS-9 zone. The Pedestrian Oriented Design Standards in LDC Section 4.10.70 are not applicable to this Conditional Development Permit application. This criterion is met without conditions.

APPLICABLE DEVELOPMENT STANDARDS –CHAPTER 4.0

Section 4.0.20 - TIMING OF IMPROVEMENTS

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

2. Where a Land Division is not proposed, the site shall have required public and franchise utility improvements installed or secured prior to occupancy of structures, in accordance with the provisions of Section 2.4.40.12 of Chapter 2.4 - Subdivisions and Major Replats.

n. Block Perimeter Standards - The following Block Perimeter requirements apply to all development projects. Exceptions to these requirements may be approved for development that is smaller than one acre and situated in areas where the street patterns are established and do not require connections to the development.

1. Residential Standards -

a) Complete Blocks - Developments shall create a series of complete blocks

bound by a connecting network of public or private streets with sidewalks. When necessary to minimize impacts to a designated wetland, to slopes greater than 15 percent, to parks dedicated to the public, and/or to Significant Natural Features, blocks may be bound by walkways without streets.

b) **Maximum Block Perimeter** - The maximum Block Perimeter shall be 1,200 ft. Block faces greater than 300 ft. shall have a through-block pedestrian connection.

c) **Variations Allowed Outright** - Variations of up to 30 percent to these block distances may be allowed outright to minimize impacts to a designated wetland, to slopes greater than 15 percent, to parks dedicated to the public, to Significant Natural Features, to existing street patterns, and/or to existing development.

FINDINGS OF FACT – CHAPTER 4.0 – BLOCK PERIMETER STANDARDS

1. The site is bound by NW Grant Avenue, NW 17th Street, and Dixon Creek. Surrounding residential properties are all fully developed.
2. The site is located on a developed parcel with an existing street network.
3. There are no other City streets to make a connection to.
4. No new streets are called for in the vicinity of the subject site, as identified in the City's Transportation Plan.

CONCLUSIONS

It is not feasible to make additional street connections with the existing development patterns. See discussion on other code sections below.

APPLICABLE DEVELOPMENT STANDARDS – IMPROVEMENTS REQUIRED WITH DEVELOPMENT (CHAPTER 4.0)

Section 4.0.20 - TIMING OF IMPROVEMENTS

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

2. **Where a Land Division is not proposed, the site shall have required public and franchise utility improvements installed or secured prior to occupancy of structures, in accordance with the provisions of Section 2.4.40.12 of Chapter 2.4 - Subdivisions and Major Replats.**

FINDINGS OF FACT – IMPROVEMENTS REQUIRED WITH DEVELOPMENT (CHAPTER 4.0)

1. Previously installed improvements do not meet current City standards.
2. The site can accommodate additional development.

CONCLUSIONS

While the existing curb-side sidewalk does not meet current City standards and staff did find nexus for improvements, staff did not find the requirement to demolish the existing sidewalk and construct new setback sidewalk to be roughly proportional to the development proposal. Consequently, staff recommend that the existing curbside sidewalk be retained as this time.

APPLICABLE DEVELOPMENT STANDARDS – PEDESTRIAN CIRCULATION (CHAPTER 4.0)

Section 4.0.30 - PEDESTRIAN REQUIREMENTS

a. Sidewalks shall be required along both sides of all streets, as follows:

- 1. Sidewalks on Local, Local Connector, and Cul-de-sac Streets - Sidewalks shall be a minimum of five ft. wide on Local, Local Connector, and Cul-de-sac Streets. The sidewalks shall be separated from curbs by a tree planting area that provides at least six ft. of separation between the sidewalk and curb, except that this separated tree planting area shall not be provided adjacent to sidewalks where they are allowed to be located within Natural Resource areas governed by Chapter 4.12 - Significant Vegetation Protection Provisions and Chapter 4.13 - Riparian Corridor and Wetland Provisions. This separated tree planting area shall also not be provided adjacent to sidewalks where they are allowed to be located within drainageway areas governed by regulations in Chapter 2.11 - Floodplain Development Permit and Chapter 4.5 - Floodplain Provisions.**
 - 2. Sidewalks on Arterial, Collector, and Neighborhood Collector Streets - Sidewalks along Arterial, Collector, and Neighborhood Collector Streets shall be separated from curbs by a planted area. The planted area shall be a minimum of 12 ft. wide and landscaped with trees and plant materials approved by the City. The sidewalks shall be a minimum of five ft. wide. An exception to these provisions is that this separated tree planting area shall not be provided adjacent to sidewalks where they are allowed to be located within Natural Resource areas governed by Chapter 4.12 - Significant Vegetation Protection Provisions and Chapter 4.13 - Riparian Corridor and Wetland Provisions. This separated tree planting area shall also not be provided adjacent to sidewalks where they are allowed to be located within drainageway areas governed by regulations in Chapter 4.5 - Natural Hazard and Hillside Development Provisions.**
 - 3. Sidewalk Installation Timing - The timing of the installation of sidewalks shall be as follows:**
 - a) Sidewalks and planted areas along Arterial, Collector, and Neighborhood Collector Streets shall be installed with street improvements.**
 - b) Except as noted in “c,” below, construction of sidewalks along Local, Local Connector, and Cul-de-sac Streets may be deferred until development of the site and reviewed as a component of the Building Permit. However, in no case shall construction of the sidewalks be completed later than three years from the recording of the Final Plat. The obligation to complete sidewalk construction within three years will be outlined in a deed restriction on affected parcels and recorded concurrently with the Final Plat.**
- b. Safe and Convenient Pedestrian Facilities - Safe and convenient pedestrian facilities that minimize travel distance to the greatest extent practicable shall be provided in conjunction with new development within and between new Subdivisions, Planned Developments, commercial developments, industrial areas, residential areas, transit stops, and neighborhood activity centers such as schools and parks, as follows:**
- 1. For the purposes of this Section, safe and convenient means pedestrian facilities that are free from hazards and that provide a direct route of travel between destinations.**

FINDINGS OF FACT

1. The subject site has frontage on NW Grant Avenue and NW 17th Street.

2. NW Grant Avenue is classified as a collector street and lacks street improvements to current City standards identified in LDC Table 4.0 -1. The existing sidewalk is curb-side. A landscape strip is not present. The applicant is not proposing to remove the existing sidewalk and replacing it with a new setback sidewalk.
3. NW 17th Street is classified as a local street and lacks street improvements to current City standards identified in LDC Table 4.0 -1. The existing sidewalk is curb-side. A landscape strip is not present. The applicant is not proposing to remove the existing sidewalk and replacing it with a new setback sidewalk.
4. The applicant proposes to dedicate additional ROW to meet the standards in LDC Table 4.0-1 in order to accommodate the features of a City standard street.
5. The exact amount of ROW needed to provide the City standard of 34 ft from original centerline of NW Grant Avenue and 25 ft from the original centerline of NW 17th Street will need to be surveyed (**see Conditions #6 and #7**).

CONCLUSIONS

The applicants have recognized the requirements to dedicate additional ROW, consistent with the requirements of LDC Table 4.0-1 in order to accommodate future setback sidewalks (**Conditions 6 and 7**). While the existing curb-side sidewalk does not meet current City standards and staff did find nexus for improvements, staff did not find the requirement to demolish the existing sidewalk and construct new setback sidewalk to be roughly proportional to the development proposal.

APPLICABLE DEVELOPMENT STANDARDS – BICYCLE CIRCULATION (CHAPTER 4.0)

4.0.40 - BICYCLE REQUIREMENTS

- b. **Safe and Convenient Bicycle Facilities - Safe and convenient bicycle facilities that minimize travel distance to the greatest extent practicable shall be provided in conjunction with new development within and between new Subdivisions, Planned Developments, commercial developments, industrial areas, residential areas, transit stops, and neighborhood activity centers such as schools and parks, as follows:**
 1. **For the purposes of this Section, safe and convenient means bicycle facilities that are free from hazards and provide a direct route of travel between destinations.**

FINDINGS OF FACT

1. The subject site has frontage on NW Grant Avenue and NW 17th Street.
2. NW Grant Avenue is classified as a collector street and has existing 5 ft bike lanes.
3. Footnote 3 of LDC Table 4.0-1 states the minimum width for safety concerns is 5 ft. There are no known issues with the existing bike lanes on NW Grant Avenue.
4. NW 17th Street is classified as a local street and per LDC Table 4.0-1, local streets are a shared surface for bikes and cars.

CONCLUSIONS

The existing conditions meet current LDC standards for bicycle circulation. The criterion is satisfied.

APPLICABLE DEVELOPMENT STANDARDS – TRANSIT (CHAPTER 4.0)

Section 4.0.50 - TRANSIT REQUIREMENTS

- a. **Development sites located along existing or planned transit routes shall, where appropriate, incorporate transit stops and shelters into the site design. These improvements shall be installed in accordance with the guidelines and standards of the Corvallis Transit System.**
 - b. **Development sites at or near existing or planned transit stops shall provide safe, convenient access to the transit system, as follows:**
 1. **All Commercial and Civic Use developments shall provide a prominent entrance oriented toward Arterial, Collector, and Neighborhood Collector Streets, with front setbacks reduced as much as possible to provide access for pedestrians, bicycles, and transit.**
 2. **All developments shall provide safe, convenient pedestrian walkways between the buildings and the transit stop, in accordance with the provisions of Section 4.0.30.b.**

FINDINGS OF FACT

1. Transit routes 5 and C1 serve NW Kings Boulevard to the west of the site.
2. Transit routes 4 and CVA serve NW Highland Drive to the east of the site.
3. Sidewalks along NW Grant Avenue provide connectivity between the site and existing bus routes.

CONCLUSIONS

The existing conditions meet current LDC requirements. The criterion is satisfied.

APPLICABLE DEVELOPMENT STANDARDS – PUBLIC STREET IMPROVEMENTS (CHAPTER 4.0)

LDC Section 4.0.60 - PUBLIC AND PRIVATE STREET REQUIREMENTS

- a. **Traffic evaluations shall be required of all development proposals in accordance with the following:**
 1. **Any proposal generating 30 or more trips per hour shall include Level of Service (LOS) analyses for the affected intersections. A Traffic Impact Analysis (TIA) is required, if required by the City Engineer. The TIA shall be prepared by a registered professional engineer. The City Engineer shall define the scope of the traffic impact study based on established procedures. The TIA shall be submitted for review to the City Engineer. The proposed TIA shall reflect the magnitude of the project in accordance with accepted traffic engineering practices. The applicant shall complete the evaluation and present the results with an overall site development proposal.**

FINDINGS OF FACT

1. The applicant submitted a trip generation analysis showing an increase of 2.1 additional AM peak hour trips and 2.4 PM peak hour trips, below the City's 30 trip threshold to an intersection.

CONCLUSIONS

Trips generated by the addition to the existing church fall below the City's threshold to require a level of service (LOS) analysis. The proposed development meets current LDC requirements.

APPLICABLE DEVELOPMENT STANDARDS – SITE ACCESS and STREETS (CHAPTER 4.0)

- e. Development sites shall be provided with access from a public street or a private street that meets the criteria in “d,” above, both improved to City standards in accordance with the following:
 - 1. Where a development site abuts an existing public street not improved to City standards, the abutting street shall be improved to City standards along the full frontage of the property concurrently with development. Where a development site abuts an existing private street not improved to City standards, and the private street is allowed per the criteria in “d”, above, the abutting street shall meet all the criteria in “d”, above and be improved to City standards along the full frontage of the property concurrently with development.****

- k. Location, grades, alignments, and widths for all public and private streets shall be considered in relation to existing and planned streets, topographical conditions, public convenience and safety, and proposed land use. Where topographical conditions present special circumstances, exceptions to these standards may be granted by the City Engineer provided that the safety and capacity of the street network is not adversely effected. The following standards shall apply:
 - 8. Right-of-way and improvement widths shall be as specified in the Transportation Plan and Table 4.0-1 - Street Functional Classification System.****

Table 4.0-1- Street Functional Classification System¹

	Arterial Highway	Arterial	Collector	Neighborhood Collector	Local Connector	Local
Auto amenities (lane widths) ²	2-5 Lanes (11 - 14 ft.)	2-5 Lanes (12 ft.)	2-3 Lanes (11 ft.)	2 Lanes (10 ft.)	2 Lanes (10 ft.)	Shared Surface
Bike amenities ³	2 Lanes (6 ft.)	Shared Surface	Shared Surface			
Pedestrian amenities	2 Sidewalks (6 ft.) Ped. Islands	2 Sidewalks (5 ft.) Ped. Islands	2 Sidewalks (5 ft.)	2 Sidewalks (5 ft.)	2 Sidewalks (5 ft.)	2 Sidewalks (5 ft.)
Transit	Typical	Typical	Typical	Typical	Permissible/not typical	Permissible/not typical
Managed speed ⁴	20 mph - 55 mph	25 mph - 45 mph	25 mph - 35 mph	25 mph	25 mph	15-20 mph
Curb-to-curb width ⁵ (two way)						
No on-street parking	34 ft - 84 ft.*	34 ft.-72 ft.	34 ft.-45 ft.	32 ft.	20 ft.*	20 ft.*
Parking one side	42 ft. - 84 ft.	NA	NA	40 ft.	28 ft.	25 ft.*
Parking both sides	50 ft. - 84 ft.	NA	NA	48 ft.	28-34 ft.	28 ft.
Traffic calming ⁶		No	Permissible/ not typical	Typical	Permissible	Permissible
Preferred adjacent land use	High Intensity	High Intensity	Med. to High Intensity	Medium Intensity	Med. to Low Intensity	Low Intensity
Access control	Yes	Yes	Some	No	No	No
Turn lanes		Continuous and/or medians with ped. islands	Typical at intersections with Arterials or Collectors	Not typical	Not typical	Not typical
Planting strips ^{7,8}	Two - 12 ft. Except across areas of Natural Features	Two - 12 ft. Except across areas of Natural Features	Two - 12 ft. Except across areas of Natural Features	Two - 12 ft. Except across areas of Natural Features	Two - 6 ft. Except across areas of Natural Features	Two - 6 ft. ⁷ Except across areas of Natural Features ^{7,8}
Through-traffic connectivity		Primary function	Typical function	Typical function	Permissible function	Permissible function

1. These standards do not preclude the flexibility currently allowed through the Planned Development process in Chapter 2.5 - Planned Development.
2. Lane widths shown are the preferred construction standards that apply to existing routes adjacent to areas of new development, and to newly constructed routes. On Arterial and Collector roadways, an absolute minimum for safety concerns is 10 ft. Such minimums are expected to occur only in locations where existing development along an established sub-standard route or other severe physical constraints preclude construction of the preferred facility width.
3. An absolute minimum width for safety concerns is five ft., which is expected to occur only in locations where existing development along an established sub-standard route or other severe physical constraints preclude construction of the preferred facility width. Parallel multi-use paths in lieu of bike lanes are not appropriate along the Arterial-Collector system due to the multiple conflicts created for bicycles at driveway and sidewalk intersections. In rare instances, separated (but not adjacent) facilities may provide a proper function.
4. Arterial Highway speeds in the Central Business or other Commercial zones in urban areas may be 20-25 mph. Traffic calming techniques, signal timing, and other efforts will be used to keep traffic within the desired managed speed ranges. Design of a corridor's vertical and horizontal alignment will focus on providing an enhanced degree of safety for the managed speed.
5. Street design for each development shall provide for emergency and fire vehicle access. Street widths of less than 28 ft. shall be applied as a development condition through the Subdivision process in Chapter 2.4 - Subdivisions and Major Replats and/or the Planned Development process in Chapter 2.5 - Planned Development. The condition may require the developer to choose between improving the street to the 28-ft. standard or constructing the narrower streets with parking bays placed intermittently along the street length. The condition may require fire-suppressive sprinkler systems for any dwelling unit more than 150 ft. from a secondary access point. * To be applied in RS-9 and lesser zones.
6. Traffic calming includes such measures as bulbed intersections, speed humps, raised planted medians, mid-block curb extensions, traffic circles, signage, and varied paving materials and is addressed in the Transportation Plan.
7. Through the Planned Development Review Process, the planting strip along Local Streets and around the bulbs of Cul-de-sacs may be reduced or eliminated.
8. Where streets must cross protected Natural Features, street widths shall be minimized by providing no on-street parking and no planting strips between the curb and the sidewalk on either side of the street.

FINDINGS OF FACT

1. Site access is provided by NW Grant Avenue and NW 17th Street.

2. According to the City's Transportation Plan, NW Grant Avenue is designated as a collector street and NW 17th Street is designated as a local street.
3. Per LDC Table 4.0-1, a collector street requires a minimum of 68 ft of ROW to accommodate two 11 ft travel lanes, 6 ft bike lanes, 12 ft landscape strips, and 5 ft setback sidewalks.
4. Per LDC Table 4.0-1, a local street requires a minimum of 50 ft of ROW to accommodate a 28 ft street, 6 ft landscape strips, and 5 ft setback sidewalks.
5. Existing conditions for NW Grant Avenue are 11 ft travel lanes, 5 ft bike lanes, an 8 ft parking lane on the south side, no landscape strips, and 5 ft sidewalks.
6. Existing conditions for NW 17th Street are a 34 ft street, no landscape strips, and 5 ft sidewalks.
7. The applicant has stated that they accept that ROW will be required to be dedicated with the proposed development.

CONCLUSIONS

The applicants have recognized the requirements to dedicate additional ROW, consistent with the requirements of LDC Table 4.0-1 in order to accommodate future setback sidewalks (**see Conditions #6 and #7**). While the existing curb-side sidewalk does not meet current City standards and staff did find nexus for improvements, staff did not find the requirement to demolish the existing sidewalk and construct new setback sidewalk to be roughly proportional to the development proposal.

APPLICABLE DEVELOPMENT STANDARDS - LDC Section 4.0.70 - PUBLIC UTILITY REQUIREMENTS (OR INSTALLATIONS)

LDC Section 4.0.70 - PUBLIC UTILITY REQUIREMENTS (OR INSTALLATIONS)

- a. **All development sites shall be provided with public water, sanitary sewer, storm drainage, and street lights.**
- b. **Where necessary to serve property as specified in "a" above, required public utility installations shall be constructed concurrently with development.**
- c. **Off-site public utility extensions necessary to fully serve a development site and adjacent properties shall be constructed concurrently with development.**
- d. **To provide for orderly development of adjacent properties, public utilities installed concurrently with development of a site shall be extended through the site to the edge of adjacent property(ies).**
- e. **All required public utility installations shall conform to the City's adopted facilities master plans.**

FINDINGS OF FACT (PUBLIC WATER UTILITY)

1. There is an existing 12 inch public water line located in NW Grant Avenue, and an existing 16 inch public water line located in NW 17th Street.
2. The existing development on the site has a City water service.
3. The proposed addition will not require any additional services.

CONCLUSIONS:

No additional public water lines are required to serve the site. The development will meet applicable Land Development Code criteria for City water requirements.

FINDINGS OF FACT (PUBLIC SANITARY SEWER UTILITY)

1. There is an existing 8 inch public sewer line located in NW 17th Street.
2. The existing development on the site has a City sewer lateral.
3. The proposed addition will not require any additional laterals.

CONCLUSIONS:

No additional public sewer lines are required to serve the site. The development will meet applicable Land Development Code criteria for City sewer requirements.

FINDINGS OF FACT (PUBLIC STORMWATER UTILITY)

1. There is an existing 18 inch public storm line in NW Grant Avenue and an existing 12 inch public storm line in NW 17th Street.

CONCLUSIONS:

No additional public storm lines are required to serve the site. The development will meet applicable Land Development Code criteria for City sewer requirements.

FINDINGS OF FACT (STREET LIGHTS)

1. There are existing public street lights adjacent to the site.

CONCLUSIONS:

No additional public street lights are required to serve the site. The development will meet applicable Land Development Code criteria for public street light requirements.

APPLICABLE DEVELOPMENT STANDARDS - Section 4.0.90 - FRANCHISE UTILITY INSTALLATIONS

- f. The developer shall be responsible for making necessary arrangements with Franchise Utility providers for provision of plans, timing of installation, and payment for services installed. Plans for Franchise Utility installations and plans for public improvements shall be submitted together to facilitate review by the City Engineer.**

FINDINGS OF FACT (FRANCHISE UTILITIES)

1. Existing franchise utilities are located in the vicinity of the subject site.

CONCLUSIONS:

The application is consistent with applicable Land Development Code requirements.

APPLICABLE DEVELOPMENT STANDARDS - Section 4.0.100 - LAND FOR PUBLIC PURPOSES

- b. **Utility easements with a minimum width of seven ft. shall be granted to the public adjacent to all street rights-of-way for franchise utility installations.**

FINDINGS OF FACT (UTILITY EASEMENTS)

1. The applicant has acknowledged the code requirement to grant 7 ft utility easements adjacent to all street ROW's.

CONCLUSIONS:

The applicants have recognized the requirements to grant a 7 ft utility easement, consistent with the requirements of LDC 4.0.100.b (**see Condition #8**).

APPLICABLE STANDARDS - Section 4.0.140 - ROUGH PROPORTIONALITY

If an applicant intends to assert that it cannot legally be required, as a condition of Building Permit or development approval, to provide easements, dedications, or improvements at the level otherwise required by this Code, the Building Permit or site plan review application shall include a rough proportionality report in accordance with the provisions of Section 1.2.120 of Chapter 1.2 - Legal Framework.

FINDINGS OF FACT (ROUGH PROPORTIONALITY):

1. The requirements of setback sidewalks and planter strips which trigger the ROW dedication/easements (**see Conditions # 6 & # 7**) are City standards and components of safe public sidewalks that are taken into consideration when determining serviceability. The applicant benefits from additional ROW and setback sidewalks in the form of:
 - An enhanced aesthetic experience for pedestrians as the separation from motor vehicle traffic decreases road noise, prevents water from the roadway being splashed on pedestrians and provides an enhanced sense of security.
 - An enhanced environment for wheelchair users as the sidewalk can be kept at a constant slope with the steeper slopes for driveway approaches built into the planting strip.
 - An area for street trees, sign posts, utility and signal poles, mailboxes, fire hydrants, etc.
 - Mature street trees may reduce vehicle speed.
 - When wide enough, a place for a motor vehicle to wait out of the stream of traffic while yielding to a pedestrian crossing a driveway.
 - A break in hard surfacing with added pervious area.
 - Facilitating construction of commercial approaches by allowing adequate ROW to install the minimum radius on the approach of 8 feet or larger to accommodate smooth vehicular and truck turning movements.
 - A transit facility, if needed, can be installed in wider planter strips which benefits the adjacent property's employees and customers.
2. The addition to the existing church is intended to better serve the existing members, not provide additional capacity. The City standard landscape strips and setback sidewalks

will not provide additional capacity over the existing curb-side sidewalks. While the addition does provide a nexus for the improvements, the cost to construct the landscape strip and setback sidewalk are not roughly proportional to the benefits received.

CONCLUSIONS:

While the applicant did not submit a rough proportionality report in accordance with the provisions of Section 1.2.120 of Chapter 1.2 - Legal Framework, staff have made the finding that the cost to construct the landscape strip and setback sidewalk are not roughly proportional to the benefits received.

m. Preservation and/or protection of Significant Natural Features, consistent with Chapter 2.11 - Floodplain Development Permit, 4.2 - Landscaping, Buffering, Screening, and Lighting, Chapter 4.5 - Floodplain Provisions, Chapter 4.11 - Minimum Assured Development Area (MADA), Chapter 4.12 - Significant Vegetation Protection Provisions, Chapter 4.13 - Riparian Corridor and Wetland Provisions, and Chapter 4.14 - Landslide Hazard and Hillside Development Provisions. Streets shall also be designed along contours, and structures shall be designed to fit the topography of the site to ensure compliance with these Code standards.

FINDINGS OF FACT

1. The subject property contains Natural Hazards and Natural Resources (**see Attachments A-4 and A-5**).
2. The site's mapped Natural Resource is a 100-ft. Partial Protection Riparian Corridor associated with Dixon Creek, which runs along the eastern edge of the subject property. The proposed Fellowship Hall addition is not located in the vicinity of Dixon Creek and construction of the addition does not pose an immediate impact to the protected Natural Resource.
3. The site's mapped Natural Hazard is the Partial Protection Floodway Fringe and 0.2-ft. Floodway associated with Dixon Creek, which runs along the eastern edge of the subject property. The floodway fringe extends westward through the site, across the existing parking lot, and ends in the vicinity of the development.
4. The applicant has submitted an overlay which shows the proposed Fellowship Hall addition in relation to the floodway fringe boundary (**see Attachment B, page 9**). The overlay indicates that the addition can be constructed without encroaching into the Floodway Fringe. The applicant will need to demonstrate that all construction activities and the Fellowship Hall addition comply with the requirements and exemptions of the LDC Floodplain Protection and Floodplain Development Permit provisions of Chapter 4.5 (**see Development Related Concern # 3**).
5. The site contains existing Significant Trees along the west property line (**street trees – see Figure 3**). The applicant has indicated these trees will be preserved as part of this Conditional Development. The applicant will need to implement the appropriate tree protection measures during construction to ensure survival of the subject trees (**see Condition # 3**), consistent with LDC 4.2.20.d and 4.12.60.f.



Figure 3 - Existing Significant Tree along site's NW 17th Street frontage, view to northeast

CONCLUSIONS

The site contains existing mapped Natural Resources and Natural Hazards. The applicant has demonstrated in the submitted site plan and narrative, that the identified Partial Protection Riparian Corridor and Partial Protection Floodplain will be protected consistent with the standards in LDC Chapter 4.5 and Section 4.13.60. Significant Vegetation subject to protections per the standards in LDC Chapter 4.2 and 4.13 has been identified along the west property line. The applicant has indicated the intent to protect the existing street trees per the LDC standards in Sections 4.2.20.d and 4.12.60.f. As conditioned (**Condition # 3**), this criterion is met.

OVERALL CONCLUSION and RECOMMENDATION

Based on the discussion, findings, and conclusions above, staff find that the application is consistent with the applicable LDC review criteria for a Conditional Development Permit. Based on this, staff recommend that the Planning Commission approve the request as described in **Attachment B**, and as conditioned in this staff report. Staff has provided the following recommended motion:

RECOMMENDED MOTION

Motion: I move to approve the proposed Conditional Development Permit application for the Grant Avenue Baptist Church Addition, as described in Attachment B. My motion is based upon the staff recommendation to the Planning Commission.

CONDITIONS OF APPROVAL FOR CDP12-00003 (GRANT AVENUE BAPTIST CHURCH ADDITION)

Conditions of Approval for CDP12-00003 (Grant Avenue Baptist Church Addition)		
Page #	Condition #	Condition Language
All	1	<p>Consistency with Plans: Construction shall occur consistent with the site plan, floor plans, architectural building elevations, and applicant’s narrative, as described in Attachment B. The applicant has the choice of building finish materials depicted on Attachment B, page 7 or 8.</p> <p>Modifications to this development proposal shall be reviewed for consistency with the approved Conditional Development Permit, per LDC 2.3.30.10, and shall be processed as a Conditional Development Permit Modification per LDC 2.3.40, if the development proposed is found to be non-compliant with the original approval.</p>
All	2	<p>Adherence to Land Development Code standards: This Conditional Development Permit approval does not authorize variations to LDC standards. All development shall comply with applicable Land Development Code standards. Compliance shall be demonstrated at time of submittal for Excavation and Grading, site development, and building permits.</p>
24	3	<p>Significant Tree Protection: With submittal of the building and site work permit applications, the applicant shall demonstrate that existing significant trees in the vicinity of construction will be preserved. Prior to issuance of building and site work permits, the applicant shall install tree protection fencing consistent with the standards in LDC Section 4.2.20.d and 4.12.60.f.</p>

Conditions of Approval for CDP12-00003 (Grant Avenue Baptist Church Addition)

Page #	Condition #	Condition Language
9	4	<p><u>Landscaping Construction and Maintenance:</u> The following landscaping provisions shall apply to overall development of the site:</p> <p>Landscape and Irrigation Plans – Prior to issuance of building permits, and concurrent with site improvements (excavation, grading, utilities, and PIPC plans, as applicable), the applicant shall submit landscape construction documents for this site to the Development Services Division, which contain a specific planting plan (including correct Latin and common plant names), construction plans, irrigation plans, details, and specifications for all required landscaped areas on the site. Required landscaping includes provision of a minimum 3-ft. landscaped buffer along the east wall of the addition (abutting the existing parking lot), as well as restorative landscaping along the perimeter of the Fellowship Hall addition, where excavation has occurred.</p> <p>Significant Trees to be preserved, as discussed in Condition 3 above, and methods of protection shall be indicated on the detailed planting plan submitted for approval. Where a particular plant or irrigation standard is not specifically mentioned below, the plans shall comply with LDC Chapter 4.2.</p> <p>Installation – All required landscaping and related improvements shall be installed as illustrated on the approved Landscape and Irrigation Permit, and shall be completed prior to issuance of a final Certificate of Occupancy. The installation will be inspected and approved by the Development Services Division, and shall occur prior to or concurrent with final inspections for site construction permits.</p> <p>Three-Year Maintenance Guarantee – Prior to final acceptance of the installation, the developer shall provide a financial guarantee to the City, as specified in LDC 4.2.20.</p> <p>Coverage within Three Years - All required landscaping shall provide a minimum 90 percent ground coverage within three years.</p> <p>Three-Year Maintenance Guarantee Release - The developer shall provide a report to the Development Services Division just prior to the end of the three year maintenance period, as prescribed in Section 4.2.20.a.3 of the LDC. The report shall be prepared by a licensed arborist or licensed landscape contractor and shall verify that 90 percent ground coverage has been achieved, either by successful plantings or by the installation of replacement plantings. The Director shall approve the report prior to release of the guarantee.</p>
7	5	<p><u>Exterior Lighting:</u> All exterior lighting shall comply with LDC Section 4.2.80.</p>
16,20	6	<p><u>Right of Way Dedication</u> - Prior to occupancy of the proposed addition, the applicant shall dedicate additional right-of-way (ROW) along NW Grant Avenue in order to provide a total of 34 ft of ROW from the original ROW centerline. An environmental assessment for all land to be dedicated must be completed in accordance with LDC Section 4.0.100.g.</p>

Conditions of Approval for CDP12-00003 (Grant Avenue Baptist Church Addition)		
Page #	Condition #	Condition Language
16,20	7	<u>Right of Way Dedication</u> - Prior to occupancy of the proposed addition, the applicant shall dedicate additional ROW along NW 17 th Street in order to provide a total of 25 ft of ROW from the original ROW centerline. An environmental assessment for all land to be dedicated must be completed in accordance with LDC Section 4.0.100.g.
22	8	<u>Franchise Utility Easement</u> - Prior to occupancy of the proposed addition, the applicant shall grant a minimum 7 ft Utility Easement (UE) adjacent to all street rights-of-way in accordance with LDC 4.0.100.b.

