



**CORVALLIS  
CITY COUNCIL AGENDA**

**March 17, 2014**

**6:30 pm**

**[Executive Session immediately follows]**

**Downtown Fire Station**

**400 NW Harrison Boulevard**

*[Note: The order of business may be revised at the Mayor's discretion.  
Due to time constraints, items on the agenda not considered  
will be continued to the next regularly scheduled Council meeting.]*

**COUNCIL ACTION**

**I. CALL TO ORDER**

**II. PLEDGE OF ALLEGIANCE**

**III. ROLL CALL**

**IV. PROCLAMATION / PRESENTATION / RECOGNITION**

- A. Oregon State University Parking Plan Update
- B. Public Participation Task Force Update
- C. Proclamation of Mayors' Day for Recognition of National Service – April 2, 2014

**V. VISITORS' PROPOSITIONS – This is an opportunity for visitors to address the City Council on subjects not related to a public hearing before the Council. Each speaker is limited to three minutes unless otherwise granted by the Mayor. Visitors' Propositions will continue following any scheduled public hearings, if necessary.**

**VI. CONSENT AGENDA – The following items are considered to be routine and will be enacted by one motion. There will be no separate discussion of these items unless a Council member (or a citizen through a Council member) so requests, in which case the item will be removed from the Consent Agenda and considered separately. If any item involves a potential conflict of interest, Council members should so note before adoption of the Consent Agenda.**

- A. Reading of Minutes
  - 1. City Council Meeting – March 3, 2014
  - 2. Local Contract Review Board – March 3, 2014
  - 3. For Information and Filing (Draft minutes may return if changes are made by the Board or Commission)
    - a. Arts and Culture Commission – February 19, 2014

- b. Citizens Advisory Commission on Civic Beautification and Urban Forestry – February 13, 2014
  - c. Commission for Martin Luther King, Jr. – February 25, 2014
  - d. Corvallis-Benton County Public Library – February 5, 2014
  - e. Economic Development Commission – February 10, 2014
  - f. Housing and Community Development Commission – February 18 and 19, 2014
  - g. Parks, Natural Areas, and Recreation Board – February 20, 2014
  - h. Public Participation Task Force – March 6, 2014
- B. Clarification language for Council Policy 4.16, "Code of Conduct for Patrons at Parks and Recreation Facilities, Events and Programs"
  - C. Confirmation of an Executive Session following the March 17, 2014 regular meeting under ORS 192.660(2) (d) (status of labor negotiations)
  - D. Schedule an Executive Session following the April 7, 2014 regular meeting under ORS 192.660(2) (d) (status of labor negotiations)

**VII. ITEMS REMOVED FROM CONSENT AGENDA**

**VIII. UNFINISHED BUSINESS**

- A. November 2013 OSU Collaboration Steering Committee Recommendations [direction] and update on City-related implementation actions [information]

**IX. STANDING COMMITTEE REPORTS, ORDINANCES, RESOLUTIONS, AND MOTIONS**

- A. Human Services Committee – None
- B. Urban Services Committee – March 4, 2014
  - 1. Systems Development Charge Annual Review [direction]  
*ACTION: A resolution establishing Systems Development Charge rates, per Municipal Code Chapter 2.08, "Systems Development Charge," and stating an effective date, to be read by the City Attorney* [direction]
  - 2. Residential Parking Districts [information]
- C. Administrative Services Committee – February 25 and March 5, 2014
  - 1. Neighborhood/Property Maintenance Code [information]

**X. MAYOR, COUNCIL, AND STAFF REPORTS**

- A. Mayor's Reports
- B. Council Reports

- C. Staff Reports
  - 1. City Manager's Report – February 2014
  - 2. Economic Development Monthly Business Activity Report – February 2014

**XI. NEW BUSINESS** – None.

**XII. PUBLIC HEARINGS** – None

**XIII. ADJOURNMENT**

For the hearing impaired, a sign language interpreter can be provided with 48 hours' notice prior to the meeting. Please call 541-766-6901 or the Oregon Communications Relay Service at 7-1-1 to arrange for TTY services. A large print agenda can be available by calling 541-766-6901.

*A Community That Honors Diversity*



**CITY OF CORVALLIS  
ACTIVITY CALENDAR**

**MARCH 17 – APRIL 5, 2014**

**MONDAY, MARCH 17**

- ▶ City Council (Executive Session follows) – 6:30 pm – Downtown Fire Station, 400 NW Harrison Boulevard

**TUESDAY, MARCH 18**

- ▶ No Human Services Committee
- ▶ Urban Services Committee – 5:00 pm – Madison Avenue Meeting Room, 500 SW Madison Avenue

**WEDNESDAY, MARCH 19**

- ▶ OSU/City Collaboration Project Steering Committee – 2:00 pm – Downtown Fire Station, 400 NW Harrison Boulevard
- ▶ Administrative Services Committee – 3:30 pm – Madison Avenue Meeting Room, 500 SW Madison Avenue
- ▶ Public Art Selection Commission – 4:00 pm – Parks and Recreation Conference Room, 1310 SW Avery Park Drive
- ▶ Arts and Culture Commission – 5:30 pm – Parks and Recreation Conference Room, 1310 SW Avery Park Drive
- ▶ Planning Commission – 7:00 pm – Downtown Fire Station, 400 NW Harrison Boulevard

**THURSDAY, MARCH 20**

- ▶ Public Participation Task Force – 11:00 am – Madison Avenue Meeting Room, 500 SW Madison Avenue
- ▶ Parks, Natural Areas, and Recreation Board – 6:30 pm – Downtown Fire Station, 400 NW Harrison Boulevard

**SATURDAY, MARCH 22**

- ▶ Government Comment Corner (Councilor Biff Traber) – 10:00 am – Library Lobby, 645 NW Monroe Avenue

### TUESDAY, MARCH 25

- ▶ Commission for Martin Luther King, Jr. – 5:15 pm – Osborn Aquatic Center Conference Room, 1940 NW Highland Drive

### THURSDAY, MARCH 27

- ▶ Public Participation Task Force – 12:00 pm – Madison Avenue Meeting Room, 500 SW Madison Avenue

### SATURDAY, MARCH 29

- ▶ Government Comment Corner (Councilor Penny York) - 10:00 am - Library Lobby, 645 NW Monroe Avenue

### MONDAY, MARCH 31

- ▶ City Council/County Board of Commissioners Joint Meeting – 5:30 pm – County Sunset Building, 4077 SW Research Way

### APRIL 1

- ▶ Airport Commission – 7:00 am – Madison Avenue Meeting Room, 500 SW Madison Avenue
- ▶ Downtown Parking Committee – 4:00 pm – Downtown Fire Station, 400 NW Harrison Boulevard

### APRIL 2

- ▶ Planning Commission – 7:00 pm – Downtown Fire Station, 400 NW Harrison Boulevard
- ▶ Corvallis-Benton County Public Library Board – 7:30 pm – Library Board Room, 645 NW Monroe Avenue

### APRIL 4

- ▶ Bicycle and Pedestrian Advisory Commission – 7:00 am – Madison Avenue Meeting Room, 500 SW Madison Avenue

### APRIL 5

- ▶ Government Comment Corner (Councilor Hal Brauner) – 10:00 am – Library Lobby, 645 NW Monroe Avenue



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## PROCLAMATION

### Mayor's Day of Recognition for National Service

**April 2, 2014**

**WHEREAS,** Mayor's Day of Recognition for National Services recognizes the important contributions of national service through the local Retired Senior and Volunteer Program (RSVP), the Foster Grandparent Program, the Senior Companion Program, and other volunteer endeavors; and

**WHEREAS,** The goal is to highlight the impact of these programs and other national service programs in addressing local needs and to thank national service members for their commitment and impact; and

**WHEREAS,** Recognizing the importance of citizen service bolsters support for non-profit and national service groups, and helps bring more city residents into service; and

**WHEREAS,** Nearly 300 Corvallis residents offer their time as business mentors with RSVP or as caring help-mates through the Foster Grandparent or Senior Companion programs.

**NOW, THEREFORE,** I, Julie Jones Manning, Mayor of Corvallis, do hereby proclaim **April 2, 2014** as **Mayor's Day of Recognition for National Service** and urge citizens to share their appreciation of those who make our community better through their service.

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Julie Jones Manning, Mayor

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Date

**CITY OF CORVALLIS  
COUNCIL ACTION MINUTES  
March 3, 2014**

**SUMMARY OF DISCUSSION**

Agenda Item	Information Only	Held for Further Review	Decisions/Recommendations
<b>Visitors' Propositions</b> 1. LWCF Grant (Eckert) 2. OSU growth & property tax revenue (Hess) Pages 92-93	Yes Yes		
<b>Consent Agenda</b> Page 93			
<b>Item Removed from Consent Agenda</b> 1. Utility Easement (Pacific Power/2 Towns Cider) Pages 93-94			<ul style="list-style-type: none"> <li>• Approved utility easement <u>passed U</u></li> </ul>
<b>Unfinished Business</b> 1. Campus Crest/The Grove deliberations  Pages 94-107			<ul style="list-style-type: none"> <li>• Approved Planned Development as amended <u>passed 5-4</u></li> <li>• Approved Subdivision <u>passed 6-3</u></li> </ul>
<b>HSC Meeting of February 18, 2014</b> 1. Social Services Semi-Annual Report 2. Meeting Time Management Page 107	Yes		<ul style="list-style-type: none"> <li>• Accepted report <u>passed U</u></li> </ul>
<b>ASC Meeting of February 24, 2014</b> 1. Neighborhood/Property Maintenance Code Page 108	Yes		
<b>Other Related Matters</b> 1. Smoking in Transit Shelters 2. LWCF grant Page 108			<ul style="list-style-type: none"> <li>• ORDINANCE 2014-02 <u>passed U</u></li> <li>• RESOLUTION 2014-08 <u>passed U</u></li> </ul>
<b>Council Reports</b> 1. CHNR request for traffic counts (Brown) 2. OSU CMP update (Brown) 3. Neighborhood canvassing (Sorte) 4. Marys River Boardwalk & Uzhhorod (York) 5. Smart Growth Conference (Hervey, Traber) Pages 108-109	Yes  Yes Yes Yes  Yes		
<b>Staff Reports</b> 1. OSU Women's basketball (Patterson) Page 109	Yes		

Glossary of Terms

ASC	Administrative Services Committee
CMP	Campus Master Plan
CMR	City Manager's Report
CHNR	College Hill Neighborhood Association
HSC	Human Services Committee
LWCF	Land, Water, Conservation Fund
OSU	Oregon State University
U	Unanimous

**CITY OF CORVALLIS  
COUNCIL ACTION MINUTES  
March 3, 2014**

**I. CALL TO ORDER**

The regular meeting of the City Council of the City of Corvallis, Oregon was called to order at 6:30 pm on March 3, 2014 in the Downtown Fire Station, 400 NW Harrison Boulevard, Corvallis, Oregon, with Mayor Manning presiding.

**II. PLEDGE OF ALLEGIANCE**

**III. ROLL CALL**

PRESENT: Mayor Manning; Councilors Brauner, Brown, Beilstein, Hervey, Hirsch, Hogg, Sorte, Traber, York

Mayor Manning directed Councilors' attention to items at their places, including information about the March 10 Sustainability Town Hall (Attachment A), a handout from Councilor Brown concerning Oregon State University's (OSU) Campus Master Plan update (Attachment B), a memorandum from Planning Division Manager Young concerning Campus Crest/The Grove (Attachment C), and a handout concerning staff-identified review criteria for Campus Crest/The Grove (Attachment D).

**IV. PROCLAMATION/PRESENTATION/RECOGNITION** – None.

**V. VISITORS' PROPOSITIONS**

Dave Eckert encouraged the Council to authorize Parks and Recreation staff to apply for the Land and Water Conservation Fund grant for improvements to the Martin Luther King, Jr. Park. He asked for protection of an un-named, spring-fed creek which starts at the Park and has been on the map since 1860s. Mr. Eckert said the mid-Willamette Valley has the highest concentration of Pacific lamprey in the Pacific Northwest, the fish are prevalent in Oak Creek and its tributaries, which includes the un-named creek.

Jeff Hess spoke regarding OSU's growth and how it affects property tax revenue. He cited a person in his neighborhood that lived in a single family home and paid \$2,600 in property taxes. The home was torn down and a duplex was built in its place; the new property tax bill was \$6,200. He said the duplex could accommodate up to ten people, so the change amounted to \$620 per person in tax revenue versus \$2,600 paid by the former home's single occupant. Mr. Hess opined approximately 80% to 85% of parking in neighborhoods is already taken by residents before any commuters arrive. Councilor Hervey responded that Mr. Hess' example of a single home versus a duplex did not take into account the additional infrastructure needed to accommodate the increase in residents. Councilor Beilstein said property tax revenue added through new housing never pays to support the full cost of a new resident. Rather, it barely covers the cost of police, fire and 911, and does not fund other City services such as the library. Councilor Beilstein said growth of the City requires identifying new sources of revenue to support that growth. He supported growing the City due to the number of people who commute to Corvallis. Councilor Sorte agreed with Councilor Beilstein, but said those who move here also spend money at local businesses, further reinforcing the Corvallis economy. Mayor Manning

noted OSU's Vice President for Marketing and University Relations Steve Clark will attend the March 17, 2014 Council meeting to provide an update on the University's work on the parking issue.

## VI. CONSENT AGENDA

Councilor Sorte requested removal of item B from the Consent Agenda.

Councilors Hervey and Traber, respectively, moved and seconded to adopt the Consent Agenda as follows:

- A. Reading of Minutes
  - 1. City Council Meeting – February 18, 2014
  - 2. For Information and Filing (Draft minutes may return if changes are made by the Board or Commission)
    - a. Arts and Culture Commission – January 15, 2014
    - b. Citizens Advisory Commission on Transit – February 11, 2014
    - c. Downtown Parking Committee – January 21, 2014
    - d. Historic Resources Commission – February 11, 2014
    - e. Planning Commission – February 5, 2014
    - f. Public Participation Task Force – February 20, 2014
  
- C. Authorize staff to issue a long-term right-of-way permit to allow a closure to the public and use by Gerding Builders of the two parking spaces in front of 2001 NW Monroe Avenue until April 4, 2014.
  
- D. Schedule an Executive Session for March 17, 2014 following the regular meeting under ORS 192.660(2)(d) (status of labor negotiations)

The motion passed unanimously.

## VII. ITEMS REMOVED FROM CONSENT AGENDA

- B. Approve a utility easement (Pacific Power/2 Towns Cider electrical hook up)

Councilor Sorte said he discussed the item with City Attorney Fewel. Councilor Sorte believed the proposed lease could be more balanced between the parties and he asked if a termination clause could be added. Mr. Fewel said he considered the discussion to be a Council Request Follow Up and he offered to bring information back to the next meeting.

In response to Councilor Traber's inquiry, Public Works Director Steckel provided an affirmative nod that the process to change the proposed lease would delay growth of one of the tenants at the Airport Industrial Park (AIP). Councilor Traber expressed concern about the additional time needed to re-negotiate the lease.

Councilor Sorte said the long-term nature of the lease warrants careful review and he believed the City's standard lease should be changed to ensure the agreement is balanced.

Councilors Sorte and Brown, respectively, moved and seconded to table the issue to the March 17, 2014 Council meeting until the City Attorney can review the lease form.

In response to Councilor Hirsch's inquiry, Mr. Fewel said the opportunity to change the lease in the future is not likely, re-negotiating it could take months, and it's possible one of the parties could walk away. Councilor Sorte said he requested review of the Federal Express lease at the AIP and it was dramatically improved when it returned to Council for approval. He added that Pacific Power wants to sell power and while it may take time, he did not want to automatically approve the lease.

Councilor Traber noted if the lease was based on the City's standard agreement, it had withstood the test of time. He said it could perhaps be improved, but he was concerned about causing delays for a local start-up company that relocated to the AIP from Linn County.

Ms. Steckel suggested the lease move forward and staff would begin working on changes to the template for future leases, which could take several months. Councilor Sorte said that was acceptable to him and he requested that in the future, the City Attorney provide a check list for staff to be sure specific items are covered in future leases.

Councilors Sorte and Brown, respectively, withdrew the motion.

Councilors Traber and Brauner, respectively, moved and seconded to approve the utility easement.

The motion passed unanimously.

#### VIII. UNFINISHED BUSINESS

- A. Deliberations relating to Planned Development and Subdivision requests (PLD13-00003, and SUB13-00001 – Campus Crest/The Grove)

Mayor Manning read the order of proceedings.

*Declaration of Potential or Actual Conflicts of Interest, consistent with the City Council's interpretation of Land Development Code Section 1.1.60, as determined at the November 18, 2013 City Council meeting – None.*

#### *Declaration of Ex Parte Contacts*

Councilors Traber, York, and Hervey declared ex parte contacts since the November 18, 2014 meeting.

In response to Councilor Beilstein's inquiry, Mr. Fewel confirmed that Councilors who declared ex parte contacts were required to reveal the substance of those contacts.

Councilor Traber said he received several related emails since the February 18, 2014 meeting, he forwarded them to staff for inclusion in the record, and he informed the senders that was all he could do.

Councilor Hervey said he followed the same procedure as Councilor Traber and his ex parte contacts would not affect his ability to make a fair and impartial decision.

Councilor York said she received a message in her personal email account, passed it on to staff for inclusion in the record, and confirmed it will not affect her ability to make a fair and impartial decision.

Councilor Brauner said he did not say he had received ex parte contact because emails received as City Councilors are on the City record via the Council email log on the City's Web site, so therefore it is not an ex parte contact to him. He acknowledged that if his assumption is wrong, then he also had ex parte contacts.

Mr. Fewel said any contact outside of the actual hearing process is ex parte contact and that is satisfied if the contact is in the record, but it is still appropriate to make the acknowledgement.

Councilor Brauner noted if that is the case, every one of the Councilors had ex parte contact because of joint emails that have been sent to the Mayor and Council. The Mayor and Councilors agreed.

Councilor Sorte said when constituents who wanted to talk about the matter approached him, he told them he could not discuss it, and he did not consider that as ex parte contact. Mr. Fewel agreed with Councilor Sorte in that if the matter was not discussed as part of that contact, it was not considered ex parte. However, Mr. Fewel advised it is better to error on the side of transparency to avoid any appellate review errors that could occur.

Councilor Brauner remarked that given the discussion, it is incumbent upon Councilors and the Mayor to observe the dates of emails they receive. He noted that any email received to a Councilor's personal email account must be forwarded to the public email account. Councilor Brauner said he does not respond to emails that pertain to a matter pending before the Council.

Mr. Fewel said if the Councilor did not open the email, it was not ex parte contact. If the Councilor opened and read the email, it was ex parte contact.

Councilor Hogg stated that he reads all the emails he receives, but he did not respond to, forward, or discuss them.

#### Declaration of Site Visits

Councilors Sorte and Traber declared making site visits since the November 18, 2014 meeting.

Rebuttal of Declarations – None.

Objections on Jurisdictional Grounds – None.

#### Questions of Staff and Requests for Clarification

Planning Division Manager Young reviewed Attachment B, noting Condition of Approval (COA) #45 as discussed at the previous meeting, the addition of a potential new COA #46, and optional language for COA #14.