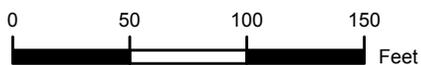
DEVELOPMENT RELATED CONCERNS

1. **Future Site Development and Improvements** - Future development on the site may require street improvements, to include relocating curbside sidewalks allowing for planter strips, along NW Grant Avenue and NW 17th Street. The need for improvements will be weighed against future development proposals.
2. **Infrastructure Cost Recovery** - Where it is determined that there will be Infrastructure Cost Recovery payments from past public improvements the developer shall pay their required share of the costs prior to receiving any building permits in accordance with Corvallis Municipal Code 2.18.040.
3. **Floodplain Development Permit Required** – With submittal of the site development and building permit applications, the applicant shall submit information necessary to comply with the City's floodplain development standards in LDC Chapter 4.5.

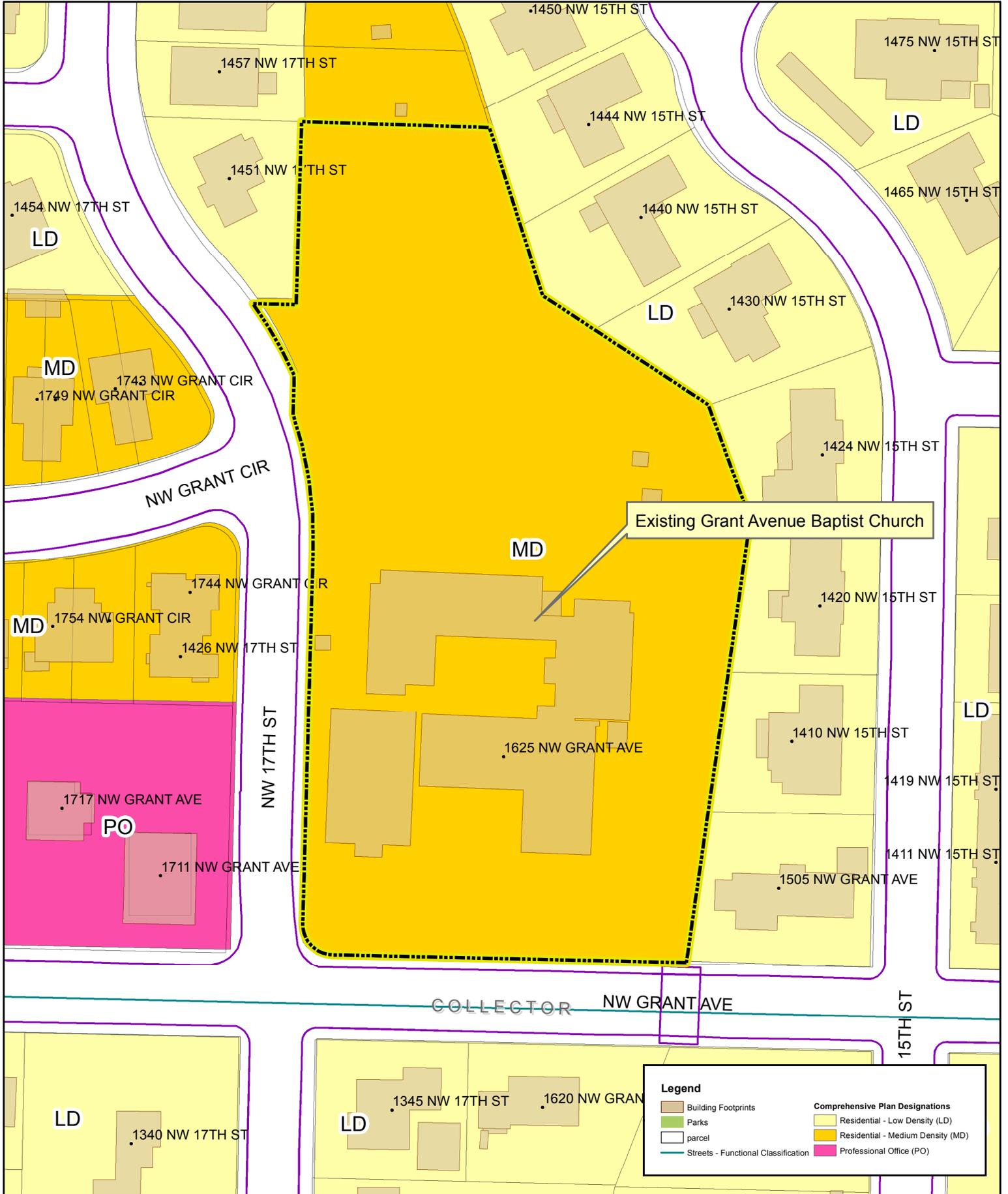
Existing Conditions



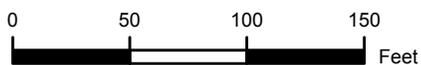
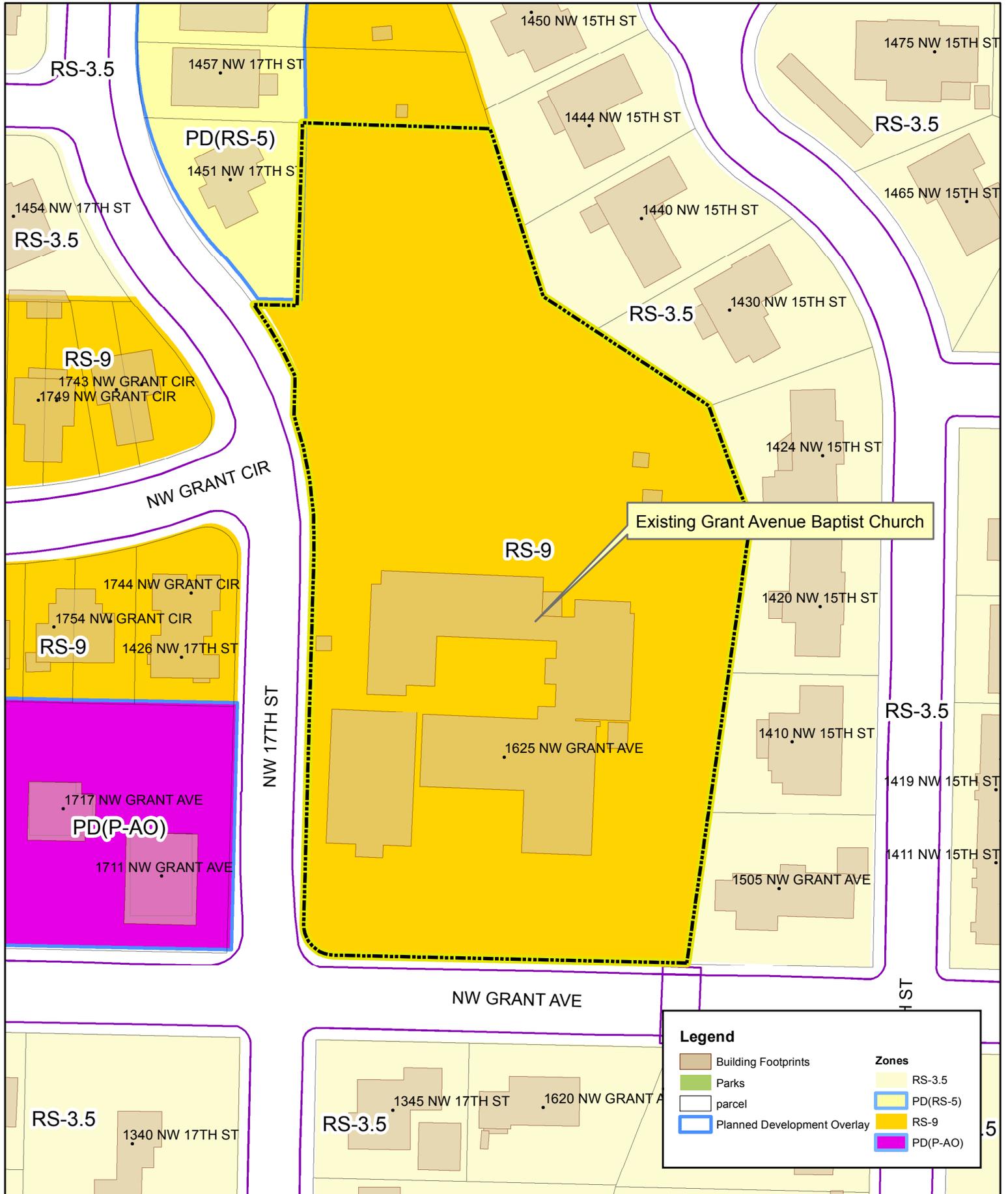
Existing Grant Avenue Baptist Church



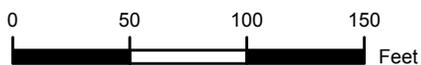
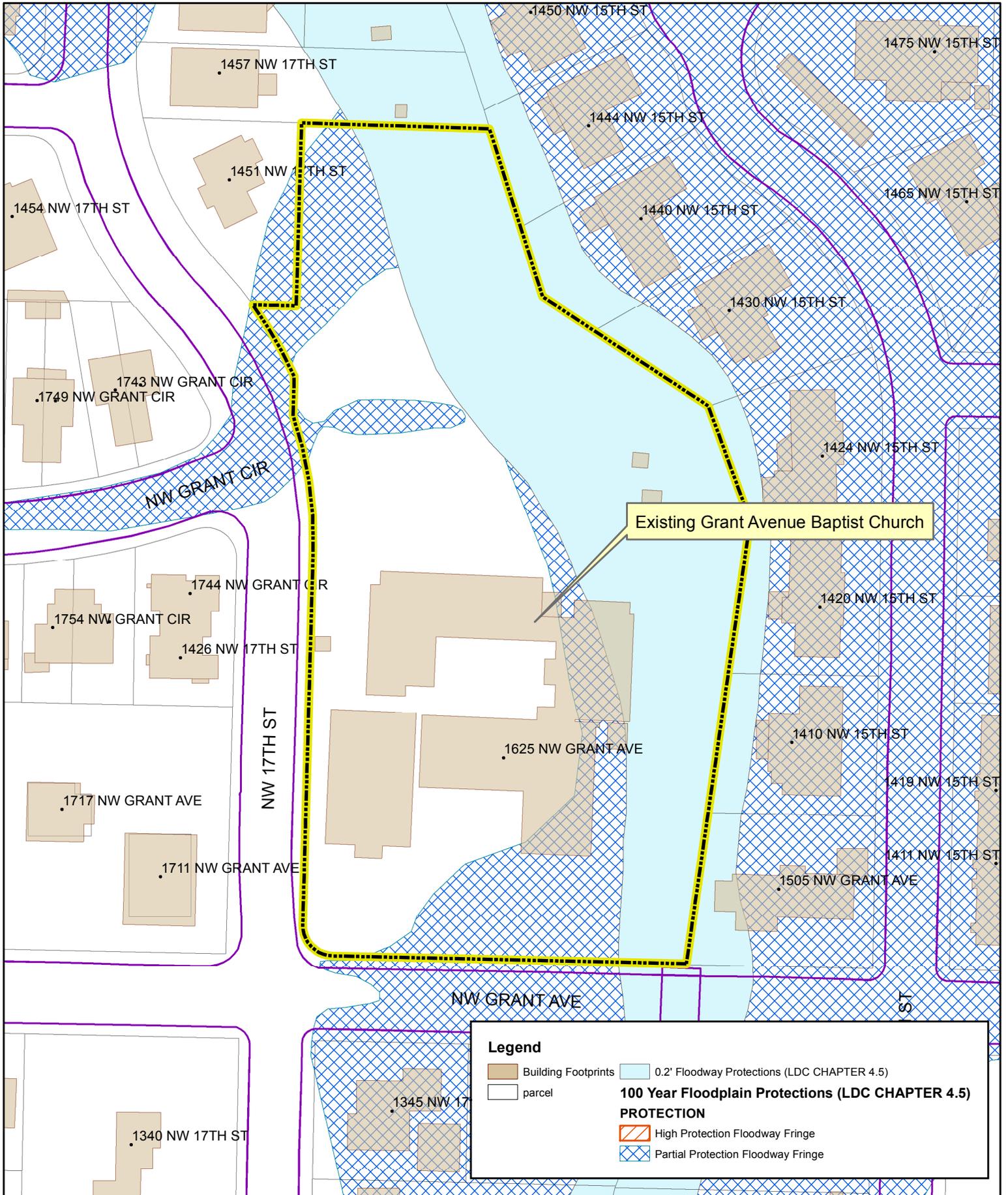
Comprehensive Plan Map



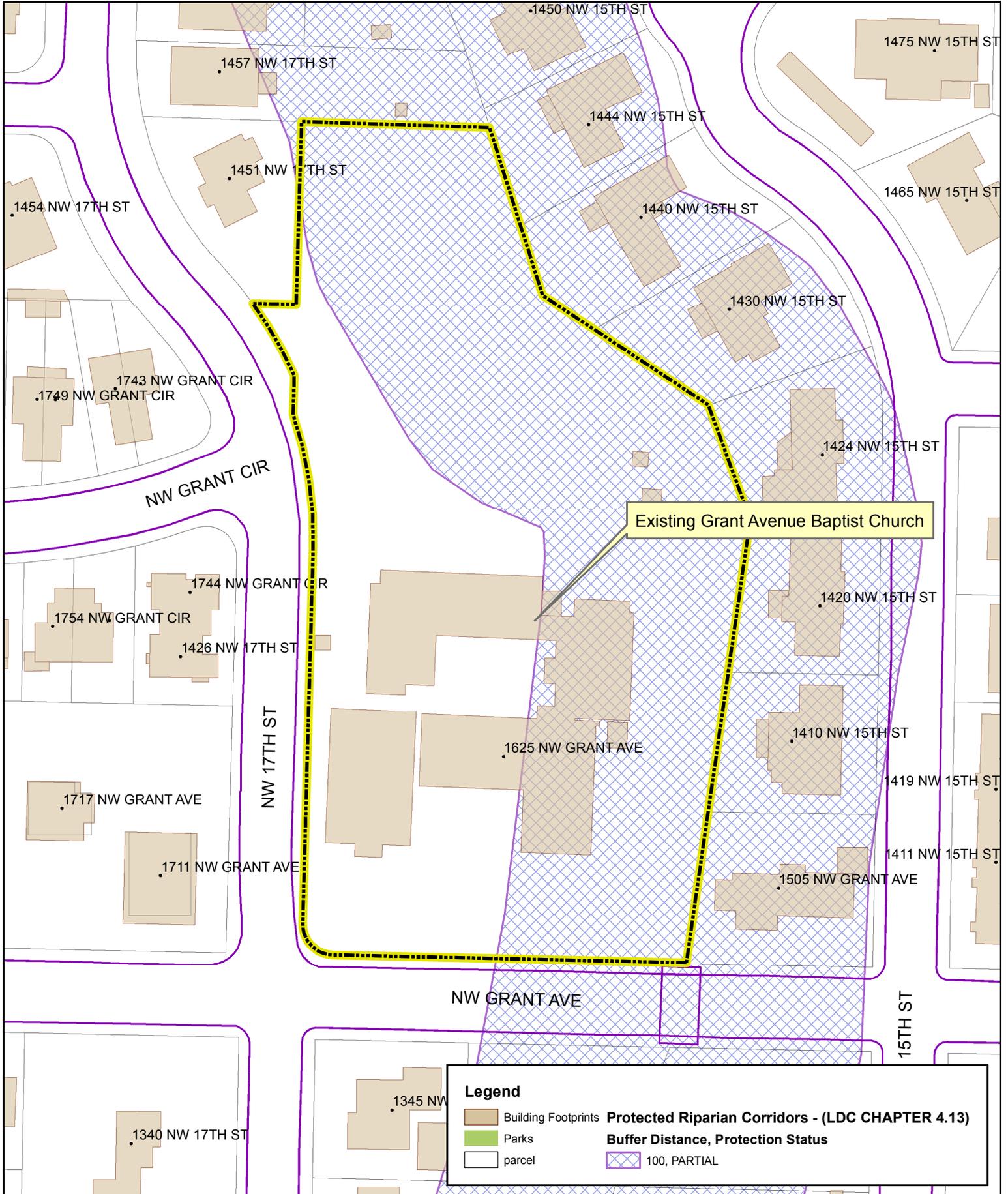
Zone Map



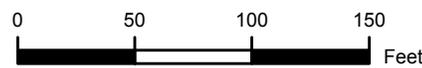
Natural Hazards Map



Natural Resources Map



Legend	
	Building Footprints
	Parks
	parcel
Protected Riparian Corridors - (LDC CHAPTER 4.13)	
Buffer Distance, Protection Status	
	100, PARTIAL





City of Corvallis, Planning Division
501 SW Madison Ave, Corvallis
ATTN: Jason Yaich

REVISED 10 September 2012

RE: Grant Avenue Baptist Church Fellowship Hall Addition
1625 NW Grant Avenue, Corvallis

Conditional Development Approval Application Cover Letter

Per your letter dated 06 September 2012 and our meeting on that date, this cover letter and the attached Narrative have been revised (in italics) and additional attachments are included. Responses to your letter are as follows:

1. *Proposed addition Floor Plan and Exterior Elevations are attached as a separate PDF file; an electronic version of all materials submitted is in a separate PDF file.*
- 2a. *Floodplain: see attached sketch overlay of proposed addition and R.O.W. dedications showing addition is approx. 3 ft clear of the 100 year flood line and required setbacks comply after R.O.W. dedications.*
- 2b. *See item g)2. below for revised estimated lot area coverages.*
- 2c. *See attached Proposed Addition Floor Plan (dwg 1, 10 Sep 2012) for pedestrian circulation and vehicle parking notes and detail.*
- 2d. *See item i. on the attached revised Narrative for added parking discussion.*
3. *Previous Conditional Development Approvals: The applicant acknowledges CDP91-00002 (2,400 sf addition) and CDP96-00003 (parking area addition) and believes all previous conditions of approval have been satisfied.*
4. *Public Improvements: See attached Public Improvements Acknowledgement letter*
5. *Fee Payment: the applicant will make payment of remaining application fees.*
6. *Electronic Files: attached as PDF files.*
7. *Case Schedule: the applicant wishes to have the public hearing before the Planning Commission at the earliest possible date.*

The thresholds for a Conditional Development Modification (LDC 2.3.40.02) have been exceeded by the area of the proposed addition (items 8. & 10.; area existing buildings = 16,633 sf / area proposed addition 2,463 sf: ~15% increase in building area)

Responding to or requesting waiver of following application requirements (LDC 2.3.30.01) due to limited scope of the proposed addition:

a) Location: 1625 NW Grant Ave, Corvallis

Subject property is 2.93 acre tax lot used for religious assembly

Assessor's map 11 5 26 CC 01400

Bounded by NW Grant Ave on south, Dixon Creek (RS-3.5) on East, residential properties on the north (RS 3.5, RS 5, RS 9), NW 17th St on the west

Portions of the property lie within Natural Resource, Natural Hazard, and 100 and 500 year Flood Plains

- b) Consent included in attached application form
- c) Five (5) copies of the application and supportive documents are attached
- d) (no large format drawings are included due to the limited scope of the proposal)
- e) An electronic copy (PDF file) will be e-mailed after the application has been received
- f) Graphics
 - 1. (notice map waiver requested)
 - 2. Zoning map from city's website attached
 - 3. Comprehensive Plan map from city's website attached
 - 4. Existing Land Use map attached (Benton County Assessor's map)
 - 5. Significant Natural Features maps from city's website attached
 - 6. Site Plan, *Floor Plan & Exterior Elevations*, Google Earth aerial photo of site area attached

b) 1) thru 12) Proposed addition floor plan, exterior elevations, assessor's existing building area plan, and site utilities from the city's website are attached; requested waiver for items such as landscaping plan and exterior lighting
- g) Narrative Requirements
 - 1. Planning Objectives: The purpose of the proposed Fellowship Hall Addition is to facilitate greeting and fellowship functions associated with the religious assembly use of the existing adjoining Assembly Room before and after services. The proposed addition is located to take advantage of existing entry-egress paths to the rest of the facilities. The location of the proposed addition is on an existing open, level lawn area.
 - 2. Quantitative Data
 - a) (no dwelling units)
 - b) Square footages: existing buildings = 16,633 sf; proposed addition = 2,463 sf; total proposed area structures = 19,096
 - c) Parcel size: 2.93 acres / 127,630 sf
 - d) *Proposed lot coverage: approx 60% (~76,500 sf)*
 - e) (gross density n.a.)
 - f) *Approx. 40% (~51,000 sf)*
 - g) Total vehicle parking spaces: 87
 - h) (non-residential percentage n.a.)
 - 3. Timing & financial assurances: (statement not included, request waiver due to non-applicability to scope of proposed project)
 - 4. (no construction phases are proposed for this project)
 - 5. (no traffic impact study is included)

-page 3 of 3-

6. Statement of Compatibility: The proposed fellowship Hall Addition has been designed to be visually compatible with the existing adjoining Assembly Room, which has been a distinctive architectural feature of the surrounding neighborhood since its construction in the 1960's. The roof height and form of the proposed addition are somewhat constrained by the low wings of the existing adjoining Assembly Room, and the proposed new roof ridge has been kept low to allow the continued prominence of the soaring, sweeping roof line and fenestration of the south elevation of the Assembly Room. The proposed brick, lap-siding, and composition shingle exterior materials are the same as the adjacent structure.
7. (no setbacks or land divisions proposed)
8. The proposed Fellowship Hall Addition does not lie within any of the natural features or hazards areas on the property (*see attached sketch plan*)

-submitted by Charles R. Gerke AIA Architect

REVISED 10 September 2012

Grant Avenue Baptist Church Fellowship Hall Addition
1625 NW Grant Avenue, Corvallis

Conditional Development Approval Application / REVISED 10 September 2012

NARRATIVE STATEMENT (per LDC 2.3.30.01 g.)

The church congregation wishes to construct an addition to the existing assembly room for the purpose of facilitating informal greeting and fellowship opportunities before and after services and for other informal meeting purposes. The proposed addition is scaled and styled to be consistent with the existing adjoining building structure.

Per LDC 2.3.30.04:

- a) Basic site design: proposed addition extends south from the existing assembly room entry area. New entries into the northeast and northwest of the proposed addition are from existing parking and other facilities on the site.
- b) Visual elements are scaled and styled to be consistent with the existing adjoining building structure.
- c) Noise attenuation: no new noise sources are anticipated with the proposed development.
- d) Odors & emissions: no new odor or emissions sources are anticipated with the proposed development.
- e) Any new lighting will be on the building near the entries and will be fully shielded to prevent glare onto the street or adjacent properties.
- f) No new signage is anticipated.
- g) Landscaping, buffering and screening will be consistent with existing landscaping and in compliance with city standards.
- h) No additional transportation facilities are proposed with the building addition.
- i) No traffic provisions or additional off-site parking are proposed with this development. The additional enclosed building area is intended to better facilitate existing uses and congregation size on the site.
Added Parking Note: The proposed addition is intended to facilitate fellowship activities currently conducted within the existing facilities at locations less convenient and adjacent to the existing assembly room. Therefore, no additional parking demand is anticipated with the addition. The church presently has 87 on-site parking spaces plus an arrangement to use the parking areas of the professional office use directly to the west across NW 17th St. for weekend church use.
- j) The proposed addition will connect to existing utilities on the site and we do not anticipate any new infrastructure work within the public right-of-way.
- k) No air and water quality issues are anticipated with the proposed development.
- l) All new development will be consistent with applicable development standards
- m) All required provisions and procedures for compliance with Natural Hazards and Natural Features will be complied with at the time of building permit application.

-prepared by Charles R. Gerke AIA Architect

Grant Avenue Baptist Church Fellowship Hall Addition
1625 NW Grant Avenue, Corvallis

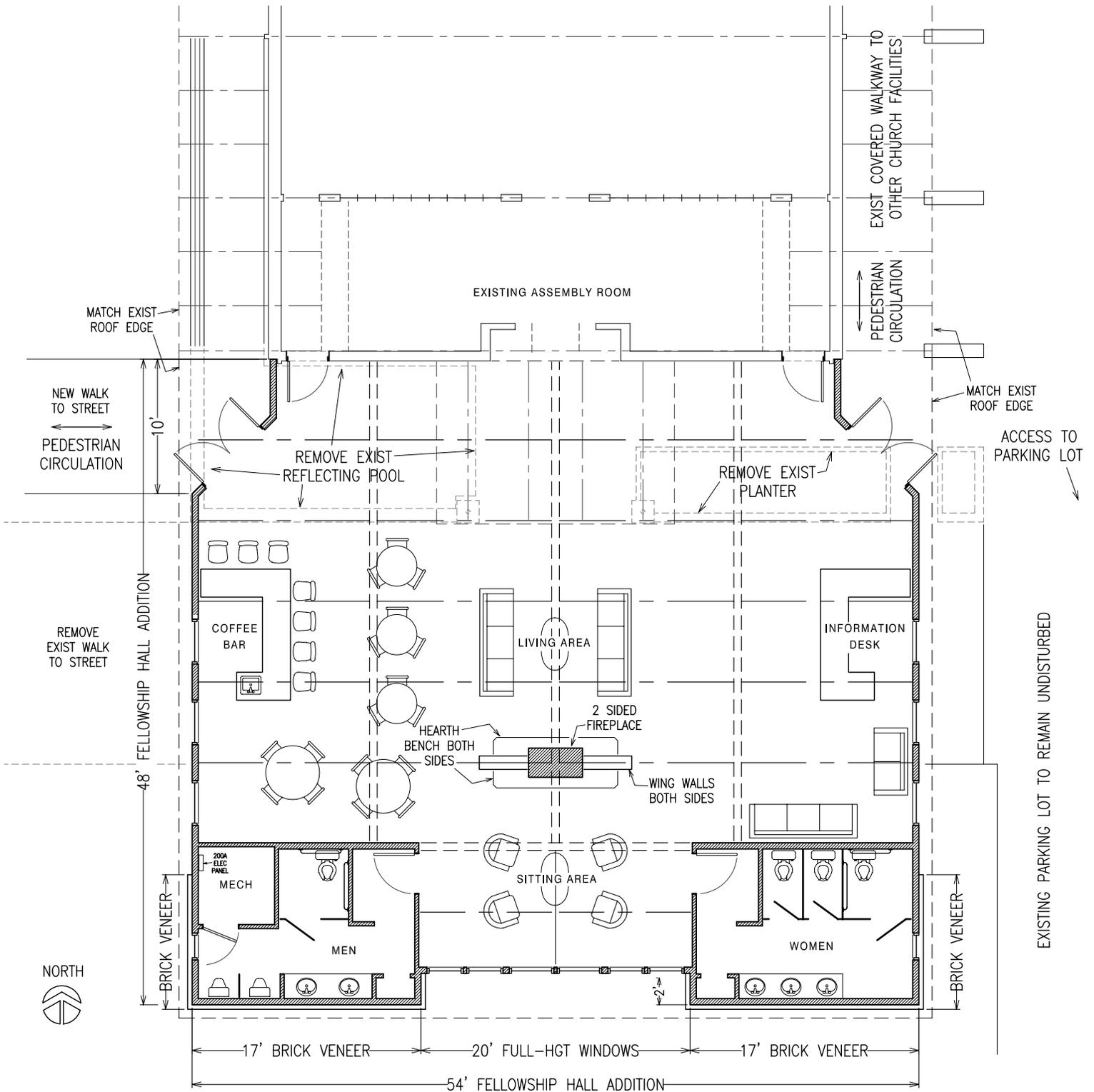
Conditional Development Approval Application / REVISED 10 September 2012

PUBLIC IMPROVEMENTS ACKNOWLEDGEMENT

Responding to review comments from Public Works (memo 31 Aug 2012):

1. Peak hour traffic generated: ITE "Trip Generation Manual, 8th edition", use group 560 ("Church"), lists AM peak trips generated at 0.87 per 1,000 sf and PM peak trips generated at 0.94 per 1,000 sf. The proposed addition is 2,463 sf, thus by calculation generating 2.14 additional trips at AM and 2.39 additional trips at PM, far less than the 30 trip per peak hour threshold.
2. The applicant recognizes and accepts that dedication of right-of-way and utility easements along the south frontage abutting NW Grant Ave. will be a condition of approval.
3. The applicant recognizes and accepts that dedication of right-of-way and utility easements along the west frontage abutting NW 17th Street. will be a condition of approval.