Councilor Traber said he found the Harrison Corridor Master Plan summary in the packet useful. He noted in the area between 30th and 34th Streets, the summary said no bike lanes were needed, but reviews would occur on a five year basis. In response to Councilor Traber's inquiry, Engineering Supervisor McConnell said the bike lane issue had come up in the past and options had been explored, but he did not recall when the last review was conducted. Mr. McConnell said bike lanes would be evaluated as part of the upcoming Transportation Master Plan.

Councilor York referenced a memo from staff to the Planning Commission dated January 22, 2014. In the Findings of Fact section starting with noise attenuation, she noted use of the phrase "typical multi-family development, as is proposed." She said she understood the project was classified as a multi-family development, but she asked why staff was calling it a typical multi-family development when it is a very specific type of development, rather than general multi-use, multi-family. Mr. Young said while the applicant had proposed the use to be for student housing, there was no provision that units would not be rented to a variety of tenants and the profile of a typical student can vary. Mr. Young said it was presumed to be a multi-family development analogous to other multi-family developments in the city. If Council wished to make a finding it was different in some way, he believed Councilors had the ability to do so based upon what is known about the proposed development. Councilor York said it was not a typical multi-family development, the premise was faulty, and therefore she did not feel that she could rely on the analysis that followed.

Councilor Sorte said he appreciated the analysis of why staff did not want to provide a speed study on Harrison following completion of the development. He asked why it would be more costly to have staff conduct the study and why that would be a factor if the developer had to reimburse the City for the expense. Civil Engineer Grassel said the City would have to conduct a public bid process which would increase the cost, and the expense associated with staff time would also be a factor. Mr. McConnell said negotiating such a contract with the developer could prove difficult. Mr. Fewel expressed concern about shifting the risk to the City, as any flaws in the study would be the City's responsibility. Councilor Sorte said he appreciated the consideration of risk to the City. If the developer was responsible for the study and issues arose, they would go back on the subcontractor, who would then go to the City engineer who provided the initial review and approval. Mr. Fewel said Councilor Sorte's thought process is good, but it involved a lot of "what ifs" and it was in the City's best interest to put the risk on the developer. Community Development Director Gibb added that City staff scopes projects and conducts professional reviews of the results. Councilor Sorte said it is a matter of balancing the extra risk to the City with the objectivity of the developer.

In response to Councilor Hervey's inquiry regarding the differences between COA #14 and Alternate COA #14, Mr. Young said he forgot to shade the area showing the changes. COA #14 is the Planning Commission's original recommended language and Alternate COA #14 adds *...in lieu of a continuous center turn lane, as approved by Benton County. Any median shall be designated to accommodate a future signal at the intersection of Circle Boulevard and Harrison Boulevard*. Mr. Young noted the discussion at the February 18, 2014 Council meeting where staff highlighted the conflict between the Planning Commission's language of a continuous center median and a continuous center turn lane. Mr. Young said the language about any median accommodating a future signal at Circle and Harrison was added to ensure congruence with COA #45, should a signal be warranted.

Councilor Hervey referenced COA #12, noting it only addressed the developer being responsible for the cost to install a 4-way stop, if needed. He asked who would pay if it was determined a signal or protections for bike or pedestrian crossings were needed. Mr. McConnell said a traffic signal was in the Systems Development Charge (SDC) program and funding would come from SDCs when a traffic signal is warranted at that location.

Councilor Sorte said at the February 18, 2014 meeting he inquired about traffic calming and cut through traffic that was already occurring on Harrison between 29th and 36th Streets. He was disappointed how the traffic calming ordinance has changed over time. As he interpreted the current ordinance, to warrant traffic calming in that area, 85% of 300 cars would have to be going 30 mph through those narrow neighborhood streets. He noted the ordinance gave the Public Works Director the authority to make an exception based on a change related to development; however, that change relied on having baseline data. Councilor Sorte said he was trying to determine if that baseline needed to be built into a COA to ensure the data is gathered now. He expected there would be a tremendous amount of cut through on Witham, Merrie, and Polk, as well as two blocks on each side of Harrison between 29th and 36th Streets. He noted those are neighborhoods with seniors, children, and people walking their dogs. Councilor Sorte said according to the proposed COAs, a study would occur for the extension of Circle Boulevard for traffic calming. City Engineer Gescher said he did not know if the City could condition the applicant on what may be a current problem. If it cannot be conditioned, the City would need to identify whether there is a cut-through problem. In response to Councilor Sorte's inquiry, Mr. Gescher said the current traffic calming program directs neighbors to work with the City to gather baseline data.

Councilor Hervey said he appreciated the answer to the storm water question he asked at the February 18, 2014 meeting. He noted the design was for two, five, and ten-year storms and asked if Council could condition for a larger storm event. Mr. McConnell said they were based on policies in the Storm Water Master Plan, which would have to be changed to justify adding the condition.

In response to Councilor Traber's inquiry, Mr. Gescher confirmed the Policy has neighbors initiate traffic calming, but Council could authorize another action outside of that. Councilor Traber asked if a Development Related Concern (DRC) could be added. Mr. Gibb agreed a DRC would be a good way to provide direction for future conversations.

Councilor Brauner noted in the list of COAs and DRCs recommended by the Planning Commission, traffic calming related to the Circle Boulevard extension is a DRC. He agreed a DRC could be added to indicate it is desirable to obtain a baseline count on those streets cited by Councilor Sorte and such responsibility would fall to the City. Mr. McConnell said existing peak hour traffic volumes at the intersection of Merrie and Witham at Harrison included the turning movements from Harrison onto those side streets were contained in the applicant's traffic impact analysis, and they could be used to quantify a change.

In response to Councilor Hervey's inquiry, Mr. Young said he is not aware of any applicable criteria that would be the basis to require a conservation easement to protect the open space area from future zoning or Comprehensive Plan changes.

### Deliberations

Councilor Brauner stated he was prepared to make a motion to get an actionable item on the table and if Councilors have other conditions to propose, they could amend the motion, rather than trying to make several motions.

Councilors Brauner and Hervey, respectively, moved and seconded to approve the Planned Development request brought forth by the applicant on appeal, consistent with the City Council's decision to approve the Comprehensive Plan Amendment and Zone Change, and based upon the City Council's finding on this matter. This motion is based on findings and proposed conditions of approval in the August 23, 2013 staff report to the Planning Commission, as modified and recommended by the Planning Commission, and including the recommended changes by staff (including Alternative Condition #14) from the March 3, 2014 Memorandum from the Planning Division Manager to the Mayor and City Council. The motion was also based on findings presented by the City Council during their deliberations, subject to the adoption of Formal Findings at a subsequent City Council meeting.

In response to Councilor York's question, Councilor Brauner said Option C meant the Council had already voted on conditions that would be incorporated in a general motion. He reiterated that his proposed approach was to make a motion so Councilors could then amend that motion, rather than trying to debate several extra changes to conditions. The final motion would then be approved as amended.

Councilor Beilstein said he supports the motion. He asked for the Mayor and Council's indulgence while he read the following lengthy statement that outlined his reasoning and position on the matter.

*Corvallis has a chronic housing shortage. Approximately 28,000 people work in Corvallis. Of those 28,000, approximately 18,000 commute to work from places outside the city. We have no reliable estimates of students who commute daily to Corvallis, but we expect that it is some large percentage of the 24,000 who attend classes at OSU. The housing shortage has been exacerbated by the rapid growth of OSU. This has resulted in stress on neighborhoods. Stand alone family homes have been repurposed as five student rentals, or torn down to build more lucrative multiunit apartments. The area around Chintimini Park is probably the worst affected by the increased student population, but all neighborhoods are affected to some extent by the student housing shortage.*

*The shortage of student housing creates hardship for poor people. Availability of low income housing is affected by the repurposing of formerly low rent complexes and the eviction of tenants. This has occurred at Franklin Court and the Corvalla Apartments already. Kings Landing is scheduled as the next gentrification project to capture the high rents payable by students. Not all students can afford the \$600 to \$700 per bed rents of upscale market rate apartments being created for students. Students with smaller resources are competing directly for housing with non-student residents of limited resources. It is becoming harder and harder for low income people to find housing in Corvallis.*

*The Campus Crest development may contribute to over filling the student housing market. The supply of student housing is rapidly increasing in response to demand. Developers might overbuild, resulting in vacancies, falling rents and falling real estate prices. I cannot view this as “bad” for the community. Compared to neighboring communities, Corvallis home prices and rents are inflated by scarcity.*

*There is no better location for a new large scale student housing project. There is no undeveloped residential land of this size closer to the OSU campus. Infill development has been occurring in the area north of the campus in areas designated RS -9, 12 and 20. However, residents in these areas feel their neighborhoods are being destroyed by the influx of high density student housing. Development at Campus Crest will relieve the pressure for maximum density development in these neighborhoods.*

*The Campus Crest area was approved for annexation with the designation of RS-6, low density residential, with a planned development overlay. The Corvallis City Council decided to rezone to RS-12 to accommodate more housing close to the OSU campus. Up-zoning is a rational response to the increase in demand for student housing. With the higher density, new conditions of approval are needed for the planned development. The Council received advice from the Planning Commission and public input through a hearing. It would be possible for the Council to determine that no conditions could satisfy development concerns, and therefore deny approval of any revised planned development.*

*There is no current proposal to develop the area according to the previous approved planned development. The choice is not between developing at RS-6 (single family homes) and RS-9 (apartments). The choice is between developing at the higher density or not using this land for housing at all. It is possible that a developer could approach the city in the future with the intent of developing according to the previous approved plan. However, considering the existing housing shortage, and the community advantages of the RS-12 proposal, it would be irresponsible to hold up development while waiting for a theoretical developer.*

*The City Council has not over-ruled the annexation decision on zoning. If there is public opinion that re-zoning is advantageous, any parcel of land in the City can be rezoned according to an established process. The protocol for zoning changes involves public input, advice from the Planning Commission, and decision by the elected City Council. If citizens believe a decision was made in error, contrary to intent of the Comprehensive Plan, the decision can be appealed to the Oregon Land Use Board of Appeals. If citizens believe the decision was legitimate, but ill-advised, they can replace City Councilors in the next elections.*

*The Campus Crest development will reduce fossil fuel use for commuting. Addition of over 900 beds of housing inside the City creates the ability for 900 people to arrive at their places of work, or other activities, without commuting from a distant community. Marketing of the development will be toward*

*students at OSU. The short distance of their commute encourages bicycling and walking. If the area had been developed according to the RS-6 designation, with primarily single family homes, the target customers would not have been OSU students. Commute to almost any other work site, or other daily activity, would have been longer than the commute to OSU. The longer distance commutes would have been less likely to be by walking and bicycling.*

*The area of the development is valued as an open natural area. Loss of natural area will occur with development. The proposed development at RS-12 is on a smaller footprint than the previous approved development at RS-6. Approval of the Campus Crest plan will result in less disruption to natural areas than would have occurred with the previous approved planned development. There will be less loss of sylvan habitat, less new impervious surface, less construction on slopes. Habitation by humans causes disruption of natural systems. The concept of "cities" is to contain the disruption in areas where it can be managed and to relieve areas outside the cities from stresses created by dense human habitation.*

*Traffic along Circle and Harrison Boulevards will be increased by the Campus Crest development. Traffic engineering studies have indicated that existing roads and intersections will function adequately after completion and occupancy of the development. System development payments of this project and others will contribute to improvements to the transportation system that may be needed to respond to the increase in overall traffic from all new developments. Conditions of development can be included in the planned development to ensure that the effects on transportation are monitored and that improvements are made as necessary. Denial of approval on the basis that traffic engineering studies may be wrong would be capricious and unjustifiable.*

*A similar argument must be made on storm water management. We cannot justify holding a development to higher standards than what is specified in our Land Development Code. It is possible that the King County storm water management standards are inadequate in a particular case because of unique circumstances. However it would be capricious to require a higher standard without evidence that the standards are inappropriate in the current case.*

*Development of Campus Crest will not improve the fiscal situation of the City of Corvallis. The City Council does not support "development at any cost" to increase property tax revenue. The cost of providing expanded services to new residents is far greater than the new income they provide through property taxes. Property taxes are barely adequate to fund public safety functions – police, fire, and 911. Each new resident brings increased demand for other property tax-funded City services - parks and recreation, library, social services and planning. It is a net fiscal loss to the City to expand housing. Yet we are committed to expanding housing because of the belief that it makes a healthier community to provide housing to meet the needs of people who work and go to school here.*

Councilors York and Sorte, respectively, moved and seconded to amend the motion to add a condition of approval based on the compensating benefit required by the

conditionally approved Comprehensive Plan amendment Land Development Code Section 2.1.30.06 Review Criteria b.2 "the advantages to the community resulting from the change outweigh the disadvantages," to require a City Council approved agreement to accept a land donation from the developer including boundaries and condition of the land at the time of transfer.

Councilor York said she appreciated the City Attorney's analysis on the land donation. Her emphasis was not on the land donation, which was proposed on the record by the applicant. Rather, her point related to a City Council agreement. In order to make the whole piece of property a net value rather than a net loss to the community, she wanted the Council to take responsibility for approving an agreement and therefore it would need to come prior to authorizing the development. She noted the City Attorney's analysis mentioned findings, but Council had not yet adopted formal findings.

Mr. Fewel said any condition must be tied to satisfying applicable criteria. He was concerned applicable criteria Councilor York cited was for a different application than the Planned Development and Subdivision that was being considered. Mr. Fewel said if a condition was tied to criteria that didn't apply to the application, it made the City vulnerable to a taking. He noted that a taking was not a tort for which the City has insurance. Rather, the City would incur legal expenses to defend it. He was not sure it would result in a lawsuit or if the Land Use Board of Appeals would not consider it applicable criteria, but he does not believe it was a risk the City should take. He opined those processes should be separated.

Councilor Sorte said it would be fine if the City had to pay for the property. He said that was one of the primary reasons the Comprehensive Plan (CP) was modified and if the Council wasn't willing to stand behind that, which was the foundation five Councilors used to approve the change, he wondered what they were standing on. He appreciated the City Attorney's argument, but the Council had to address the matter, and the community was told the reason for approving the application was to gain more open space. He believed making the open space issue more tenuous was a critical issue.

Councilor Beilstein said he would oppose the amendment. He did not want to bring any sense of the gift to the City into the decision, as it made it seem as if it was a bribe.

Councilor Traber said as he understood it, re-zoning the open space portion did not mean it could not be re-zoned again by a future Council. He wondered if protection of the open space could be strengthened if it became City property. Mr. Fewel said if the City owned the property, it would have an added level of control, but that is not to say the City could not sell it in the future.

Mr. Fewel reminded the Council that zoning, zone changes, and Comprehensive Plan changes were quasi-judicial matters, which was why disclosures and declarations of ex parte contacts were required. The process was like a trial in that everyone should be treated fairly under the law and the decision should be made by applying the applicable criteria for the type of application that was being submitted. It would then be determined whether the evidence in the record supported the applicable criteria. Mr. Fewel said as long as applicable criteria were satisfied, any zone in Corvallis could be changed and there has never been a promise that any zone would be retained forever. He added in the 1970s the State of Oregon mandated that changes such as these would be treated like a trial before one's peers. The City Council was effectively removed from the legislative

arena in that one area and put into a court situation. That was why Councilors were not permitted to discuss the matter with their constituents while the application was before the Council. The process was designed to provide fairness to everyone and if the evidence met the criteria, the zone could be changed.

Councilor Hervey said he would trust Councilors who follow him to not rezone the open space area, rather than risking large costs to the City in the future.

Councilor Traber said he would vote against the amendment because the open space conservation issue was firm and due to potential costs to the City if it was considered to be a taking.

Based on the following roll call vote, the amendment failed two to seven:

Ayes: Councilors York, Sorte

Nays: Councilors Brown, Beilstein, Hogg, Brauner, Traber, Hervey, Hirsch

In response to Councilor Hervey's request for clarification, Councilor Brauner said his motion included Alternative COA #14.

Councilor Sorte said as he listened to Councilor Beilstein's earlier statement, he was listening for things that were not included in the official record. Councilor Sorte said he had such items and he would bring them to the next meeting. He noted evidence cannot be introduced that was not presented in the public hearing, so he would try not to do that. Councilor Sorte thanked Parks and Recreation staff for their response regarding the path that could extend from the development to Arnold Park. The Department opined residents from the development would not likely use Arnold Park.

Councilor Sorte said he would prefer the City pay for the traffic light. He appreciated the addition of COA #45, he believed the lighting plan was good, and he thought the traffic calming issue was resolved during Council's earlier discussion. Councilor Sorte said making the development contingent upon the path crossing Harrison Boulevard and onto Oregon State University's property is problematic. He does not believe the good neighbor proposals are likely to hold up, so he did not introduce that provision. Councilor Sorte said the most critical issue related to the open space amendment that was just defeated.

Councilor Traber said he was still concerned about Harrison between where Circle comes out, and between 35th and 36th Streets. COAs #7 and #14 address improvements on the first section of that road, but they only relate to the north side of Harrison rather than both the north and south sides of Harrison. As he read 4.30b, which speaks to safe and convenient pedestrian facilities within and between the new development and neighborhood activity centers, he believed there was only half of a solution of what was necessary to turn the applicable portion of Harrison into the combined auto, bike, and walking street that he believed it will become.

Councilor Traber moved to amend the motion to modify COA #7 to require sidewalks on the north and south sides of NW Harrison Boulevard and to modify Alternate COA #14 to require standard curb, gutter, and 12 foot wide planter strips (except where curbside due to natural features) on both the north and south sides of Harrison.

The motion died for lack of a second.

Councilor Hervey said he did not second the motion because he recalled that containing improvements to one side was necessary so as not to infringe on wetlands on the north side of the road.

Councilor Traber said he did not know that the need to keep improvements from the south side of Harrison was so the street would not have to be moved to the north. Mr. McConnell said staff would need to further evaluate the grading and right-of-way. If Council desired a pedestrian connection, flexibility would be needed, such as varying planter strips widths. The road may be redeveloped with future OSU development, which would require widening on their side of the property. Mr. McConnell said he did not believe adequate right-of-way exists.

In response to Councilor Hirsch's inquiry, Mr. Young said the number of residents occupying the property would be roughly similar whether the zoning was for single family homes or for the proposed, more compact development which has a smaller footprint. Mr. Young noted that matter was discussed in the Comprehensive Plan analysis.

Councilors Traber and Sorte, respectively, moved and seconded to amend the motion to amend Development Related Concern L to add "and Merrie and Witham between Harrison and Polk" at the end of the proposed language.

Councilor Traber said he heard testimony about traffic and cut throughs from people trying to avoid the signal and he expected those would likely increase.

Councilor Brauner said he would oppose the amendment as it was worded because it says traffic control devices would be considered and installed if appropriate. He believed it would be better to have an amended motion to add a DRC that specifies the City would gather baseline traffic data to evaluate traffic increases when the development was completed. He believed it got to the same purpose as what Councilor Traber proposed, but it did not make assumptions about consideration of a traffic signal.

Councilor Beilstein said he supported the motion. The language in DRC L said traffic calming measures shall be considered in the final design of Circle Boulevard. To him, the words "shall be considered" get to the intent of Council Traber's amendment. He noted as a DRC, it was just a concern, not a requirement.