-prepared by Charles R. Gerke AIA Architect

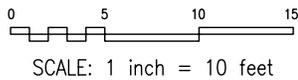


FLOOR PLAN

ADDITION AREA = 2,463 gsf



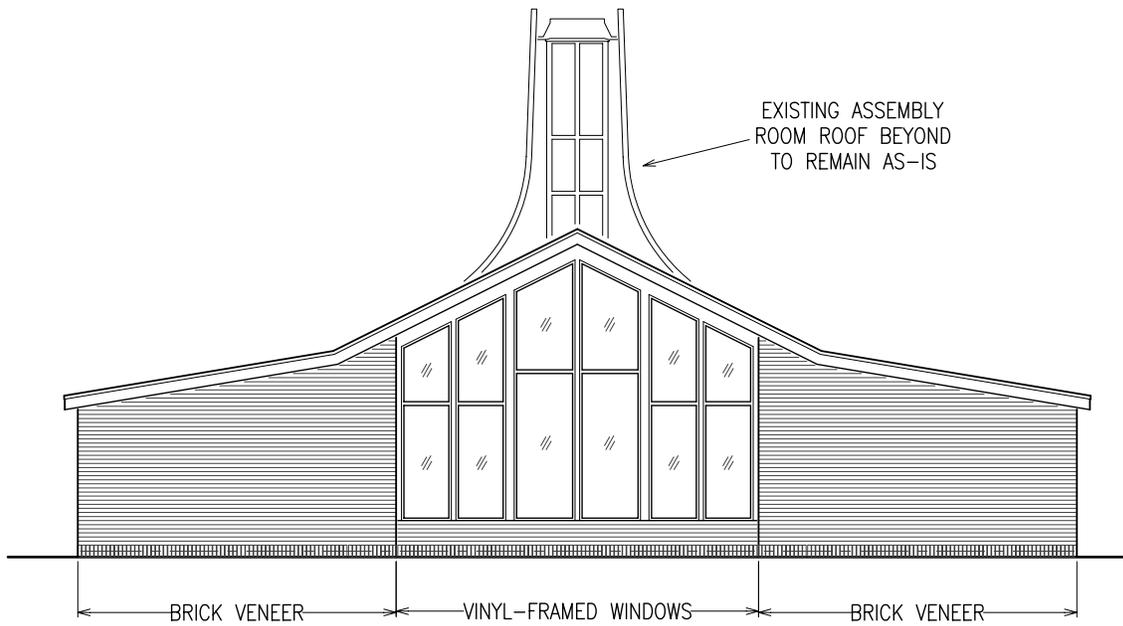
Charles R. Gerke
ARCHITECT
© 2 0 1 2



GRANT AVE BAPTIST CHURCH
FELLOWSHIP HALL ADDITION
1625 NW GRANT AVE, CORVALLIS
COND DEVEL APPLICATION 10 SEP 2012



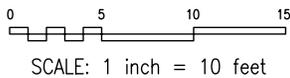
EAST ELEVATION (WEST OPP HAND)



SOUTH ELEVATION



Charles R. Gerke
ARCHITECT
© 2 0 1 2

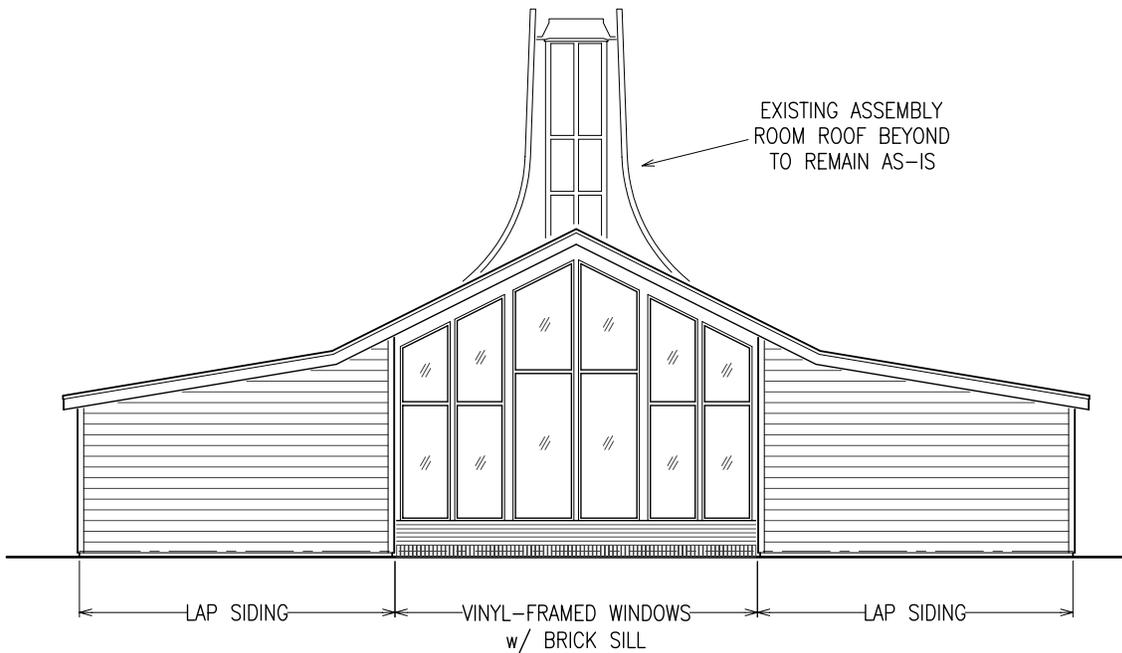


GRANT AVENUE BAPTIST CHURCH ADDITION
(CDP12-00003)
PLANNING COMMISSION STAFF REPORT
ATTACHMENT B (Page 7 of 21)

GRANT AVE BAPTIST CHURCH
FELLOWSHIP HALL ADDITION
1625 NW GRANT AVE, CORVALLIS
COND DEVEL APPLICATION 03 AUG 2012



ALTERNATE E. ELEV (WEST OPP HAND)



ALTERNATE S. ELEV

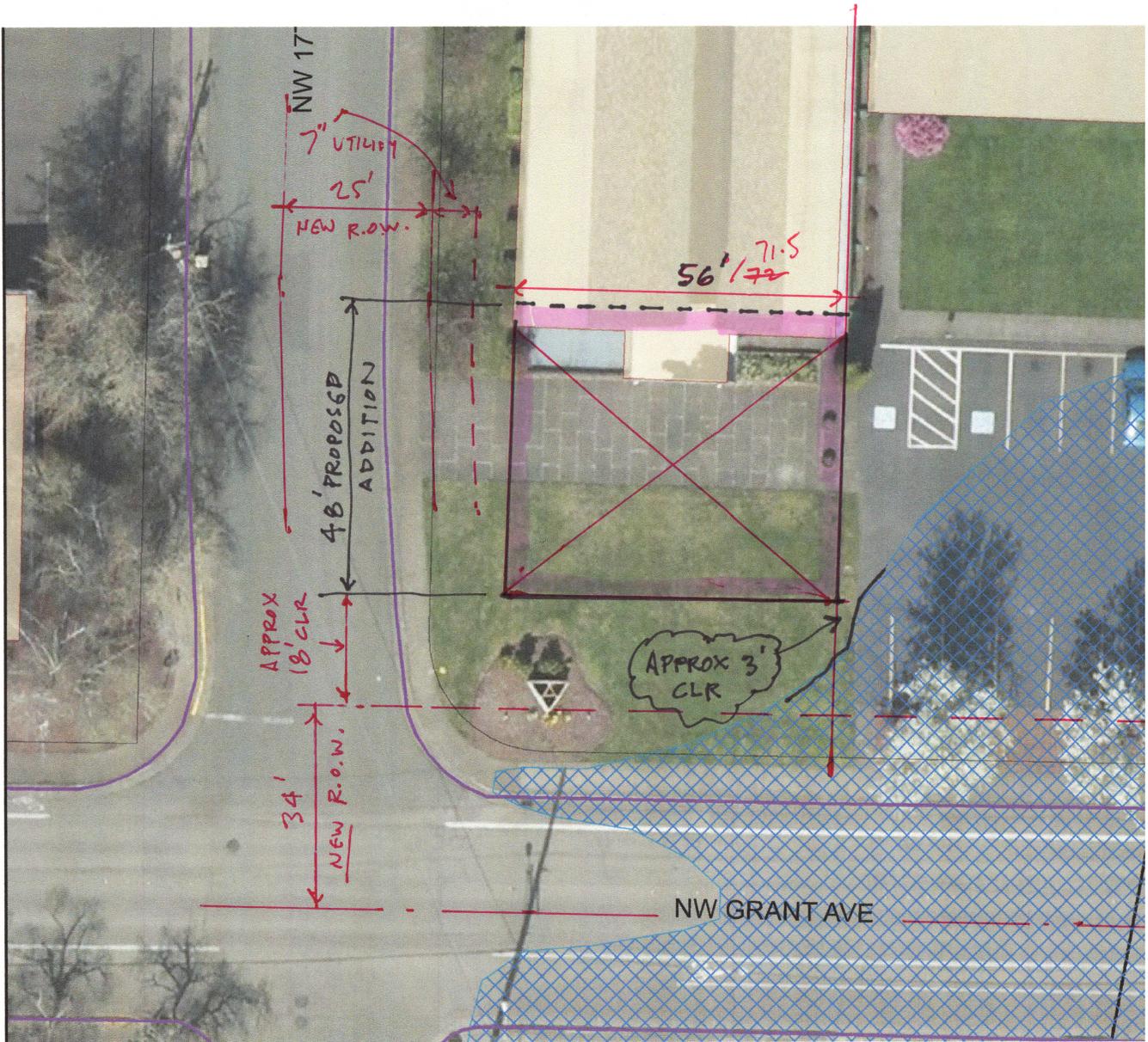


Charles R. Gerke
ARCHITECT
© 2 0 1 2

0 5 10 15
SCALE: 1 inch = 10 feet

GRANT AVENUE BAPTIST CHURCH ADDITION
(CDP12-00003)
PLANNING COMMISSION STAFF REPORT
ATTACHMENT B (Page 8 of 21)

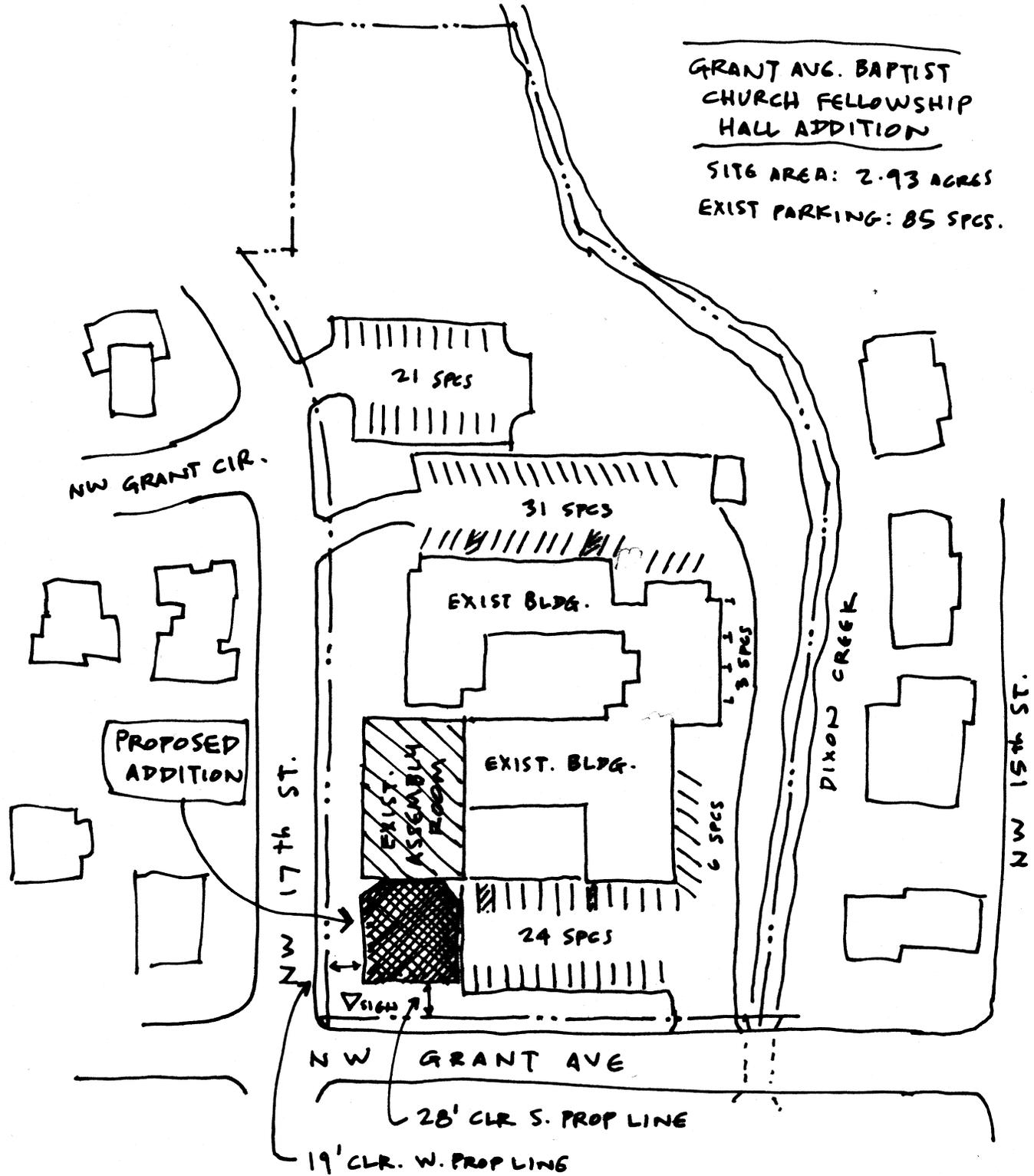
GRANT AVE BAPTIST CHURCH
FELLOWSHIP HALL ADDITION
1625 NW GRANT AVE, CORVALLIS
COND DEVEL APPLICATION 03 AUG 2012



GRANT AVG. BAPTIST CHURCH FELLOWSHIP HALL ADDITION

SITE AREA: 2.93 ACRES

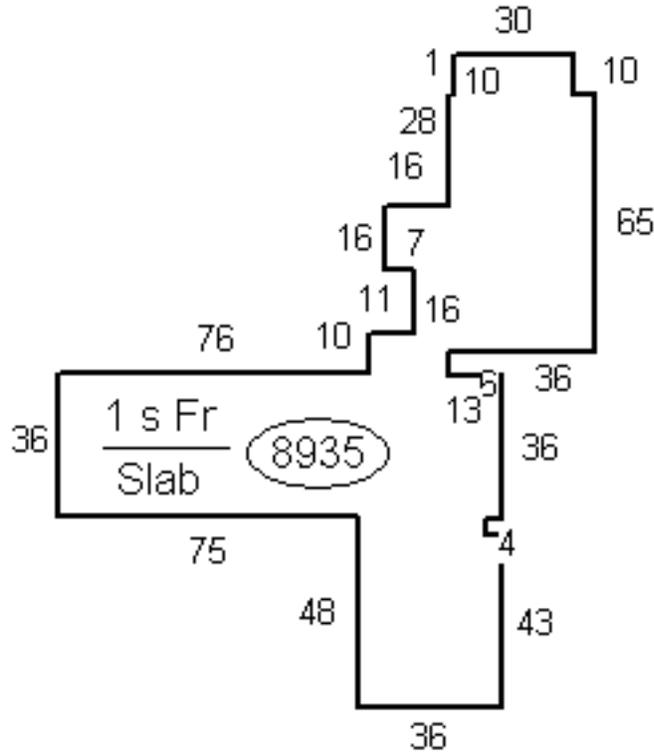
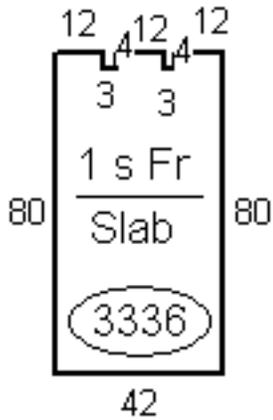
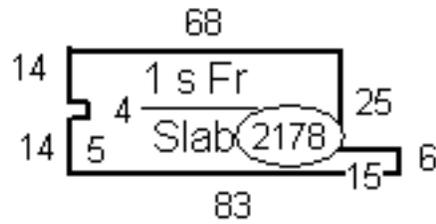
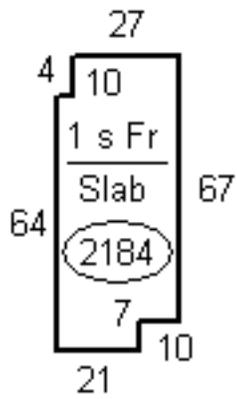
EXIST PARKING: 85 SPCS.



SITE PLAN

1" = ~ 70 FEET

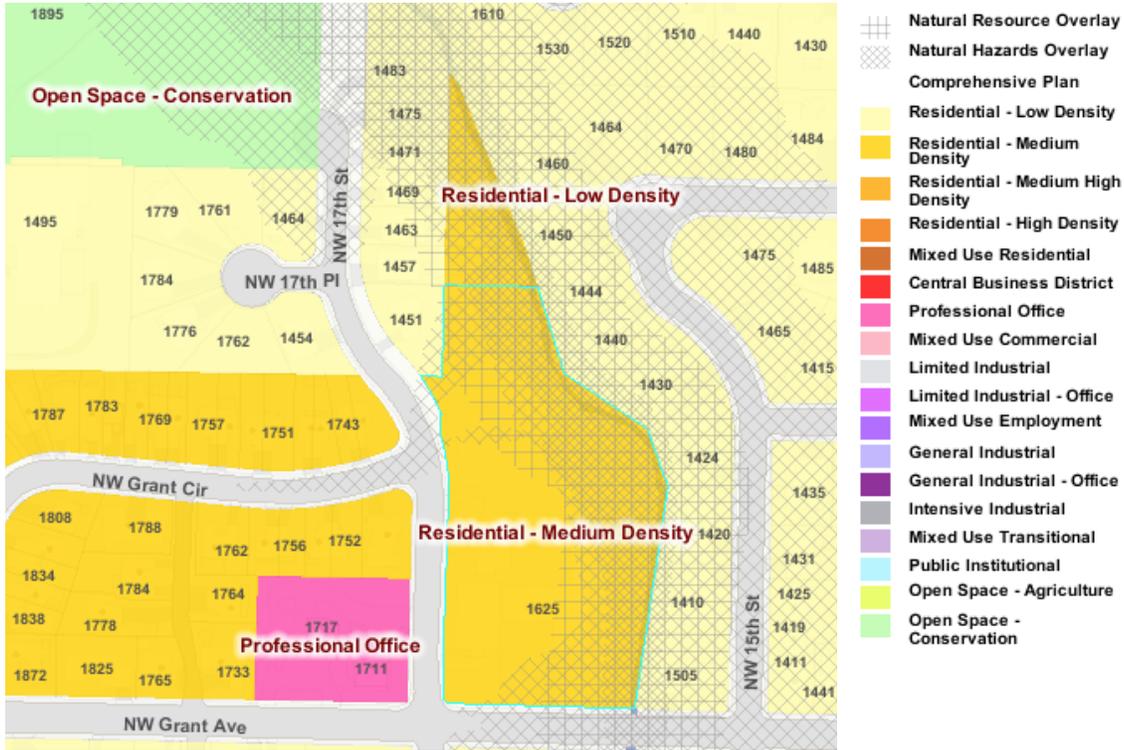
01



CORVALLIS, OREGON

Comprehensive Plan

1625 NW GRANT AVE



For informational purposes only

DISCLAIMER:

THE GIS APPLICATIONS ACCESSED THROUGH THIS WEB SITE PROVIDE A VISUAL DISPLAY OF DATA FOR YOUR CONVENIENCE. EVERY REASONABLE EFFORT HAS BEEN MADE TO ASSURE THE ACCURACY OF THE MAPS AND ASSOCIATED DATA. THE CITY OF CORVALLIS MAKES NO WARRANTY, REPRESENTATION OR GUARANTY AS TO THE CONTENT, SEQUENCE, ACCURACY, TIMELINESS OR COMPLETENESS OF ANY OF THE DATA PROVIDED HEREIN. THE USER OF THESE APPLICATIONS SHOULD NOT RELY ON THE DATA PROVIDED HEREIN FOR ANY REASON. THE CITY OF CORVALLIS EXPLICITLY DISCLAIMS ANY REPRESENTATIONS AND WARRANTIES, INCLUDING, WITHOUT LIMITATION, THE IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE. THE CITY OF CORVALLIS SHALL ASSUME NO LIABILITY FOR ANY ERRORS, OMISSIONS, OR INACCURACIES IN THE INFORMATION PROVIDED REGARDLESS OF HOW CAUSED. THE CITY OF CORVALLIS SHALL ASSUME NO LIABILITY FOR ANY DECISIONS MADE OR ACTIONS TAKEN OR NOT TAKEN BY THE USER OF THE APPLICATIONS IN RELIANCE UPON ANY INFORMATION OR DATA FURNISHED HEREUNDER

[Appropriate Use Policy](#) | [Privacy Policy](#) | [Contact Webmaster](#) | [Electronic Subscription Service](#)

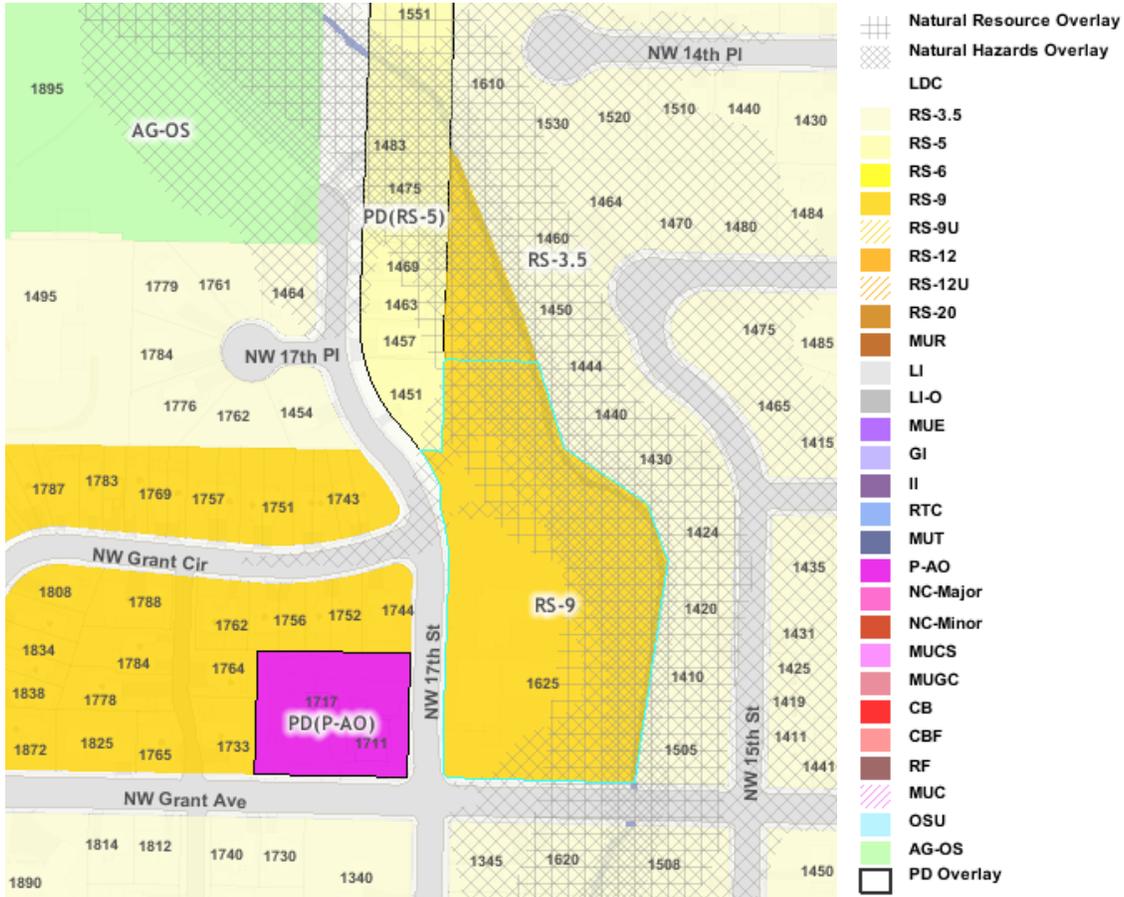
GIS: 1245 NE 3rd St, Corvallis, Oregon 97330 ph: 541-766-6916 Fax: 541-766-6920

Copyright © 2010 City of Corvallis

CORVALLIS, OREGON

Official Zoning

1625 NW GRANT AVE



For informational purposes only

DISCLAIMER:

THE GIS APPLICATIONS ACCESSED THROUGH THIS WEB SITE PROVIDE A VISUAL DISPLAY OF DATA FOR YOUR CONVENIENCE. EVERY REASONABLE EFFORT HAS BEEN MADE TO ASSURE THE ACCURACY OF THE MAPS AND ASSOCIATED DATA. THE CITY OF CORVALLIS MAKES NO WARRANTY, REPRESENTATION OR GUARANTY AS TO THE CONTENT, SEQUENCE, ACCURACY, TIMELINESS OR COMPLETENESS OF ANY OF THE DATA PROVIDED HEREIN. THE USER OF THESE APPLICATIONS SHOULD NOT RELY ON THE DATA PROVIDED HEREIN FOR ANY REASON. THE CITY OF CORVALLIS EXPLICITLY DISCLAIMS ANY REPRESENTATIONS AND WARRANTIES, INCLUDING, WITHOUT LIMITATION, THE IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE. THE CITY OF CORVALLIS SHALL ASSUME NO LIABILITY FOR ANY ERRORS, OMISSIONS, OR INACCURACIES IN THE INFORMATION PROVIDED REGARDLESS OF HOW CAUSED. THE CITY OF CORVALLIS SHALL ASSUME NO LIABILITY FOR ANY DECISIONS MADE OR ACTIONS TAKEN OR NOT TAKEN BY THE USER OF THE APPLICATIONS IN RELIANCE UPON ANY INFORMATION OR DATA FURNISHED HEREUNDER

[Appropriate Use Policy](#) | [Privacy Policy](#) | [Contact Webmaster](#) | [Electronic Subscription Service](#)

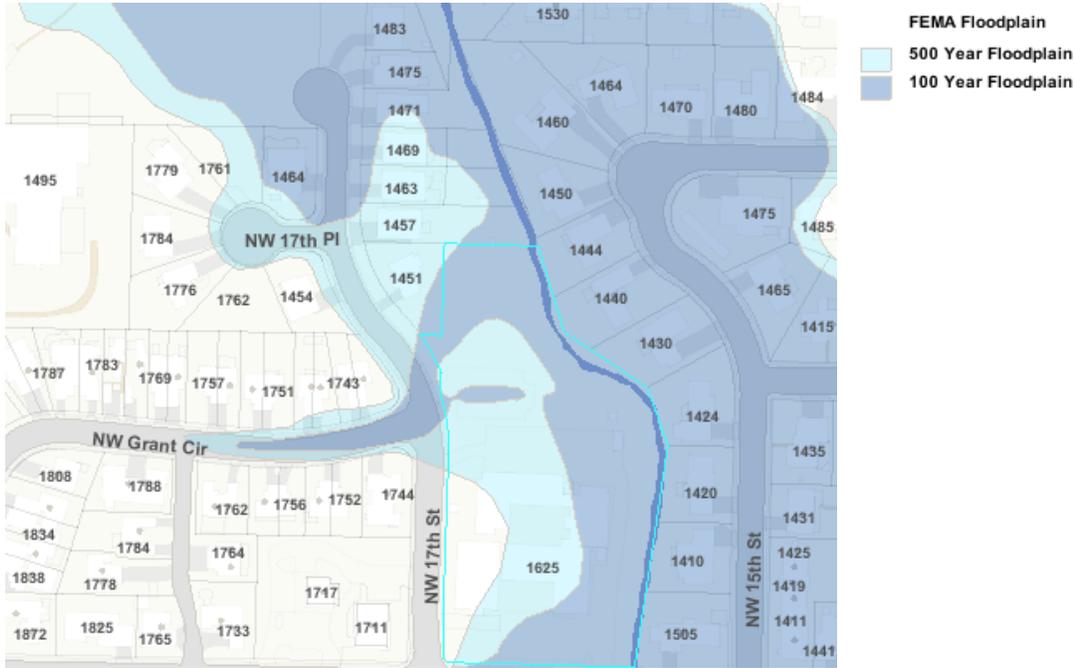
GIS: 1245 NE 3rd St, Corvallis, Oregon 97330 ph: 541-766-6916 Fax: 541-766-6920