Councilor Sorte said he was concerned about the trees on Harrison, but he was also concerned about impacts on Merrie to 29th Street. He said whatever traffic control device was added, people would cut through a few streets sooner to avoid it. In response to his inquiry, Mr. Gibb said the proposed amendment to the DRC would not mean the applicant would have to pay for a traffic control device. Mr. Gibb said staff had potential language that addressed the concerns if Council wished to hear it. He noted it would be proposed as part of a COA rather than a DRC.

Mr. Young confirmed baseline counts on Merrie and Witham already existed and they were in the traffic study. He said the proposed language, which related to traffic calming, reads "concurrent with the study required by COA #45, staff shall require the applicant to take traffic counts at the intersections of Merrie and Harrison, and Witham and Harrison,

and to install traffic calming measures along those streets if warranted per Council Policy 08-9.07."

Councilors Brown and Beilstein, respectively, moved and seconded to amend the amendment to include NW Van Buren between Arnold Way and 35th Street, and NW Jackson between Arnold Way and 35th Street. Councilor Brown said there was already a problem in those areas, but the development would increase traffic substantially on those streets as people tried to avoid the intersections.

Councilor Sorte said he was reluctant to continue with a piece-meal approach to changes. He believed Councilor Brown accurately described the areas in Ward 4 where there would be the most impact. Councilor Sorte said the greatest impact to his ward would be on Tyler from 33rd to 36th Streets, and from 31st Street on Polk to some extent. He believed Merrie and Witham were just as likely to receive more cut through as the other streets. The wide nature of the streets meant drivers were more likely to speed. Councilor Sorte requested an alternative amendment that put everything together. Otherwise, he asked the matter to come back to Council for consideration in the future.

Councilor Traber said to simplify the matter and ensure that a traffic calming study was done on the streets around Harrison, Council should be less specific and instead add a DRC that said within one year after the development is completed, the City would endeavor to complete a traffic calming study of the surrounding streets off Harrison that could see increased traffic loads.

Councilor Hervey recalled traffic calming devices that are on Circle around 29th Street were originally envisioned as part of a development along Circle. Those traffic calming measures did not go in with the development and later, citizens had to go through the process to get the traffic calming devices installed. He thought as part of the process, neighbors had to pay for those traffic calming devices. He wanted to be sure Councilors were aware that if the amended motion passed as a DRC, residents may end up paying for the traffic calming devices. If it was a COA, the developer would have to pay.

In response to Councilor Traber's request for Mr. Young to repeat staff's proposed language, Mayor Manning clarified that what Mr. Young had proposed was a new COA #47.

Mr. Young said the proposed language he previously read did not address issues on Van Buren and Jackson. He re-stated the proposed new COA #47.

In response to Mayor Manning's inquiry, Mr. Young confirmed that in the wording staff proposed, any new traffic calming devices warranted in those areas would be paid for by the developer.

The amendment to the amendment to modify Development Related Concern L failed one to eight, with Councilor Brown supporting.

Concerning the amendment related to Merrie and Witham, Councilor Sorte said the last part of the amendment said "consistent with the Council Policy." As he understood it, the area would not get to a traffic calming level consistent with the policy unless Council spent more time on the matter. He said 250 cars going 30 mph will be hard to achieve

there, and 100 cars going 30 mph will be damaging to those neighborhoods. He said the Council needs to work on the matter and he encouraged Councilors to vote no.

The amendment to the motion concerning the addition of Van Buren and Jackson failed zero to nine.

Councilors Traber and Beilstein, respectively, moved and seconded to amend the motion to add a new COA #47 as proposed by staff.

Councilor Traber said he was assuming traffic calming would not be paid for by citizens because they are secondary effects of the development. Either the City or the applicant should cover the costs, and COA #47 should include that.

Mayor Manning recessed the meeting from 8:20 pm to 8:25 pm.

Councilor Traber said for traffic calming, the number of speeding cars required on a secondary street seems to be high. In response to his inquiry, Mr. Gescher recommended tying speeding vehicles to the 85th percentile speed that is quoted in the policy, rather than looking at vehicle volume.

In response to Councilor Hervey's inquiry about the Council Policy related to traffic calming, Mr. Gescher confirmed Council could include in their motion specific evaluation criteria to determine whether neighborhood streets were impacted. Mr. Gescher added that the volume of vehicles on streets is appropriate and even if it doubled, it would still be within an acceptable range. He said since those volumes already exceed what was specified in the policy, he suggested tying the criteria to vehicle speeds.

Councilor Sorte agreed speed was the issue. He expressed concern about the 85th percentile and said criteria in the Policy are too rigid for certain circumstances. Councilor Sorte suggested having Urban Services Committee review the issue.

Mayor Manning noted the amended motion before Council is to add a new COA #47 which would require the applicant to take traffic counts and pay for any warranted traffic calming devices.

The amendment to add COA #47 passed nine to zero.

Councilors Traber and Hirsch, respectively, moved and seconded to amend the amended motion to modify Development Related Concern O to include a sentence that bike lanes need to be added to Harrison Boulevard between 34th and 30th Streets per the Harrison Corridor strategy.

Councilor Traber explained his motion paralleled a concern he discussed earlier that Harrison is becoming a busier street, there are no bike lanes in that area, and the Harrison Corridor strategy discussed adding bike lanes when needed. He believed it was getting to that point, so he wanted to include it as a reminder if the five-year review had not yet been completed.

Councilor Sorte urged a no vote, noting he co-chaired the Harrison Corridor task force and he did not believe the underlying conditions had changed. When the strategy was

developed, the task force felt bicyclists had good alternative paths and there was a concern that widening Harrison to add bike lanes would increase speeds and damage the neighborhood.

Councilor Hervey said as a former bike commuter in that area, he used Polk and Van Buren Avenues when traveling east and west.

Councilor Brown said he supported Councilor Sorte's request for the Council to vote no. He said he was familiar with the Harrison Corridor study and the situation in the surrounding neighborhoods.

Councilor Beilstein said he will support the motion. As a DRC, the need for bike lanes would be considered, not required. He said bike facilities should be logical and he noted there were new trees growing in the area. Councilor Beilstein said he understood Councilor Sorte's wish to protect the neighborhood, but he also saw a strong need to complete efficiencies for bikes.

In response to Councilor Brauner's request, Councilor Traber re-stated his proposed amendment.

Councilor Hirsch said he will vote against the amendment, even though he seconded the motion, explaining that he wanted to hear the discussion about the matter. He was convinced by Councilor Sorte's sense of history and what could happen on Harrison as a result of adding bike lanes.

Councilor Hogg agreed with Councilor Sorte and said he would vote against the amendment.

The amendment to the motion failed two to seven, with Councilors Traber and Beilstein supporting.

Councilor Sorte said he would vote no on the main motion. He believed the open space discussion was a critical issue in approving the Comprehensive Plan change. He believed without that condition, the City was in a weaker position for the future.

Councilor York thanked staff and the Planning Commission for their work on the COAs. She said she would vote against the main motion. She acknowledged there was no such thing as a perfect project, but she did not believe this was a good project. The COAs did not go far enough and she had no hope of being able to figure out COAs to suggest except for the open space COA she proposed earlier.

Councilor Brauner noted Councilor Sorte's earlier statement that he felt the decision was made primarily on the open space question. Councilor Brauner said Councilor Sorte assumed that was the only consideration of those who voted on the other side. There were other factors which will be outlined in the findings, and the COAs that make it a better project go beyond the open space issue.

Based on the following roll call vote, the main motion concerning the Planned Development, as amended, passed five to four:

Ayes: Beilstein, Brauner, Traber, Hervey, Hirsch

Nays: Brown, Hogg, York, Sorte

Councilors Traber and Hervey, respectively, moved and seconded to approve the Subdivision request brought forth by the applicant on appeal, consistent with the City Council's decision to approve the Comprehensive Plan Amendment and Zone Change , and based upon the City Council's findings on this matter. This motion is based on findings and proposed conditions of approval in the August 23, 2013 staff report to the Planning Commission, as modified and recommended by the Planning Commission, and including the recommended staff changes (including Alternative Condition 14) as well as Conditions of Approval 45, 46, and 47 from the March 3, 2014 Memorandum from the Planning Division Manager to the Mayor and City Council. This motion is also based on findings presented by the City Council during their deliberations, subject to the adoption of Formal Findings at a subsequent City Council meeting.

Based on the following roll call vote, the motion concerning the Subdivision passed six to three:

Ayes: Beilstein, Brauner, Brown, Traber, Hervey, Hirsch

Nays: Hogg, York, Sorte

Mayor Manning noted staff will return with formal findings at a subsequent meeting.

## IX. STANDING COMMITTEE REPORTS AND ORDINANCES, RESOLUTIONS, AND MOTIONS

### A. Human Services Committee – February 18, 2014

#### 1. Social Services Semi-Annual Report

Councilor Beilstein said he was impressed with the amount and quality of work accomplished by local non-profits with assistance from the City.

Councilors Beilstein and York, respectively, moved and seconded to accept the Social Services Semi-Annual Report. The motion passed unanimously.

#### 2. Meeting Time Management

Councilor Beilstein said the Committee discussed balancing citizen testimony, discussions with staff, and completing the meeting in a timely manner. Councilor Beilstein said he believed achieving that balance is the responsibility of the Chair. Councilor York said the discussion was not a comment about the current Chair's meeting time management. She said the Committee also concluded that while time management is the primary responsibility of the Chair, any Committee member may ask to move the discussion along or suggest an alternative approach. She said the discussion was productive.

This item was presented for information only.

- B. Urban Services Committee – None
- C. Administrative Services Committee – February 25, 2014
  - 1. Neighborhood/Property Maintenance Code Program

Councilor Traber reported the Committee did not have their regularly scheduled meeting. Instead, a special meeting was held on February 25, 2014 to receive public comment regarding the proposed Neighborhood/Property Maintenance Code Program. Councilor Traber said minutes from that meeting will be included in the March 17, 2014 Council packet. The next step is to continue discussion at future Administrative Services Committee meetings.

This item was presented for information only.

- D. Other Related Matters
  - 1. Mr. Fewel read an ordinance amending Corvallis Municipal Code Chapter 5.06, “Prohibited Acts” and "Penalty" (smoking in transit shelters) as amended.

ORDINANCE 2014-02 passed unanimously.

- 2. City Attorney Fewel read a resolution authorizing staff to apply for a Land and Water Conservation Fund grant for improvements to Martin Luther King, Jr. Park and Walnut Barn.

Councilors Sorte and Brown, respectively, moved and seconded to adopt the resolution.

RESOLUTION 2014-08 passed unanimously.

#### X. MAYOR, COUNCIL, AND STAFF REPORTS

- A. Mayor's Reports - None.
- B. Council Reports

Councilor Brown referenced an email from College Hill Neighborhood Association President Gary Angelo (Attachment E). In response to Mr. Angelo's request for information, Councilor Brown asked staff to provide traffic counts for NW Jackson Avenue, between NW 35th Street and Arnold Way. A response will be provided as a Council Request Follow-up.

Councilor Brown referenced his March 3, 2014 memo to Council (Attachment B). He said OSU had begun discussions on the Campus Master Plan (CMP) update and he said it was an opportunity for the City, as changes to the CMP will involve revisions to the Land Development Code. He asked the topic be added to the list of items for future Council work sessions. In response to Councilor York's inquiry, Councilor Brown said he discussed the memo with the City Attorney and was advised the issues he raised were within the Council's legal authority. Councilor Brown said it was important to note that

the CMP will soon expire and without Council approval of an update, campus plans would be placed on hold. Councilor York said she would have some direct questions about the topic and she asked one of the City Attorneys be present at the work session. Council agreed the topic should be discussed at a future work session.

Councilor Sorte reported he canvassed neighborhoods in his ward rather than signing up for Government Comment Corner (GCC). He said the approach resulted in him reaching more people and those he spoke to do not attend GCC. Councilor Sorte said due to work schedule conflicts, he had missed some Citizens Advisory Commission on Transit meetings; his schedule changes in April, so he will begin attending again. In response to Councilor Sorte's inquiry, Councilor Hogg confirmed his accordion band group "Accordioso" will be at the Old World Deli on Friday, March 14 at 7 pm. The event is free and open to the public.

Councilor York thanked the Brooklane Neighborhood Association, Parks and Recreation staff, Friends of Parks and Recreation, and artisan musicians who are raising money to replace the Marys River boardwalk. She noted the current situation in Ukraine and said her thoughts are with those in Corvallis' Sister City Uzhhorod.

Councilor Hervey reported on a Smart Growth Conference he and Councilor Traber attended in Denver, Colorado. Discussions at the conference made him realize that comprehensive plans are not just about land use and it could be a useful part of the Vision update. He noted a presentation about considering taxes per acre when looking at compact urban development, which gave him a different perspective on the importance of a vibrant downtown. Councilor Hervey said passage of the Jobs Act resulted in changes to regulations for local investing; residents can now contribute financially toward a project.

Councilor Traber agreed with Councilor Hervey's comments about the Smart Growth Conference. He said beyond the dollar value per acre, he also gained an understanding of the fiscal impacts of developments when considering compliance with land use codes. He said he walked away with many action items for himself. Councilor Traber commented about how the changes to allow local investing will give people a greater sense of buy-in to what is being built here. He thanked Library employee RuthRose Hennessey for being a translator at the February 25 Administrative Services Committee meeting when the originally scheduled translator was unable to attend due to a family emergency. Councilor Traber encouraged attendance at the March 10, 2014 Sustainability Town Hall.

C. Staff Reports

Mr. Patterson recognized the OSU Women's Basketball Team's 21-9 season finish, noting they are playing in a tournament in Seattle. He commended the student athletes and also recognized the OSU Wrestling Team for winning the Pacific 12 Conference.

XI. NEW BUSINESS – None.

XII. PUBLIC HEARINGS – None.

XIII. ADJOURNMENT

The meeting adjourned at 9:08 pm.

APPROVED:

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY RECORDER

*Don't miss the sustainability event of the year!*



## **Sustainability Fair & TOWN HALL 2014**

**Monday, March 10, 2014**

5:00 to 7:00 pm – Fair (Exhibits & Snacks)

7:00 to 9:00 pm – Meeting & Action

OSU Campus • CH2MHill Alumni Center • 725 SW 26<sup>th</sup> St.

\*\*\*\*\*

**KEYNOTE SPEAKER: Vicki Robin, Author**

*Your Money or Your Life & Blessing the Hands That Feed Us*

\*\*\*\*\*

*HELP MAKE THIS A MODEL SUSTAINABLE EVENT!*

*(See other side to find out how...)*

*All are welcome, but space is limited!*

**Register online by March 5 at [www.sustainablecorvallis.org](http://www.sustainablecorvallis.org)**

**YOU can help make the Sustainability Fair and  
Town Hall Meeting a model event!**

Just follow these simple practices:

- **Use energy-efficient transportation** – Walk, bike, carpool, or take the bus to the event. Bike racks are on the north side of the Alumni Center and on the northwest side of LaSells Stewart Center. For bus routes, see [www.corvallistransit.com](http://www.corvallistransit.com).
- **Leave no trace** – Bring only recyclable, compostable, or reusable items with you to the event. (Example: Bring your own water bottle or mug.) There will be NO trash cans on site!
- **Turn trash to treasure** – Place recyclable and compostable items in the proper receptacles. We will have staffed recycling stations. (Please let us know if you can help with staffing.)

*Thank you for being part of the solution!*

For information or to volunteer:

[www.sustainablecorvallis.org](http://www.sustainablecorvallis.org)  
[info@sustainablecorvallis.org](mailto:info@sustainablecorvallis.org) • 541-230-1237

**To: Corvallis City Council**  
**From: Dan Brown**

**March 3, 2014**

**Subject: Opportunity to Prepare for the Campus Master Plan Update**

OSU has plans afoot to revise its *Campus Master Plan*. The *CMP* will soon expire, and when it does, a *CMP update will be required* [LDC Section 3.36.30.05]. Otherwise, campus development would be on hold until the new *CMP* is adopted by the City Council.

Although some may see the *CMP* merely as a planning tool for the University, it is also very important to the City of Corvallis. The *CMP* will influence City legislation, through the revision of the City's *Land Development Code*. **Chapter 3.36 - OREGON STATE UNIVERSITY ZONE** is unique in the LDC. On one hand, it demonstrates the tremendous impact that a single entity can have on the City of Corvallis. On the other hand, it grants OSU unique standards and streamlined processes for development which are not available to off-campus developers.

We know the City Council will be responsible for creating and approving changes to LDC 3.36. Today, we have plenty of lead time to prepare proactively for a comprehensive review. If the Council waits until the topic is on the Community Development calendar, we may act in haste, under the gun for a 120 day land use deadline.

For example, consider the stated purpose of the OSU Zone in light of recent Council discussions of housing, parking, and transportation:

**LDC Section 3.36.10 - PURPOSE** - *The OSU Zone implements the provisions in OSU's 2004-2015 Campus Master Plan, which is the blueprint for campus development over the next decade. The purpose of the OSU Zone is to:*

- *Ensure adequacy of public utilities, parking, and transportation facilities;*
- *Ensure compatibility of University development with surrounding areas;*
- *Encourage coordination between the University and the City of Corvallis, especially in the areas of land use planning and reviewing campus development.*

First, it is important in City legislation that the Council feels that this list is what we want for the next decade. Should the language be tweaked, enhanced, or expanded? Second, it is important that the Council creates code language which really implements the stated purposes and implements the *Comprehensive Plan*. For example, does **Section 3.36.50.08 - Parking Improvements** achieve Council goals for the City? The Council has a once-in-a-decade opportunity to create new processes for monitoring and to create stronger measures for remediation.

Ultimately, I propose that the Council create a list of expectations concerning what the City Council would like to see in the new *CMP*. This list would: (1) be shared with OSU to guide them fairly in their preparation, (2) be shared with the Planning Commission to guide them in their evaluation of the new document, and (3) be used as standards by the Council to evaluate the final product.

The revision of LDC 3.36 is of utmost importance to the City of Corvallis, and it certainly deserves some Council work sessions. Councilors should familiarize themselves about what happened back in 2004 (before most sitting Councilors were elected), and they should review the City's decade of experience with the 2004-2015 *CMP*.

ATTACHMENT B

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## MEMORANDUM

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**To:** Mayor and City Council  
**From:** Kevin Young, Planning Division Manager  
**Date:** March 3, 2014  
**Subject:** Campus Crest – Motions for Decisions on the Planned Development and Subdivision, along with Planning Commission Recommended Conditions, with some additional recommended changes by staff (PLD13-00003 and SUB13-00001)

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Below are potential motions for your consideration regarding the proposed Campus Crest Planned Development and Subdivision. Separate Council action is required for each request. Option D would move approval of the attached list of conditions, as recommended by the Planning Commission, with some additional recommended changes by staff. Planning Commission changes are reflected with double underline for new language, and ~~strikeout~~ for deleted language. Additional language proposed by staff, including new conditions 45 and 46, is reflected by highlighted text:

### Requested Action – Conceptual and Detailed Development Plan (Planned Development)

#### Motions for Consideration:

##### Option A:

I move to uphold the Planning Commission's decision to deny the Planned Development request (PLD13-00003) based on the City Council's findings in deliberation on the Planned Development request, subject to the adoption of Formal Findings at a subsequent City Council meeting.

##### Option B:

I move to approve the Planned Development request (PLD13-00003) brought forth by the applicant on appeal, consistent with the City Council's decision to approve the Comprehensive Plan Amendment (CPA11-00002) and Zone Change (ZDC11-00005), and upon the City Council's findings on this matter. This motion is based on findings and proposed conditions of approval in the August 23, 2013, staff report to the Planning Commission, and findings presented by the City Council during their deliberations, subject to the adoption of Formal Findings at a subsequent City Council meeting.

##### Option C:

I move to approve the Planned Development request (PLD13-00003) brought forth by the applicant on appeal, consistent with the City Council's decision to approve the Comprehensive Plan Amendment (CPA11-00002) and Zone Change (ZDC11-00005), and upon the City Council's findings on this matter. This motion is based on findings and proposed conditions of approval (as modified by the City Council) in the August 23, 2013, staff report to the Planning Commission, and findings presented by the City Council during their deliberations, subject to the adoption of Formal Findings at a subsequent City Council meeting.

ATTACHMENT C

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**Option D:**

I move to approve the Planned Development request (PLD13-00003) brought forth by the applicant on appeal, consistent with the City Council's decision to approve the Comprehensive Plan Amendment (CPA11-00002) and Zone Change (ZDC11-00005), and based upon the City Council's findings on this matter. This motion is based on findings and proposed conditions of approval in the August 23, 2013, staff report to the Planning Commission, as modified and recommended by the Planning Commission, and including the recommended changes by staff (including Alternative Condition 14) from the March 3, 2014, Memorandum from the Planning Division Manager to the Mayor and City Council. This motion is also based on findings presented by the City Council during their deliberations, subject to the adoption of Formal Findings at a subsequent City Council meeting.

**Requested Action – Subdivision**

**Motions for Consideration:**

**Option A:**

I move to uphold the Planning Commission's decision to deny the Subdivision request (SUB13-00001) based on the City Council's findings in deliberation on the Subdivision request, subject to the adoption of Formal Findings at a subsequent City Council meeting.

**Option B:**

I move to approve the Subdivision request (SUB13-00001) brought forth by the applicant on appeal, consistent with the City Council's decision to approve the Comprehensive Plan Amendment (CPA11-00002) and Zone Change (ZDC11-00005), and upon the City Council's findings on this matter. This motion is based on findings and proposed conditions of approval in the August 23, 2013, staff report to the Planning Commission, and findings presented by the City Council during their deliberations, subject to the adoption of Formal Findings at a subsequent City Council meeting.

**Option C:**

I move to approve the Subdivision request (SUB13-00001) brought forth by the applicant on appeal, consistent with the City Council's decision to approve the Comprehensive Plan Amendment (CPA11-00002) and Zone Change (ZDC11-00005), and upon the City Council's findings on this matter. This motion is based on findings and proposed conditions of approval (as modified by the City Council) in the August 23, 2013, staff report to the Planning Commission, and findings presented by the City Council during their deliberations, subject to the adoption of Formal Findings at a subsequent City Council meeting.

**Option D:**

I move to approve the Subdivision request (SUB13-00001) brought forth by the applicant on appeal, consistent with the City Council's decision to approve the Comprehensive Plan Amendment (CPA11-00002) and Zone Change (ZDC11-00005), and based upon the City Council's findings on this matter. This motion is based on findings and proposed conditions of approval in the August 23, 2013, staff report to the Planning Commission, as modified and recommended by the Planning Commission, and including the recommended changes by staff (including Alternative Condition 14) from the March 3, 2014, Memorandum from the Planning Division Manager to the Mayor and City Council. This motion is also based on findings presented by the City Council during their deliberations, subject to the adoption of Formal Findings at a subsequent City Council meeting.

**Conditions of Approval Recommended by the Planning Commission,  
with Supplemental Conditions and Revisions Recommended by Staff**

(Changes proposed by the Planning Commission are indicated by double underline and ~~strikeout~~. Staff-Recommended Supplemental Conditions and Revisions indicated by **Highlighted Text**):

Cond#	CONDITION
1	<b><u>Consistency with Plans</u></b> – Development shall comply with the narrative and plans identified in <b>Attachment N</b> , except as modified by the conditions below, or unless a requested modification otherwise meets the criteria for a Minor Planned Development Modification. Such changes may be processed in accordance with Chapter 2.5 of the LDC.
2	<b><u>Lighting</u></b> – Prior to issuance of building permits for on-site lighting, and issuance of Public Improvement Under Private Contract (PIPC) Permits for development, the applicant shall submit lighting plans which demonstrate that site or public street lighting shall comply with the site and street lighting requirements of LDC Section 4.2.80.
3	<b><u>Signage</u></b> – All future signage on the site shall comply with the requirements of LDC Chapter 4.7 – Sign Regulations. Sign permits shall be obtained, where required.
4	<p><b><u>Landscaping</u></b> – The following landscaping provisions shall apply to overall development of the site:</p> <p><b><u>Landscape and Irrigation Plans</u></b> – 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 shall be consistent with the Conceptual Landscape Plan submitted with this application (applicant’s <b>Attachment N</b>).</p> <p>Submitted Landscape Plans shall include the following elements:</p> <p>a. The applicant’s requested variation to the LDC’s street tree spacing requirements to accommodate fire access needs, resolve conflicts with necessary utility locations, and address landscape requirements adjacent to streets through protected resource areas is approved, as generally depicted on Sheets P9.1 – P9.3 from <b>Attachment N</b>. As a compensating benefit for the requested variation, the applicant shall provide at least 696 trees to be planted on the site, to be generally consistent with locations shown on the Conceptual Landscaping Plans in <b>Attachment N</b>. Trees shall be a minimum 2-inch caliper size and submitted landscape plans shall number trees to demonstrate compliance with this requirement.</p> <p>b. Landscape plans shall show that portions of streets that will pass through protected vegetation, wetland, and riparian areas will be constructed with curbside sidewalks with no planted area to the outside of the sidewalk (unless approved through a future restoration plan reviewed by Community Development Staff).</p> <p>c. Landscape plans shall demonstrate that outdoor components associated with heat</p>

	<p>pumps and similar equipment are screened in accordance with the requirements of LDC 3.6.30.k, where applicable.</p> <p>d. Landscape plans shall demonstrate compliance with the Green Area requirements of LDC Section 3.6.50.</p> <p>e. <del>Prior to issuance of an occupancy permit for the final residential building on the site,</del> <u>Within one year of issuance of an occupancy permit for the first residential building on the site,</u> the applicant shall re-vegetate the 420 lineal feet along the riparian corridor within the site that is currently without adequate vegetation. Prior to installation, the applicant shall submit a re-vegetation plan to Development Services Staff to ensure consistency with LDC Section 4.13.50.d. Prior to final acceptance of the installation, the developer shall provide a financial guarantee to the City, for a period of five years, and consistent with the procedures identified in LDC Section 4.2.20.</p> <p>f. Landscape plans shall be coordinated with PIPC plans and other improvements through the development of a “streetscape plan” as a component of applicable PIPC permits. Landscape plans shall be consistent with LDC Section 4.2.30.b –Areas Where Trees May Not be Planted.</p> <p><u>Installation</u> – All required landscaping and related improvements on the 24.6 acre apartment development site 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 applicant’s submitted landscape plans shall include a phasing plan for landscape improvements associated with each building, to be reviewed and approved by City Staff, to ensure that all required landscaping is in place with each phase and throughout the development site. 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><u>Three-Year Maintenance Guarantee Release</u> - 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>
5	<p><b><u>Development Size</u></b> – As requested by the developer, the approval of the DDP is limited to a maximum of 296 dwelling units as stated on Page 2 of the application for the CPA and ZDC. This requested condition serves to limit potential off-site traffic impacts consistent with OAR 660-012-0060 (2) (e) and (3).</p>

6	<b>Issuance of Building Permits</b> – Consistent with LDC section 4.0.20 and council policy CP91-7.04, no building permits for foundations or structures shall be issued until all public improvements required for the approved development are complete and accepted by the City Engineer.
7	<b>Sidewalk Improvements</b> – Sidewalks shall be installed consistent with the applicant’s plan and LDC section 4.0.30 including timing of installation. In order to ensure safe and convenient pedestrian passage, and to satisfy the City’s “to and through” policies, necessary connections to existing sidewalks, including the sidewalk along the north side of NW Harrison Boulevard, shall be extended and connect with the proposed pedestrian facilities within and along the site frontages.
8	<b>Marked Crosswalks in the Public ROW</b> - The City has a Council Policy (CP91-9.01) on when crosswalks should be marked. Any crosswalks shown not meeting that policy in the public ROW will need to be removed from the PIPC construction plans.
9	<b>Multi-use Paths</b> – All multi-use paths identified on the plans shall be paved and 12-foot wide. Paving materials for public multi-use paths shall be concrete Per LDC section 4.10.70.03.
10	<b>Sidewalk maintenance</b> - Maintenance of all private sidewalks and multi-use paths, and sidewalks within public access easements, shall be the responsibility of the property owner.
11	<b>Transit Facilities</b> – Prior to issuance of an occupancy permit for the first residential building on the site, transit shelter easements and standard concrete shelter pads shall be provided along NW Circle Boulevard. The exact locations and dimensions of transit shelter pads shall be determined as part of the public improvement plan review. All right-of-way dedications or easements for transit facilities shall be shown on the final plat.
12	<b>Witham Hill Dr. and Circle Blvd. 4-way Stop</b> - The intersection of Witham Hill Dr. and Circle Blvd. shall be reviewed after construction of NW Circle Blvd. and prior to the end of the warranty period for public improvements including Circle Blvd. The developer’s traffic engineer shall provide an update to the Mitigation Alternative Study for Circle Blvd. and Witham Hill Dr. intersection based on MUTCD standards for multi-way stop applications. If upon review of the study, the City Engineer determines stop signs should be installed, City Crews will install the stop signs and associated striping and the developer will be billed for the cost of installation.
13	<b>Private Streets</b> - A private maintenance agreement with enforcement provisions to ensure maintenance for this facility shall be established in accordance with LDC section 4.0.60.d.
14	<b>NW Harrison Boulevard Street Improvements</b> - A permit for public improvements will be required from the County for improvements to NW Harrison Blvd. Typically the County will default to City Standards within the UGB. City and County staff have discussed the improvements along NW Harrison Blvd. and improvements proposed by the applicant are consistent with City and County standards. Improvements to NW Harrison should include: 12-foot travel lanes, a 12-foot continuous center turn lane, 6-foot bike lanes, standard curb and gutter on the north side, a 12-foot planter strip on the north side (except where curbside due to natural features), and a 12-foot wide multiuse path. A turn lane shall be provided for east bound traffic at NW Circle Blvd. <del>The County may require a median in the area where the existing Circle Blvd. path connects to Harrison Blvd.</del> <u>The Applicant shall install a continuous center median allowing for site</u>

	<u>accesses and street intersections on Harrison Blvd., as approved by Benton County.</u>
14 (Alternative Condition)	<b>NW Harrison Boulevard Street Improvements</b> - A permit for public improvements will be required from the County for improvements to NW Harrison Blvd. Typically the County will default to City Standards within the UGB. City and County staff have discussed the improvements along NW Harrison Blvd. and improvements proposed by the applicant are consistent with City and County standards. Improvements to NW Harrison should include: 12-foot travel lanes, a 12-foot continuous center turn lane, 6-foot bike lanes, standard curb and gutter on the north side, a 12-foot planter strip on the north side (except where curbside due to natural features), and a 12-foot wide multiuse path. A turn lane shall be provided for east bound traffic at NW Circle Blvd. The Applicant shall install a continuous center median allowing for site accesses and street intersections on Harrison Blvd. in lieu of a continuous center turn lane, as approved by Benton County. Any median shall be designed to accommodate a future signal at the intersection of Circle Blvd. and Harrison Blvd.
15	<b>NW Circle Boulevard Street Improvements</b> - NW Circle Boulevard shall be constructed to full City standards from its terminus at the site's northern property boundary, south through the site, to the intersection with NW Harrison Boulevard. Proposed cross-sections are shown on sheet P5.5 and generally include: a 5-foot sidewalk and a 12-foot planter strip on the west side (except where there are curbside sidewalks due to natural features), 6-foot bike lanes, 10-foot travel lanes, and a 12-foot planter strip and a 12-foot multi-use path on the east side. A 10-foot wide turn lane shall be provided on Circle Blvd at Street 'A', and at Harrison Blvd. Where access is needed adjacent to the storm drainage tract H, parking for maintenance vehicles is provided. Any proposed re-alignments of NW Circle Boulevard shall be considered a <b>Major Modification</b> due to potential infringement on existing wetlands.
16	<b>Local Street Improvements</b> - All local streets shall be constructed to City standards, unless otherwise approved with this application. The East-West local street has been approved to be constructed to a local connector street standard.
17	<b>Street Lights</b> – Consistent with LDC section 4.0.60.r, the applicant shall provide an engineered design for street light installation, obtain appropriate electrical permits from Development Services Division, and install the street light system concurrent with public improvements. See also Condition #2.
18	<b>Public Improvements</b> – Public improvements shall be constructed in a single phase. In accordance with LDC 4.0.60.e and LDC 4.0.70, all development sites shall be provided with access to a street, public water, sanitary sewer, storm drainage, and street lights. Any plans for public improvements referenced within the application or this staff report shall not be considered final engineered public improvement plans. Prior to issuance of any structural or site utility construction permits, the applicant shall obtain approval of, and permits for, engineered plans for public improvements by private contract (PIPC) from the City's Engineering Division per LDC section 4.0.80. The applicant shall submit necessary engineered plans and studies for public utility and transportation systems to ensure that adequate street, water, sewer, storm drainage and street lighting improvements are provided. Street signs and curb markings will be reviewed and approved with the PIPC plans. Final utility alignments that maximize separation from adjacent utilities and street trees shall be engineered with the plans for public improvements in accordance with all applicable LDC criteria and City, DEQ and Oregon Health Division requirements for utility separations. As part of the public improvement

	plans, the applicant shall include a “streetscape” plan that incorporates the following features: composite utility plan; street lights; proposed driveway locations; vision clearance triangles for each intersection; street striping and signing (in conformance with the MUTCD); and proposed street tree locations. Public improvement plan submittals will be reviewed and approved by the City Engineer under the procedures outlined in Land Development Code Section 4.0.80.
19	<b>Slopes Adjacent to the ROW</b> – Slopes adjacent to the ROW shall not exceed the slopes shown in the City’s Standard Detail 101, Typical Street Sections, from the City of Corvallis Standard Construction Specifications. Retaining walls in or adjacent to the ROW will not be allowed unless approved by the City Engineer.
20	<b>2<sup>nd</sup> Level Waterline</b> - The applicant shall install a minimum 16-inch waterline within the NW Circle Blvd. extension and new local street ‘A’. The 16-inch line in public street ‘A’ shall extend to the western property line. A 12-inch second level waterline shall loop from the 16-inch waterline in NW Circle Blvd. to the existing 2 <sup>nd</sup> level waterline in NW Elizabeth. The final location of the waterlines will also need to account for tree plantings to avoid conflicts.  If appropriate easements are not available to loop the 2 <sup>nd</sup> level NW Circle Boulevard waterline to the NW Elizabeth Place waterline, the applicant shall extend the NW Circle Boulevard waterline south to the intersection with the existing City easement adjacent to the Beit Am property, and a flushing station shall be installed at this terminus that contains a meter service, a backflow prevention system, and connection to the public sewer system on NW Harrison Boulevard. The looping of the waterline and/or installation of the flushing station shall be constructed concurrent with development as determined by the City Engineer.
21	<b>Private Storm Drainage and Sanitary Sewer</b> - Installation of the private storm drainage system and sanitary sewer will be subject to permitting through the City’s Development Services Division. It will also need to be shown on the PIPC plans to evaluate how the public and private systems work together. A private maintenance agreement with enforcement provisions to ensure maintenance of private storm drainage and sanitary sewer facilities shall be established in accordance with LDC sections 4.0.70.f and 4.0.60.d prior to permitting these improvements or submitting the final plat. The private storm drain sanitary sewer lines shall have a private “joint and several” maintenance easement that will allow lot owners access for maintenance purposes over the entire line.
22	<b>Sewer Extension in NW Harrison Blvd.</b> – To comply with LDC 4.0.70.c and 4.0.70.d, with development of the property it shall be demonstrated that the extension of sewer through the property provides adequate depth to provide service to the adjacent property to the west (OSU). If the sewer shown in public street ‘A’ is not adequate to serve the entire property (especially the existing structures) a minimum 8-inches diameter sewer shall be extended from the current sewer in NW Harrison Blvd. If the adjacent property is served by an extended sewer in Harrison, sewer in public street ‘A’ would not need to provide service to the adjacent property.
23	<b>Maintenance Access to Public Facilities</b> - Access structures and appropriate access easements shall be provided for all public sewer and stormwater manholes, detention, and water quality facilities not located in public right-of-way. Access structures shall be all-weather, minimum 15' wide, and capable of supporting 60,000 pound maintenance vehicles. The access structures shall extend to within 10' of all manholes, with no more

	<p>than a 15' back-up length, unless otherwise approved by the City Engineer.</p>
<p>24</p>	<p><b><u>Off-site Stormwater Drainage and Easements</u></b> - Development-generated stormwater runoff from the site shall not be allowed to cross private property without appropriate easements from impacted property owners. OSU owns property downstream of the proposed development site which is located in Benton County outside the City limits. The following procedure shall be followed for off-site drainage easements:</p> <p><u>Applicants Shall Describe the Existing Drainage Situation.</u> A physical description of drainage features from the development site downstream to the first existing public facility should be provided. Information on the presence or absence of a defined channel, the extent of the presence of water in the system, the type of vegetation and its tolerance for hydrological changes, the type of land uses being employed, groundwater characteristics, and any other relevant physical characteristic should be provided. (A known hydrological change caused by development is an increase in dry season flows due to irrigation and/or intercepted groundwater.)</p> <p>A discussion of the existing drainage legal situation should also be provided. A list of downstream property owners and any known storm drainage easements or other access rights should be provided. Any previous disputes should be documented.</p> <p><u>Applicants Shall Make a Good Faith Effort to Obtain Easements.</u> Written and personal contact should be made with affected downstream property owners and documentation furnished to the City. If objections are raised, resolution alternatives should be considered. Compensation offers should be made based upon easement fair market value established by professional appraisals. Physical improvements to the drainage system could be considered. Benefits associated with an established public drainage system in the area could be discussed. Existing drainage problems could be resolved.</p> <p>If it is demonstrated that easements cannot be obtained as described above, the following conditions shall be met:</p> <p><u>Applicants Shall Engineer Solutions to Minimize Downstream Impacts.</u> Features such as detention, infiltration, water conserving landscaping (no automatic irrigation systems), minimal impervious area, commitments to low impact weed and pest control, water quality treatment, or other applicable solutions should be considered. These solutions shall be prepared by a registered professional engineer and conform as closely as possible to criteria contained in the City of Corvallis Stormwater Master Plan and King County Surface Water Design Manual.</p> <p><u>Drainage Facilities Shall Remain Private.</u> Any drainage facility installed under this process without public easements shall remain private in perpetuity.</p> <p><u>Applicants Shall Indemnify the City of Corvallis.</u> The applicant shall provide an indemnification and hold harmless agreement acceptable to the City Attorney's Office protecting the City of Corvallis, its officers, employees, volunteers and agents against any drainage related action, claim for injury or damage and all loss, liability, cost or expense, including court costs and attorney fees, growing out of or resulting directly or indirectly from construction, installation, operation and maintenance of the land division and</p>