Copyright © 2010 City of Corvallis

CORVALLIS, OREGON

Floodplain

1625 NW GRANT AVE



For informational purposes only

DISCLAIMER:

THE GIS APPLICATIONS ACCESSED THROUGH THIS WEB SITE PROVIDE A VISUAL DISPLAY OF DATA FOR YOUR CONVENIENCE. EVERY REASONABLE EFFORT HAS BEEN MADE TO ASSURE THE ACCURACY OF THE MAPS AND ASSOCIATED DATA. THE CITY OF CORVALLIS MAKES NO WARRANTY, REPRESENTATION OR GUARANTY AS TO THE CONTENT, SEQUENCE, ACCURACY, TIMELINESS OR COMPLETENESS OF ANY OF THE DATA PROVIDED HEREIN. THE USER OF THESE APPLICATIONS SHOULD NOT RELY ON THE DATA PROVIDED HEREIN FOR ANY REASON. THE CITY OF CORVALLIS EXPLICITLY DISCLAIMS ANY REPRESENTATIONS AND WARRANTIES, INCLUDING, WITHOUT LIMITATION, THE IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE. THE CITY OF CORVALLIS SHALL ASSUME NO LIABILITY FOR ANY ERRORS, OMISSIONS, OR INACCURACIES IN THE INFORMATION PROVIDED REGARDLESS OF HOW CAUSED. THE CITY OF CORVALLIS SHALL ASSUME NO LIABILITY FOR ANY DECISIONS MADE OR ACTIONS TAKEN OR NOT TAKEN BY THE USER OF THE APPLICATIONS IN RELIANCE UPON ANY INFORMATION OR DATA FURNISHED HEREUNDER

[Appropriate Use Policy](#) | [Privacy Policy](#) | [Contact Webmaster](#) | [Electronic Subscription Service](#)

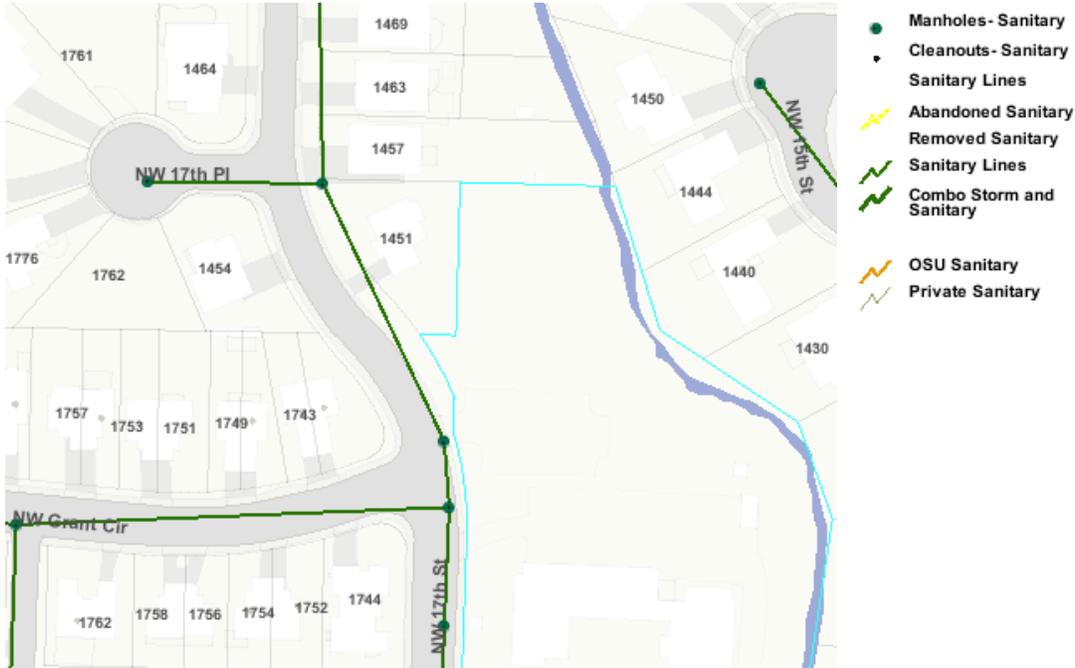
GIS: 1245 NE 3rd St, Corvallis, Oregon 97330 ph: 541-766-6916 Fax: 541-766-6920

Copyright © 2010 City of Corvallis

CORVALLIS, OREGON

Sanitary

1625 NW GRANT AVE



For informational purposes only

DISCLAIMER:

THE GIS APPLICATIONS ACCESSED THROUGH THIS WEB SITE PROVIDE A VISUAL DISPLAY OF DATA FOR YOUR CONVENIENCE. EVERY REASONABLE EFFORT HAS BEEN MADE TO ASSURE THE ACCURACY OF THE MAPS AND ASSOCIATED DATA. THE CITY OF CORVALLIS MAKES NO WARRANTY, REPRESENTATION OR GUARANTY AS TO THE CONTENT, SEQUENCE, ACCURACY, TIMELINESS OR COMPLETENESS OF ANY OF THE DATA PROVIDED HEREIN. THE USER OF THESE APPLICATIONS SHOULD NOT RELY ON THE DATA PROVIDED HEREIN FOR ANY REASON. THE CITY OF CORVALLIS EXPLICITLY DISCLAIMS ANY REPRESENTATIONS AND WARRANTIES, INCLUDING, WITHOUT LIMITATION, THE IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE. THE CITY OF CORVALLIS SHALL ASSUME NO LIABILITY FOR ANY ERRORS, OMISSIONS, OR INACCURACIES IN THE INFORMATION PROVIDED REGARDLESS OF HOW CAUSED. THE CITY OF CORVALLIS SHALL ASSUME NO LIABILITY FOR ANY DECISIONS MADE OR ACTIONS TAKEN OR NOT TAKEN BY THE USER OF THE APPLICATIONS IN RELIANCE UPON ANY INFORMATION OR DATA FURNISHED HEREUNDER

[Appropriate Use Policy](#) | [Privacy Policy](#) | [Contact Webmaster](#) | [Electronic Subscription Service](#)

GIS: 1245 NE 3rd St, Corvallis, Oregon 97330 ph: 541-766-6916 Fax: 541-766-6920

Copyright © 2010 City of Corvallis

CORVALLIS, OREGON

Storm Water

1625 NW GRANT AVE



For informational purposes only

DISCLAIMER:

THE GIS APPLICATIONS ACCESSED THROUGH THIS WEB SITE PROVIDE A VISUAL DISPLAY OF DATA FOR YOUR CONVENIENCE. EVERY REASONABLE EFFORT HAS BEEN MADE TO ASSURE THE ACCURACY OF THE MAPS AND ASSOCIATED DATA. THE CITY OF CORVALLIS MAKES NO WARRANTY, REPRESENTATION OR GUARANTY AS TO THE CONTENT, SEQUENCE, ACCURACY, TIMELINESS OR COMPLETENESS OF ANY OF THE DATA PROVIDED HEREIN. THE USER OF THESE APPLICATIONS SHOULD NOT RELY ON THE DATA PROVIDED HEREIN FOR ANY REASON. THE CITY OF CORVALLIS EXPLICITLY DISCLAIMS ANY REPRESENTATIONS AND WARRANTIES, INCLUDING, WITHOUT LIMITATION, THE IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE. THE CITY OF CORVALLIS SHALL ASSUME NO LIABILITY FOR ANY ERRORS, OMISSIONS, OR INACCURACIES IN THE INFORMATION PROVIDED REGARDLESS OF HOW CAUSED. THE CITY OF CORVALLIS SHALL ASSUME NO LIABILITY FOR ANY DECISIONS MADE OR ACTIONS TAKEN OR NOT TAKEN BY THE USER OF THE APPLICATIONS IN RELIANCE UPON ANY INFORMATION OR DATA FURNISHED HEREUNDER

[Appropriate Use Policy](#) | [Privacy Policy](#) | [Contact Webmaster](#) | [Electronic Subscription Service](#)

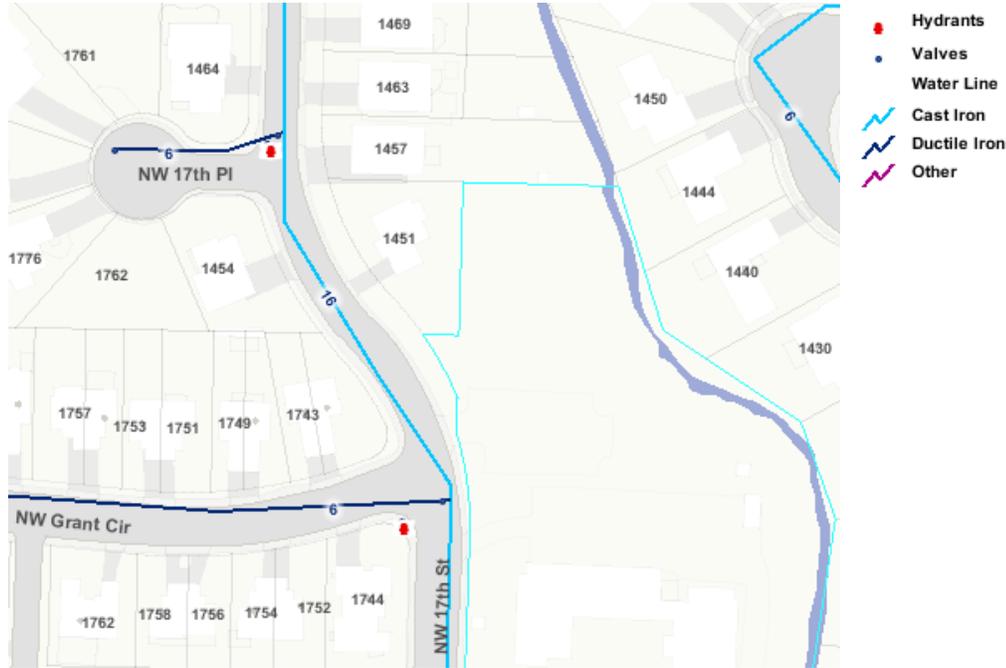
GIS: 1245 NE 3rd St, Corvallis, Oregon 97330 ph: 541-766-6916 Fax: 541-766-6920

Copyright © 2010 City of Corvallis

CORVALLIS, OREGON

Water

1625 NW GRANT AVE



For informational purposes only

DISCLAIMER:

THE GIS APPLICATIONS ACCESSED THROUGH THIS WEB SITE PROVIDE A VISUAL DISPLAY OF DATA FOR YOUR CONVENIENCE. EVERY REASONABLE EFFORT HAS BEEN MADE TO ASSURE THE ACCURACY OF THE MAPS AND ASSOCIATED DATA. THE CITY OF CORVALLIS MAKES NO WARRANTY, REPRESENTATION OR GUARANTY AS TO THE CONTENT, SEQUENCE, ACCURACY, TIMELINESS OR COMPLETENESS OF ANY OF THE DATA PROVIDED HEREIN. THE USER OF THESE APPLICATIONS SHOULD NOT RELY ON THE DATA PROVIDED HEREIN FOR ANY REASON. THE CITY OF CORVALLIS EXPLICITLY DISCLAIMS ANY REPRESENTATIONS AND WARRANTIES, INCLUDING, WITHOUT LIMITATION, THE IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE. THE CITY OF CORVALLIS SHALL ASSUME NO LIABILITY FOR ANY ERRORS, OMISSIONS, OR INACCURACIES IN THE INFORMATION PROVIDED REGARDLESS OF HOW CAUSED. THE CITY OF CORVALLIS SHALL ASSUME NO LIABILITY FOR ANY DECISIONS MADE OR ACTIONS TAKEN OR NOT TAKEN BY THE USER OF THE APPLICATIONS IN RELIANCE UPON ANY INFORMATION OR DATA FURNISHED HEREUNDER

[Appropriate Use Policy](#) | [Privacy Policy](#) | [Contact Webmaster](#) | [Electronic Subscription Service](#)

GIS: 1245 NE 3rd St, Corvallis, Oregon 97330 ph: 541-766-6916 Fax: 541-766-6920

Copyright © 2010 City of Corvallis

Yaich, Jason

From: chick gerke [chick@crgarchitect.com]
Sent: Monday, September 24, 2012 2:18 PM
To: Yaich, Jason
Cc: 'Don Reeves'
Subject: RE: Grant Ave Baptist Church

Jay-

Help me understand: Has the Conditional Development Approval application been accepted? I can speak affirmatively about the many issues that have been raised, and it is of value that the applicant has been made aware of them, but these issues seem to be more at the building permit level rather than the specific Conditional Development Approval application requirements.

Regarding the issues in your e-mail of September 12th:

1. The revisions include building architectural elevations that suggest alternate designs, which appear to be limited to choices in the siding (brick veneer vs. lap siding). Is that the only difference between the alternate designs? If so, is the applicant willing to limit the submittal to one choice, or willing to accept a possible condition of approval limiting the constructed version to a specific style? Or are you seeking approval of both designs? (sometimes that can be problematic, but may not be in this case given the limited differences).

Yes, the applicant would like the approval to include an alternate primarily lapped siding exterior finish (drawing 3, "Alternate") to the primarily brick finish noted on drawing 2.

2. The site plan detail submitted on page 9 of the PDF (REVISED APPLICATION 10 SEP 2012.pdf) does not show a building setback (10-ft. minimum to new right-of-way line) for the 17th Street side. Looks like it will comply, but just wanted to confirm. Also, please provide a vision clearance analysis based on the new right-of-way configuration just to make sure we don't have an issue. It doesn't seem like it would be an issue based on the dimensional standards for the City's vision clearance requirements, but it's pretty close and just cannot confirm based on the submitted graphic.

Yes, I'm very comfortable in asserting that the side setback and vision triangle will be compliant even after ROW dedication, even though we have not yet received the surveyor's drawing.

3. The west exit appears to adjoin a new sidewalk connection to the sidewalk on 17th Street. This is in the vicinity of an existing street tree, but it is unclear if it is close enough to the existing tree to understand whether or not the tree will be impacted. Please explain. Are there plans to install more street trees along 17th Street now that the existing patio area will be removed?

Yes, the tree located on the west side near the addition doorway exit will be preserved and the new walk may need to be adjusted a few feet to do so.

4. It is unclear how vehicles exiting from the far western parking spaces will maneuver adjacent to the new addition, without potentially hitting the building. Please explain, and perhaps adjust the detailed site plan to show maneuvering in this area. Is there enough depth between the northern and southern rows of parking to facilitate a straight back up without the need to turn the vehicle at all? Will there be landscaping and/or bollards adjacent to the building to provide some sort of buffer or protection of the building? The floor plan seems to indicate more space between the building addition and the parking area, compared to the site plan, so not sure of the space constraints in this area.

Yes, it may be advantageous for the applicant to adjust the existing parking near the proposed addition to allow more generous vehicle maneuvering. However, there presently exists enough excess stall width to allow re-stripping of the

north side spaces for standard 9 ft stall widths and still have an additional 5 ft turn-out for the furthest west accessible space and still have 3+ feet of landscaping buffering the east wall of the addition. The driveway aisle is currently approx 2.5 ft wider than the city standard 26 ft. I'm not aware of a city standard requiring or dimensioning a turn-out such as you suggest, so the applicant would like to consider this issue without reducing the number of existing spaces or expanding paved surface area.

Other issues you have mentioned:

Fire-sprinklering: preliminary review with Bill Clemons indicates that a fire wall will likely be necessary to separate the existing meeting hall from the proposed addition. This will not alter the plans as submitted for Conditional Development Approval.

Flood-proofing: I discussed Lisa Franklin's e-mail comment (September 12) with her last week. She has indicated that this does not mean the proposed addition will need to be flood-proofed, only that it will need to be reviewed as connecting to an existing structure that is in the 100 year floodplain. I have sent an e-mail requesting her to confirm my understanding of our conversation, however, she is not in the office today. Also note: the existing meeting hall is separate from the other administration and classroom buildings on the site and does not lie within the 100 year floodplain boundary shown on the aerial photo with 100 year boundary that you sent a couple of weeks ago.

Survey: As noted a couple of places above, survey of the property has been requested but not yet completed.

Let me know if questions or concerns about any of this or if new issues have come up that we need to address.

-Chick

[Redacted signature block]



[Redacted signature block]

[Redacted signature block]

[Redacted signature block]

[Redacted signature block]

[Redacted signature block]

[Redacted signature block]

**CORVALLIS PLANNING COMMISSION
NOTICE OF DISPOSITION**

ORDER 97-69

CASE GRANT AVENUE BAPTIST CHURCH: CD-96-3

REQUEST Approval of a Conditional Development to construct a new parking lot that would create 20 new parking spaces in addition to the 67 spaces already provided on the church site.

**APPLICANT/
OWNER** Don Reeves, Grant Avenue Baptist Church
1625 NW Grant Avenue
Corvallis, OR 97330

LOCATION At the northeast corner of Grant Avenue and 17th Street (1625 NW Grant Ave.); Assessor Map Number 11-5-26CC, Tax Lot 1400.

The Corvallis Planning Commission conducted a review of the above case on June 18, 1997, and found that the request should be approved with the attached conditions. The Planning Commission has adopted the findings contained in the June 18, 1997, minutes and the June 6, 1997, staff report.

If you are an affected party and wish to appeal this decision, appeals must be filed, in writing, with the City Recorder within 10 days from the date that the notice of disposition is mailed. The following information must be included:

1. Name and address of the appellant(s).
2. Reference the subject development and case number, if any.
3. A statement of the specific grounds for appeal.
4. A statement as to how you are an affected party.
5. Filing fee of \$102.00. (No fee required for an appeal of the Community Development Director's decision.)

Appeals must be filed by 5:00 p.m. on the final day of the appeal period. When the final day of an appeal period falls on a weekend or holiday, the appeal period shall be extended to 5:00 p.m. on the subsequent work day. The City Recorder is located in the City Manager's Office, City Hall, 501 SW Madison Avenue, Corvallis, Oregon.


Chick Gerke, Acting Chair
Corvallis Planning Commission

Attached: Conditions & Map
(MAILED: 6-20-97)

**CD-96-3 Grant Avenue Baptist Church
CONDITIONS OF APPROVAL**

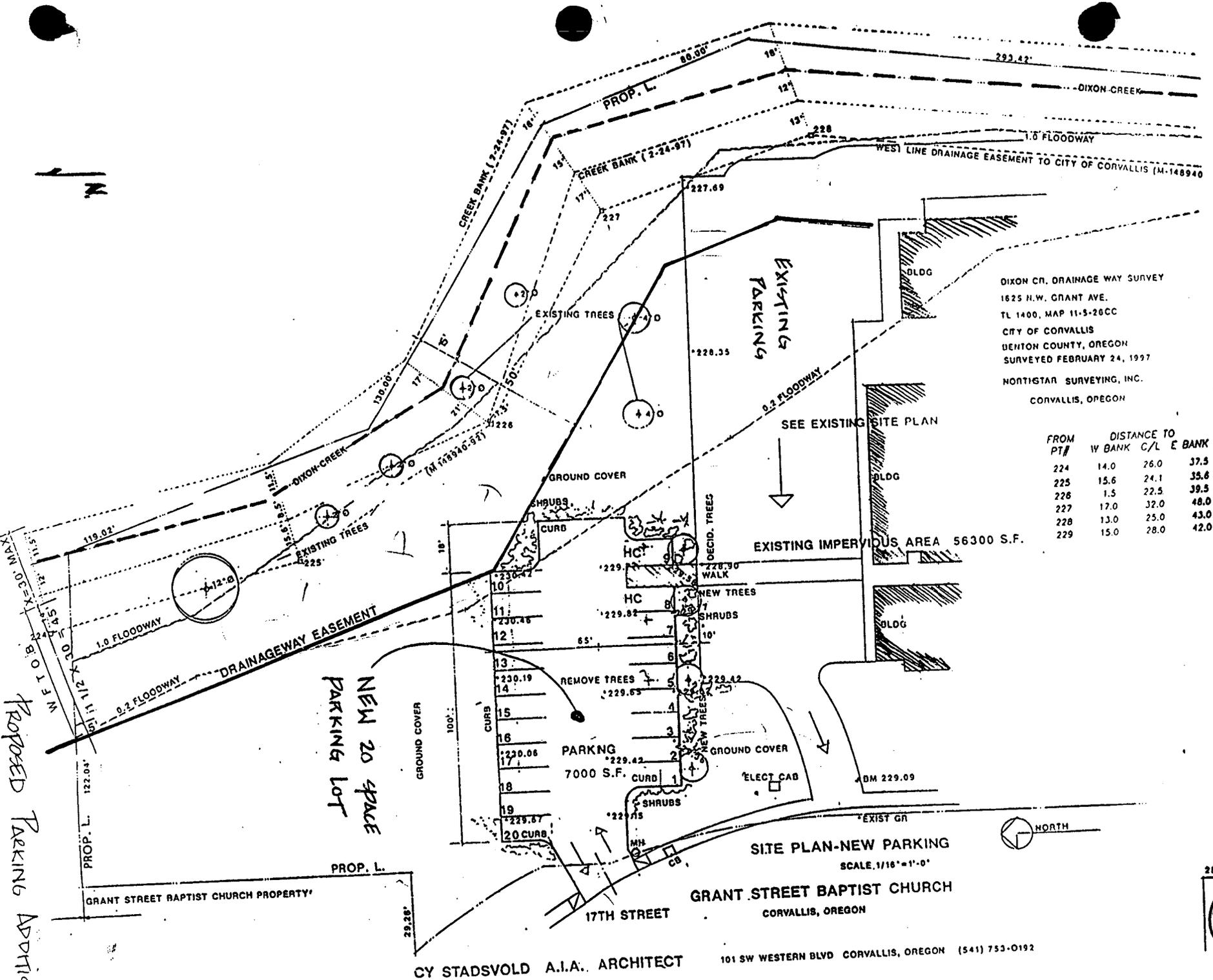
1. Bicycle Parking - Concurrent with development of the vehicle parking lot, the applicant shall provide 7 bicycle parking spaces, of which 4 shall be covered spaces. The 7 bicycle spaces shall be constructed and located consistent with Land Development Code Section 4.1.70.
2. Landscape Construction Documents - Prior to issuance of any permits, the applicant shall submit and have approved, landscape construction documents which contain planting plans, irrigation plans, details, and applicable specifications. Landscaping and irrigation shall be installed concurrent with development of the site and shall meet the City's standard for 90% ground coverage within 3 years. Plans shall illustrate in detail what has been conceptually proposed as well as specifying a 7.5 foot wide planting buffer along the north edge of the lot plus appropriate street trees along the affected portion of 17th Street.
3. Sidewalk - The applicant will complete the missing section of public sidewalk along NW 17th Street to the north of the proposed parking lot, concurrent with the site development. Construction of the public sidewalk shall be per the City of Corvallis Standard Construction Specifications.
4. 0.2 Foot Floodway - The applicant will provide to the City Engineer a certified statement from a registered professional engineer that the parking lot within the floodway area will not result in any increase in flood levels and/or flood hazards during the occurrence of the base flood discharge. The certified statement shall be provided concurrent with detailed construction plan(s) submittal.
5. Cut/Fill Permits - Grading of the site to accommodate this development requires a City Permit. The potential location of excess material generated by the construction of the additional parking lot may be placed on the property as fill material only upon approval of an excavation and grading plan and the issuance of a permit by the City's Development Services Division. Since Dixon Creek is a National Wetland Inventory site, prior to issuing these permits, the applicant will need to demonstrate that the proposal is permitted according to State and Federal wetland laws.
6. Storm Drainage - The applicant shall design a storm drain system that includes on-site detention. The on-site detention facility shall be designed with an outlet that allows the facility to drain dry between storm events and ensures that the site's post-developed peak storm water flows do not exceed those of pre-developed peak flows for the 2, 5, 10, 25, 50 and 100 year storm events. This requirement may be modified by the City Engineer if Dixon Creek water levels for any given storm event make detention for that storm event impractical. The storm drain system design shall include supporting calculations. The on-site storm drain system, including the detention facility shall be private with no maintenance responsibility from the City of Corvallis.

7. Drainageway & Access Easement - The applicant shall grant a drainageway easement to the City of Corvallis prior to issuance of City permits. The new drainageway easement line will be determined either by application of the Land Development Code formula (Section 4.5.80c-1) or by the 0.2 foot floodway (Section 4.5.80c-3) whichever is wider. Where the new easement line intersects with existing improvements, the new line will follow the perimeter of the existing improvements and tie-in with the existing easement. For drainage maintenance purposes, the applicant shall provide an additional access easement from NW Grant Avenue, extending west along the property's driveway to the western limits of the existing drainageway. If the 0.2 foot floodway is used as a basis for establishing the new easement, and the 0.2 foot floodway moves as a result of future downstream improvements to Dixon Creek, the applicant may request that the easement be adjusted to meet LDC criteria at the time of the request.

Other Development Related Concerns:

- A. Handicap Access - The handicap access ramp connecting the new parking lot to the existing parking lot and building facility is 10' long. The new lot is proposed to be one foot higher than the existing lot creating a 10% slope for the handicap access way. State codes specify that handicap access shall not exceed a 5% slope. Plans need to be revised to comply with the 5% maximum slope standard.

ATTACHMENT "C"



DIXON CR. DRAINAGE WAY SURVEY
 1625 N.W. GRANT AVE.
 TL 1400, MAP 11-5-26CC
 CITY OF CORVALLIS
 BENTON COUNTY, OREGON
 SURVEYED FEBRUARY 24, 1997
 HORTIGSTAR SURVEYING, INC.
 CORVALLIS, OREGON

FROM PT	DISTANCE TO W BANK	C/L	E BANK
224	14.0	26.0	37.5
225	15.6	24.1	35.6
228	1.5	22.5	39.5
227	17.0	32.0	48.0
228	13.0	25.0	43.0
229	15.0	28.0	42.0

SITE PLAN-NEW PARKING
 SCALE: 1/16" = 1'-0"

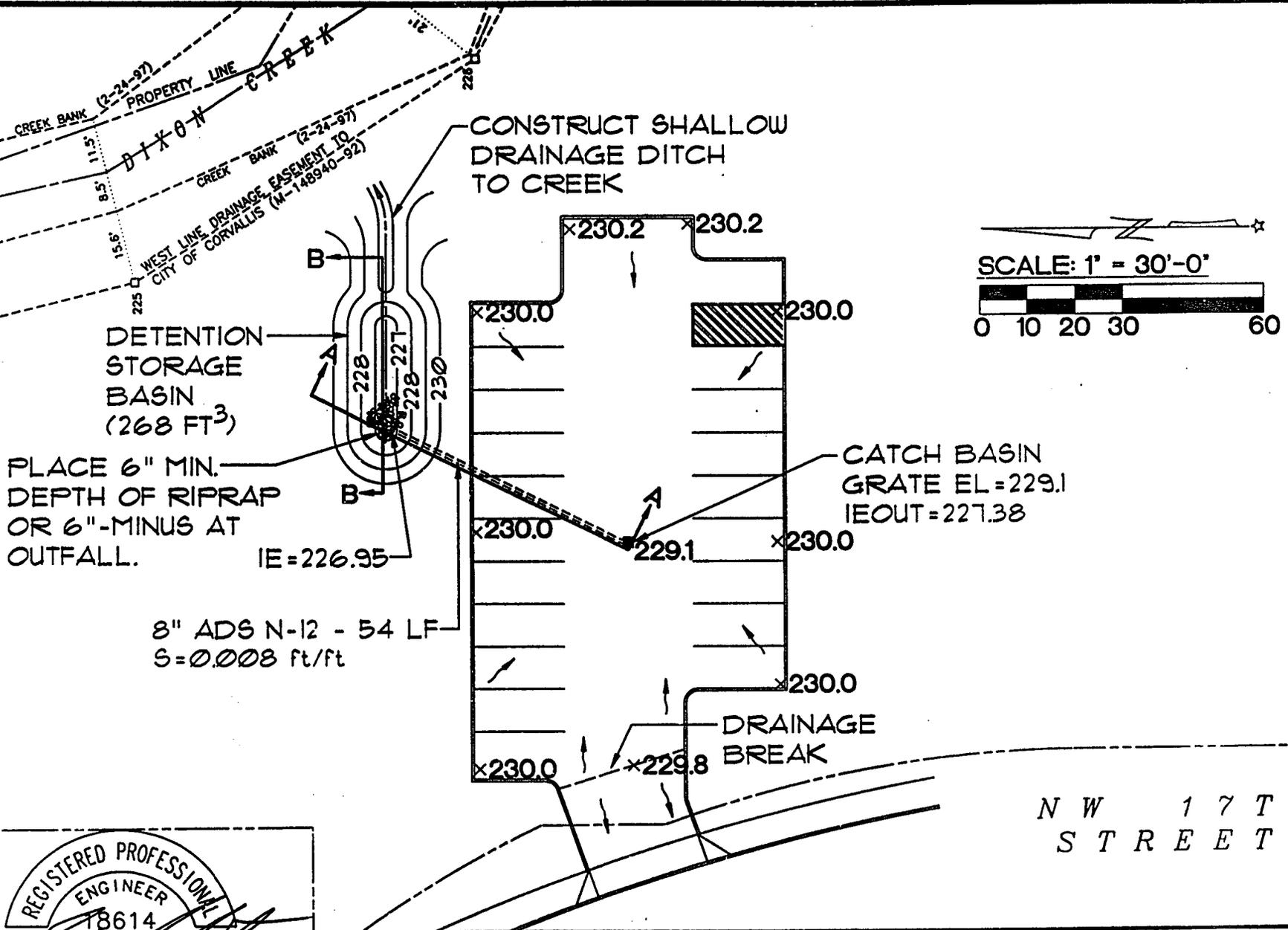
GRANT STREET BAPTIST CHURCH
 CORVALLIS, OREGON

CY STADSVOLD A.I.A. ARCHITECT

101 SW WESTERN BLVD CORVALLIS, OREGON (541) 753-0192



28 MARCH 1



ATTACHMENT "D"



RENEWS: JULY 30, 1998

GRANT STREET BAPTIST CHURCH		DATE MAR 31, 1997
		DRAWN D. ABBAS
APPROVED		SCALE 1" = 30'
M.E. No.	CORVALLIS, OREGON	MEBAPTIS.DWG
		DWG. No.