	<p>subsequent development. This indemnification shall be a covenant running with the land, and shall be binding upon the Owner and Owner's heirs, executors, administrators, successors, assigns, lessees, sub-lessees, tenants and sub-tenants forever.</p> <p><u>Applicant's Attorney Shall Provide Legal Opinion.</u> The applicant's attorney shall provide a written legal opinion that the proposed approach is consistent with Oregon water law.</p> <p><u>City May Consider Condemnation.</u> On a case-by-case basis, City staff may present the Corvallis City Council with a recommendation to pursue condemnation of the public drainage easements. It is expected that this would be an unusual situation based on a demonstrated high degree of public benefit and/or risk.</p>
25	<p><b>Franchise Utilities</b> - Prior to issuance of public improvement permits, the applicant shall submit, as part of the public improvement plan set, an overall site utility plan that shows existing and proposed franchise utility locations, including vaults, poles and pedestals. The proposed franchise utilities shall conform to requirements outlined in the LDC section 4.0.90 including provision of appropriate utility easements. The applicant shall provide confirmation the franchise utilities have reviewed these plans prior to review by the City.</p>
26	<p><b>Franchise Utility Easements</b> - According to LDC Section 4.0.100.b, a minimum 7-foot Utility Easement (UE) is required adjacent to all street ROWs and shall be shown on the plat.</p>
27	<p><b>Right-of-Way Dedication</b> - The applicant shall dedicate additional right-of-way as needed along the south and east edges of the property to construct Circle Boulevard and NW Harrison Boulevard as proposed in the plans. Approval for the right-of-way dedications for NW Circle Boulevard and NW Harrison Boulevard shall be obtained prior to authorization of plans for public improvements. The applicant shall also dedicate a minimum of 50 feet of right-of-way along all public local streets. The final plat shall include all right-of-way dedications. As part of the Public Improvements process, the applicant shall demonstrate that the proposed right-of-way widths will be feasible to construct all streets as proposed in the plans without impinging on adjacent properties or impacting wetlands beyond what is necessary to provide a functional transportation system.</p>
28	<p><b>ROW Dedication/Easements</b> - Per LDC Section 4.0.100.f, any easements or ROW dedications shall be shown on the plat. Easements for water, sewer, and storm drainage shall be provided for facilities located outside the ROW. Minimum easement width shall be per LDC section 4.0.100.a. An environmental assessment for all land to be dedicated must be completed in accordance with LDC Section 4.0.100.g.</p>
29	<p><b>Storm Water Quality and Detention Design</b> - All storm water quality and detention facilities shall be designed consistent with criteria outlined in Appendix F of the City's Storm Water Master Plan, and criteria outlined in the King County Surface Water Design Manual. As per King County criteria, if side slopes steeper than the standard 3H:1V are proposed, or if embankment heights exceed 6 feet, they shall be designed by a licensed geotechnical engineer. As part of the plans for public improvements, the applicant shall provide engineered calculations for pre-development and post-development peak storm water run-off flows, and demonstrate that all storm drainage facilities are designed to match pre and post development flows up to the 2, 5, and 10-year storm events. Design of all detention and water quality facilities shall be performed by a qualified licensed professional engineer and shall be subject to the review and approval of the City</p>

	Engineer.
30	<b><u>Storm Water Quality and Detention Facility Landscaping</u></b> - The design for the storm water quality and detention facilities shall include a landscape plan that details all landscaping essential to ensure the proper function of the detention and water quality facilities. This functional landscape plan shall be submitted as part of the plans for public improvements. The applicant shall see that all associated functional landscaping associated with the storm water quality and detention facilities be installed, or that appropriate erosion and sediment control measures are in place, prior to any paving activity on the development site. All detention and water quality facilities landscaping shall be consistent with City and King County criteria, and shall be designed prior to acceptance of the public improvement plans. All water quality and detention landscaping shall be designed and approved by a qualified landscape architect.
31	<b><u>Maintenance of Storm Water Quality and Detention Facilities</u></b> - The applicant shall provide a stormwater maintenance plan (in accordance with City and King County criteria), and a stormwater facilities agreement (in accordance with City criteria) for the realigned portion of the NW Circle Boulevard drainageway. Because the water quality facilities are an integral component of the wetland preservation plan and the detention facilities are in close proximity and/or located within wetland mitigation areas, the warranty period shall be coincident with the wetland mitigation monitoring plan time frame, or two years from acceptance, whichever is longer.
32	<b><u>Private Stormwater Detention</u></b> - Concurrent with development, stormwater detention shall be implemented. The storm water detention facilities shall be designed consistent with both criteria outlined in Appendix F of the Storm Water Master Plan, and criteria outlined in the King County, Washington, Surface Water Design Manual, and should be designed to capture and release run-off so the run-off rates from the site after development do not exceed the pre-developed conditions, based on the 2-year, 5-year, and 10-year, 24-hour design storms. Installation of the private storm drainage system will be subject to permitting through the City's Development Services Division. The use of pervious pavements may reduce the contributing area used in the detention volume calculations. A private maintenance agreement with enforcement provisions to ensure maintenance for this facility shall be established in accordance with LDC sections 4.0.70.f and 4.0.60.d.
33	<b><u>Standards for Off-street Parking and Access</u></b> – Per LDC section 4.1.40, a permit from the Development Services Division will be required to construct parking, loading, and access facilities and installation of the parking lot will need to be consistent with the City's Off-Street Parking and Access Standards.
34	<b><u>NW Circle Boulevard Drainageway</u></b> - As part of the plans for public improvements, the applicant shall include a detailed plan for realignment of the NW Circle Boulevard drainageway where it conflicts with the NW Circle Blvd. extension consistent with the Stormwater Maintenance Plan and the King County criteria. At a minimum, this plan shall address re-establishment of vegetation, shading, facilitation of drainageway migration, and water quality protection for the wetlands consistent with DSL requirements and approval. The sidewalk in this area may be located curbside to avoid creek crossings and to minimize impacts to the drainageway and grading.
35	<b><u>Drainageway Easements and Maintenance</u></b> - As part of the plans for public improvements, the applicant shall provide a drainageway easement along the entire length of the NW Circle Boulevard drainageway, except where it is public ROW. The

	<p>drainageway easement shall be consistent with Land Development Code criteria in table 4.13-2 and the City's Drainage Master Plan. The applicant shall provide a stormwater maintenance plan (in accordance with King County criteria), and a stormwater facilities agreement (in accordance with City criteria) for the realigned portion of the NW Circle Boulevard drainageway. Because preservation of this drainageway is an integral component of the wetland preservation plan, the warranty period shall coincident with the wetland mitigation monitoring plan time frame, or two years from acceptance, whichever is longer. The drainageway easement shall be recorded with the final plat for the first phase of development.</p>
36	<p><b><u>Drainageway signs</u></b> - Public improvement plans shall delineate the drainageway easement and shall denote locations for installation of the City's standard "Riparian Area" protection/informational signs. The signs shall be purchased and installed by the developer concurrent with the installation of the public improvements.</p>
37	<p><b><u>Other Agency Permits</u></b> – All other agency permits necessary to determine final design of the PIPC Plans such as Department of State Lands, Corps of Engineers, and Department of Environmental Quality shall be obtained and a copy provided to the City prior to authorization of the PIPC plans. Substantial revisions to the plans due to State requirements may require a Planned Development Modification as determined by the Community Development Department.</p>
38	<p><b><u>Unassigned Parking</u></b> – In accordance with LDC Section 4.1.20.k, the applicant shall maintain at all times at least 113 unassigned automobile parking spaces (15% of required) and 96 unassigned bicycle parking spaces (15% of required), located such that they are available for shared use by all occupants within the development. If necessary, signage, striping, or other means shall be used to differentiate unassigned parking from assigned parking areas.</p>
39	<p><b><u>Windows and Doors</u></b> – The applicant shall demonstrate, at the time of building permit submittal, that all facades of all proposed buildings facing streets, sidewalks, and multi-use paths on the site shall contain a minimum area of 15 percent windows and/or doors, consistent with the requirements of LDC Section 4.10.60.01.c. Adjustments to submitted building designs are allowed to the extent necessary to comply with this requirement.</p>
40	<p><b><u>Recesses and Extensions</u></b> – The applicant shall demonstrate, at the time of building permit submittal, that all buildings comply with the standards in LDC Section 4.10.60.04.b.2. Adjustments to submitted building designs are allowed to the extent necessary to comply with this requirement.</p>
41	<p><b><u>Conservation Easement</u></b> – In conjunction with final plat approval, the applicant shall record a conservation easement, consistent with the requirements of LDC Section 4.12.60.a.2, to protect the trees within all Highly Protected Significant Vegetation Areas on the site that will not be impacted by the extension of Circle Blvd.</p>
42	<p><b><u>Geotechnical Report</u></b> – Prior to issuance of Excavation and Grading Permits on the site, for either public or private improvements, the applicant shall submit a geotechnical report addressing all issues raised in the applicant's Preliminary Site Assessment Report.</p>
43	<p><b><u>Final Plat</u></b> – To finalize ROW Dedication and ensure the establishment of necessary easements, tracts, and lots within the development, the applicant shall record the Final Plat for the requested subdivision prior to issuance of building permits for any apartment building on the subject site. The plat shall include all proposed trail easements, conservation easements, and other elements, as proposed by the applicant.</p>
44	<p><b><u>Fire Sprinkler Systems</u></b> – Per developer's proposal and agreement, all of the structures</p>

	on this project will have a NFPA 13D or 13R fire sprinkler system as an AM&M in lieu of OFC compliant Fire Dept. access.
45 (Potential New Condition)	<b><u>Future Intersection Analysis and Additional Mitigation at NW Circle Blvd. and Harrison Blvd.</u></b> - Within 1 year after completion and acceptance of Circle Blvd. improvements and certificate of occupancy for all phases of the apartments, the applicant shall provide a revised intersection analysis based on actual traffic counts (including bicycles and pedestrians) while OSU is in session in consultation with the City and Benton County to evaluate if additional traffic control devices are warranted at the intersection of Circle Blvd. and Harrison Blvd. If additional traffic control devices are warranted, the applicant shall dedicate any additional ROW and pay for the cost of the improvements within 1 year of acceptance of the revised Harrison Circle Blvd analysis. The developer shall secure the full cost of a traffic analysis and potential improvements prior to issuance of a Public Improvement by Private Contract (PIPC) permit. The basis of security for potential improvements shall be the cost to fully signalize the intersection.
46 (Potential New Condition)	<b><u>Planned Development and Subdivision Contingent Upon Approval of Comprehensive Plan Amendment and Zone Change</u></b> – Development of the proposed Planned Development and Final Plat approval for the proposed Subdivision may only occur if the associated Comprehensive Plan Amendment (CPA11-00002) and Zone Change (ZDC11-00005) applications are approved and upheld, if appealed.

**Development Related Concerns**

- A. NW Circle Blvd. & NW Harrison Blvd intersection and adjacent Driveway Conflicts - City access standards require that driveway accesses be located a minimum of 150' from any other access or collector and/or arterial street intersection. The two adjacent properties to the east of the site have side-by-side driveways within 100 feet of the proposed intersection of NW Circle Boulevard and NW Harrison Boulevard. The driveway closest to the intersection (approximately 50 feet to the east) belongs to a site (Beit Am) that has not yet been developed, and is currently under County jurisdiction. An alternate access off of NW Circle Boulevard is shown in the applicant's plans and is the City's preferred solution. There has been some initial dialogue with Beit Am about this possibility and submitted testimony (**Attachment O**) from Beit Am indicates support for this southerly point of access. The second adjacent driveway to the east belongs to the LDS church, and is one of two site accesses to Harrison. The applicant shows a new driveway cut on the future NW Circle Blvd which would provide a second access for the LDS site if an appropriate easement could be obtained across the strip of land owned by Beit Am. Benton County and the City have an interest in working with the developer, LDS Church, and Beit Am to relocate the westerly LDS driveway on NW Harrison Blvd to NW Circle Blvd. with the construction of NW Circle Blvd.
- B. Mailbox Locations - As part of the plans for public improvements, the applicant shall show proposed mailbox locations, with approval from the Post Office, as well as any sidewalk transitions required by City Standards.
- C. Excavation and Grading Plans - Prior to issuance of any construction permits, the applicant shall submit an excavation and grading plan, including erosion control methods, to the City's Development Services Department for review and approval.

- D. Other Permits - Prior to issuance of any construction permits, the applicant shall be required to obtain a National Pollutant Discharge Elimination System (NPDES) permit if construction activity will disturb, through clearing, grading, and/or excavation, one or more acres of the site. Additionally, any permits required by other agencies such as the Division of State Lands; Army Corps of Engineers; Railroads; County; or Oregon Department of Transportation, shall be approved and submitted to the City prior to issuance of any City permits.
- E. SDC Reimbursement - Where it is anticipated that there will be System Development Charge (SDC) reimbursements from City funds to the developer for qualifying extra-capacity facilities built by the developer, the developer shall obtain a written agreement with the City regarding the monetary amount of the requested reimbursement as well as the anticipated construction time line for the qualifying improvements, prior to initiating construction of these facilities. A written request for SDC reimbursement may be directed to the City Engineer, who will review and forward the request to City Council.
- F. ZOB Applications - Zone of Benefit (ZOB) cost recovery may apply for the NW Harrison Boulevard and NW Circle Boulevard street improvements . The applicant may apply for ZOB cost recovery for improvements that benefit other property owners adjacent to the improvements as outlined in chapter 2.16 of the Corvallis Municipal Code. The applicant must submit a written request within one year from the acceptance of the public improvements in order to be considered for reimbursement.
- G. Infrastructure Cost Recovery - Infrastructure cost recovery charges may apply to the NW Harrison Boulevard sewer and water lines, and the Dale Drive sewer lines serving or adjacent to the site. The determination of applicable charges will be evaluated during the public improvement review process. Where it is determined that there will be Infrastructure Cost Recovery charges, the developer shall pay their required share of the costs prior to making any connection to any infrastructure system, in accordance with Corvallis Municipal Code 2.18.040.
- H. Irrigation Plans - Prior to issuance of public improvement permits, the applicant shall submit, and obtain approval of, irrigation plans for associated landscaping.
- I. Tree Plantings - Tree planting locations shall not block street signs, or traffic signals. In addition, trees should not be planted in areas outlined in LDC section 4.2.30.b.
- J. Signing & Striping Plans - As part of the public improvement plans, the applicant shall include a plan for street striping and signing. All striping and signing shall conform to the MUTCD and City standards and policies. All costs associated with striping and signing shall be borne by the developer.
- K. Street Names & Assigning Street Addresses - All street names need final approval from the Development Services Division prior to filing of the final plat. Street addresses are assigned by the Development Services Division. Requests for street addresses are to be submitted in writing to the Development Services Division accompanied by a copy of the approved tentative or final subdivision plat with the approved street names. The scale of the drawing shall be 1" to 100'. Street addresses will be assigned within 15 working days of receipt of a complete request.

- L. Traffic Calming – Transit-friendly traffic calming measures shall be considered in the final design of Circle Blvd. between Dale Drive and Harrison Blvd.
- M. Multi-Use Path – The City should work with OSU and Benton County on development of: (1) a multi-use path from Harrison Blvd. to Campus Way or 35<sup>th</sup> St., and (2) the addition of sidewalks along the south side of Harrison Blvd.
- N. Removal of Ditches – The drainage ditches along the north side of Harrison Boulevard in front of the LDS Church and Arnold Park should be covered at some point in the future.
- O. Bike Lane Widening – The bike lanes on Harrison Blvd., between Witham Drive and 35<sup>th</sup> St. need to be widened as much as possible, and intruding landscaping and other impediments, such as the old guardrail on the south side and the log on the north side need to be removed or cut back.
- P. Access to Park – The Applicant should consider including access from the Campus Crest site to the City park property to the north. Also, a connection from Buildings 1 and 2 to the multi-use trail to the south should be considered.
- Q. Maintenance of Existing Multi-Use Path – Repair and/or resurfacing of the existing multi-use path should be addressed by the City.
- R. Open Space Maintenance – In collaboration with the Parks and Recreation Department, the Applicant is encouraged to provide the City with plans for the land to be classified as natural areas/wetland which will not be transferred to the City, including clarification of public access, restoration plans and timetables, and acceptance of responsibilities for assuring that garbage accumulation or illegal camping activities are the Applicant’s responsibility.
- S. Shielding of Lighting – The Applicant should consider shielding on-site lighting that abuts natural areas, so that light trespass into those areas is minimized.

**Campus Crest / The Grove  
(PLD13-00003; SUB13-00001)**

**Staff Identified Review Criteria**

The following lists the staff identified development standards and review criteria applicable to the Campus Crest / The Grove Planned Development and Subdivision land use applications. With a few exceptions, these standards and criteria are provided in the same order they appear in the August 23, 2013, Staff Report to the Planning Commission.

**Planned Development**

**LDC Chapter 2.5 - Planned Development**

**2.5.40.04 - Review Criteria**

Requests for the approval of a Conceptual Development Plan shall be reviewed to ensure consistency with the purposes of this Chapter, policies and density requirements of the Comprehensive Plan, and any other applicable policies and standards adopted by the City Council. The application shall demonstrate compatibility in the areas in "a," below, as applicable, and shall meet the Natural Resource and Natural Hazard criteria in "b," below:

**a. Compatibility Factors -**

- 1. Compensating benefits for the variations being requested;**
- 2. Basic site design (the organization of Uses on a site and the Uses relationships to neighboring properties);**
- 3. Visual elements (scale, structural design and form, materials, etc.);**
- 4. Noise attenuation;**
- 5. Odors and emissions;**
- 6. Lighting;**
- 7. Signage;**
- 8. Landscaping for buffering and screening;**
- 9. Transportation facilities;**
- 10. Traffic and off-site parking impacts;**
- 11. Utility infrastructure;**
- 12. Effects on air and water quality (note: a DEQ permit is not sufficient to meet this criterion);**

13. Design equal to or in excess of the types of improvements required by the standards in Chapter 4.10 - Pedestrian Oriented Design Standards; and<sup>1</sup>

14. Preservation and/or protection of Significant Natural Features, consistent with Chapter 2.11 - Floodplain Development Permit, Chapter 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.

**b. Natural Resources and Natural Hazards Factors -**

1. Any proposed variation from a standard within Chapter 2.11 - Floodplain Development Permit, 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, or Chapter 4.14 - Landslide Hazard and Hillside Development Provisions shall provide protections equal to or better than the specific standard requested for variation; and

2. Any proposed variation from a standard within Chapter 2.11 - Floodplain Development Permit, 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, or Chapter 4.14 - Landslide Hazard and Hillside Development Provisions shall involve an alternative located on the same development site where the specific standard applies.

3. Any proposed Floodplain Development Permit variation that exceeds the scope of Section 2.11.60.01.a shall also meet the Floodplain Development Permit Variance review criteria in Section 2.11.60.06 and, to the extent feasible, the base Floodplain Development Permit review criteria in Section 2.11.50.04.