Community Development
Development Services Division
501 SW Madison Avenue
P.O. Box 1083
Corvallis, OR 97339-1083
(503) 757-6929

August 13, 1991

Thomas and Amy Roy
1471 NW 17th Street
Corvallis, OR 97330

RE: Lot Line Adjustment No. LLA-91-2

The City staff has completed its review of your request for a Lot Line Adjustment involving property identified by Assessor's Map No. 11-5-26CC, Tax Lot 1400 and Assessor's Map No. 11-5-27DD, Tax Lots 10700 and 10800. Below are the conditions of approval you need to meet prior to finalizing your Lot Line Adjustment. You have one year from the date of this letter to complete the conditions of approval, after which time your application will become null and void.

Conditions of Approval:

1. The Grant Avenue Baptist Church shall grant a drainage way easement along Dixon Creek to the City of Corvallis, which meets the requirements of the City Engineer, prior to finalizing this lot line adjustment.
2. Deeds, based on a metes and bounds legal description, for all adjusted lots and tracts resulting from the lot line adjustment shall be recorded with the Benton County Recorder's Office.
3. A Certified Boundary Survey Map which reflects the approved lot line adjustment shall be filed with Benton County. Prior to filing the map with the County Surveyor, the map shall be reviewed by City of Corvallis Development Services and shall be signed by the City Engineer and the Development Services Manager. Your surveyor needs to reference the application number (LLA-91-2) on the survey map to aid cross referencing in the future.

Lot Line Adjustment No. LLA-91-2
August 13, 1991
Page 2

4. Copies of the recorded deeds and filed survey map shall be provided to City of Corvallis Development Services following recordation. Upon receipt of those documents the lot line adjustment will be complete.

If you have any questions concerning the above conditions, please contact me at 757-6929.


Joseph P. Kasper
Associate Planner

c: Lisa Scherf
Cliff Cramer
Claire Keith
Nancy Dimmick-Spain
Joseph and Julia Bloom
Grant Avenue Baptist Church

NOTICE OF DISPOSITION

ORDER 91-47

CASE CD-91-2, Grant Avenue Baptist Church

APPLICANT Grant Avenue Baptist Church
1625 NW Grant Avenue
Corvallis, OR 97330

LOCATION Northeast corner of the intersection of 17th Street
and Grant Avenue (Assessor's Map 11-5-26CC, Tax Lot
1400).

REQUEST Approval of a Type I - Special Development for a
2,400 square foot religious education expansion.

The Corvallis City Council conducted a review of the proposed request on August 5, 1991 and found that the request should be approved with conditions (as attached) and adopts the findings of fact and conclusions contained in the staff report dated May 29, 1991.

If you are an affected party and wish to appeal this decision, appeals must be filed with the Oregon Land Use Board of Appeals within 21 days from the date of decision.



Mayor R. Charles Vars, Jr.
City of Corvallis

SPECIAL REQUIREMENTS AND CONDITIONS

File Number: CD-91-2, Grant Avenue Baptist Church

Subject/Location: Grant Avenue Baptist Church - Northeast corner of the intersection of 17th Street and Grant Avenue (Assessor's Map 11-5-26CC, Tax Lot 1400)

Approval by: Corvallis City Council **Date:** 8/5/91

CONDITIONS OF APPROVAL

1. All outdoor lighting shall be of a shielded, downwardly focused type, to comply with Land Development Code standards.
2. A detailed planting and irrigation plan complying with City standards shall be provided with request for construction permits, and reviewed and approved by the Development Services Director prior to issuance of construction permits.
3. Detailed engineering plans for on-site sewer, water, storm sewer, parking lot and drives shall be reviewed for compliance with City standards and approved by the Development Services Director prior to issuance of construction permits.
4. Prior to issuance of construction permits, the applicant shall prepare and submit a drainageway easement to the City of Corvallis. The easement area shall begin at the east property line and extend to a width of not more than 15 feet from the top of the westerly bank. The easement shall extend along the full easterly property line, from the southern edge to the northern edge of the property.
5. If the proposed buildings are determined to be within the 100 year floodplain, the new construction must meet minimum floor elevations established by the base flood elevations, or be floodproofed.

Staff Identified Review Criteria

Grant Avenue Baptist Church Addition (CDP12-00003)

2.3.30.04 - Review Criteria

Requests for Conditional Developments shall be reviewed to ensure consistency with the purposes of this Chapter, policies of the Comprehensive Plan, and any other applicable policies and standards adopted by the City Council. The application shall demonstrate compatibility in the following areas, as applicable:

- a. Basic site design (the organization of Uses on a site and the Uses' relationships to neighboring properties);
- b. Visual elements (scale, structural design and form, materials, etc.);
- c. Noise attenuation;
- d. Odors and emissions;
- e. Lighting;
- f. Signage;
- g. Landscaping for buffering and screening;
- h. Transportation facilities;
- i. Traffic and off-site parking impacts;
- j. Utility infrastructure;
- k. Effects on air and water quality (note: a DEQ permit is not sufficient to meet this criterion);
- l. Consistency with the applicable development standards, including the applicable Pedestrian Oriented Design Standards; and
- m. Preservation and/or protection of Significant Natural Features, consistent with Chapter Chapter 2.11 - Floodplain Development Permit, 4.2 - Landscaping, Buffering, Screening, and Lighting, Chapter 4.5 - Floodplain Provisions, Chapter 4.11 - Minimum Assured Development Area (MADA), Chapter 4.12 - Significant Vegetation Protection Provisions, Chapter 4.13 - Riparian Corridor and Wetland Provisions, and Chapter 4.14 - Landslide Hazard and Hillside Development Provisions. Streets shall also be designed along contours, and structures shall be designed to fit the topography of the site to ensure compliance with these Code standards.

Any Conditional Development request on residentially designated property shall also result in a clear and objective set of development standards, between the Conditional Development proposal, required adherence to this Code, and Conditions of Approval.



Community Development
 Planning Division
 501 SW Madison Avenue
 Corvallis, OR 97333

DRAFT
CITY OF CORVALLIS
PLANNING COMMISSION MINUTES
September 19, 2012

Present

Jennifer Gervais, *Chair*
 Frank Hann, *Vice Chair*
 James Feldmann
 Roger Lizut
 Ronald Sessions
 Jim Ridlington
 G. Tucker Selko
 Jasmin Woodside
 Kent Daniels

Excused Absence

Roan Hogg, *Council Liaison*

Staff

Kevin Young, Planning Division Manager
 Bob Richardson, Associate Planner
 David Coulombe, Deputy City Attorney
 Mark Lindgren, Recorder

Visitors

Kirk Bailey
 Annette Mills
 Tony Howell
 Jon Polansky
 Kathy Phillips
 Jeff Hess
 Roman Geigle

SUMMARY OF DISCUSSION

	Agenda Item	Information Only	Held for Further Review	Recommendations
I.	Visitors' Propositions	X		None.
II.	Public Hearing- Consideration of 2012 Land Development Code Amendments	X		Staff presented proposed LDC amendments for discussion.
III.	Planning Commission Minutes September 5, 2012	X		Sept. 5, 2012 minutes approved as presented.
IV.	Old Business	X		None.
V.	New Business	X		Economic Development Commission proposals were outlined.
VI.	Adjournment	X		Meeting adjourned at 10:38 p.m.

Attachments to the September 19, 2012 minutes:

- A. Written testimony from the League of Women Voters.
- B. Development Process Recommendations from the Economic Development Commission.

CONTENT OF DISCUSSION

The Corvallis Planning Commission was called to order by Chair Jennifer Gervais at 7:32 p.m. in the Downtown Fire Station Meeting Room, 400 NW Harrison Boulevard.

I. VISITORS' PROPOSITIONS: None.

II. PUBLIC HEARING – CONSIDERATION OF 2012 LAND DEVELOPMENT CODE AMENDMENTS.

A. Opening and Procedures:

The Chair welcomed citizens and reviewed the public hearing procedures. Chair Gervais said the Land Development Code (LDC) Text Amendments regarding local food, infill development, and parking would be covered first. She said a staff report would be followed by public testimony, followed by questions of staff. The October 3, 2012 meeting will deal with the final two items, housekeeping items and substantive issues, she noted the public had another opportunity to testify at the October 3 meeting, as well. She said there would not be a formal vote until the October 3 meeting. She said there would be a continuance, so that the public may submit testimony between meetings.

The Chair opened the public hearing.

B. Declarations by the Commission: Conflicts of Interest, Ex Parte Contacts, Site visits, or Objections on Jurisdictional Grounds

1. Conflicts of Interest. Commissioner Kent Daniels noted that he was a member of the infill task force, but it shouldn't affect his ability to render an impartial decision. Commissioner Frank Hann said he was on the OSU/City Collaboration Neighborhood Planning Work Group; the parking recommendation came from that group, though it shouldn't affect his ability to make an impartial decision. Commissioner Ronald Sessions related that he was on the Blue Ribbon Committee and disclosed that he'd seen a memo from the committee, but stated that it shouldn't affect his ability to render an impartial decision.

C. Staff Overview:

Planner Young said this package of code amendments began in April 2011, when the Council approved the Planning Division's work program, following public input and consultation with the Planning Commission. When the work program was approved, it was anticipated that several Council Goals would result in a major staff role for Community Development.

He said the code change package included housekeeping items, which correct obvious omissions and inconsistencies in the code; items from the Substantive Issues Lists, designed to streamline the code; and recommendations from the Corvallis Infill Task Force.

In May 2011, staff prepared recommendations and policy questions for the Planning Commission, which met in work sessions on June 6 and June 13 and then gave preliminary direction on the code changes; he emphasized that that direction was not binding on recommendations it may now make to the City Council. He said there was also some public input during the work sessions and adjustments made to the proposed code amendments.

In response to a City Council Goal, an item was added to the amendments package in regard to provision of local food in the community. Those code amendments were developed by Community Development staff, based on the work of the Benton County Health Impact Assessment, and additional staff research and analysis. There was also a placeholder item for quick action items from the City/OSU Collaboration project; the Commission endorsed inclusion of those items. The last item in the staff report was a single quick action item for a proposed change to parking requirements for some types of four- and five-bedroom dwelling units. The Council, at its June 18 work session, endorsed going forward with the package.

He suggested first hearing the local food initiative, then recommendations from the Corvallis Infill Task Force, and if there is time, the proposed parking changes can be considered. On October 3, the commission will consider housekeeping issues and substantive issues designed to streamline the code.

Planner Young proposed hearing public testimony first, then hearing staff reports, then having commission discussions. He said written testimony can be directed to him at any time before the October 3 public hearing. He said the Commission would be making a recommendation (not a final decision) to the City Council, which is tentatively scheduled to hold a public hearing to consider the code amendments at its November 5 meeting. The Commission recommendation on the package is not appealable. Staff will prepare a staff report for City Council review and there may or may not be an ability to make changes between now and the October 3 meeting. The goal is adoption by the end of the calendar year. The direction from the LDC states it may be amended whenever the public necessity, convenience and general welfare requires such amendment, and where it conforms with the Corvallis Comprehensive Plan and any other applicable policies. The staff report included analysis of Comp Plan policies applicable to the proposed changes, as well as analysis of compliance or consistency with statewide planning goals.

D. Public Testimony.

Kirk Bailey, chair of the Corvallis Infill Task Force, related that the group was, by and large, happy with the language in the staff report. He said it was a good process and praised Planner Young's hard work. He highlighted a distributed illustration as an example to help clarify intent of proposed changes to how building height is measured.

He noted that proposed language in 4.2.9.d, (Fences, hedges and walls up to six feet in height may be allowed in exterior side yards") tries to modify how close these can be to

the sidewalk; however, it is open to several different interpretations, and needed to be clarified. He said if you have a small lot (less than 5,500 square feet), the proposed language allows a higher fence than is currently allowed; he noted that a setback can consume a big portion of a small yard. He said he personally advocated for allowing a fence next to the sidewalk if there is an adequate amount of landscape buffer between the street and the fence. He suggested the standard be flexible; for example, if the park strip was very narrow, then more space could be needed on the other side, adapting to a particular situation. He said there were many variations found throughout Corvallis.

Regarding Local Food, in section 4.3, a new clause, garden use is allowed in many zoning areas. The new clause C states that that when the primary use on a lot is garden, the combined square footage of all accessory structures shall not exceed 400 square feet. He said that he supported it with one exception: you don't want to have someone build a large machine shop and claim it falsely as supporting garden use. The intent is to allow only lightweight structures in order to not impede future urbanization goals. However, currently greenhouses get caught in the proposed language. He said his understanding is that greenhouses fall under Accessory Structures under the code and suggested an exception, allowing greenhouses, a very lightweight structure, to go up to 800 square feet in size. A greenhouse is very light construction and would not block future construction. He said for serious growing, a 20 by 20' greenhouse was minimal. He suggested allowing 400 square feet for accessory structures, such as tool storage, and 800 square feet as an exemption only in the garden area, permitted outright, with larger structures having the option of going through a planned compatibility review (an administrative process that looks at surrounding uses). There are places where a large greenhouse makes good sense, while it wouldn't work in other places. This change would help make the code functional for local agriculture.

He supported the concept of four and five-bedroom modified parking standards that came out from the City/OSU collaboration process. He said that his neighborhood was being adversely affected by the situation and related that his neighbors told him this should have been adopted fifteen years ago, summarizing that the change had a lot of support.

Commissioner Woodside asked whether there could be a problem in defining a greenhouse; Mr. Bailey agreed that that could be true. They could be exempt from being accessory structures, but that could cause other issues, so he left implementation to staff.

Commissioner Daniels stated there are many kinds of greenhouses; some require foundations. You might want to include height or other aspects in a definition. Commissioner Hann asked if the intent was for food production for a family; Bailey replied that the intent was for family use. Commissioner Hann expressed concern about intensification and the size increase. Mr. Bailey suggested that staff look at overall impact of combined square footage. Commissioner Hann asked about lot coverage percentage; Mr. Bailey replied that simply limiting the size of individual structures could help scale it; however, flexibility was also important. He said there wasn't a combined square footage concept elsewhere in the code; and many existing structures could possibly instantly become non-conforming.

Commissioner Sessions asked about the distinction between a market garden and a residential garden; for example, for a market garden on a half-acre, a greenhouse limited to 800 square feet may not be adequate. He asked how to appropriately deal with

variables. Mr. Bailey agreed, saying that in some cases, it might make sense to be larger, for both market and non-market gardens. Commissioner Sessions cautioned that the compatibility review is subjective, with different people making different interpretations; we're trying to make the code clear, not more vague. Mr. Bailey said that given that, Mr. Hann's suggestion basing it on lot coverage could make more sense.

Commissioner Woodside suggested considering limiting the structure in terms of the size of the garden; Mr. Bailey replied that that could be too complicated, and the size of the garden will likely change over time; a goal should be to make it simple and clear.

Annette Mills, League of Women Voters of Corvallis, said the LWV formulates positions on a variety of issues of significance to the community; it studies them, then comes to a consensus as a body. In 2008 and 2009 it studied local food, and in 2010, it adopted a local food position. It supports access to local food, encourages local laws and land use plans that include space for food production, and encourages local business in local food production, distribution and processing that is sustainable and supports a viable food system. The League commended staff on the code amendment process and has reviewed the Local Food provisions in great detail, and in general was pleased with the proposed changes.

She highlighted eight LWV recommendations. (**Attachment A**) The first is Section 3.0.30, Garden; recommending that the definition of garden be amended to make it clear that Gardens are intended for personal use or consumption or for off-site sales. The current language prohibits on-site garden product sales. She related that staff said off-site sales would be allowed, and stated that that aspect needed to be clarified in the definition.

Regarding Section 3.3.20, Permitted Uses, the LWV recommended that gardens be permitted as a primary use in the Mixed Use Residential zone, until landowners are ready to develop a particular property, just as in the section on tree and row and field crops, in which it is proposed to be permitted in certain industrial zones until owners of that land are ready to develop it with permitted industrial uses, thus promoting consistency.

Regarding 4.3.30, Residential Use Types, as proposed, market gardens would only be permitted on lots where there is a residential use. However, in some cases, where there is a residence on one of two adjoining owned lots, market garden activities would only be permitted on the lot with the house, although a garden would be permitted on the vacant lot. To sell the produce from the garden, a resident would have to bring produce from the vacant lot to the lot with the house and sell from there. This would appear to pose an unnecessary burden to the market and so the LWV suggested dropping the requirement, and that sales be permitted on either of the adjacent lots.

Regarding Section 4.9.90, Market Gardens, she said the LWV recommended changing language allowing one employee to work on the site for up to forty hours a week, to allowing up to one FTE, so that two or more part-time employees would be able to work on the site.

Regarding Section 4.9.90, Market Gardens and Community Gardens, she said the proposed language currently requires sales on those sites to cease at 7 p.m.; however, in summer, during peak growing season, when it doesn't get dark until 9 p.m., sunlight might

be a better determination; so the LWV recommended allowing sales to continue until dusk.

Regarding Chapter 3.0, Use Classifications, the definitions of tree crops includes “for personal use” and would thus prohibit sales of many important crops, so the LWV recommended the phrase be removed from the definition.

Regarding Chapter 8.3, Limited Manufacturing, the proposed language states that food products are generally made for the wholesale market or transferred to other businesses; the LWV recommended the addition of the phrase “direct retail sales off-site” to ensure that such sales are clearly allowed.

Regarding staff analysis related to Limited Manufacturing, she said the LWV strongly supports the proposed expanded definition to specifically include production and processing of food products. The group also believes that the use types should be expanded to include the growing number of small food entrepreneurs who have launched businesses in the community to allow food production in all areas. The LWV recommended the code allow food production in all commercial areas, provided the businesses are small, based on number of employees or floor space; that it be required to have noise level standards; that they be clean and not involve hazardous materials; and that concentrations of waste materials, such as nitrogen, do not unduly overload the waste water system. She said 9th Street should be expressly included, given its history in Corvallis food processing.

Commissioner Sessions asked what distinguished Residential Gardens from Market Gardens; Ms. Mills replied that the distinction was in staff’s proposed definitions. Planner Richardson added that staff would answer that later.

Commissioner Hann, in regard to limiting on-site sales, recalled a neighbor selling a few spare tomato plants from their greenhouse, and asked whether there was room for limited entrepreneurship in the code. Ms. Mills replied that it was not clear to the LWV whether it was OK for someone to sell their Garden produce at the Saturday Market Community table; staff had replied to them that off-site sales were OK. The LWV decided that it would be prudent to put that in the definition, since that’s how it was interpreted by staff, and it is important to have clear and objective standards.

Tony Howell said he was a member of the Infill Task Force. He highlighted 4.2.50.01, Height Limit, subsections d) and e), on the second page of the staff report. He said the main section of the code restricts side yard fencing to 4’ in height; up to 5’ of the side yard property line, that fence could be 6’ in height, as long as there is a 5’-wide landscaped buffer between the fence and the street. He said d) attempts to make height limits for all residential yards more flexible than the current code. The language within 5’ was confusing to some that reviewed the proposed language, since some interpreted “within” differently. He suggested replacing “within” with “up to 5 feet”. He noted that the proposed language “5’ of landscaped separation between the fence and the street” could be interpreted to mean between the fence and the sidewalk, or the fence could go up to the sidewalk (with a 5’ landscape strip between the sidewalk and the street). He noted people have built 6’-high fences in side yards all over town. The issue is what provides adequate openness for passersby and still maintains some privacy for the property owner. Both interpretations would be an improvement. He suggested “Hedges, fences and walls up to

6' in height are allowed in exterior side yards up to 10' from the street if a 5'-wide landscape buffer is maintained on the street side of the fence"; he said this avoided the property line issue.

Mr. Howell said that section e) applied to very small lots, where there is not much room for a yard with a 5' setback from a sidewalk. He said the proposed e) allows the fence to go up to the sidewalk, unless it is a streetside sidewalk, in which it would be set back 1'. He said Public Works sought that 1' elbow room for cyclists and to allow sidewalk replacement. Also, in small lots, the fence is allowed to extend beyond the rear of the structure, either to the rear of the house or 50' from the rear property line. (Most lots are 100' deep). He highlighted the submitted illustration. He said it would be a great benefit for many people on small lots downtown with 3'-high standard fences who currently don't have enough privacy or the ability to safely contain their off-leash dogs in their yard.

He said he was a member of the City/OSU Collaboration Neighborhood Planning Committee, which put forward the proposal to increase parking for four and five-bedroom units. The parking standards, when designed, assumed multifamily units would primarily be families, but didn't anticipate the current building trend of strictly student units, all four to five-bedroom, which must only provide a smaller number of parking spaces. This rectifies the change in living arrangements and no longer assumes residents are a family with no more than 2.5 cars. Many of these units are occupied by individuals, most with their own cars, and recognizes that attempts to reduce people's auto use by not requiring parking has not been effective. Other strategies are needed to reduce auto use.

Commissioner Daniels noted that some existing hedges are 30' tall; the City tends not to enforce hedge heights, and added that there are some fences over six feet tall that are being constructed now. He said it is enforced on a complaint basis and asked what happens to fences over six feet tall; Planner Young replied that if the City gets a complaint, it would enforce the rule. He said the main issue for hedges is vision clearance.

Commissioner Daniels related that garage parking inside a building is seldom used for parking; instead, it is often used for storage or parties. Also, the parking requirement often allows tandem parking, with one parking space behind another, which also doesn't work. He said that this proposal doesn't go far enough to address the problem. Mr. Howell agreed, saying it was the best that could be done to stem the bleeding on short notice; he said it isn't a complete solution to the whole problem, but is a simple, clear first step that found strong consensus.

Commissioner Hann highlighted the situation of a non-conforming, narrow (24-30") existing sidewalk which still has 5' to the street; asking whether that would block the ability to create a wider conforming sidewalk in the future during future development. Mr. Howell said that according to proposed e), a streetside reconstructed sidewalk would go toward the street, and typically not cross the property line; if the property line was somewhere back, then that would be the boundary for the fence.

Commissioner Hann said some five-bedroom single-family houses are starting to be built on small lots with only 2.5 parking spaces, and asked whether that should also be included. Mr. Howell replied that that is an issue in some neighborhoods, but wasn't

addressed in the proposal because there was more debate on the issue, but that the committee likely wouldn't regret staff and the commission weighing in and strategizing on it.

Jon Polansky asked whether new parking requirements would apply to all four or five-bedroom housing units citywide; whether it was intended to apply to the large student housing complexes that are likely to come in the future. Planner Young said the proposal would amend parking requirements for some types of dwelling units with four and five bedrooms throughout the city; assuming the rules are adopted in December, there would potentially be an effective date of January 1, 2013. For any building permit applications or land use applications that are received after that date, that would be the applicable standard throughout the city. They would not apply to single family, detached, or manufactured homes.

Kathy Phillips signed in, noting that an extensive number of changes were proposed that she was concerned about and that she would submit testimony later.

Jeff Hess related that the Seventh Street Station has several hundred rooms but only about 29 visitor parking spaces; he said he and his neighbors were concerned that many visitors would park in their neighborhood a block away. The development is charging residents to pay extra for parking, so residents seeking to save money will park in the nearby neighborhood. The City's attempt to encourage residents to use mass transit has allowed developers of such housing to take advantage of free parking in adjacent neighborhoods. He suggested that developers of housing where there is high confidence that many residents will, in fact, rely on mass transit or walking, could use a lower parking ratio and earmark some of their additional profit to mass transit or bike paths. He said that many developers could find that attractive. He said he was worried about the impact of increasing the number of impervious parking spaces.

Commissioner Feldmann said that he shared his sentiments and asked whether he'd brought it to the City/OSU Collaboration; Mr. Hess replied that he had brought to a couple of the work groups. Commissioner Daniels said parking districts are a way of limiting development that doesn't have enough parking; Mr. Hess replied his neighborhood was working on becoming a parking district; it must be a multi-pronged effort, or it won't work. Commissioner Daniels said changes in standards for four and five-bedroom units will likely have the impact of building those units on a standard lot economically unfeasible. Raising parking standards may prevent some types of development from occurring. Mr. Hess said he wasn't sure it made sense to use a parking standard to prevent building something that size; it should be addressed separately.

Roman Geigel stated that he didn't see how to address prohibitive land use and split zoning issues for residential areas; Planner Young said that that will be considered at the October 3 meeting. Mr. Geigel related that most of his lot in the Circle/Hayes area was adjacent to a park. Most of the lot, including his house, is in Restricted Use, so he can't make repairs, weed, or technically, do anything. He said 51% of the lot was Restricted and 49% Non-Restricted, and the zoning is determined by whatever zoning is the greatest percentage of the lot. Planner Young replied that the current code states that in a split zoned lot, zoning standards for each district are applied to each respective portion of the lot; however, that has been found difficult to implement in practice. The proposed standard sets a size limitation, so for smaller lots that are split-zoned, the city would apply the rule

that applies the zoning of the larger portion of the lot to development on the entire lot. Mr. Geigel noted the size of the lot had a bearing. He said the lot is in a nature preserve; Planner Young said that that is a different issue and offered to talk to him about it.

F. Staff Report:

Chair Gervais suggested commissioners give feedback on each of the five general sections, and flag where there seems to be an issue. Planner Bob Richardson began on page 133 of the staff report, stating that there were seven categories of text amendments to promote local foods; these include Garden, Market Garden, Community Garden; Aquaculture; Horticulture; Row, Field, and Tree Crops; Limited Manufacturing; Changes to the OSU Zone; and changes to the Mixed Use General Commercial and Limited Industrial Zone. He said he would present brief summaries of each and allow questions, if any.

Garden, Market Garden and Community Garden. Planner Richardson stated that these are three new definitions in the LDC and are three new use types in Chapter 3.0, the Use Classification Chapter. He highlighted the table on page 134 that summarizes the differences between the three proposed types of gardens. Gardens are proposed to be Accessory Uses in all zones except Conservation-Open Space, and proposed to be permitted as primary outright uses in zones RS-1 through RS-20. No commercial component is anticipated with a Garden (so you can't have a kiosk and sell in front of your house). Where Garden is the primary use of a lot, the accessory structure associated with that would be limited to 400 square feet.

He explained that the code categorizes usage by Primary and Accessory uses. In order to have an accessory use for an accessory structure on a lot, there has to be a Primary use or a Primary Structure. Currently, on a vacant lot, one cannot technically have a garden, because that is an Accessory use, and without some Primary use, you can't have an Accessory use. One must distinguish between a Primary Structure and an Accessory Structure.

Market Gardens are proposed to only be allowed where there is a residential use; a Market Garden would be an Accessory use to a residential use. Residential uses are permitted in many zones throughout the City. In every zone where Home Businesses are permitted a person could potentially have a Market Garden. There is a commercial component, so sales of produce from that garden would be permitted on-site, and Market Garden regulations are proposed in Section 4.9.

Community Gardens would be permitted in zones where there is civic use, as an Accessory use to a Primary Civic use, and as required as a common outdoor space amenity in zones RS-12, RS-12U, and RS-20. Commercial sales would be permitted. He summarized that often the distinctions come down to whether there is an accessory use or a commercial component.

Commissioner Sessions said he felt the definition wasn't clear; he asked how he could determine what type of garden it was by simply looking at a garden on a site. He asked what problem was sought to be solved with this effort. Planner Richardson replied that there wouldn't be a visual difference; the primary difference is that a Market Garden has a commercial component, while a Garden does not. Also, a Garden can be a primary use,

while a Market Garden may not be; that means you could rent a vacant lot and garden on it, but it will be the primary use, which is new to the code. The problem to be solved is that technically, the code currently does not allow someone to garden on a vacant lot, and people have expressed concern, complained, and asked why that is illegal. Many of the food provisions are different than the other changes in the text amendment that seek to fix problems in the code; rather, the effort is to change the code to accomplish the City Council Goal to expand opportunities for food production, processing and increasing opportunities for people to access local food.

Commissioner Lizut asked staff to respond to the League of Women Voter's eight recommendations before the next meeting; Planner Richardson responded that they would do so.