**2.5.50.04 - Review Criteria for Determining Compliance with Conceptual Development Plan**

Request for approval of a Detailed Development Plan shall be reviewed to determine whether it is in compliance with the Conceptual Development Plan. The Detailed Development Plan shall be deemed to be in conformance with the Conceptual Development Plan and may be approved provided it is consistent with the review criteria in Section 2.5.40.04 above, provides a clear and objective set of development standards for residential Detailed Development Plans (considering the Detailed Development Plan proposal, required adherence to this Code, and Conditions of Approval), and does not involve any of the factors that constitute a major change in the Planned Development. See Section 2.5.60.02 - Thresholds that Separate a Minor Planned Development Modification from a Major Planned Development Modification.

**LDC Chapter 4.0 - Improvements Required with Development**

**Section 4.0.20 - TIMING OF IMPROVEMENTS**

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<sup>1</sup> Redevelopment and reconstruction of buildings in existence and permitted in zoning prior to December 31, 2006, are allowed pursuant to the requirements of Section 4.10.70.01 – Applicability, of Chapter 4.10 – Pedestrian Oriented Design Standards.

- a. All improvements required by the standards in this Chapter shall be installed concurrently with development, as follows:
  1. Where a Land Division is proposed, each proposed lot shall have required public and franchise utility improvements installed or secured prior to approval of the Final Plat, in accordance with the provisions of Section 2.4.40.08 of Chapter 2.4 - Subdivisions and Major Replats.
  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.
- b. Where specific approval for a phasing plan has been granted for a Planned Development and/or Subdivision, improvements shall be phased in accordance with that plan.

**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 2.11 - Floodplain Development Permit and Chapter 4.5 - Floodplain 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.

- d) Where sidewalks on streets abut common areas, drainageways, or other publicly owned areas, or where off-site street extensions are required and sufficient right-of-way exists, the sidewalks and planted areas shall be installed with street improvements.
- 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.
  - 2. The following types of pedestrian walkways shall have a minimum 5-ft. paved width, and five ft. of landscaping provided on both sides of the facility, consistent with Chapter 4.2 - Landscaping, Buffering, Screening, and Lighting. Pedestrian walkways that are either more than 220 ft. long or serve more than 10 dwelling units shall have a wider paved width as specified in Section 4.0.40.c.
    - b. Pedestrian walkway required to comply with the block perimeter requirements in Section 4.0.60.o.; and
    - c. Other pedestrian walkways connecting two public rights-of-way, including multi-use paths and trails.
- c. Where a development site is traversed by or adjacent to a future trail linkage identified within either the Corvallis Transportation Plan or the Trails Master Plan, improvement of the trail linkage shall occur concurrently with development. Dedication of the trail to the City shall be provided in accordance with Section 4.0.100.d.
- d. To provide for orderly development of an effective pedestrian network, pedestrian facilities installed concurrently with development of a site shall be extended through the site to the edge of adjacent property(ies).

*[Section 4.0.30 amended by Ordinance 2012-18, effective December 13, 2012]*

#### **Section 4.0.40 - BICYCLE REQUIREMENTS**

- a. **On-street Bike Lanes** - On-street bike lanes shall be required on all Arterial, Collector, and Neighborhood Collector Streets and constructed at the time of street improvements.
- 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.

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2. **Bicycle/pedestrian rights-of-way connecting Cul-de-sacs or passing through unusually long or oddly shaped blocks shall be a minimum of 15 ft. wide. Maintenance of the paved improvement shall be the responsibility of adjacent property owners. Additionally, a minimum of five ft. of landscaping shall be provided on either side of these bicycle/pedestrian facilities, in accordance with Chapter 4.2 - Landscaping, Buffering, Screening, and Lighting. Maintenance of the landscaping shall also be the responsibility of adjacent property owners.**
- c. **Widths for Pedestrian/Bicycle Facilities - Adequate widths for pedestrian/bicycle facilities shall be provided in accordance with the following standards:**
    1. **Where long term bicycle and pedestrian usage is expected to be relatively low, such as in a neighborhood rather than a community-wide facility, multi-use paths shall be eight ft. wide and aligned to ensure adequate sight distance.**
    2. **The standard width for two-way multi-use paths shall be 10 ft.**
    3. **In areas with projected high bicycle volumes or multiple use by bicyclists, pedestrians, and joggers, multi-use paths shall be 12 ft. wide.**
  - d. **To provide for orderly development of an effective bicycle network, bicycle facilities installed concurrently with development of a site shall be extended through the site to the edge of adjacent property(ies).**
  - e. **Natural Hazards, Minimum Assured Development Area (MADA), and Natural Resources shall be addressed in accordance with Chapter 2.11 - Floodplain Development Permit, Chapter 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.**

**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:**
  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.**
- c. **Natural Hazards, Minimum Assured Development Area (MADA), and Natural Resources shall be addressed in accordance with Chapter 2.11 - Floodplain Development Permit, Chapter 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.**

**Section 4.0.60 - PUBLIC AND PRIVATE STREET REQUIREMENTS**

Staff Identified Review Criteria  
 Campus Crest / The Grove

- 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.
  2. If the traffic evaluation identifies Level of Service (LOS) conditions less than the minimum standard established in the Corvallis Transportation Plan, improvements and funding strategies mitigating the problem shall be considered concurrently with a development proposal.
- b. Location of new Arterial, Collector, and Neighborhood Collector Streets shall conform to the Corvallis Transportation Plan.
- c. Although through-traffic movement on new Local Connector and Local Streets usually is discouraged, this may not be practical for particular neighborhoods. Local Connector or Local Street designations shall be applied in newly developing areas based on review of a street network plan and, in some cases, a traffic study provided with the development application. The decision regarding which of these designations will be applied is based on a number of factors, including density of development, anticipated traffic volumes, and the potential for through traffic.
- Street network plans must provide for connectivity within the transportation system to the extent that, generally, both Local Connector and Local Streets will be created within a development. Identified traffic calming techniques, such as bulbed intersections, etc., can reduce traffic speeds and, where included, are to be constructed at the time of development. To further address traffic speeds and volumes on Local Connector and Local Streets, the following street designs, along with other designs intended to reduce traffic speeds and volumes, shall be considered:
1. Straight segments of Local Connector and Local Streets should be less than .25 mile in length, and include design features such as curves and T intersections.
  2. Cul-de-sacs should not exceed 600 ft. nor serve more than 18 dwelling units.
  3. Street designs that include traffic calming, where appropriate, are encouraged.
- d. Private streets, though discouraged in conjunction with Land Divisions, may be considered within a development site provided all the following conditions are met:
1. Extension of a public street through the development site is not needed for continuation of the existing street network or for future service to adjacent properties;
  2. The development site remains in one ownership, or adequate mechanisms are established, such as a homeowners' association with the authority to enforce

- payment, to ensure that a private street installed with a Land Division will be adequately maintained;
3. Where a private street is installed in conjunction with a Land Division, development standards, including paving standards, consistent with City standards for public streets shall be used to protect the interests of future homeowners; and
  4. The private street is located within a separate tract.
- 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.
  2. Half-width street improvements, as opposed to full-width improvements, are generally not acceptable. However, these may be approved by the Planning Commission or Director where essential to the reasonable development of the property. Approval for half-width street improvements may be allowed when other standards required for street improvements are met and when the Planning Commission or the Director finds that it will be possible to obtain the dedication and/or improvement of the remainder of the street when property on the other side of the half-width street is developed.
  3. To ensure improved access to a development site consistent with policies on orderly urbanization and extension of public facilities, the Planning Commission or Director may require off-site street improvements concurrently with development.
- f. To provide for orderly development of adjacent properties, public streets and private streets that meet all the criteria in "d", above, shall be installed concurrently with development of a site and shall be extended through the site to the edge of the adjacent property(ies) in accordance with the following:
1. Temporary dead-ends created by this requirement may be installed without turn-arounds, subject to the approval of the Fire Marshal.
  2. Drainage facilities shall be provided to properly manage storm water run-off from temporary dead-ends.
- g. The Planning Commission or Director may require the extension of public and private street improvements through a development site to provide for the logical extension of an existing street network or to connect a site with a nearby neighborhood activity center, such as a school or park. Where this creates a Land Division incidental to the development, a land partition shall be completed concurrently with the development, in accordance with Chapter 2.14 - Partitions, Minor Replats, and Property Line Adjustments.
- 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:

1. Grading plans are required and shall demonstrate that the proposal does not contain any grade changes (cuts or fills) that are inconsistent with the provisions of Chapter 4.14 - Landslide Hazard and Hillside Development Provisions. Cut and fill is measured vertically from natural grade. The grading plan shall identify all proposed cuts and fills and the associated grade changes in ft. to demonstrate adherence to this provision. Streets shall be designed along natural contours.
2. Location of streets in a development shall not preclude development of adjacent properties. Streets shall conform to planned street extensions identified in the Corvallis Transportation Plan and/or provide for continuation of the existing street network in the surrounding area.
3. Grades shall not exceed six percent on Arterial Streets, 10 percent on Collector and Neighborhood Collector Streets, and 15 percent on Local, Local Connector, and Cul-de-sac Streets.
4. As far as practicable, Arterial, Collector, and Neighborhood Collector Streets shall be extended in alignment with existing streets by continuation of the street centerline. When staggered street alignments resulting in T intersections are unavoidable, they shall leave a minimum of 200 ft. between the nearest edges of the two rights-of-way.
5. Local street intersections shall be located a minimum of 125 ft. from any other street intersection.
6. Centerline radii of curves shall not be less than 500 ft. on Arterial Streets; 300 ft. on Collector and Neighborhood Collector Streets; and 100 ft. on Local, Local Connector, and Cul-de-sac Streets.
7. Streets shall be designed to intersect at angles as near as practicable to right angles and shall comply with the following:
  - a) The intersection of an Arterial, Collector, or Neighborhood Collector Street with another Arterial, Collector, or Neighborhood Collector Street shall have a minimum of 100 ft. of straight (tangent) alignment perpendicular to the intersection;
  - b) The intersection of a Local, Local Connector, or Cul-de-sac Street with another street shall have a minimum of 50 ft. of straight (tangent) alignment perpendicular to the intersection;
  - c) Where right-angle intersections are not possible, exceptions may be granted by the City Engineer provided that intersections have a minimum corner radius of 20 ft. along the right-of-way lines of the acute angle; and
  - d) All intersections shall have a minimum curb corner radius of 20 ft.
8. Right-of-way and improvement widths shall be as specified in the Transportation Plan and Table 4.0-1 - Street Functional Classification System.

9. **Where streets must cross protected Natural Resources or Natural Hazards, streetwidths 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. Parking bays may be allowed, provided they do not exceed one space per dwelling unit and provided they do not cause the development to exceed the amount of development allowed by the provisions of Chapter 2.11 - Floodplain Development Permit, Chapter 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.**

	<b>Arterial Highway</b>	<b>Arterial</b>	<b>Collector</b>	<b>Neighborhood Collector</b>	<b>Local Connector</b>	<b>Local</b>
Auto amenities (lane widths) <sup>2</sup>	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 <sup>3</sup>	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 <sup>4</sup>	20 mph - 55 mph	25 mph - 45 mph	25 mph - 35 mph	25 mph	25 mph	15-20 mph
Curb-to-curb width <sup>5</sup> (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 <sup>6</sup>		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 <sup>7,8</sup>	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. <sup>7</sup> Except across areas of Natural Features <sup>8</sup>
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-B and lesser zones.
6. Traffic calming includes such measures as bulb-out 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.

**o. Block Perimeter Standards - The following block perimeter standards apply to development projects, as described below. The block perimeter standards do not apply to development**

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projects that are two acres or less in size, and situated in areas where the street patterns are established. However, the other street connectivity requirements in LDC Section 4.0.60 do apply.

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.
- 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) **Multi-dwelling Development of 20 or More Units on a Single Parcel of Land** (underline) - Multi-dwelling development projects on a single parcel of land, and which have at least 20 dwelling units, shall create a series of complete blocks bound by either streets with sidewalks or by walkways. For blocks bound only by walkways, the walkways shall be contained within a public access easement and maintained by the adjacent property owner.
- d) **Variations Allowed Outright** - The distances specified in "b," above, may be varied by up to 50 percent to minimize impacts to: slopes greater than 15 percent, public parks, Significant Natural Features, existing street and/or development patterns, and/or access management considerations, as determined by the City Engineer. Development shall include underground electric services, light standards, wiring and lamps for streetlights according to the specifications and standards of the City Engineer. The developer shall be responsible for installation of underground conduit for street lighting along all public streets improved in conjunction with such development in accordance with the following:
  1. The developer shall coordinate with the City Engineer to determine the location of future street light poles.
  2. The streetlight plan shall be designed to provide illumination meeting standards set by the City Engineer.
  3. The standard street light installation is a wood pole.

The developer shall install such facilities and make the necessary arrangements with the serving electric utility for the City-owned and operated street lighting system to be served at the lowest applicable rate available to the City. Upon City's acceptance of such development improvements, the street lighting system, exclusive of utility-owned service lines, shall be and become the property of the City.

*[Section 4.0.60 amended by Ordinance 2012-18, effective December 13, 2012]*

**LDC Chapter 4.1 - Parking, Loading, and Access Requirements**

**Section 4.1.20 - GENERAL PROVISIONS**

**k. Unassigned Parking in Residential Zones -**

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1. **Vehicles** - Multi-dwelling units with more than 10 required vehicle parking spaces shall provide unassigned parking. The unassigned parking shall consist of at least 15 percent of the total required parking spaces and be located such that they are available for shared use by all occupants within the development.
  2. **Bicycles** - Multi-dwelling units with more than 10 required bicycle parking spaces shall provide bicycle shared parking. The shared parking shall consist of at least 15 percent of the total required parking spaces, to be located such that they are available for shared use by all occupants within the development.
- l. **Bedroom Size Determination** - Multi-dwelling units having a bedroom in excess of 160 sq. ft. shall provide added vehicle and bicycle parking of 0.5 parking spaces per oversized bedroom.
  - o. **Maximum Parking Allowed** - No site shall be permitted to provide more than 30 percent in excess of the minimum off-street vehicle parking required by Section 4.1.30, below, except as provided in "p," below, and in Section 4.1.30.g.3.b.

**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.

a. **Residential Uses Per Building Type -**

3. **Single Detached with more than one dwelling unit on a single lot, Duplex, Attached, and Multi-dwelling -**

a) **Vehicles -**

- |    |                           |   |                      |
|----|---------------------------|---|----------------------|
| 1) | Studio or Efficiency Unit | - | One space per unit.  |
| 2) | One-bedroom Unit          | - | One space per unit.  |
| 3) | Two-bedroom Unit          | - | 1.5 spaces per unit. |
| 4) | Three-bedroom Unit        | - | 2.5 spaces per unit. |
| 5) | Four-bedroom Unit         | - | 3.5 spaces per unit. |
| 6) | Five-bedroom Unit         | - | 4.5 spaces per unit. |

b) **Bicycles -**

- |    |                           |   |                        |
|----|---------------------------|---|------------------------|
| 1) | Studio or Efficiency Unit | - | One space per unit.    |
| 2) | One-bedroom Unit          | - | One space per unit.    |
| 3) | Two-bedroom Unit          | - | 1.5 spaces per unit.   |
| 4) | Three-bedroom Unit        | - | Two spaces per unit.   |
| 5) | Four-bedroom Unit         | - | Three spaces per unit. |
| 6) | Five-bedroom Unit         | - | Four spaces per unit.  |

The required bicycle parking may be located within a structure, in accordance with the provisions of Section 4.1.70.

**LDC Section 4.1.40 - STANDARDS FOR OFF-STREET PARKING AND ACCESS**

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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. A permit from the Development Services Division shall be required to construct parking, loading, and access facilities, except for Single Detached, Duplex, Single Attached, and Attached Building Types; and Manufactured Dwellings.

#### **Section 4.1.50 - MODIFICATION TO PARKING REQUIREMENTS**

Vehicle parking requirements may be modified as follows:

##### **4.1.50.01 - Compact Car Spaces**

Up to 40 percent of the required parking spaces may be reduced in size to accommodate compact cars. Compact car spaces should be located near the entrance to any lot or parking aisle.

### **LDC Chapter 4.0 - Improvements Required with Development**

#### **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.
- f. Private on-site sanitary sewer and storm drainage facilities may be allowed, provided all the following conditions exist:
  1. Extension of a public facility through the site is not necessary for the future orderly development of adjacent properties;
  2. The development site remains in one ownership and Land Division does not occur, with the exception of Land Divisions that may occur under the provisions of Section 4.0.60.d, above; and
  3. The facilities are designed and constructed in accordance with the Uniform Plumbing Code and other applicable codes, and permits are obtained from the Development Assistance Center prior to commencement of work.
- g. Natural Hazards, Minimum Assured Development Area (MADA), and Natural Resources shall be addressed in accordance with Chapter 2.11 - Floodplain Development Permit, Chapter 4.2 - Landscaping, Buffering, Screening, and Lighting, Chapter 4.5 - Floodplain

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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.

#### **Section 4.0.80 - PUBLIC IMPROVEMENT PROCEDURES**

It is in the best interests of the community to ensure that public improvements installed in conjunction with development are constructed in accordance with all applicable City policies, standards, procedures, and ordinances. Therefore, before installing public water, sanitary sewer, storm drainage, streetlights, street, transit, bicycle, or pedestrian improvements, developers shall contact the City Engineer for information regarding adopted procedures governing plan submittal, plan review and approval, permit requirements, inspection and testing requirements, progress of the work, and provision of easements, dedications, and as-built drawings for installation of public improvements.

Whenever any work is done contrary to the provisions of this Code, the Director may order the work stopped via a written notice served on the persons performing the work or otherwise in charge of the work. The work shall stop until the Director authorizes that it proceed or authorizes corrective action to remedy existing substandard work.

#### **Section 4.0.90 - FRANCHISE UTILITY INSTALLATIONS**

These standards are intended to supplement, not replace or supersede, requirements contained within individual franchise agreements that the City has with providers of electrical power, telecommunication, cable television, and natural gas services, hereafter referred to as Franchise Utilities.

- a. Where a Land Division is proposed, the developer shall provide Franchise Utilities to the development site. Each lot in a Subdivision shall have an individual service available or secured prior to approval of the Final Plat, in accordance with Section 2.4.40 of Chapter 2.4 - Subdivisions and Major Replats.
- b. Where necessary and in the judgement of the Director, Franchise Utilities shall be extended through the site to the edge of adjacent property(ies) to provide for orderly development of adjacent properties.
- c. The developer shall have the option of choosing whether to provide natural gas or cable television service to the development site, provided that all of the following conditions exist:
  1. Extension of Franchise Utilities through the site is not necessary for the future orderly development of adjacent property(ies);
  2. The development site remains in one ownership and Land Division does not occur, with the exception of Land Divisions that may occur under the provisions of Section 4.0.60.d, above; and
  3. The development is nonresidential.
- d. Where a Land Division is not proposed, the site shall be provided with Franchise Utilities prior to occupancy of structures as required by this Section and in accordance with the provisions of Section 2.4.40.12 of Chapter 2.4 - Subdivisions and Major Replats.