Commissioner Gervais asked about the logic behind *not* allowing someone to sell vegetables that they've grown on a vacant lot; Planner Richardson replied that staff's concern was a scenario where someone takes a vacant lot in a neighborhood, not next to their house, and turns it into a more intense commercial operation. He said that the prohibition was a way to draw a line between where you could have commercial activity and where not; it is a matter of scale and intensity. Staff's logic was seeking to prevent more intense commercial operations and activity within a neighborhood without other infrastructure to support it, and introducing issues like traffic and parking.

Commissioner Gervais noted that the main issue seemed to be relating to people coming to buy produce, since there was probably little difference between growing for themselves and to sell. Planner Richardson concurred, but added that staff looked at how home businesses currently operate today; they are part of a home structure and residence. They don't have a home business on a vacant lot. Planner Young added that staff also had to consider how the rule could be abused, so they tend to err on the side of caution.

Commissioner Feldmann noted that in a given year, or even a given week, you could have a Garden, and then in another, a Market Garden; he asked why two definitions were needed. Planner Richardson responded that it comes down to the commercial component; if you sell vegetables from your house, then that's a Market Garden; it *can* go back and forth. You want both, because if you have a market garden as a primary use type, you are introducing a commercial use into a residential zone. That also affects the size of accessory structures.

Commissioner Woodside asked if currently market gardens were not regulated under a home business; Planner Richardson said they could potentially be, but staff wanted a rule focused on food production, processing and gardening. Rather than expanding the existing definition for home business to include those things, the proposal came up with a new definition. The current parameters of a home business aren't necessarily inclusive of what one might do with a market garden in terms of *outdoor* storage and activities.

Commissioner Woodside asked about the proposal on closing down a market stand at 7 p.m.; Planner Richardson replied the intent was to find a standard; there were other proposals to open until dark; the commission may have other ideas.

Commissioner Sessions said a Market Garden would have to occur where a residence was present on a site; so a vacant lot could have an accessory building for the purposes of

storing equipment, or a greenhouse or perhaps food processing. Planner Richardson replied that if there is a lot with a house, then you can have an accessory structure to whatever maximum size the code allows. If there is a vacant lot, the proposal is that you can have a garden as a primary use, and associated with that garden could be accessory structures of a combined total of up to 400 square feet. The accessory structure and any use associated with the structure should be associated with and subordinate to the Garden.

Commissioner Sessions stated that the biggest distinction in usage is the ability to have on-site sales, and that the logic escaped him, since it would seem to be less objectionable in a residential area to have on-site sales on a large vacant lot, versus a home with a small structure set up on the front lawn directly across from a neighbor. He said it doesn't make sense.

Planner Young explained that one way to think about the distinctions between Gardens and Market Garden is on page 138 of the staff report, which outlines parameters under which a Market Garden would operate; it is analogous to home occupation standards. Planner Richardson added that the Market Garden is the sister to the home business definition; that's what it was modeled after. The idea was to find a way to allow urban agriculture activities to occur, and place parameters around them, but not make these parameters apply to someone's personal garden. Staff did not want to restrict people from growing food.

Commissioner Daniels said the 7 p.m. closing time was probably a good idea, but was concerned that he could easily envision someone renting a vacant lot for agricultural purposes where it could cause a lot of conflict in a residential neighborhood, starting work early and creating noise. You can grow a lot of food on a residential lot if it is farmed intensively and commercially; there is a good idea but also the potential for abuse.

Commissioner Woodside concurred with the way staff made the distinction, saying if you have a market garden where you have your home in a residential area, there's no concern it will turn into a commercially zoned business. If you had a vacant lot, and allow people to do a commercial business on the lot, it would essentially be commercial without being zoned that way. This way, it allows you to sell your goods from your home as a home business, but on a vacant lot, you are allowed to garden it, but it has to be for personal use, not used commercially. She agreed with a 7 p.m. closing time, since kids sometimes go to sleep then.

Commissioner Gervais said the way it is written, the distinction was hard to understand. She suggested staff consider the commission's discussion and try to explain the rationale in the code, since many people could find it difficult to understand. Planner Richardson said the challenge is that it is not a visual or size or a "who can use it" difference; the difference is whether it is associated with a primary use versus accessory use and whether there is a commercial component. Commissioner Gervais said the commercial component is the bigger deal, with the commission trying to understand *what* you can do *where*. Planner Young explained that part of the staff thinking in structuring it this way is that it would work like the clear and objective Home Occupation standards. There are not zoning police looking for infractions, so if there is a complaint, staff can look to the code. He said if more language is added then there's a risk of further confusion. Commissioner Gervais suggested she could draft a purpose statement; Planner Young concurred.

Commissioner Sessions asked if someone could call to complain to staff if a neighbor was growing on an adjacent vacant lot *today*, under the existing code, for commercial uses; he asked what enforcement steps would be taken to cease that usage. Planner Young replied that part of the impetus for this code change was a land use case from several years ago, with agricultural activities occurring on land zoned industrial; the community at large asked what the problem was with farming on land zoned industrial. Planner Richardson added that under Commissioner Sessions' scenario, there were potentially two violations: a use violation and possibly an accessory structure violation.

Commissioner Sessions asked if he could build a "garden shed" on an adjacent lot but use it for a garage; Planner Richardson said that would be an accessory structure and not permitted. He acknowledged that there was potential abuse, but such a structure must be associated with a garden and limited to 400 square feet, thus limiting the extent of the abuse.

Commissioner Hann asked if it could be leased to someone else; Planner Richardson replied that it could be leased under these rules, and the produce sold elsewhere.

Commissioner Woodside suggested the definition of garden be modified as per the LWV recommendation; Planner Richardson replied that staff had no problem with that change. Commissioner Woodside asked about a Garden not being permitted as a primary use in a Mixed Use Residential Zone; Planner Richardson replied that it was excluded since it was intended mostly for residential uses and allowing gardens on vacant lots may be out of place in denser, retail areas; he said it is open for discussion. Commissioner Gervais said a garden could easily be removed, and in the mean time, the lot has some aesthetic and community value, and favored that that be changed. Planner Richardson said if the commission feels there are no compatibility issues, then that change would be fine with staff.

Commissioner Woodside asked about the LWV proposal to limit it to 1.0 Full Time Employee, saying she was supportive of allowing part-time employees. Planner Richardson replied that the language could be changed; Planner Young noted that it could be manipulated and a potential enforcement issue. Commissioner Gervais said having part-time employees was a likely scenario, and suggested making the change as proposed by Commissioner Woodside, since that seemed to fit how the work would likely occur.

Commissioner Sessions stated he strongly supported gardens but still failed to see the need for regulation for the issue. There is already a mechanism in place to regulate the commercial usage in a residential zone and that is all that is needed. He asked why it was necessary to regulate someone to grow vegetables. Regarding the issue of not being able to put up a building on a site unless it is a secondary usage, his solution would be to build a structure on adjoining property and have it service the other one. He said the city doesn't need to write law to satisfy an arbitrary goal.

Commissioner Hann replied that he was present during the previous cited case, and it caused a public outcry and occupied a tremendous amount of staff time for about a year. Staff had to follow through on the complaint and it prompted multiple commission meetings. As a result, both the Council and the community responded to these artificial barriers, as well as wanting to encourage sustainable food production; the code change has proved to be necessary.

Commissioner Sessions suggested simply including garden activities under residential usage, or excluding it under Commercial Uses, by adding a half line of text to clarify that usage, or excludes it, rather than creating a whole new section subject to interpretation and misunderstanding. Planner Young suggested bringing back a staff response to the LWV recommendations and commission questions and concerns. Chair Gervais said the commission was bogging down on the issue and there could be further discussion at the October 3 meeting.

Commissioner Daniels said there is nothing in the proposed code regarding animals or processing of animals and assumed that was because it was covered elsewhere in code; Planner Richardson replied that that was correct.

Commissioner Woodside asked staff to respond to a definition of greenhouse; she said she agreed with Mr. Bailey's testimony regarding greenhouse size and added she wouldn't want to see a greenhouse used as a garage; Commissioner Gervais concurred.

Planner Richardson said #2 expands the definition of **Aquaculture** on page 142. Proposed changes would allow aquaculture to occur in more zones. Depending on the zone, the aquaculture use would be required to be within a building; outdoors, after obtaining a planned compatibility permit, or permitted outright outdoors. The zones are listed.

Commissioner Hann asked whether there was protection on intensification of waste material, possible infiltration into waterways, etc, in other sections. He said concentrated waste byproducts can be toxic. Planner Richardson said staff didn't know much about aquaculture and were trying to be conservative; he guessed those issues may already be regulated by the DEQ. Planner Young added that effluent would have to go to the treatment plant, but didn't know about standards, prohibitions or whether there is capacity with the existing infrastructure. Commissioner Hann said it was a laudable goal but could be fraught with disaster. Commissioner Gervais said there are several issues that need to be better clarified, including water quality, how water is retained, what kinds of safety parameters are need to prevent flooding downhill, preventing release of exotic animals, etc. Commissioner Daniels related that there was an aquaculture program at OSU, and suggested getting advice.

Commissioner Sessions said he'd had a client who wanted grow lights for a crop for medicinal purposes, and this issue may be inviting this. Chair Gervais suggested bringing it back to the next meeting; Planner Young said he wasn't sure if he had time to bring back a full-blown analysis before the next meeting; if there isn't enough information, the commission could table it.

Commissioner Daniels said he'd prefer the commission spend more time with the whole agriculture section; he said there was no urgency. It is a good starting point but other groups could be consulted and involved. Planner Young replied that it was one of four Council priorities; there is a strong Council desire to move it through by the end of the year. However, if the Planning Commission feels that that is not appropriate, that message can be sent to the Council. Attorney Coulombe said commission analysis during deliberation is a critical part of the information that goes to the Council in the minutes and so suggested leaving debate for deliberations.

Planner Richardson stated that **Horticulture** is a use type defined in the LDC and was permitted in the Limited Industrial, OSU, and Ag-Open Space zones; the proposal would permit Horticulture in a number of other industrial zones. The change expands the number of zones where horticulture is permitted. He explained that horticulture is a more intensive use than row, field or tree crops, and may involve greenhouses or nurseries; Planner Young added that it may involve ornamental or landscaping purposes, as opposed to food or fibers. Commissioner Woodside asked why horticulture would be included when it doesn't seem to relate to local food; Planner Richardson replied that it is part of agricultural uses in general, and there may be room to interpret it for activities such as growing seedlings for food production. Commissioner Sessions added that Horticulture could include growing plants such as fruit trees for re-sale. Commissioner Gervais suggested clarification in the language.

Tree, Row and Field Crops are defined as products grown in regular or scattered patterns, and include field, forage, and other plants intended to provide food and fibers. The definition of tree crops states that it is for personal use; he said the LWV recommendation may be a good suggestion. The proposed change allows agricultural use types to occur in industrial zones, and relates to the Bald Hill application from several years ago. Planner Young said there seemed to be consensus to accept the LWV recommendation to remove limiting tree crops to personal use.

Regarding **Limited Manufacturing**, it is an industrial use type, for businesses with twenty or less employees per shift. Currently the emphasis is on manufactured goods using hand tools, mechanical equipment or assembly, and doesn't permit the processing of food or anything related to food. Staff felt there was no compatibility difference between whether the product was food or a non-food; so expanding the definition of Limited Manufacturing to include food products increases opportunities for that size business to operate in more places, notably the Central Business Zone. Commissioner Woodside highlighted the LWV recommendation to remove the word "generally", or add "direct retail sales off-site" in this section; Planner Richardson said there was probably no problem with that. Chair Gervais said there seemed to be consensus. Planner Richardson added that allowing it in other commercial zones may require further consideration but was a possibility.

Regarding the **OSU Zone**, Planner Richardson said the LDC currently doesn't list agricultural use types, which can be interpreted as *all* agricultural use types are permitted, or *no* agricultural types are permitted. The proposal is to allow all agricultural use types.

Regarding **MUGC and LI-O Zones**, accessory uses are permitted as long as they are contained within enclosed buildings. However, some of the types of permitted accessory uses are inherently outdoor activities, such as parking, so the suggestion is to strike the phrase.

Infill.

Planner Young said he would explain what the thirteen proposed changes would accomplish and ask for commission questions and concerns.

The first, on page 12 in the staff report, would **Improve the Current Definition of Building Height**; this was suggested by the Infill Task Force. The group noted that there were a number of roof types, and some roof types don't have gables. The current roof

height limitation refers to “the mid-point of the highest gable”, so buildings without gables are not allowed to be as tall as others. This change would level the playing field among building types; he highlighted the graphic that Mr. Bailey distributed to illustrate the point. Commissioner Sessions said that the wording of the definition was not clear; he highlighted “the height of a stepped or terraced building is the maximum height of any segment of the building”. He suggested the clarification “the highest segment within a datum appropriate for that segment”. Planner Young replied that it was code language that exists and was not proposed to be amended. He cautioned that he was not an expert on it but that he would interpret it as the maximum height of any segment would be determined by the specific height of that segment.

He said **Improve the Definition of Schools** creates a new use classification. Currently, vocational or professional training is not recognized as a distinct use type by the City, and applying rules that would apply to traditional schools doesn’t make sense. The proposed code language creates a use type, differentiates it from a school, and puts in place parking requirements and stipulating which zones in the City this use type would be allowed in. He highlighted the analysis on page 15, saying the code change would revise all of the listed zones.

Commissioner Hann said the parking requirement seemed onerous; Planner Young said staff took the recommendation from the Infill Task Force. He said there could be differences between different types of vocational schools, such as where a lot of space is not being used per-student, whereas truck-driving schools would need acres of space. He said there could be a per-student parking requirement.

Commissioner Sessions said that under the building code, a classroom type of occupancy would be considered an assembly. Other building sections would have a different occupancy. He suggested the code could evaluate the building according to different types of occupancies. Planner Young gave an example of one parking space for 150 square foot of classroom space, though that begs the question of what a classroom was. Commissioner Hann said the intent was to provide opportunities for this type of use in many different areas, including as adaptive use of buildings no longer viable for their original use, but instead may have thrown up another barrier. Planner Young said that staff would return with a couple different options. He related that the proposed 1:15 sq. ft. ratio came from technical and telephone support centers.

Commissioner Woodside highlighted a typo on page 14 of the staff report, saying the definition under 3.0.30.03 should be hh rather than ii.

Planner Young stated that **Where Not to Put Storm Water** clarifies storm water detention exemption areas. There has been confusion on how to interpret the provisions in the code; he highlighted proposed language to define those areas on page 16.

He said **Simplify Requirements Based on Project Size** allows consideration of requests to vary from code standards though the minor lot development option process. For small lots, of less than a quarter acre of size (10,890 square feet), a person can request to reduce required front, side and rear-yard setbacks to no less than corresponding minimum existing setbacks for legal development of primary structures, conforming or non-conforming, on any adjacent lot, if the adjacent is within the same zone.

He said that **Setback Reductions** was based on the same idea, reducing side or rear-yard setbacks for accessory structures, based on reference to neighboring structures. Some provisions in the building code may limit that to some extent. The proposal allows consideration of increasing the height of primary structures, based on abutting neighboring legal primary structures; and decreasing required lot sizes; and required lot width to lot widths that exist in abutting properties. The intent is that in some historic neighborhoods in Corvallis, a development meeting today's standards looks incompatible with what is there. The proposal is a change in standards that would allow someone to request variations through a minor lot development option process; this is a staff level decision, based on criteria, and notice is provided to neighbors, who could comment, and could appeal it if not satisfied. He noted that the current alternatives, going through a major lot development option process, or requesting a planned development, are more expensive and time consuming, and require public hearing processes.

Regarding **Allow More Flexibility for Items of Minimal Impact**, he said these include accessory structures commonly integrated into fencing and garden design, such as arbors, pergolas, and trellises. The proposal would allow these to be within required front, side and rear-yard setbacks, allowing them to be up to 10' in height. The proposal requires the structures to be at least 50% open above the height that an opaque fence in the same location would be permitted. There is also a provision that states that such structures may be no more than 15' wide in required front yard setback areas. He related that staff added this to the Infill Task Force recommendations, to not allow for very large-scale structures in front yards, due to aesthetic considerations. Commissioner Hann asked if people could build more than one in order to circumvent the rule; Planner Young noted that it is a matter of interpretation, which could be clarified. It allows for multiple pergolas, arbors and trellises in rear-yard setback areas as written.

Adds Franchise Utility Flexibility. Planner Young stated that in some downtown areas and other zones, buildings are being encouraged or required to be located right up to the property line; however, that doesn't work well with the current code provision that franchise utilities being required to be provided within the first seven feet of property. This will help clarify matters and provide flexibility. The June deliberation suggested language "In areas where such a utility easement is not compatible with the existing development pattern, the director may require the utility easement be placed in an alternate location, as recommended by the City Engineer and affected utility companies". The decision is ultimately that of the Community Development Director, in consultation with the Engineer and affected franchise utilities. There is a lot of leeway to come to a reasonable solution.

Allow Residential Commercial Conversions in High Density Zones. Planner Young said that the current code allows for conversions of large residential structures to professional and administrative service use types through a Conditional Development process. The rationale was to help to preserve older structures no longer viable for residential uses and allowing adaptive re-use. He noted that it is not common. The proposed revision would open up eligible candidates for these types of conversions to structures that would meet locational criteria associated with major or minor neighborhood center zones. A residential structure located within medium to high-density zones, if it met the locational criteria (being near collector or arterial streets) a person may make a request for approval for this kind of conversion. There is no minimum structure size, no requirement for historic significance, but allows for insertion of limited mixed-use application in these areas. It is a conditional development use that requires a public

hearing and notice to neighbors. The applicant must prove the conversion will remain compatible with the neighboring development.

Commissioner Woodside asked whether there should be concern about having too much office or admin space; perhaps an evaluation of current vacant office and admin space should be required, similar to the requirement to evaluate vacant lands in an annexation. Planner Young replied that that could be incorporated as a decision criteria in the process. Staff could also look at the Land Development Information Report and inform the commission on current numbers. Commissioner Selko said he was concerned with converting space from residential at a time when the community was concerned with availability of residential space; Planner Young replied that it is a valid concern and the commission must decide.

Regarding **Permit Accessory Dwelling Units (ADU) in RS-12 to RS-20 Zones**, Planner Young said that the Infill Task Force proposed that accessory dwelling units should be allowed in these zones; these are medium-high and high-density residential zones. The conventional wisdom is that those provisions are not needed, since those zones allow for almost any type of residential development. One advantage for accessory dwelling units is that there is an owner occupancy requirement for one of the two units on the property. An advantage to the developer is that there is not necessarily a requirement for additional parking on the site, so long as current parking requirements are met on the site. This provision would add the ability to do an accessory dwelling unit in the high-density zones. The redevelopment may not meet minimum density requirements but its scale might better preserve neighborhood character.

Commissioner Gervais asked about ADU parking; Planner Young said the current standard is that no additional parking is required for the ADU, so long as the parking requirement for whatever's on the site before the ADU is met on-site. Commissioner Gervais noted that no additional parking is being required, even though additional housing is being built; Planner Young confirmed that was correct. Commissioner Woodside related that during the June work session, a participant pointed out that tearing down a home and then building up to density would affect neighborhood parking much more than just one ADU. Commissioner Sessions noted that only the zoning is changing; the street will look the same.

Planner Young highlighted the section **Modify Fence Height Limits in Front and Exterior Side Yards, Exterior Side Yards in Small Lots, and Along Paths**. He noted there was earlier testimony. He said that in required yards, the allowed fence height would be increased from 3' to 4' in front, rear, or side yards. There are limitations on fencing along sidewalks and multiuse paths that are not adjacent or parallel to the street. For example, if there were two cul-de-sacs connected by a walking path, but no street connection, the height is currently limited to 4', which has proven to be a concern to some residents. The amendment in that situation is that as long as the fence is at least 5' from the sidewalk or multiuse path, the fence can be up to 6' in height, allowing more privacy in those yards. The disadvantage is that there are fewer eyes on that public realm.

He said that **Exterior Side Yard Setbacks** have been a particular concern. Standard d) applies to a lot of any size, and states that on an exterior side yard, you can build a fence up to 6' in height within 5' of the property line, so as long as there is a 5' wide landscaped buffer between the fence and the property line. He said there was some testimony that the

language was unclear; he agreed and said there was a friendly amendment to modify language to say, "Hedges, fences and walls up to 6' in eight are allowed in exterior side yards up to 5' from the side yard property line"; that could clarify it. There was also a question about whether that 5' would extend to the street; that standard could allow that as long as there is 5' of landscaped area between the curb and fence (with a sidewalk in the area). The staff intent was to say the 5' landscaped area would be between the property line and the fence; there would also be a sidewalk and a planter strip in a standard street improvement.

The other standard is for smaller lots. He highlighted the illustration; the proposed standard gives more flexibility on side yard fencing. Commissioner Woodside asked for staff thoughts on requiring 5' of landscaping in the context of a 5' planter strip and a sidewalk; Planner Young said that was staff's initial intent in drafting the language; the critical thing is that the standard relates to the property line in order to keep fences out of the right of way. He said the proposed standard provides a little more openness. Under the other standard, with a standard 5' planter strip and a sidewalk, you'll get more fences that go right up to the edge of sidewalks.

Planner Young stated that the **Fix Skinny Lot Garage Placement Option** adds another design option for narrow lots, in terms of garage placement. The code has a number of garage treatments for single family, duplex, and two-family attached building types. The proposal is if you have a narrow lot, less than 40' width facing the street, with vehicular entrances facing the street, and the garage portion of the building shall be recessed a minimum of 2' from the portion of the building nearest the street that is designed for human occupancy, which includes enclosed rooms, porches, balconies, etc. The current standard requires that a fully enclosed habitable space be set back at least 4'. The width of the garage portion of the building must be equal to or less than 50% of the lot width. So, if the lot width is less than 40', then the width of that garage must be less than 20'. The intent was that a side-by-side double car garage in this type of development essentially eliminates the possibility for a street tree or having on-street parking, and the necessary curb cut makes it difficult to place utilities, too. Therefore, a single-width garage seemed more appropriate in this type of development and context, with tandem parking, or perhaps a deep garage with a couple spaces. There seemed to be consensus, said Chair Gervais.

He said the proposed change of the **Skinny Lot Division Standards** language would eliminate the provision in current standards that lot depth shall "generally not exceed 2.5 times the average width". It is a standard that staff strive to meet, but it is not mandatory language. He said it allows flexibility in lot configuration to address new development patterns, would maintain that "all lots shall be buildable".

Fix PODS vs. MUGC Window Standards Conflict. He said intent was that the MUGC zone standards should be applied in the scenario, so the proposed code language would clarify that is indeed the applicable standard.

Planner Young said **Refine MADA Calculation for Infill Lots** would apply to a lot 24,000 square feet in size or less that would otherwise have a developable area that is less than the allowed MADA. In this scenario, we will allow development within required front, side, and rear yard areas up to 3' from property lines, notwithstanding vision clearance and garage setback standards. He said that this compromise essentially says it is

more important to protect the resource than to not allow variance on setbacks. The proposed change would be that there is no discretion under the proposed standard.

Parking Change.

Planner Young highlighted proposed language on page 154 in the staff report. The simple change was recommended by the Neighborhood Planning Work Group as a stopgap measure to get at parking issues associated with four and five-bedroom dwelling units. The change in standards would hold harmless Single Detached and Manufactured Homes; maintaining the current requirement for two spaces per dwelling. However, for Single Attached, zero lot line, and Single Detached with more than one dwelling unit on a single lot, allowed under code, as well as Duplex Attached and Multi-dwelling, this would increase standards both for vehicle and bicycle parking.

Commissioner Daniels asked about the bicycle requirement; Planner Young replied that the minimum would be provision of a bike rack, with a minimum percentage of spaces covered. He noted that many people want bike parking to be enclosed.

Commissioner Feldmann said he would not be here on October 3, and so wanted to state that though there are good reasons for the proposal to increase parking for such units, he said he hated to see parking expanded, due to its impacts, and would like to leave vehicle parking where it stands now in the code, other than bike parking.

Commissioner Sessions said normally these type of units would have a garage and asked if that would be suitable for bikes; Planner Young said it would have to meet dimensional requirements.

Commissioner Hann said he was seeing more large, single family homes being built that are really boarding houses, where you rent a room, have access to a shared area, and don't know who else you will be living with. He cautioned that shutting down this approach may cause some other strain on parking to emerge. The planning group said the proposal was a tool to try and get rid of large five-bedroom duplexes that were perceived as a bigger villain than even some higher density housing. Planner Young replied staff sought to avoid unintended consequences of code changes.

He added that it could be revised so that in some types of dwelling units, only with a given number of bedrooms would there be a higher parking standard. He cautioned that if that is considered, then tandem parking be considered on a larger scale than it currently is. He noted it was not long ago that the commission and the City decision makers were looking skeptically at providing so much impervious surfaces for parking, for a number of reasons, such as water quality. Commissioner Hann noted that there were townhouses rented to groups of people, and others with separate leases per bedroom. Commissioner Gervais suggested considering looking at this not on a per-bedroom basis, but rather on a per-bathroom basis.

Commissioner Sessions highlighted testimony, noting that the change was not intended to be applied retroactively, but only applying to new development; Planner Young concurred. Commissioner Sessions asked about projects that already have a planned development overlay; Planner Young replied that if there was a land use approval, we have to abide by the rules in place at that time of application.

Commissioner Sessions asked if there were rules in place that identify a limit to amounts of impervious surface on a property; Planner Young replied that that was the case, stating that there were lot coverage and green area requirements that get at that, even in residential zones, as well as storm water requirements that relate to treatment and detention. Commissioner Daniels said the proposed parking change is an easy way to address a problem; other proposals coming out of the City/OSU Collaboration may impact zoning changes or design standards that would also affect the problem. Planner Young said the proposed change to parking requirements is widely supported, would not likely cause many unintended consequences and would be relatively simple to implement. He expected more refined recommendations in the future. Commissioner Gervais added that in her experience, parking is a perennial issue and has caused heartburn even in non-student developments for years even before the boom. The hope was that by not building parking, students would not bring cars, but that has not panned out.

Chair Gervais said the hearing would be continued at 7 p.m. on October 3, 2012.

N. Discussion and Action by the Commission:

III. PLANNING COMMISSION MINUTES:

A. September 5, 2016:

MOTION: Commissioner Woodside moved to approve the September 5, 2012 minutes as presented; Commissioner Daniels seconded the motion and it passed unanimously.

IV. OLD BUSINESS: None

V. NEW BUSINESS:

A. Planning Division Update:

Planner Young highlighted distributed Development Process Recommendations from Elizabeth French, the Economic Development Commission Chair. (**Attachment B**) The packet went to the Council and the Mayor. The two proposals are to simplify removal of existing PD's and/or reduce the number of project changes that would require a PD modification process; and create a hearings officer position. The proposal has gone to the Council, which referred it to committee for further study. The recommendations would come before the commission for input before the Council enacts them. Commissioner Daniels noted that this idea has come up before.

VII. ADJOURNMENT: The meeting was adjourned at 10:38 p.m.



LWV Corvallis

PO Box 1679, Corvallis, OR 97339-1679

541-754-1172 • <http://www.lwv.corvallis.or.us>

Date: September 18, 2012

To: Corvallis Planning Commission

From: Kate Mathews, President
League of Women Voters of Corvallis

Subject: Land Development Code Text Amendments: Local Food Provisions

The League of Women Voters of Corvallis formulates standing positions on issues of significance to the community through a process of study and consensus by our members. In 2008 and 2009, we studied the topic of local food, and our board adopted a Local Food position in 2010. That position supports access to local food and encourages local laws and land use plans that include space for food production. In addition, our position encourages local businesses in food production, distribution, and processing that is sustainable and supports a viable food system.

We would like to commend the Planning Department staff for their work on the code amendment process, which we understand has been a huge undertaking. The League's Local Food Committee has reviewed the Local Food Provisions in great detail and, in general, we are very pleased with the changes that are being proposed. We applaud your efforts and believe that the proposed changes represent a major big step forward in efforts to create a viable and sustainable local food system for our community.