- e. All Franchise Utility distribution facilities installed to serve new development shall be placed underground except as provided below.
  - 1. Poles for traffic signals, pedestals for police and fire system communications and alarms, pad-mounted transformers, pedestals, pedestal-mounted terminal boxes and meter cabinets, concealed ducts, substations, or facilities used to carry voltage higher than 35,000 volts; and
  - 2. Overhead utility distribution lines may be permitted upon approval of the City Engineer when unusual terrain, soil, or other conditions make underground installation impracticable. Location of such overhead utilities shall follow rear or side lot lines wherever feasible.
- 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.
- g. Natural Hazards, Minimum Assured Development Area (MADA), and Natural Resources shall be addressed in accordance with Chapter 2.11 - Floodplain Development Permit, Chapter 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.

#### Section 4.0.100 - LAND FOR PUBLIC PURPOSES

- a. Easements for public sanitary sewer, water, storm drain, streetlight, transit, pedestrian and bicycle facilities shall be provided whenever these facilities are located outside a public right-of-way. The minimum easement width for a single utility is 15 ft. The minimum easement width for two adjacent utilities is 20 ft. The easement width shall be centered on the utility to the greatest extent practicable. Wider easements may be required for unusually deep facilities.
- 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. In areas where such a utility easement is not compatible with the existing development pattern, the Director may require that the utility easement be placed in an alternate location, as recommended by the City Engineer and affected utility companies.
- c. Where a development site is traversed by a drainageway or water course, improvements shall be in accordance with the Corvallis Storm Water Master Plan and the Natural Hazards, Minimum Assured Development Area (MADA), and Natural Resources provisions of Chapter 2.11 - Floodplain Development Permit, Chapter 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.
- d. Where a development site is traversed by, or adjacent to, a future trail linkage identified in the Corvallis Transportation Plan or the Trails Master Plan, dedications of suitable width to accommodate the trail linkage shall be provided. This width shall be determined by the City Engineer, based on the appropriate standard for the type of trail facility involved.

- e. Where street, trail, utility, or other rights-of-way and/or easements in or adjacent to development sites are nonexistent or of insufficient width, dedications may be required. The need for and widths of those dedications shall be determined by the City Engineer.
- f. Easements or dedications required in conjunction with Land Divisions shall be recorded on the Final Plat. For developments not involving a Land Division, easements and/or dedications shall be recorded on standard forms provided by the City Engineer.
- g. Environmental assessments shall be provided by the developer (grantor) for all lands to be dedicated to the public or City. An environmental assessment shall include information necessary for the City to evaluate potential liability for environmental hazards, contamination, or required waste cleanups related to the dedicated land. An environmental assessment shall be completed prior to the acceptance of dedicated lands, in accordance with the following:
  - 1. The initial environmental assessment shall detail the history of ownership and general use of the land by past owners. Upon review of this information, as well as any site investigation by the City, the Director will determine if the risks of potential contamination warrant further investigation. If further site investigation is warranted, a Level I Environmental Assessment shall be provided by the grantor, as described in "2," below.
  - 2. Level I Environmental Assessments shall include data collection, site reconnaissance, and report preparation. Data collection shall include review of Oregon Department of Environmental Quality records, City and County fire department records, interviews with agency personnel regarding citations or enforcement actions issued for the site or surrounding sites that may impact the site, review of available historic aerial photographs and maps, interviews with current and available past owners of the site, and other data as appropriate.

Site reconnaissance shall include a walking reconnaissance of the site to check for physical evidence of potentially hazardous materials that may impact the site. Report preparation shall summarize data collection and site reconnaissance, assess existing and future potential for contamination of the site with hazardous materials, and recommend additional testing if there are indications of potential site contamination. Level I Environmental Assessment reports shall be signed by a registered professional engineer.
  - 3. If a Level I Environmental Assessment concludes that additional environmental studies or site remediation are needed, no construction permits shall be issued until those studies are submitted and any required remediation is completed by the developer and/or owner. Additional environmental studies and/or required remediation shall be at the sole expense of the developer and/or owner. The City reserves the right to refuse acceptance of land identified for dedication to public purposes if risk of liability from previous contamination is found.
- h. Natural Hazards, Minimum Assured Development Area (MADA), and Natural Resources shall be addressed in accordance with Chapter 2.11 - Floodplain Development Permit, Chapter 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.

***[Section 4.0.100 amended by Ordinance 2012-16, effective December 13, 2012]***

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#### **Section 4.0.110 - MAIL DELIVERY FACILITIES**

- a. Placement of mail delivery facilities shall consider locations of sidewalks, bikeways, intersections, existing or future driveways, existing or future utilities, right-of-way and street width, and vehicle, bicycle and pedestrian movements. Where mail delivery facilities are being installed in conjunction with a Land Division, their placement shall be indicated on the plans for public improvements and meet the approval of the City Engineer and the U.S. Post Office.
- b. Where mail delivery facilities are proposed for installation in areas with an existing or future curbside sidewalk, a sidewalk transition shall be provided that maintains the required design width of the sidewalk around the mail delivery facility. If the right-of-way width will not accommodate the sidewalk transition, a sidewalk easement shall be provided adjacent to the right-of-way.
- c. Mail delivery facilities and associated sidewalk transitions, when sidewalk transitions are necessary, around these facilities shall conform with the City's standard construction specifications. Mailboxes shall conform with the U.S. Post Office standards for mail delivery facilities.
- d. Installation of mail delivery facilities is the obligation of the developer. These facilities shall be installed concurrently with the public improvements. Where development of a site does not require public improvements, mail delivery facilities shall be installed concurrently with private site improvements.

#### **4.0.130 - STORM WATER MANAGEMENT MEASURES**

- a. To reduce the risk of causing downstream properties to become flooded and to help maintain or restore the Properly Functioning Conditions of receiving waters, new development, expansions to existing development, or redevelopment shall be required to provide storm water detention and retention in accordance with "b," of this Section.
- b. When Detention and/or Retention are Required - See also Section 4.2.50.04 of Chapter 4.2 - Landscaping, Buffering, Screening, and Lighting.
1. New development projects that create impervious surfaces in excess of 25,000 sq. ft. are required to implement storm water detention and/or retention measures as specified in the Corvallis Design Criteria Manual. Impervious surfaces include such elements as roads, driveways, parking lots, walks, patios, and roofs, etc. Detention facilities shall be designed to maximize storm water infiltration. Detention or retention facilities shall be located outside the 10-year Floodplain or the riparian easement area, whichever is greater. The riparian easement area is identified in Section 4.13.70 of Chapter 4.13 - Riparian Corridor and Wetland Provisions, and this standard shall apply regardless of whether or not an easement has been granted.
- c. Use of water quality features shall be consistent with the Corvallis Design Criteria Manual. Water quality features within the regulated Riparian Corridor shall be located outside of the applicable riparian easement area. The riparian easement shall be re-vegetated consistent with Sections 4.13.50.d.1 and 4.13.50.d.2 of Chapter 4.13 - Riparian Corridor and Wetland Provisions.

*[Section 4.0.130 amended by Ordinance 2012-16, effective December 13, 2012]*

### **LDC Chapter 4.12 - Significant Vegetation Provisions**

#### **Section 4.12.70 - PROVISIONS LIMITING EXTENSIONS OF PUBLIC AND PRIVATE ROADWAYS AND UTILITIES ON SITES CONTAINING SIGNIFICANT VEGETATION**

Location and construction of streets, utilities, bridges, bicycle, and pedestrian facilities within Significant Vegetation areas must be deemed necessary to maintain a functional system by the City Engineer. This Code, City Transportation and Utility Master Plans, and other adopted City plans shall guide this determination. The design standards of Chapter 4.0 - Improvements Required with Development shall be applied to minimize the impact to the Significant Vegetation area.

### **LDC Chapter 4.13 - Riparian Corridor and Wetland Provisions**

#### **Section 4.13.50 - USE LIMITATIONS AND EXCEPTIONS WITHIN HIGHLY PROTECTED RIPARIAN CORRIDORS AND RIPARIAN-RELATED AREAS**

b. Building, Paving, and Grading Activities - The placement of structures or impervious surfaces, as well as grading, excavation, and the placement of fill, are prohibited. Exceptions to the drainageway restrictions may be made for the purposes identified in items 1-7 of this Section, provided they are designed and constructed to minimize adverse impacts to Riparian Corridors and Riparian-related Areas.

2. The location and construction of streets, utilities, bridges, bicycle, and pedestrian facilities within Highly Protected Riparian Corridors and Riparian-related Areas must be deemed necessary to maintain a functional system by the City Engineer. This Code, City Transportation and Utility Master Plans, and other adopted City plans shall guide this determination. The design standards of Chapter 4.0 - Improvements Required with Development shall be applied to minimize the impact to the subject area;

#### **4.13.80.01 - Use Limitations and Exceptions Within Locally Protected Wetlands**

c. Building, Paving, and Grading Activities - Within LPW areas, the placement of structures or impervious surfaces, as well as grading, excavation, and the placement of fill, is prohibited, except as outlined below. Exceptions to the LPW restrictions may be made for the purposes identified in "1," and "2," below, provided they are designed and constructed to minimize adverse impacts to Wetland Functions.

2. Activities outlined in sections 4.13.50.b.2, 4.13.50.b.5, and 4.13.50.b.6.

b. Natural Resources and Natural Hazards Factors -

1. Any proposed variation from a standard within Chapter 2.11 - Floodplain Development Permit, 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, or Chapter 4.14 - Landslide Hazard and Hillside Development Provisions shall provide protections equal to or better than the specific standard requested for variation; and

2. Any proposed variation from a standard within Chapter 2.11 - Floodplain Development Permit, 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, or Chapter 4.14 - Landslide Hazard and Hillside Development Provisions shall involve an alternative located on the same development site where the specific standard applies.
3. Any proposed Floodplain Development Permit variation that exceeds the scope of Section 2.11.60.01.a shall also meet the Floodplain Development Permit Variance review criteria in Section 2.11.60.06 and, to the extent feasible, the base Floodplain Development Permit review criteria in Section 2.11.50.04.

### **LDC Chapter 3.6 - RS-12 Zone**

#### **Section 3.6.20 – Permitted Uses**

##### **3.6.20.01 - Ministerial Development**

###### **a. Primary Uses Permitted Outright**

1. Residential Use Types -
  - a. Family
2. Residential Building Types -
  - a. Single Detached
  - b. Single Detached - Zero Lot Line
  - c. Single Attached - Zero Lot Line, two units
  - d. Attached - Townhouse
  - e. Duplex
  - f. Multi-dwelling
  - g. Manufactured
- b. Accessory Uses Permitted Outright
  7. Model Dwelling Units
  8. Other development customarily incidental to the Primary Uses in accordance with Chapter 4.3 - Accessory Development Regulations

**Section 3.6.30 - RS-12 DEVELOPMENT STANDARDS**

	<b>Standard</b>
<b>a. Minimum Density</b>	<b>12 units per acre. Applies to the creation of Land Divisions.</b>
<b>b. Maximum Density</b>	<b>20 units per acre. Applies to the creation of Land Divisions.</b>
<b>c. Minimum Lot Area</b>	<b>2,200 sq. ft. per dwelling unit</b>
<b>d. Minimum Lot Width</b>	<b>25 ft.</b>
<b>e. Setbacks</b>	
<b>1. Front yard</b>	<b>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.</b>
<b>2. Rear yard and Side yards</b>  Interior attached townhouses exempt from interior side yard setbacks.)	<b>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.</b>
<b>a) Single Detached</b>	<b>5 ft. minimum each side yard</b>
<b>b) Single Attached and Zero Lot Line Detached</b>	<b>0 ft. one side; 8 ft. minimum on opposite side<sup>2</sup></b>
<b>c) Duplex and Multi-Dwelling</b>	<b>10 ft. minimum each side 10 ft. minimum</b>
<b>d) Abutting a more restrictive zone</b>	<b>10 ft. minimum on side abutting the street.</b>
<b>3. Exterior Side Yard and Rear Yard abutting a Street</b>	<b>Vision clearance areas in accordance with Section 4.1.40.c of Chapter 4.1 - Parking, Loading, and Access Requirements.</b>
<b>See also "k," and "l," below.</b>	
<b>f. Minimum Garage/Carport Setbacks</b>	
<b>1. Garage/carport entrance facing/parallel to the street</b>	<b>19 ft. minimum</b>
<b>2. Garage/carport entrance sideways/perpendicular to street</b>	<b>10 ft. minimum</b>
<b>See also "k," and "l," below.</b>	<b>Setbacks from alleys in accordance with Section 4.0.60.j of Chapter 4.0 - Improvements Required with Development.</b>  <b>Garages/carports are also subject to the provisions in Chapter 4.10 - Pedestrian Oriented Design Standards.</b>

<sup>2</sup> For Detached Zero Lot Line dwelling units, prior to Building Permit approval, the applicant shall submit a recorded easement between the subject property and abutting lot next to the yard having the zero setback. This easement shall be sufficient to guarantee rights for maintenance purposes of structures and yard, but in no case shall it be less than five ft. in width.

	<b>Standard</b>
<p><b>g. Minimum Setbacks and Buffering from Actively Farmed Open Space-Agricultural (OS-AG) Land</b></p> <p>See also "k," and "l," below.</p>	<p>When residential development is proposed abutting Actively Farmed OS-AG Land, a minimum 50 ft.-wide continuous plant or plant/berm buffer is required. It is the applicant's responsibility to provide this buffer.</p> <p>The minimum setback for lands adjacent to Actively Farmed OS-AG Land is 100 ft. Any intervening right-of-way may be included in the 100-ft. setback measurement.</p> <p>Structures that existed on December 31, 2006, and that would fall within the 100-ft setback from Actively Farmed OS-AG Land shall not be considered as non-conforming structures and no additional buffering is required to maintain the existing development.</p>
<p><b>h. Maximum Structure Height</b></p>	<p>35 ft., not to exceed a solar envelope approved under Chapter 2.18 - Solar Access Permits or Chapter 4.6 - Solar Access</p>
<p><b>i. Maximum Lot/Site Coverage</b></p>	<p>70 percent of lot area maximum; interior attached townhouses exempt from this provision.</p> <p>Green area is calculated per lot.</p>
<p><b>j. Off-street Parking</b></p>	<p>See Chapter 4.1 - Parking, Loading, and Access Requirements</p>
<p><b>k. Outdoor Components Associated with Heat Pumps and Similar Equipment for Residential Structures</b></p>	<p>Shall not be placed within any required setback area.</p> <p>When located outside a setback area, but within five to 10 ft. of a property line, such equipment shall be screened on all sides with a solid fence or wall at least one ft. higher than the equipment.</p> <p>When located outside a setback area, but greater than 10 ft. from a property line, such equipment requires no screening.</p>
<p><b>l. Outdoor Components Associated with Heat Pumps and Similar Equipment for Nonresidential Structures</b></p>	<p>Shall be in accordance with Chapter 4.2 - Landscaping, Buffering, Screening, and Lighting.</p>
<p><b>m. Minimum Assured Development Area (MADA)</b></p>	<p>See Chapter 4.11 - Minimum Assured Development Area (MADA).</p>

	<b>Standard</b>
n. <b>Special Flood Hazard Areas</b>	<b>See Chapter 2.11 - Floodplain Development Permit and Chapter 4.5 - Floodplain Provisions.</b>
o. <b>Significant Vegetation</b>	<b>See Chapter 4.2 - Landscaping, Buffering, Screening, and Lighting and Chapter 4.12 - Significant Vegetation Protection Provisions.</b>
p. <b>Riparian Corridors &amp; Locally Protected Wetlands</b>	<b>See Chapter 4.13 - Riparian Corridor and Wetland Provisions.</b>
q. <b>Landscaping</b>	<b>See Section 3.6.50, below, and Chapter 4.2 - Landscaping, Buffering, Screening, and Lighting.</b>
r. <b>Required Green Area, Private Outdoor Space, and Common Outdoor Space</b>	<b>See Section 3.6.50, below.</b>
s. <b>Landslide Hazards and Hillside</b>	<b>See Chapter 4.14 - Landslide Hazard and Hillside Development Provisions.</b>

**Section 3.6.40 - MULTIPLE BUILDINGS ON ONE LOT OR SITE**

To provide privacy, light, air, and access to the dwellings within the development, the following minimum standards shall apply to multiple residential buildings on a single lot or site in the RS-12 Zone:

- a. **Buildings with opposing windowed walls shall be separated by 20 ft.**
- b. **Buildings with windowed walls facing buildings with blank walls shall be separated by 15 ft. However, no blank walls are allowed to face streets, sidewalks, or multi-use paths. See Chapter 4.10 - Pedestrian Oriented Design Standards.**
- c. **Buildings with opposing blank walls shall be separated by 10 ft. As stated in "b," above, no blank walls are allowed to face streets, sidewalks, or multi-use paths. See Chapter 4.10 - Pedestrian Oriented Design Standards.**
- d. **Building separation shall also apply to building projections such as balconies, bay windows, and room projections.**
- e. **Buildings with courtyards shall maintain separation of opposing walls as listed in "a," through "c," above.**
- f. **Where buildings exceed a length of 60 ft. or exceed a height of 30 ft., the minimum wall separation shall be increased. The rate of increased wall separation shall be one ft. for each 15 ft. of building length over 60 ft., and two ft. for each 10 ft. of building height over 30 ft.**
- g. **Driveways, parking lots, and common or public sidewalks or multi-use paths shall maintain the following separation from dwelling units built within eight ft. of ground level.**

1. **Driveways and parking lots shall be separated from windowed walls by at least eight ft.; sidewalks and multi-use paths shall be separated by at least five ft.**
2. **Driveways and parking lots shall be separated from living room windows by at least 10 ft.; sidewalks and multi-use paths shall be separated by at least seven ft.**
3. **Driveways and uncovered parking spaces shall be separated from doorways by at least five ft.**

#### **Section 3.6.50 - GREEN AREA, OUTDOOR SPACE, LANDSCAPING, AND SCREENING**

##### **3.6.50.01 - Green Area**

- 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 3.6.30 is met. A minimum of 10 percent of the gross lot area 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 and with sufficient irrigation to properly maintain all vegetation. Drought-tolerant 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.**
- c. **The required Green Area shall be designed and arranged to offer the maximum benefits to the occupants of the development and provide visual appeal and building separation. These provisions shall apply to all new development sites and to an addition or remodeling of existing structures that creates new dwelling units.**

##### **3.6.50.02 - Private Outdoor Space Per Dwelling Unit**

- a. **Private Outdoor Space shall be required at a ratio of 48 sq. ft. per dwelling unit. This Private Outdoor Space requirement may be met by providing patios and balconies for some or all dwelling units, or by combining Private Outdoor Space and Common Outdoor Space as allowed by Section 3.6.50.04.**
- b. **Private Outdoor Space, such as a patio or balcony, shall have minimum dimensions of six-by-eight ft.**
- c. **Private Outdoor Space shall be directly accessible by door from the interior of the individual dwelling unit served by the space.**
- d. **Private Outdoor Space shall be screened or designed to provide privacy for the users of the space.**

- e. **Private Outdoor Space may be considered as part of the 30 percent Green Area required under Section 3.6.50.01, if it is located on the ground. Upper-story balconies cannot be counted.**

#### **3.6.50.03 - Common Outdoor Space Per Dwelling Unit**

- a. **In addition to the Private Outdoor Space requirements of Section 3.6.50.02, Common Outdoor Space shall be provided in developments of 20 or more dwelling units, for use by all residents of the development, in the following amounts:**
  - 1. **Studio, one- and two-bedroom units: 200 sq. ft. per unit**
  - 2. **Three or more bedroom units: 300 sq. ft. per unit**
- b. **The minimum size of any Common Outdoor Space shall be 400 sq. ft., with minimum dimensions of 20-by-20 ft.**
- c. **A Common Outdoor Space may include any of the following, provided that they are outdoor areas: recreational facilities such as tennis, racquetball, and basketball courts, swimming pool and spas; gathering spaces such as gazebos, picnic, and barbecue areas; gardens; preserved natural areas where public access is allowed; and children's tot lots.**
- d. **The Common Outdoor Space may be considered as part of the 30 percent Green Area required under Section 3.6.50.01. The Common Outdoor Space shall not be located within any buffer or perimeter yard setback area.**
- e. **A children's tot lot or community garden shall be provided for each 20 units. The minimum dimensions for any tot lot or community garden shall be 20-by-20 ft., with a minimum size of 400 sq. ft. Any required tot lot shall include a minimum of three items of play equipment such as slides, swings, towers, and jungle gyms. Any one or a combination of the following shall enclose the tot lot: a 2.5 to 3 ft.-high wall, fence, or planter; or benches or seats. Any required community garden shall include irrigation and prepared planting beds.**
- f. **Where more than one tot lot or community garden is required, the developer may provide individual tot lots and / or community gardens, or combine them into larger playground or gardening areas..**
- g. **Housing complexes that include 20 or more dwelling units reserved for older persons (as defined in ORS 659A) do not require tot lots. However, Common Outdoor Space shall be provided as specified in "a," through "d" above.**

#### **3.6.50.04 - Option to Combine Private and Common Outdoor Space**

- a. **The private and Common Outdoor Space requirements may be met by combining them into areas for active or passive recreational use. Examples include courtyards and roof-top gardens with pedestrian amenities. However, where larger Common Outdoor Spaces are proposed to satisfy Private Outdoor Space requirements, they shall include pedestrian amenities such as benches or other types of seating areas.**

- b. The combined outdoor space may be covered, but it shall not be fully enclosed.