Recommendations

To ensure that the proposed text amendments fully support expanded food access and expanded food sales opportunities for our local food producers, the League of Women Voters of Corvallis would like to offer several recommendations for your consideration.

p. 135 (Section 3.0.30.05.h – Garden) – We recommend that the definition for Garden be amended so it is clear that the products being grown are not being regulated and that the language makes sense to the public. To provide such clarity, the second sentence should be amended to read, “Gardens are intended for personal use or consumption, or for off-site sales. On-site sales of garden products are prohibited.”

p. 135 (Section 3.3.20.a.4a – Permitted Uses) – Under the proposed revisions, gardens would be permitted as Primary Uses in all residential zones except the Mixed Use Residential (MUR) zone. It is our understanding that, since the MUR zone is designed for high-density housing to support retail uses in adjacent commercial zones, the Planning staff does not believe that this zone is appropriate to permit gardens as the primary use on vacant land. However, we recommend that gardens be permitted as a primary use in the MUR until owners of the land are ready to develop it, just as Tree, and Row and Field Crops are proposed to be permitted in certain industrial zones until owners of that land are ready to develop it with permitted industrial uses.

p. 135 (Section 4.3.30.c – Residential Use Types) – As proposed, Market Gardens would only be permitted on lots where there is a residential use. If a person owns two lots, one with a house on it and an adjacent vacant lot, Market Garden activities would be permitted only on the lot with the house, although a Garden would be permitted on the vacant lot. To sell their produce from the Garden, the residents would need to bring their produce from the vacant lot to the lot with the house and sell from there. This would appear to pose an unnecessary burden to the Market Gardener. We recommend that this requirement be dropped and that sales be permitted on either of the adjacent lots.

p. 138 (Section 4.9.90.a.1 – Market Gardens) – The proposed language would allow one employee to work on the site for up to 40 hours per week. We recommend that the language be changed to allow one FTE, so that two or more part-time employees would be enabled to work on the site.

p. 138 (Section 4.9.90.a.7 – Market Gardens and 4.9.90.b – Community Gardens) – The proposed language would require that sales cease by 7:00 pm each day. However, in the summer it is not dark until 8:30 or 9:00 pm, so sunlight might be the better determinant. We recommend that the language be changed to allow sales to continue until dusk.

p. 146 (LDC Chapter 3.0 – Use Classifications) – The definition of Tree Crops includes the words “for personal use”. This limitation in the Industrial Use category would prevent sale of many important crops, and we recommend that this phrase be removed from the definition.

p. 147 (a.3 – Limited Manufacturing) – The proposed language says that “Food products... are generally made for the wholesale market, or transfer to other businesses.” Although the word “generally” may allow for other sales, we recommend the addition of the words “direct retail sales offsite” to ensure that such sales are clearly allowed.

p. 147 (Limited Manufacturing – Staff Analysis) – Currently, the staff’s broad interpretation of the Limited Manufacturing use type to include food products has allowed businesses such as breweries to operate downtown in the Central Business zone. We strongly support the proposed expanded definition for Limited Manufacturing to specifically include production and processing of food products. We also believe that the use type should be expanded in order to accommodate the growing number of small food entrepreneurs who have launched businesses in our community. We recommend that the code allow food production in all commercial areas, provided that the businesses are small (defined by number of employees or floor space or both, quiet (according to standard measures of noise), clean (not involving hazardous materials), and that concentrations of waste nutrients, such as nitrogen, do not unduly overload the wastewater system. Ninth Street in particular should be included, given its key place in the history of Corvallis food processing.

Thank you for this opportunity to express our general support of the Local Food Provisions in the proposed LDC text amendments and to offer recommended changes.

Attachment: LWVC Local Food Position

League of Women Voters of Corvallis LOCAL FOOD POSITION

(Adopted 2010)

The League of Women Voters of Corvallis **local food position** applies not only to governments but to all sectors of the community. The League of Women Voters of Corvallis:

1. Believes that all community members should have access to safe, local, nutritious, affordable and culturally appropriate food.
2. Supports convenient access to grocery stores, food service businesses, food banks and soup kitchens within communities.
3. Encourages local laws and land use plans that include reservation of space for food production, i.e. farmland, community gardens on public land and in future private developments in the city and county.
4. Encourages local agricultural businesses in food production, storage, distribution and processing facilities that are sustainable and support a viable food system.
5. Supports sustainable farm practices including conservation of water and energy.
6. Believes local agencies should be responsible for enforcement of food safety and disease prevention.
7. Encourages local agencies and schools to teach people of all ages the skills and knowledge essential to food production, safe preparation and preservation, and the importance of food choices on health.
8. Encourages local agencies, schools and businesses to purchase and serve locally grown food.
9. Recommends collaboration and coordination by local food groups in support of local food policies.

MEMORANDUM

TO: Mayor and City Council

FROM:  Elizabeth French, Economic Development Commission Chair

DATE: September 10, 2012

SUBJECT: Development Process Recommendations

Issue:

The Blue Ribbon Panel/Development Resolution and Resource (DR2) Committee recommended top priority action items related to the local development process to the Economic Development Commission (EDC). The Commission considered these proposals and voted to recommend to the City Council two actions as the highest priorities at this time.

The Blue Ribbon Panel/ (DR2) were formed as a product of the Prosperity That Fits (PTF) Plan. The Committees later combined as respective missions and membership overlapped.

The BR/DR2 group meets on a regular basis to review issues related to development in Corvallis. The group provides a forum and "sounding board" function as well as formulating specific recommendations to staff and policy makers as appropriate. Membership includes local real estate, design professionals (architects, engineers, etc.) community at large and construction interests. City and County staff and a City Councilor also participate.

Recommendation:

After reviewing all of the information and recommendations from the Blue Ribbon Panel/DR2 Committee including the recommended 4 highest priority areas, the EDC recommends that 2 items warrant immediate attention and consideration. These are:

- 1) Simplifying the removal of existing PDs and/or reduce the number of project changes that would require a PD modification process and;
- 2) Create a Hearings Officer position.

The attached minutes of the May 14 and June 11 EDC meetings summarize the discussion and deliberations that resulted in the above recommendation. The Commission heard and expressed a variety of opinions around these issues and requests that minutes be reviewed for relevant perspective. It is important to note that the Commission recognizes that additional work is necessary to further investigate and refine these concepts into specific proposals that can be presented for public review and Planning Commission and City Council consideration. The EDC also believes that the other areas identified by the BRP/DR2 should be evaluated in the future for action.

In prioritizing the recommended item related to Planned Developments (PD), the EDC considered that:

- That part of the EDC's charge is to look at ways to remove uncertainty and improve timeliness in the development process.
- A very high percentage (90% plus) of the various types of industrial land within the City are subject to a PD process. This includes vacant sites where there is no development plan approved and sites that are vacant or partially developed but have approved development plans.
- That relatively minor changes to approved PD plans, even proposals that meet all of the City's development requirements, require some level of public process to modify the approved plan. This results in uncertainty and timing concerns for a prospective economic development project potentially affecting Corvallis' competitiveness to retain and grow current businesses and to attract outside investment.

The Commission wishes to make it clear that the above recommendation regarding Planned Developments does not include the blanket removal of PD Overlays on industrially zoned land that was annexed to the City with an associated PD, e.g. a large area in South Corvallis located west of Highway 99/South Third Street.

In prioritizing the concept of creating a Hearings Officer position, the EDC considered the following:

- That many other Oregon cities, including Eugene and Salem use this system to review quasi-judicial land use cases, leaving the Planning Commission to focus on planning issues on a community-wide level.
- That a hearings officer is more likely to look at specific land use cases on a fact and law basis leading to more consistent and predictable land use decisions. This benefits the community with greater adherence to established codes, and the developer with greater predictability.
- That the hearings officer process still provided for public involvement through a public hearings process with the opportunity for participating parties to appeal a hearings officer decision to the City Council.

Background:

A group of top action items have been prioritized by the BR/DR2. These are generally described below and in more detail in the attachments to this memorandum.

Remove Planned Development (PD) Overlays on Commercial and Industrial Sites – This would affect those properties that have a PD designation but no approved PD development plan in place. The most obvious example is about 400 acres in South Corvallis that had a PD Overlay put in place at the time of annexation to the City many years ago but no development plan has been proposed for the area. Removal of the PD Overlay would mean that future development would not be mandated to go through a discretionary public review process if a project met all of the applicable development standards

Simplify removal of existing PDs and/or reduce the number of project changes that would require a PD modification process- Once a PD Plan is approved it stays in place in perpetuity. Therefore, any changes to the site (with minor exceptions) or development of future phases of the site require a public review process. There is a process that allows a PD to be extinguished but it is a high standard. The concept for this item is to make it easier to remove a PD designation from sites with existing PDs in place and/or to reduce the number of instances where a PD modification is required, e.g. project changes that meet all of the development requirements of the underlying zoning designation and for which no variation from original conditions of approval are proposed.

Create a Hearings Officer Position – Establish a Hearings Officer process for quasi-judicial decision such as conditional developments, planned developments and variances (Lot Development Options). Appeals of Hearing Officer decisions would go to the City Council. The Planning Commission would take a broader community planning role under this system and would not review specific land use applications.

Establish 100% Cost Recovery for Land Use Appeals- Charge the full cost of processing an appeal of a Planning Commission or Historic Resource Commission decision to the City Council. Currently the appeal fee is 10% of the base fee (5% for a recognized neighborhood association) for the relevant application, e.g. approx. \$ 780 for a PD application. The estimated cost of processing an appeal is significantly higher. It is noted that there are State imposed limits on the amount of fees for certain appeals, e.g. staff level decisions.

Further background is provided in Attachment A – excerpts of the minutes of the May 14 and June 11 EDC meetings related to public comment and EDC discussion; Attachment B – applicable portion of the May 14 meeting packet; and Attachment C – applicable portion of the June 11 meeting packet.

Requested Action:

The Economic Development Commission requests that the City Council review this recommendation and that the Council assign these proposals a high priority for the Planning Work Program.

Attachment

1. 5.14.2012 EDC Minutes
2. 6.11.2012 EDC Minutes

c. Corvallis Planning Commission
BR/DR2 Committee



Community Development
Administration Division
501 SW Madison Avenue
Corvallis, OR 97333

**CITY OF CORVALLIS
ECONOMIC DEVELOPMENT COMMISSION
Minutes - May 14, 2012**

Present

Elizabeth French, Chair
Skip Rung, Vice-Chair
Jay Dixon
Ann Malosh
Sam Angelos
Nick Fowler
Dan Brown, Council Liaison

Staff

Ken Gibb, Community Development Director
Claire Pate, Recorder

Visitor

Bill Ford, BEC
Kyle Mason, EZ/CAIP
Stewart Wershow
Lyle Hutchens
Patricia Benner
BA Beierle

Excused Absence

Rick Spinrad
Larry Mullins
Pat Lampton

SUMMARY OF DISCUSSION

	Agenda Item	Summary of Recommendations/Actions
I.	Call to Order	
II.	Approval of 4.09.12 Meeting Minutes	Approved, with revisions
III.	Visitor Comments	For information only
IV.	Staff Update	For Information only
V.	Blue Ribbon Panel/DR2 Committee Recommendations	For information only
VI.	Comparator City Information	For information only
VII.	Other Business	For information only
VIII.	Adjournment	The meeting adjourned at 5 pm. Next meeting will be on June 11, 2012, at 3:00 p.m.

CONTENT OF DISCUSSION

I. CALL TO ORDER.

Chair French called the meeting to order.

II. APPROVAL OF 4.09.12 MEETING MINUTES

The minutes were approved by unanimous vote, with three revisions:

Page 3 next to last line: change "Linn" Council to "Lane" Council.

Page 4, top line: change "determine priorities" to "prioritized"

Page 4, 5th line: change "slide" to "translation."

III. VISITORS COMMENTS

Patricia Benner said she is unsettled about some of the recommendations coming out of the Blue Ribbon Panel and Development Resolution and Resource (BR/DR2) Committee. She has lived here many years and believes that Corvallis has been a healthy community because of lots of people coming together and providing input into land development policies and processes. Instead of making changes to the public process, she urged the Commission to ask City Council for support to do an update to the intensive and general industrial zone code sections to resolve some of the issues. There had not been enough public input during the last update process and there were some unintended consequences, such as with "infill" development, from some of the requirements that were or were not included as part of the update. She also cautioned against removing Planned Development (PD) Overlays on commercial and industrial sites, such as for the South Corvallis area that had been annexed. The PD overlay was a commitment to the citizens who approved the annexation, and could have been what made the difference in gaining that approval. She also objected to imposing a 100% cost recovery fee for land use appeals, as this would make it very difficult for a citizen to appeal and would be an attack on citizens' ability to participate, as would the other prioritized recommendations. All citizens should have access to a public review process for land development applications. One gets a better product with community and citizens involved in the process.

In response to questions from the Commissioners, Ms. Benner said that she believes it is an urban legend that the public process goes on forever. It is not unending, and the process runs a reasonable course. The process as set up actually disadvantages citizens because of the short time that they have to learn how to testify effectively and file an appeal if necessary. Bottom line is that it will be like a ticking time bomb if people feel excluded, even if this is not the intent. This happened in 1988, with consideration of the Evanite property.

BA Beierle of Preservation Works said that, most importantly, the land development application and public review process need to be transparent. Two of the recommendations coming out of the BR/DR2 group are of particular concern. With regard to the discussion about "de novo" versus "on the record" hearings, she is a strong supporter of the "de novo" process but thinks it could be improved by having the application remain the same from the body holding the public hearing to the appeals body, instead of allowing for modifications. Another recommendation she finds troubling is the use of a hearings officer. It vests a tremendous amount of power in one person, and is inconsistent with the participatory government present in Corvallis. It would be very difficult for a hearings officer to take on consideration of historic resource permit applications and could put applicants at a disadvantage during the hearings process. The Historic Resources Commission has the

specific expertise and knowledge base necessary for reviewing the applications.

Councilor Brown invited both Ms. Benner and Ms. Beierle, and others who might be interested, to have a longer discussion with him regarding these issues at a later time convenient to them.

VI. STAFF UPDATE

A. BEC Report – Bill Ford submitted a written activity summary for March and April 2012. Highlights were the Willamette Angels Conference and the transitioning of businesses both in and out at the BEC. Additionally, they are assisting NuScale with its application for the Enterprise Zone. In response to questions, Mr. Ford said that the inquiry through Oregon Prospector entailed what would eventually be a business deal between two private individuals, and the shovel ready status letter to the State was a routine annual process. Chair French suggested that at the next meeting information be submitted for a discussion to be held about incubators.

B. ED Staffing Update – Community Development Director Ken Gibb handed out updated information relating to hiring the proposed Economic Development staff, positions for which the Budget Commission recommended approval and the City Council will likely approve in June as part of the budget process. The City will meet with Benton County to formalize arrangements later this month. Staff is poised to take the job descriptions through the City's classification and compensation review process, and is looking to finalize the recruitment package in early June. The handout included a listing of key features for a draft job description. The intent would be to have a small group of representatives from the Commission help with the recruitment packet before advertising for the position in early June. Advertising for the position will be primarily regional and will include mailings to comparator cities, as well as using Craigslist. Chair French suggested that staff consider using LinkedIn as another way of getting the recruitment out.

Skip Rung and Ann Malosh volunteered to be representatives on the small subcommittee to finalize the draft job description and recruitment package. Chair French said that she would be willing to help as well.

C. Information Sharing

Mr. Gibb directed the commissioners' attention to the two informational handouts from Mayor Manning (attached to the packet).

V. BLUE RIBBON PANEL/DR2 COMMITTEE RECOMMENDATIONS

Director Gibb framed the discussion, giving some background on the evolution of the Blue Ribbon (BR) Panel and the Development Resolution and Resource Committee (DR2) – later combined to become the BR/DR2 - which were products of the Prosperity That Fits (PTF) Plan. The group continues to meet on a regular basis to review issues related to development in Corvallis. Included in the packet is a memorandum outlining the four top action items prioritized by the BR/DR2, as well as a list of ideas put together by Lyle Hutchens, a member of the committee, and a list of possible action items for streamlining the development process put together by staff in response to a request by City Council. No action is necessary at this time, but a logical step would be for the commissioners to review the material and at some point submit a recommendation to City Council on any of the items that the Commission deem important to move along in the process.

At the request of Chair French, Director Gibb presented background information on what a Planned Development (PD) is and how it works as part of the Land Development Code. Its general purpose is to allow flexibility for developments, preserve natural features and allow for innovation in design. The PD regulations are typically applied when a property owner requests to have one placed on their property through an application process, such as with the South Corvallis annexation. The PD Overlay ensures that a public process will be held at the time that any development on the property is proposed. Generally, a public hearing is held before the Planning Commission and decisions of that body can be appealed to the City Council. The PD process allows for variations from development standards, if there are compensating benefits for those variations, and is a discretionary review process. Review criteria include a wide range of compatibility factors including impact on natural features. Once a PD is approved any changes to the PD are subject to either a Minor (reviewed by staff) or Major (reviewed before the Planning Commission) PD Modification Process. An example of a Minor PD Modification would be expanding floor area of a commercial project by less than 10%. Expansion by greater than that amount would put it into a Major PD Modification process with a resultant public hearing process before the Planning Commission.

Lyle Hutchens, Devco Engineering and member of the BR/DR2 Committee, gave additional background on the panel and committee, and then addressed the four top action items prioritized by his group. The underlying goal of all four recommendations is to add predictability to the development application process. Ultimately, the group sees a successful outcome as providing for more jobs and increased property tax revenue. He referred to the attachment in the meeting packet that associated each of the four recommendations with City Council, EDC and departmental goals, and said that the document also included five other action items that they felt were important but did not make the short list for specific recommendations. The four recommended items, as further described in the packet, are:

1. Remove Planned Development (PD) Overlays on Commercial and Industrial Sites.
2. Simplify removal of existing PDs and/or reduce the number of project changes that would require a PD modification process.
3. Create a Hearings Officer position for hearing and making quasi-judicial decisions on such applications as for conditional developments, planned developments and variances.
4. Establish 100% Cost Recovery for Land Use Appeals.

The following are Commissioners' questions (C) and responses (R) to those questions by both Mr. Hutchens and Director Gibb:

C: What was the composition of the committee?

R: Although the composition morphed over time, there have been representatives from the design community, banking, real estate, and general public among others.

C: How did the group decide on which areas to focus?

R: They started with the tasked items out of the Prosperity That Fits program. One of those items was to add specificity to the development process and remove some of the barriers to development. Another specific item included looking at the annexation process, but this was determined to be too big of an item to take on at the committee's level. They also talked with property owners and consultants about what specific problems they were having with projects.

C: What is the relationship of the BR/DR2 group to the City?

- R. The City considers it an outreach stakeholders committee. The group identifies issues related to the development process and makes recommendations to the City Council for consideration; and the group also does outreach to the citizens and development community to help explain the development processes.
- C. Explain more about item #2.
- R. A simplified example would be a project that is an addition to an existing project on a piece of property that has a Planned Development Overlay and a Detailed Development Plan on it. By itself, that project for the addition might meet all of the requirements of the underlying zoning and all the existing conditions of approval, but would still be subject to a public review process.
- C. How does #1 differ from #2?
- R. Recommendation #2 applies to those properties that are already partially developed and/or have a PD Overlay with an approved Development Plan. In essence, it simplifies the process for future phases of the project. Recommendation #1 would be for those properties that have the PD Overlay but for which there is no existing Detailed Development Plan. There are very few of these in Corvallis, including one in South Corvallis and the Alberti property off West Hills Road.
- C. Who ultimately will have the ability to change these PD procedures?
- R. The City Council. The intent here is to determine whether these efforts should be pursued which would take drafting code amendments for City Council's consideration.
- C. Do any of these items relate to the "infill" issues that have been identified?
- R. Yes, #2 will help with "infill" on existing, partially developed properties. However, for "infill" development in other locations, staff is working through a different list of recommendations.
- C. Given that the intent for removing PD Overlays is to increase certainty that a project will move forward, is it possible to quantify the expected benefits? Similarly, is it possible to quantify the expected benefits from moving to a hearings officer?
- R. It is hard to quantify it in time because every project takes on a life of its own. Basically, it would be sending the message that Corvallis has a predictable process. Discretionary processes are unpredictable.
- C. Explain the benefits of going to a hearings officer.
- R. The idea of a hearings officer procedure is to get to consistency with how the code is applied and take some of the emotion out of the process. The process would still have public input, but would put the review and decision making in the hands of someone who presumably understands the Land Development Code and how it should be working for this community. They are not proposing that a hearings officer would be the appropriate body for annexation or comprehensive plan updates hearings, which would need Planning Commission input. Hearing Officers decisions would be appealable to City Council.
- C. Do you have examples of the kinds of cases the hearings officer would hear?
- R. Generally, Planned Development and Conditional Development applications; also, those cases dealing with a major variance from Lot Development Option requirements. It has not been contemplated that a hearings officer would be used for reviewing historic preservation permit applications
- C. If recommendations #1 and #2 are pursued, would that take away the need for a hearings officer?
- R. No, because the hearings officer position would still be needed to conduct discretionary part of the review process for other land use applications relating to certain uses in certain zones, as an example.
- C. How does Corvallis compare with other communities with regard to the development review process?

- R. They have the same processes, but are generally more limited in the scope of their review. With regard to commercial and industrial lands, it is easy to go to other communities and find properties that do not have Planned Development Overlays on them.
- C. How do you avoid the perception that this is like a "bait and switch" operation, in that the voters approve an annexation based on a PD Overlay - however inconvenient that may be - and this would do away with them?
- R. Many of the PD Overlays were placed on annexations at a time when the Land Development Code was a much different document than it is now. There will certainly be that perception, and it will be important to do a good job of explaining why the change is needed.
- C. Have you made presentations to or gotten input from bodies that would be impacted by going to a hearings officer position?
- R. This is the first step. The concept of going to a hearings officer has been discussed over the years, but not formally with the other bodies. It is not anticipated that the hearings officer would be used to review historic preservation permit applications, in accordance with LDC Chapter 2.9.
- C. Who else uses a hearings officer?
- R. Both Eugene and Salem do. There are different models used in various jurisdictions.
- C. Is there any savings in time using a hearings officer?
- R. Not significantly. Every discretionary review process has to have a maximum time period of 120 days built into it, by State law. Using a hearings officer does not change the need for a public hearing and the potential for an appeal.
- C. What would be the impact of applying a 100% cost recovery fee for land use appeals?
- R. This will impact developers as well as the community members who choose to appeal a decision. It does two things: it is a budget cost control, in that appeals can be extremely costly to the City; and it will provide an incentive for developers to get a project right to start with before going through the process. Historically, the split between appeals from applicants and the public at large is about 50-50.

Chair French recommended that the commissioners take time to review the BR/DR2 Committee's proposed strategies and get some comparator information from other jurisdictions. Director Gibb said he would present whatever additional comparator information he can get at the next meeting. He asked the commissioners to look at the list which included pros and cons associated with each of the changes, and to consider each strategy from the perspective of the Economic Development goals they had established. Any recommendation from the Commission, that the Council decides to pursue, will be processed through other stakeholder groups and commissions.

VI. COMPARATOR CITY INFORMATION

Director Gibb said staff had committed to bringing back the best information based on current research that is available relating to comparator information on for development-related costs. The meeting packet contained that information as Attachment A, along with a cover memo from him describing the information and some observations. In aggregate, Corvallis' costs are in the middle range. For example, Hillsboro has a significantly lower commercial building permit fee but their SDC's are about 2-1/2 times higher. Utility costs in Corvallis are low. Residential building permit fees are lower than the median. Multi-family building permit fees are generally in the middle, while commercial are above the median. Land use application fees are in the middle range. Single-family SDCs are slightly lower than the median, and commercial SDCs are much lower.

Mr. Gibb also discussed the information in Attachment B which talked about recent actions taken to support economic development. The percentage of building permit applications reviewed over the counter, or within one day, has increased from 31% in 2011 to nearly 50% currently, which has definitely benefitted their customers. He discussed the other performance measures which show favorable results, including the reduced times it has taken to process both public hearing and staff level land use applications.

Chair French said that the information tells a compelling story. Commissioner Rung added that though we look competitive through these statistics and comparisons, this is not reflected by the word on the street nor by other factors such as numbers of jobs created, the tax base, decrease in school district population, etc. The question is what more needs to be done to stimulate investment and job creation. Director Gibb said that another observation has been that the Corvallis community has very high standards as reflected in the Land Development Code requirements, which has been a community decision. Having an Economic Development Manager on staff might work towards dispelling some of the perception.

Commissioner Angelos opined that some of the other issues such as lack of easy access from the freeway to Corvallis' shovel-ready parcels and lack of affordable housing in Corvallis enter into the equation, though these are somewhat offset by having access to OSU and other technological assets.

VII. OTHER BUSINESS

Commissioner Fowler said he would be gone for the month of June, and that this might be his last meeting, since his position sunsets at the end of June. He expressed his appreciation for all that Director Gibb and his staff have brought to this group. He also expressed his thanks to Chair French and Vice Chair Rung for "herding this group of cats." The commissioners encouraged him to consider re-applying for another term.

The commissioners suggested as future meeting topics a discussion of the City/OSU's Memorandum of Understanding and what it encompasses. The discussion should include where economic development fits into that. Another topic for discussion for possible inclusion at the next meeting should be the incubator, and how it fits into the economic development strategy. Additionally, a discussion around the Commission's future goals and work plan, and the selection of a Chair and Vice Chair should be on next month's agenda.

VIII. ADJOURNMENT

The meeting adjourned at 5 p.m. The next meeting will be at 3:00 p.m., June 11, 2012, Madison Avenue Meeting Room.



Community Development
Administration Division
501 SW Madison Avenue
Corvallis, OR 97333

**CITY OF CORVALLIS
ECONOMIC DEVELOPMENT COMMISSION
Minutes – June 11, 2012**

Present

Elizabeth French, Chair
Skip Rung, Vice-Chair
Jay Dixon
Pat Lampton
Rick Spinrad
Nick Fowler, by teleconference call
Larry Mullins
Dan Brown, Council Liaison

Staff

Ken Gibb, Community Development Director
Claire Pate, Recorder

Visitor

Kyle Mason, EZ/CAIP
Lyle Hutchens
Penny York

Excused Absence

Ann Malosh
Sam Angelos

SUMMARY OF DISCUSSION

	Agenda Item	Summary of Recommendations/Actions
I.	Call to Order	
II.	Approval of 5.14.12 Meeting Minutes	Approved
III.	Visitor Comments	none
IV.	Staff Update	For Information only
V.	Continuing Discussion on Blue Ribbon Panel/DR2 Committee Recommendations	Recommendation that City Council consider pursuing two priority items #2 and #3
VI.	Election of Chair and Vice-Chair discussion	For information only
VII.	Other Business	For information only
VIII	Future Agenda Items	
IX.	Adjournment/Next Meeting Date	The meeting adjourned at 5 pm. Next meeting will be on June 11, 2012, at 3:00 p.m.

CONTENT OF DISCUSSION

I. CALL TO ORDER.

Chair French called the meeting to order.

II. APPROVAL OF 5.14.12 MEETING MINUTES

The minutes were approved by unanimous vote.

III. VISITORS COMMENTS - none

VI. STAFF UPDATE

A. BEC Report – Kyle Mason handed out the Business Enterprise Center activity summary for May and discussed its contents. Standouts for the month were receipt of a proposal request from the Oregon Prospector on behalf of a bicycle manufacturing company looking for 4000 square feet of space; and assisting NuScale with its EZ Zone application processing. Chair French suggested that if representatives of the bicycle manufacturing company opted to do an on-site visit, members of the EDC would be happy to meet with them to answer any questions and provide local information. In response to questions, Mr. Mason gave more information relating to the Will it Fly (WIF) session held in May.

B. ED Manager Recruitment Update – Community Development Director Ken Gibb said that the City Council had approved a budget that includes City funding for Economic Development staff. Additionally, there was great cooperation from the County Commissioners who approved \$100,000/year funding as their share of support. Chair French extended thanks on behalf of the Commission to both the County and City Council. Mr. Gibb said recruitment has already begun and will close on July 5. Interviews will be scheduled for the first week in August, with the potential of having a candidate on board by mid-September. Based on the internal review of the position, the salary range will be \$79,000-\$101,000, along with the City's benefits package. In response to questions from the commissioners, Mr. Gibb commented as follows:

- The job description will be posted shortly, and will be sent to comparator cities, Leagues of Oregon/Washington/California Cities, appropriate professional associations, and other interested parties; as well as advertised in local newspapers, and through CraigsList.
- He will send a PDF copy of the brochure via email to the commissioners so that they can forward it on to other interested parties. Any feedback about the brochure or packet of information being sent out to potential candidates should be given to Ellen Volmert in the City Manager's Office.
- Representatives from the EDC will be involved in the interviews, and there will be a reception for the candidates to which all members will be invited.

V. CONTINUED DISCUSSION OF BLUE RIBBON PANEL/DR2 COMMITTEE RECOMMENDATIONS

Director Gibb reviewed the comparator data included in the packet which had been requested by the Commission at its last meeting. He said that his June 6, 2012, cover memo summarized the top action items that had been prioritized by the Blue Ribbon Panel/DR2, and provided staff's recommendation. Additionally, Lyle Hutchens was in attendance to provide additional information as needed. Chair French said that the intent was to have additional discussion and then determine whether the Commission wished to make a

recommendation to City Council with regard to the four top action items as outlined in Director Gibb's cover memo. The following is a summary of commissioners' questions (C) and responses by both Mr. Hutchens and Director Gibb (R):

- C. Do you know what a normal ratio of industrial land acreage to size of city might be?
- R. Staff does not have that data, but Corvallis is in good shape in terms of the amount of industrial land available within the city limits; the developability of that land is the challenge, with 96% of it subject to a discretionary public hearing process along with other challenges. Of the 518 acres of industrial land, only 23 acres are not subject to a Planned Development (PD) Overlay with the resultant PD modification review process.
- C. Will having a hearings officer shorten the amount of time a development application takes?
- R. No, the process will take the same amount of time whether an application is heard by a commission or by a hearings officer. Both approaches would be subject to the applicable review process, and decisions of both would be subject to an appeal to the City Council. The difference is that a commission is made up of citizens, whereas a hearings officer would perhaps have a greater level of expertise in making unbiased, quasi-judicial land use decisions. This could lead to greater predictability in the process, but would not shorten the time frame.
- C. Does Wilsonville use a hearing officer? What about other competitor jurisdictions?
- R. Staff does not have that information, but the comparator city data shows that about one-half of the jurisdictions use hearing officers with the other half utilizing commissions, as shown in Table 3.
- C. In Table 3, the first additional information bullet talks about the de novo review process, which seems to have a big impact on staff time. Why is this not considered a priority item to pursue?
- R. The City Council has been looking at this issue, but there is language in the City Charter that specifically requires the de novo review process upon petition of 10 citizens appealing a decision.
- C. How many appeals are made by applicants?
- R. About one-half of the appeals are filed by applicants.
- C. Since there are other City commissions that will need to provide feedback with regard to these action items, does it make sense for the commissions to come together with a recommendation?
- R. The EDC should make a recommendation with its focus on facilitating economic development. Ultimately, any recommendation would be vetted by all impacted commissions.
- C. Does priority action item #1 actually eliminate the need for item #2?
- R. No. Item #1 relates to removing PD overlays from only those lands that do not have a conceptual or detailed development plan approved for them. An example of removing a PD overlay is the action taken with the South Corvallis Auction Yard, in that City Council removed the PD Overlay when it adopted its new zoning designation as a neighborhood center with new development standards in place. There are approximately 400 acres of industrially-zoned land in south Corvallis, along with some other sites in the City, that might benefit from PD Overlay removal since they do not have conceptual or detailed development plans associated with them.
- C. The McFadden annexation was just approved with a PD overlay. Would any of these efforts affect that?
- R. It is the hope that pursuing action item #2 would allow for building to occur without having to go through the potential of a 120-day PD Modification review process as long as it met all of the Land Development Code requirements as well as the Conditions of Approval associated with the PD. There is no intent to remove the PD overlay.

- C. How much time would this save for the developer?
- R. This could save a lot of time for those developers whose proposals meet all of the code requirements and the conditions of approval. In other words, they would not have to go through the 120-day public review process, and this would create some certainty for developers who choose to meet all of the standards.
- C. Didn't City Council already consider and reject the idea of using a hearings officer?
- R. Since the BR/DR2 committee has made it one of its top priorities, it should be up for reconsideration.
- C. Though the concepts in Item #2 make sense, there needs to be a greater explanation of what is meant by simplifying the removal of existing PDs.
- R. Item #2 actually contains two parts, with the second part relating to making it possible for those project changes that meet all of the development requirements of the underlying zoning designation and for which no variation from standards are proposed to forego the PD modification review process, thereby saving the developer time. The first part which would simplify removal of existing PDs would likely need additional discussion.
- C. What are the budget impacts of having a hearings officer?
- R. There would likely be a contract for someone to perform that function, similar to how City Attorney Scott Fewel provides that service for the City of Salem. It would be on an hourly basis, and not a salaried position.

Mr. Hutchens added that he is in agreement with staff's recommendation to pursue the second concept at this time, though the BR/DR2 committee does not want to have the other priority action items lost in the shuffle. They understand that it will take a lot of staff time to accomplish all four action items.

The commissioners made the following comments as part of their discussion:

- Action item #1, which proposes to remove PD Overlays on commercial and industrial sites, is problematic in that there needs to be a community conversation around such a removal. Since the community might have approved an action with the knowledge that the PD Overlay was in place, it would resemble a "bait and switch" to have it removed without a conversation.
- The Commission could make a recommendation that that conversation take place, but the City Council has a list of other "community conversations" that might take precedence.
- Our charge is to look at the land development process in terms of its impacts on economic development. Action item #2 should be done immediately.
- We do not want to disenfranchise citizens from the process, and it is important to not rule out the people's right to be heard.
- We should recommend looking at using a hearings officer so that quasi-judicial land use decisions will be based on law, fact and regulation and made without bias. Though this would not shorten the process, it would perhaps lead to a more predictable outcome.
- It might be worth getting more data which would show the value in having a hearings officer vs. using a commission; i.e. does having a hearings officer impact the number of land use applications?
- Those action items that remove uncertainty in the development process should be pursued.
- Within the context of having served on the Planning Commission, sometimes decisions were made by the commissioners that were based on what they either liked or did not like and not necessarily whether they met code and policies. For this reason, a hearings

- officer might be better.
- We will likely be looking for citizens to support an urban renewal district in the future, and it is important not to jeopardize their support.

MOTION: Commissioner Lampton moved to recommend to City Council that they consider as priority action items #2 and #3, to simplify removal of existing PDs and/or reduce the number of project changes that would require a PD modification process, and to create a hearings officer position in order to expedite the development process; and continue to explore action items #1 and #4 for future consideration. Commissioner Mullens seconded the motion which passed, with Commissioner Spinrad voting in opposition since he would prefer to see more data relating to the value of a hearings officer.

Director Gibb said that this recommendation would be forwarded to City Council and would likely be a part of a work session discussion in the near future.

VI. ELECTION OF CHAIR AND VICE-CHAIR DISCUSSION

Chair French said that it is her understanding that Commissioners Malosh and Fowler had agreed to serve another term, but Commissioner Angelos was undecided. The Commission will elect a chair and vice-chair at its next meeting, and anyone with a passion to serve in either of those capacities should let her know. The commissioners voiced support for the good job both Chair French and Vice-Chair Rung currently were doing in those positions.

VII. OTHER BUSINESS

It was agreed that future agenda items should include a discussion about both the role and value of an incubator/accelerator. Several suggestions were made for presenters, such as a representative of the Portland State University accelerator, or Dinah Adkins, past president and CEO of the National Business Incubator Association who is living in Salem. Vice-Chair Rung offered to make that contact with Ms. Adkins if there was the interest. Penny York, LBCC Board Chair, spoke from the audience and asked that LBCC be kept in consideration during discussions about incubators/accelerators.

It was further agreed that the top priority for a discussion item is an overview of the City/OSU Memorandum of Understanding and how it relates to economic development. An attempt will be made to schedule a time when both Mayor Julie Manning and OSU President Ed Ray might be able to meet with them to have this discussion.

VIII. ADJOURNMENT

The meeting adjourned at 4:50 p.m. The next meeting will be at 3:00 p.m., July 9, 2012, Madison Avenue Meeting Room.

MEMORANDUM

TO: Mayor and City Council
FROM: Ken Gibb, Community Development Director 
DATE: September 12, 2012
SUBJECT: Economic Development Commission

Under separate cover, you have a memorandum from Corvallis Economic Development Commission Chair Elizabeth French that transmits the Commission's recommendations to the City Council related to development process changes. The first recommendation is related to opportunity to simplify the process to nullify an existing Planned Development (PD) and/or reduce the number and types of project changes subject to a PD modification process. The second concept is the establishment of a Hearings Officer position to hear certain types of land use proposals.

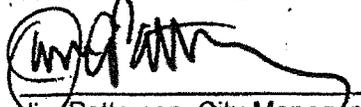
As the memorandum from Chair French indicates, the EDC recognizes that additional work will be necessary to further investigate and develop each of these proposals into specific Land Development Code amendment proposals that would be necessary to implement the concepts. Therefore, as noted in the memo, the EDC request is for the Council to assign a high priority to each of these proposals in the Planning Work Program.

From a staff perspective, the Planning Work Program is an appropriate venue for this prioritization. As the Council is aware, a package of significant updates to the LDC are going through the public hearing process before the Planning Commission and City Council this fall. We will then have the opportunity to update the Planning Work Program early in 2013 in concert with the 2013-14 City Council goal setting. Should the Council wish to address the EDC recommendation sooner than that process, an extended time at a future City Council meeting or work session should be scheduled to discuss the opportunities and constraints.

In summary, the request before the Council should not be considered as a final action to endorse these recommendations but as a decision as to whether to expend City Staff time initially, and Planning Commission /City Council and community time later, to develop proposals for legislative action.

Attached is a memorandum from the Corvallis League of Women Voters related to this matter.

Review and Concur:


Jim Patterson, City Manager



LWV Corvallis

PO Box 1679, Corvallis, OR 97339-1679

541-754-1172 • <http://www.lwv.corvallis.or.us>

DATE: 11 September 2012
TO: Corvallis City Council
FROM: League of Women Voters of Corvallis
Kate Mathews, President

SUBJECT: Hearings Officer Proposal

The Corvallis Economic Development Commission has forwarded for your consideration a proposal that the City of Corvallis move to use a Hearings Officer to review land use applications, rather than the Planning Commission. As we understand it, you are being asked to direct staff whether or not to investigate this proposal further. While we realize that additional staff work may reveal a range of ways in which the City could use a Hearings Officer, the League has serious concerns about the concept itself.

First, going to a Hearings Officer model will result in a loss of opportunity for our appointed Planning Commissioners, a broad range of our community citizens, to participate in important decisions about how our community grows and develops. All parties to the hearing now have an opportunity to learn more about how land use decision making works and which Comprehensive Plan and Development Code issues are relevant to the decision. They can also hear various arguments, pro and con, and their merits publicly discussed among nine of their fellow citizens. With a hearings officer, that opportunity will be lost. In addition, should a party to the hearing decide to appeal a decision, observation of these elements in a Planning Commission hearing can be crucial in the party's understanding and the preparation of an effective, focused, appeal based on specific legitimate criteria.

Second, use of a Hearings Officer is not free. It requires payment of a professional person. It does not employ citizen

volunteers, as does the Planning Commission model. In times of high economic activity and growth, when there can be frequent applications needing review, more than one officer will be needed to keep up with the 120-day mandatory timeframe. Therefore, while applications may well get processed faster than they do currently, it appears that taxpayers will be paying for that streamlining. Please consider whether that cost will be worth it.

Additionally, as former Planning Commissioner and City Councilor Bill York has said (letter to Ken Gibb dated June 12, 2012), "individuals have biases, tendencies, and predilections." Of course, everybody does, but in a nine-person body, those qualities in any one person are offset by the varying views of the other eight. We tend to agree with Mr. York's further comment that, in his experience, "9 people (or 5 or 7) debating and deliberating an issue will always produce a fairer result than will an individual."

We appreciate the efforts of the Economic Development Commission as they volunteer their time and expertise to work on bolstering and strengthening our local economy. Indeed, it is a principle of the League of Women Voters that "responsible government should...promote a sound economy" and we support that role. However, another League principle holds that "democratic government depends upon the informed and active participation of its citizens." Additionally, the Corvallis League supports "extensive, representative community participation in the...implementation of the [Comprehensive] plan" as well as "measures to ensure effective, impartial, prudent...enforcement of the implementation of the plan."

We urge you to please take these points into consideration as you review the proposal before you.

MEMORANDUM

Date: September 17, 2012
TO: Mayor and City Council
FROM: Ken Gibb, Community Development Director 
SUBJECT: Additional information – EDC recommendation

Attached are the minutes of the August 15, 2012 Economic Development Commission which were approved by the Commission at last week's meeting. As you will note, page 5 of the minutes includes Commission discussion of the EDC recommendation related to development process changes. Also attached is a letter from Bill York regarding hearings officers that was provided to the EDC.



Community Development
Administration Division
501 SW Madison Avenue
Corvallis, OR 97333

**CITY OF CORVALLIS
ECONOMIC DEVELOPMENT COMMISSION
Minutes –August 15, 2012**

Present

Elizabeth French, Chair
Skip Rung, Vice-Chair
Jay Dixon
Pat Lampton
Rick Spinrad
Nick Fowler
Ann Malosh
Sam Angelos
Dan Brown, Council Liaison

Staff

Claire Pate, Recorder
Marci Laurent, Management Assistant

Visitor

Robert Mauger, BEC
Sean Stevens, Business Oregon

Excused Absence

Larry Mullins

SUMMARY OF DISCUSSION

	Agenda Item	Summary of Recommendations/Actions
I.	Call to Order	
II.	Approval of 6.11.12 Meeting Minutes	Approved
III.	Mayor Julie Manning and President Ed Ray – Discussion of OSU/City Collaboration opportunities	None
IV.	Conference Call/Discussion w/ Dinah Adkins re: Business Incubators	For Information only
V.	Visitor Comments	BEC report
VI.	Staff Update	For information only
VII.	Review/Endorsement of EDC Recommendation to City Council	Approval of draft recommendation to take to City Council
VIII.	Election of Chair and Vice-Chair	Chair French and Vice-Chair Rung to remain by unanimous acclaim
IX.	Other Business/Future Agenda Items	
X.	Adjournment at 4:45pm	Next meeting at 3pm, on 9.10.12

CONTENT OF DISCUSSION

I. CALL TO ORDER.

Chair French called the meeting to order. She welcomed Mayor Julie Manning and OSU President Ed Ray.

II. APPROVAL OF 6.11.12 MEETING MINUTES

The minutes were approved as drafted by unanimous vote.

III. MAYOR JULIE MANNING/PRESIDENT ED RAY – OSU/CITY COLLABORATION

Chair French welcomed Mayor Julie Manning and OSU President Ed Ray, and thanked them for accepting the invitation to have a conversation with the Economic Development Commission (EDC) about the OSU/City Collaboration Project and potential opportunities for linking economic development to these efforts. Mayor Manning first described the work to date on implementing the Economic Development Strategy adopted by the EDC and City Council, stating that interviews for a new Economic Development Manager had been completed. She then gave a brief overview of the work being done by the OSU/City Steering Committee and the three workgroups, and handed out an organizational flow chart. The three primary workgroups consist of Neighborhood Traffic and Parking; Neighborhood Planning; and Neighborhood Livability. The Steering Committee is co-chaired by Mayor Manning and President Ray, and includes both senior and student leaders from OSU. Eric Adams serves as the Project Manager and provides staffing for the workgroups. They have been doing a lot of research with regard to how other comparable university cities have addressed similar issues. Each workgroup had just submitted "near-term" recommendations for consideration of OSU and the City, and she shared some examples of those recommendations which were approved by the Steering Committee. Both she and President Ray have shared with the Steering Committee their interest in seeing economic development efforts becoming a part of the work.

President Ray added that the Steering Committee has broken the work down into near-, medium-, and long-term considerations. The near-term items, as described by Mayor Manning, will be acted on immediately. One of the medium-term initiatives will be for all freshmen to be required to live on campus starting in 2013. OSU is also in the process of building a new residence hall which will likely open in fall of 2014. Additional efforts include looking at street alignments on campus to get a more sensible traffic flow and circulation pattern. The overall consideration is to figure out how to get the benefits of the economic and social opportunities that will present themselves while ensuring that the neighborhoods near campus are not adversely impacted. The challenge is to manage opportunities responsibly and to share in mitigating any costs that might be associated with it. There are a lot of bright and talented people associated with OSU, and graduates have been involved with many companies and startups such as Microsoft, Invidia, NuScale, View+, Zaps and others. Corvallis has a lot going for it: the partnership with Hewlett-Packard, the Microproducts Breakthrough Institute, ONAMI with some 34 businesses in an incubator stage. NuScale has over 100 employees in its operation and continues to make great progress. There is a very great need to capture the incredible talent at OSU and convince them to stay in the community. A way has to be found to marry the concepts of economic development and livability together as effectively as possible. Anyone who has studied areas with a highly educated workforce will say that if one wants to attract people in high-skill areas - bringing green, high-paying jobs - there needs to be quality schools, housing, restaurants and other infrastructure in place. Corvallis has a lot of those ingredients, but it all has to work together. OSU is trying to do its part, working with corporate partnerships to see what kinds of relationships can be built going forward. Industry support for research has increased in the last two years from \$25 million to \$35 million/year. Benton County was the

first county in Oregon to get past the great recession, which is a result of all entities working together. There is an incredible opportunity for Corvallis to be a place where businesses will not only want to start up but stay, if we can get it right. We need to figure out how to put all the pieces together, and the work that the EDC does towards this end is appreciated.

Mayor Manning added two points. There is a fourth Collaboration workgroup related to looking at the issue of meeting the need for adequate, diverse housing in Corvallis, which is operating on a longer time frame. Additionally, Collaboration Corvallis has a project website containing all meeting agendas and information relating to recommendations.

Commissioner Rung commented that OSU is distinguishing itself as a top innovating university, but he is surprised and a bit disappointed that the Collaboration organizational flow chart does not make mention of economic development and capturing the impact of OSU's research for Corvallis. Corvallis is not doing well at job creation, and has had a dramatic loss of manufacturing jobs. He asked if the research of other university towns indicates that collaboration efforts were usually related to damage control, or if others were involved in economic development efforts. Mayor Manning said that the EDC really was the group that started the whole collaboration conversation between the City and OSU. The workgroups included in the flow chart were formed to reflect what people who live in the community perceive are the immediate, top issues to resolve. They are not exclusionary, but are aimed at immediate impacts to the neighborhoods around OSU. President Ray added that right now they are dealing with near-term issues relating more to damage control. In the ten years that he has been in Corvallis, economic development has not gotten anywhere because there have been few efforts aimed at damage control. There has not been an adult conversation about how to mitigate unintended negative consequences of the kind of economic development they all want to see. The existing work groups need to go forward, and the EDC needs to move forward. The intermediate-term steps need to bring their efforts all together so that there will be a very clear view of what the adverse effects might be any economic development initiative. If a plan can be developed for more rapid economic development, there needs to be reassurance that the plan will be thoughtful in its approach in dealing with the kinds of problems the community is and will be facing. For instance, he was stunned to learn that the school age population has been declining for a decade. That is certainly a call to action, in that young families cannot afford to live in Corvallis. There is a lot to be sorted out, and he worries about the long term dynamics. Longer-term efforts need to include a regional approach to both resolving the living conditions as well as economic development in the region.

In response to Commissioner Rung's question about what their research showed, President Ray and Mayor Manning said that most of the other university town collaborative efforts were dealing with damage control and not with the path to greater economic prosperity.

Commissioner Fowler said he appreciated Dr. Ray's comments, and was certainly aware of the fact that "twenty-somethings" were not being retained by the community. He asked if there were any suggestions as to how to increase the retention of the talent being produced by OSU. Dr. Ray said that the needs of that demographic need to be taken seriously and they need to be part of the conversation. It would be helpful to consult them; perhaps, even have them as part of the EDC as ex-officio members of the group. It is important to have those who potentially benefit from efforts built in to the group identifying and working on the issues. Mayor Manning added that there are several student groups such as the Career Center, Service Learning Initiative, or the Young Professionals Association who could be contacted, and with which the City has already made some contacts.

Chair French and others agreed that this was an important base to cover, and that it might be a good approach to have a meeting on campus with the students to get that kind of feedback. She further stated that there was an important, natural alignment between OSU and the City, and she asked Dr. Ray if he had any additional suggestions. He spoke in favor of more conversation between EDC and the workgroups working on community issues. Even working in parallel, the EDC could propose near-term solutions and start working on mid-term issues, but economic development proposals will likely be ignored until these more-immediate community and neighborhood issues are resolved. It is important to not replicate what has happened in the past with economic development efforts, i.e. it is important to have conversations not in isolation but to bring the rest of the community along with the effort so that the center of gravity can be moved.

Commissioner Angelos opined that what he is taking away from the discussion is that, in the near term, there does not seem to be much economic development work that can be done until the community fixes some of the fundamental issues. In the mid-term there might be some opportunities, but the longer term is what EDC needs to be focused on. Dr. Ray said he partially disagreed in that there were likely some initiatives that the EDC could undertake in the near-term, such as looking at variances or other land development concessions that do not compound the risks that the community members see already. Both groups need to figure out how they can work in parallel on these issues, and when and what economic development efforts can be undertaken.

Chair French thanked Mayor Manning and President Ray for their comments and invited them to stay on for the discussion regarding business incubators with Dinah Adkins, former President and CEO of the National Incubation Association.

IV. CONFERENCE CALL/DISCUSSION RE BUSINESS INCUBATORS – DINAH ADKINS, FORMER PRESIDENT & CEO OF THE NATIONAL INCUBATION ASSOCIATION

Chair French welcomed Ms. Adkins by conference call, and began the discussion relating to whether there was a place for an incubator or an accelerator as part of the economic development strategy for Corvallis, and whether it was viewed as a mid- or long-range strategy. Dr. Ray suggested that others in the room such as Commissioners Rung, Fowler and Spinrad would have a better feel for it than he does. Commissioner Rung referred to the Economic Development Strategy which includes it as part of the need. Commissioner Fowler said he and a University of Oregon representative had just had a conversation with Scott Nelson of the Governor's office, and Senators Lee Beyer and Frank Morse, on the topic of whether it made sense to have an incubator/accelerator for the southern Willamette Valley using as foundation pillars the UO and OSU. Such a facility could provide shared laboratory space for some of the startups, as well as a culture of entrepreneurship. Unlike some areas such as the Silicon Valley, though Corvallis has the innovation it does not yet have the culture of entrepreneurship to nurture the commercialization of innovation. An incubator/accelerator is much more than just an edifice; it is a cluster of entrepreneurs that could engender that culture. Commissioner Spinrad added that what is happening right now is that Corvallis is incubating by default more than by design. The function needs to be tightened up. All too often the function discussion translates into a discussion specifically about bricks and mortar.

Ms. Adkins agreed that creating a culture of innovation and entrepreneurship requires a design, and not just piecemeal work. There needs to be a holistic view and program and everyone needs to be brought together to create a consensus around it. She cited an example of an effort in a rural area of Wisconsin where there is a planning effort with a network of revolving loan funds, and with ten different facilities in six locations. They also

have business assistance services, and are doing a really great job. It is important to focus on what the community wants to bring in, but generally a good focus is the creation of community wealth – the creation of high-skill, high-wage jobs with innovative new companies that have larger markets.

In response to questions from Chair French, Ms. Adkins said that she is a strong proponent of having space if there are opportunities to have the space, as opposed to offering "virtual" services. The strongest incubator programs in the US have a certain amount of self-sustainability getting 60% or more of their revenue from rent and service fees. If an incubator is totally dependent on subsidies, the priorities change in that they tend to lose independence. Services are the most critical part of an incubator, not the facility. However, it is hard to charge for services provided virtually, and it's important to have that self-sustainability from the revenue. Additionally, with a facility there is greater synergy among the clients and it is easier to provide training having the space. They can learn from each other and share contacts and equipment. A facility provides a focal point that engenders greater support than for for a virtual program.

Chair French thanked Ms. Adkins for the information, and hoped there would be on-going opportunity for consultation as needed in the future.

V. VISITOR COMMENTS

- A. Chair French called attention to Bill York's letter in the packet, regarding the potential for subjectivity of a Hearing Officer.
- B. Mayor Manning introduced Sean Stevens, newly-appointed business development officer for Business Oregon. Mr. Stevens explained he was previously the business recruitment manager for the State of Wyoming, and is still getting his feet wet in Oregon. He has a copy of the Economic Development Strategy and is looking forward to working with the group and the new Economic Development Manager.

VI. STAFF UPDATE

- A. BEC report - Robert Mauger, attorney-at-law and voluntary executive director of the BEC, handed out the monthly report and said he would answer any questions as best as he is able since Bill Ford could not attend. Commissioners asked for more information relating to Paul Peterson's inquiry relating to the hybrid aircraft design business as well as to the Oregon Prospector inquiry with regard to a shovel-ready site for Project Vertical. Mr. Mauger said he did not have any additional information and would ask Mr. Ford to respond.
- B. Chair French said that the interviews for Economic Development Manager went well. There had been 56 candidates which were screened down to seven. Six candidates were interviewed and there are two very strong candidates who will be further vetted, with City Manager Patterson likely to make a decision by the end of the month.
- C. Chair French referenced the National Governors Association Chair's Initiative on Growing State Economics, attachment to the packet submitted by Commissioner Rung, which she found to be very interesting. Commissioner Fowler commented that the section of background was very helpful in terms of academic studies and The 12 Actions, a description of a 12-step program which included points about incubators/accelerators.

VII. REVIEW/ENDORSEMENT OF THE TRANSMITTAL TO CITY COUNCIL re: EDC's RECOMMENDATION ON HIGH PRIORITY ITEMS RELATED TO THE DEVELOPMENT PROCESS

Chair French asked that commissioners voice any comments they might have about Community Development Director Gibb's memo of transmittal to City Council, as well as the final recommendations which will be submitted to City Council in September. She suggested that a subset of EDC attend the City Council meeting to transmit the recommendations and to answer any questions the councilors might have.

Commissioner Rung said that the memorandum seems to be appropriate, but there had not been unanimity about having a hearings officer. In response to the concern raised by Bill York's letter that hearings officers bring their own biases to the deliberations, he asked if the City, when entering into a contract with a hearings officer, could require objectivity and strict consideration of only fact, law and regulation; and avoidance of interjecting personal bias. Chair French thought it was possible, though it would always be impossible to completely take out personal bias. However, she believes they would likely get more consistency and better quality of decisions. Commissioner Fowler opined that planning commissioners essentially have the same contract with the City in that they are likely sworn to abide by the statutes and codes, etc. Commissioner Lampton said that in his experience on the Planning Commission decisions still sometimes get politicized, The quality of decisions depends on knowledge and turnover of the commissioners. Commissioner Dixon thought there would be more consistency in decision-making with a hearings officer.

Commissioner Fowler asked that the comments relating to discomfort with the blanket removal of PD Overlays that were previously voter-approved be highlighted in some way, either as part of Director Gibb's memo or as an attachment. Management Assistant Laurent said she would bring this up with Director Gibb for further elaboration. Chair French said she had had a conversation with Councilor Richard Hervey regarding having a neighborhood discussion relating to the large parcel in his ward that would be impacted so that the community would have a greater understanding of the issue.

MOTION: Commissioners Rung and Dixon, respectively, **moved and seconded** to adopt the memorandum and recommendations as drafted, including the comments concerning the blanket removal of PD Overlays. The motion **passed unanimously**.

Commissioners Dixon and Lampton will determine whether their schedules permit them to attend the City Council meeting on September 17, 2012,

VIII.ELECTION OF CHAIR AND VICE-CHAIR DISCUSSION

By unanimous acclaim, Chair French and Vice-Chair Rung will continue on in their roles for the next year.

IX. OTHER BUSINESS - NONE

X. FUTURE AGENDA ITEMS

Chair French suggested that they look into have a meeting in October or November on campus, hooking up with appropriate OSU staff people as well as the students. Staff will pursue those arrangements.

September 10, 2012, will be the next meeting, and Chair French suggested that commissioners come with their ideas for future agendas.

Some ideas were suggested by commissioners:

- A legislative update, since there will be some legislation being drafted by Senators Beyer and Morse after Labor Day. This could also tie into what the southern Willamette Valley Governor's Regional Solution Center is proposing to submit as part of the Governor's budget and potential legislation actions. The possibility of having Senator Morse attend the next EDC meeting was discussed.
- This could be folded into a larger discussion about what economic development legislation might be moving forward this fall, sponsored by all entities. This would include possible support for ONAMI, for which EDC might want to make some formal recommendation.
- Other suggestions for speakers include Sean Stevens, Business Oregon; a League of Oregon Cities representative; Oregon Economic Development Association legislative committee representative.
- Chair French suggested that Bob Grant, Chamber of Commerce, be made aware of upcoming discussions about legislation.
- Mayor Manning further suggested that the EDC might want to track the work of the Oregon Investment Board, and what is going on at the State level to try to make more of the dollars work for stimulation of job creation. She suggested contacting Tim McCabe, representative of that Board.

XI. ADJOURNMENT

The meeting adjourned at 4:50 p.m. The next meeting will be at 3:00 p.m., September 10, 2012, Madison Avenue Meeting Room.

Bill York
3765 SW Fairhaven Drive
Corvallis, OR 97333-1481

Telephone 541-752-2535
yorkb@peak.org

June 12, 2012

To: Ken Gibb

Re: Hearing Officers

I understand there is renewed interest, at least on the part of the Economic Development Commission, to move to a Hearing Officer model for land use decisions. I came from such an environment, and it is not a "magic solution".

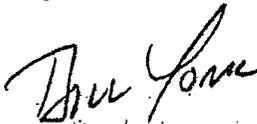
Hearing Officers were used during my 6 years on the Planning Commission in Pasadena, CA. The Planning Commission basically did planning. The only cases we heard were those involving Zone Changes or General Plan Amendments. A 5 person subset of the Commission, the Board of Zoning Appeals, did hear appeals of Hearing Officer decisions. I was chair of that group for most of my tenure.

Pasadena had a 2 - 3 Hearing Officer rotation. The biggest problem with the system was that you could predict a case's outcome with 90% accuracy as soon as you knew to which Hearing Officer it had been assigned. Let's face it – individuals have biases, tendencies, and predilections. In my experience, 9 people (or 5 or 7) debating and deliberating an issue will always produce a fairer result than will an individual. One other point for context – they played rough in Pasadena. Roughly 20% of cases came with a staff recommendation to deny.

Finally, where are the savings, in time or money? Unlike the Planning Commission, you have to pay a Hearing Officer. Assuming you include an appeals process similar to Pasadena's (because I doubt you want things going directly from the Hearing Officer to the City Council) you've added another step and several weeks to the process.

I'm pretty sure that I have shared these thoughts with you before. I just wanted to reiterate them, and to encourage you to share them with the decision-makers on this proposal.

Regards,



RECEIVED
RECEIVED

JUN 14 2012

Community Development
Community Planning Division
Planning Division

EDC 8/15/12 ITEM V