#### 3.6.50.05 - Outdoor Space Credits

When a development site zoned RS-12 is connected by public sidewalks to an improved public park located immediately adjacent to or directly across the street from the site, a developer may request an Outdoor Space Credit, not to exceed 25 percent of the total outdoor space requirement pertaining to both Private and Common Outdoor Space. Additionally, for sites located within the Downtown Residential Neighborhood as defined in Chapter 1.6 - Definitions, a developer may request an Outdoor Space Credit that reduces or eliminates the Common Outdoor Space requirements and/or reduces required Private Outdoor Space by a maximum of 25 percent.

#### 3.6.50.06 - Location of Green Area

In determining where Green Areas should be placed on a development site, consideration shall be given to the following:

- a. Preserving otherwise unprotected natural resources and wildlife habitat on the site, especially as large areas rather than as isolated smaller areas, where there is an opportunity to provide a recreational or relaxation use in conjunction with the natural resource site;
- b. Protecting lands where development more intensive than a Green Area use may have a downstream impact on the ecosystem of the vicinity. The ecosystem in the vicinity could include stands of mixed species and conifer trees, natural hydrological features, wildlife feeding areas, etc.;
- c. Enhancing park sites adjacent to the convergence of sidewalks and/or multi-use paths;
- d. Enhancing recreational opportunities near neighborhood commercial activity centers; and
- e. Enhancing opportunities for passive relaxation and recreation for residents, employees, and/or visitors within a development site.

*[Section 3.6.50 amended by Ordinance 2012-19, effective December 13, 2012]*

#### Section 3.6.80 – Mix of Housing Types

A mix of permitted Housing Types is encouraged in the RS-12 Zone and shall be required for larger development projects in the zone. To promote such a mix, developments greater than five acres in size shall comply with the variety of Housing Types requirements outlined in Chapter 4.9 - Additional Provisions.

#### Section 3.6.90 – 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-12 Zone:

- a. All new buildings or structures for which a valid permit application has been submitted after December 31, 2006;

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- 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 4.0.140 - 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.

### **LDC Chapter 4.12 – Landscaping, Buffering, Screening, and Lighting**

#### **4.2.50.02 - Service Facilities and Outdoor Storage Areas**

Trash dumpsters, gas meters, ground-level air conditioning units and other mechanical equipment, other service facilities, and outdoor storage areas shall be appropriately screened with a fence, wall, or plantings, consistent with the landscape screening provisions in this Section. When located adjacent to a residential zone, outdoor components associated with heat pumps, ground-level air conditioning units and similar kinds of equipment that create noise shall not be placed within any required setback area. Additionally, if such equipment is located adjacent to a residential zone and between five - 10 ft. of a property line, it shall be screened with a solid fence or wall at least one ft. higher than the equipment. When such equipment is located adjacent to a residential zone and outside a required setback line, and is greater than 10 ft. from a property line, standard screening requirements in this Section shall apply.

#### **4.2.50.03 - Swimming Pools**

Swimming pools more than 18 in. deep shall be surrounded and screened with a minimum four ft.-high secured fence or wall. The fence or wall must have a self-latching gate in accordance with Chapter 9 of the City's Municipal Code.

#### **4.2.50.03 - Swimming Pools**

Swimming pools more than 18 in. deep shall be surrounded and screened with a minimum four ft.-high secured fence or wall. The fence or wall must have a self-latching gate in accordance with Chapter 9 of the City's Municipal Code.

### **LDC Chapter 4.6 – Solar Access**

#### **Section 4.6.20 – Exemptions**

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Residential buildings constructed or lots developed in locations noted below are exempt from the requirements of this Chapter:

- c. On sites where density is concentrated because density is being transferred from an area on the same development site that is simultaneously being rezoned to Conservation - Open Space; or

**LDC Chapter 4.9 – Additional Provisions**

**Section 4.9.80 -HOUSING TYPE VARIATION REQUIREMENTS PER RESIDENTIAL ZONE**

A variety of Housing Types shall be provided for residential developments, in accordance with the provisions this Section, including the provisions in Table 4.9-1 - Options A and B for Developments Five - 10 Acres, Table 4.9-2 - Options A and B for Developments Greater than 10 acres, and Table 4.9-3 - Allowed Housing Types by Zone.

- b. RS-12, RS-12(U), RS-20, and MUR Zones - The lighter shading in the columns for these zones in Table 4.9-3 - Allowed Housing Types by Zone indicates permitted Housing and Building Types. The darker shading in the columns for these zones indicates "Option B" discussed in "2," and "3," below.
- 3. Developments Greater Than 10 Acres - Compliance is required with either Option A or Option B in Table 4.9-2 - Options A and B for Developments Greater Than 10 Acres.

<b>Table 4.9-2 - Options A and B for Developments Greater Than 10 Acres</b>	
<b>Option A</b>	<b>Option B</b>
<b>Provide at least three Housing or Building Types from the lightly shaded choices in Table 4.9-3 - Allowed Housing Types by Zone.</b>	<b>Comply with both apartment building and bedroom requirements in the darkly shaded areas in Table 4.9-3 - Allowed Housing Types by Zone.</b>
<b>Each required Housing or Building Type shall be at least 20 percent of the total units.</b>	<b>Additionally, add a second Housing or Building Type that is at least 20 percent of the total units and that is chosen from the lightly shaded choices areas in Table 4.9-3 - Allowed Housing Types by Zone.</b>

**EXCERPT FROM TABLE 4.9-3 – ALLOWED HOUSING TYPES BY ZONE**

<b>BUILDING TYPES, PER CHAPTER 1.6 - DEFINITIONS</b>	<b>ALLOWED HOUSING TYPES BY ZONE</b>	<b>HOUSING TYPE CHOICES TO SATISFY HOUSING VARIATION REQUIREMENTS</b>
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	RS-12 & RS-12(U)	RS-20	MUR	
Detached Single-family				1. Detached Single-family ≤ 1,200 sq. ft.
				2. Detached Single-family > 1,200 sq. ft.
Detached Single-family (Zero Lot Line)				3. Detached Single-family 1,200 sq. ft.
				4. Detached Single-family 1,200 sq. ft.
Accessory Dwelling Unit				5. Accessory Dwelling
Attached Single-family (Zero Lot Line, two units)				6. Attached Single-family (two units) (each unit on an individual lot)
Duplex				7. Duplex units
Attached (more than two units)				8. Dwellings with three-five units (each unit on an individual lot or each unit individually owned within a multi-unit structure)*. Includes Townhouses, Rowhouses, Flats, Condominiums.  * RS-5 Zone limited to a maximum of three attached units per structure.
				9. Dwellings with five units (each unit on an individual lot or each unit with an individual ownership within a multi-unit structure). Includes Townhouses, Rowhouses, Flats, Condominiums.
Multi-dwelling				10. Triplexes and fourplexes (each unit not individually owned)*  * RS-5 Zone limited to triplexes
Multi-dwelling, continued				11. Apartment buildings with four units (each unit not individually owned)
OPTION B for RS-12, RS-12(U), and RS-20 Zones				Minimum of three types of apartment buildings in terms of number of units per building (must vary by at least two units). Each type shall comprise at least 10 percent of the buildings (e.g., may have a

BUILDING TYPES, PER CHAPTER 1.6 - DEFINITIONS	ALLOWED HOUSING TYPES BY ZONE			HOUSING TYPE CHOICES TO SATISFY HOUSING VARIATION REQUIREMENTS
	RS-12 & RS- 12(U)	RS- 20	MUR	
				combination of buildings with 8, 10, and 12 units/building, etc.)
				<p>Minimum of two types of units in terms of number of bedrooms and each type shall comprise at least 25 percent of the total number of units:</p> <p>Dwelling units with ≤ one bedroom</p> <p>Dwelling units with two bedrooms</p> <p>Dwelling units with ≥ three bedrooms</p>

**LDC Chapter 4.10 - Pedestrian Oriented Design Standards**

**Section 4.10.60 – Standards for Attached Single-Family Dwellings Three Units or Greater, Townhome, Triplex, Fourplex, and Apartment Residential Building Types**

**4.10.60.01 – Building Orientation, Entrances, and Facades Adjacent to Pedestrian Areas**

All building orientations, facades, and entrances shall comply with the following standards.

- a. Orientation of Buildings - All dwellings shall be oriented to existing or proposed public or private streets, as outlined in this provision and in Chapter 4.4 - Land Division Standards, with the exception that Accessory Dwelling Units constructed in accordance with Chapter 4.9 - Additional Provisions may be accessed from an alley. Private streets used to meet this standard must include the elements in Chapter 4.0 - Improvements Required with Development. See Chapter 4.0 for public and private street standards.
  - 1. Primary building entrances shall face the streets or be directly accessed from a public street right-of-way or private street tract by a sidewalk or multi-use path less than 200 ft. long (distance measured along the centerline of the path from a public street right-of-way or private street tract), as shown in Figure 4.10-13 - Primary Building Entrances Within 200 Ft. of the Street, below. Primary entrances may provide access to individual units, clusters of units, courtyard dwellings, or common lobbies. Entrances shall open directly to the outside and shall not require passage through a garage or carport to gain access to the doorway. This provision shall apply to development of attached single-family dwelling units (three or more) and to development of three or more units on a single lot in any configuration of building types as allowed by the associated zone.
  - 4. Off-street parking and vehicular circulation shall not be placed between buildings and the streets to which those buildings are primarily oriented, except for driveway parking associated with single-family development. See Figure 4.10-13- Primary Building Entrances Within 200 Ft. of the Street for compliant locations of parking and circulation. An exception may also be granted for up to two parking spaces

per dwelling unit for Duplexes and Triplexes, provided these spaces are within driveway areas designed to serve individual units within the Duplexes or Triplexes, as shown in Figure 4.10-15 - Driveway Exception for Duplexes and Triplexes, on the next page. Parking to the side of buildings is allowed in limited situations, as outlined in Section 4.10.60.02 below.

- b. **Percentage of Frontage** - On sites with 100 ft. or more of public or private street frontage, at least 50 percent of the street frontage width shall be occupied by buildings placed within the maximum setback established for the zone, except that variations from this provision shall be allowed as outlined in Section 4.10.60.01.a.2, above. See Figure 4.10-16 - Portion of Building Required in Setback Area on Sites with At Least 100 ft. of Street Frontage. For sites with less than 100 ft. of public or private street frontage, at least 40 percent of the street frontage width shall be occupied by buildings placed within the maximum setback established for the zone, except that variations from this provision shall be allowed as outlined in Section 4.10.60.01.a.2, above. See Figure 4.10-17 - Portion of Building Required in Setback Area on Sites with Less Than 100 ft. of Street Frontage.
  
- d. **Grading (Cuts and Fills)** - Structures and on-site improvements shall be designed to fit the natural contours of the site and be consistent with the Natural Hazards and Natural Resource Provisions of Chapter 4.2 - Landscaping, Buffering, Screening, and Lighting, Chapter 4.5 - Natural Hazard and Hillside Development Provisions, Chapter 4.11 - Minimum Assured Development Area (MADA), Chapter 4.12 - Significant Vegetation Protection Provisions, and Chapter 4.13 - Riparian Corridor and Wetland Provisions.

#### 4.10.60.02 - Parking Location

##### a. Standards

- 1. Parking lots shall be placed to the rear of buildings. Ministerial exceptions to this standard allow parking to the side of a building if required parking cannot be accommodated to the rear. These ministerial exceptions may be granted in the following cases:
  - a) Where lot depth is less than 75 ft.;
  - b) Where parking on the side would preserve Natural Hazards or Natural Resources that exist to the rear of a site, and that would be disturbed by the creation of parking to the rear of structures on a site;
  - c) Where a common outdoor space at least 200 sq. ft. is proposed to the rear of a site, and parking in the rear would prohibit the provision of this common outdoor space area for residents of a development site; and/or
  - d) Where parking on the side would solve proximity issues between dwelling unit entrances and parking spaces. A proximity issue in this case involves a situation where a parking lot to the rear is in excess of 100 ft. from the entrances to the dwelling units being served by the parking lot.

2. On corner lots, parking areas shall not be located within 30 ft. of a roadway intersection, as measured from the center of the curb radius to the edge of the parking area's curb or wheel stop.

#### 4.10.60.04 – Menus for Pedestrian Features and Design Variety

- a. **Pedestrian Features Menu for Triplexes, Fourplexes, and Townhomes - Each Triplex, Fourplex, or Townhome shall incorporate a minimum of one of the following three pedestrian features. The applicant shall indicate proposed options on plans submitted for Building Permits. While not all of the pedestrian features are required, the inclusion of as many as possible is strongly encouraged.**
  1. **Elevated Finished Floor - An elevated finished floor a minimum of two ft. above the grade of the nearest street sidewalk or streetside multiuse path.**
  2. **Front Porches/Patios - A front porch or front patio for each ground floor dwelling unit, with a minimum size of six ft. deep by 10 ft. wide (60 sq. ft.), and with a minimum of 60 percent of the porch or patio covered to provide weather protection.**
  3. **Sidewalk/Walkway to Front Door - A minimum three-ft.-wide walkway constructed of a permanent hard surface that is not gravel and that is located directly between the street sidewalk and the front door. This walkway shall not be part of the driveway area.**
- b. **Design Variety Menu - Each structure shall incorporate a minimum of five of the following eight building design features. The applicant shall indicate proposed options on plans submitted for building permits. While not all of the design features are required, the inclusion of as many as possible is strongly encouraged.**
  1. **Trim - A minimum of 2.25-in. trim or recess around windows and doors that face the street. Although not required, wider trim is strongly encouraged.**
  2. **Building and Roof Articulation - Exterior building elevations that incorporate design features such as off-sets, balconies, projections, window reveals, or similar elements to preclude large expanses of uninterrupted building surfaces. Along the vertical face of a structure, such features shall be designed to occur on each floor and at a minimum of every 45 ft. To satisfy this requirement, at least two of the following three choices shall be incorporated into the development:**
    - a. **Off-sets or breaks in roof elevation of three ft. or more in height, cornices two ft. or more in height, or at least two-ft. eaves;**
    - b. **Recesses, such as decks, patios, courtyards, entrances, etc., with a minimum depth of two ft. and minimum length of four ft.; and/or**
    - c. **Extensions/projections, such as floor area, porches, bay windows, decks, entrances, etc., that have a minimum depth of two ft. and minimum length of four ft.**
  - b. **Recesses, such as decks, patios, courtyards, entrances, etc., with a minimum depth of two ft. and minimum length of four ft.; and/or**

- c. **Extensions/projections, such as floor area, porches, bay windows, decks, entrances, etc., that have a minimum depth of two ft. and minimum length of four ft.**

#### **4.10.60.05 - Service Areas and Roof-Mounted Equipment**

- a. **Service Areas - When provided, service areas such as trash receptacles shall be located to provide truck access and shall not be placed within any required setback area. When located outside a setback area, but within five- 10 ft. of a property line, such service areas shall be screened on all sides with a solid fence or wall at least one ft. higher than the equipment within the service area and also screened with landscaping in accordance with landscape screening provisions of Chapter 4.2 - Landscaping, Buffering, Screening, and Lighting. When located outside a setback area, but greater than 10 ft. from a property line, such service area shall still be screened, but may be screened with landscaping only, provided it is in accordance with landscape screening provisions of Chapter 4.2 - Landscaping, Buffering, Screening, and Lighting.**

**Service areas for residential building types other than single-family, duplex, and triplex units shall be located a minimum of 15 ft. from habitable floor area of both on-site and off-site residential buildings. An exception to locate service areas inside buildings may be granted consistent with the Oregon Fire Code. Transformers shall also be screened with landscaping. When service areas are provided within alleys, the alleys shall be constructed in accordance with the provisions in Chapter 4.0 - Improvements Required with Development.**

- b. **Roof-Mounted Equipment - Roof-mounted equipment, such as heating, ventilation, air conditioning equipment, etc., shall be screened by providing screening features at least equal in height to the equipment and constructed of materials used in the building's exterior construction. Screening features include features such as a parapet, wall, or other sight-blocking feature. The roof-mounted equipment shall be painted to match the roof.**

#### **4.10.60.06 – Pedestrian Circulation**

- a. **Applicability**

**These additional pedestrian circulation standards apply to all residential developments with eight or more units.**

- b. **Standards**

1. **Continuous Internal Sidewalks - Continuous internal sidewalks shall be provided throughout the site. Discontinuous internal sidewalks shall be permitted only where stubbed to a future internal sidewalk on abutting properties, future phases on the property, or abutting recreation areas and pedestrian connections.**
2. **Separation from Buildings - Internal sidewalks shall be separated a minimum of five ft. from dwellings, measured from the sidewalk edge closest to any dwelling unit. This standard does not apply to the following:**

- c) **Connectivity - The internal sidewalk system shall connect all abutting streets to primary building entrances. The internal sidewalk system shall connect all buildings on the site and shall connect the dwelling units to parking areas, bicycle parking, storage areas, all**

recreational facility and common areas, and abutting public sidewalks and multi-use paths.

- d) **Sidewalk and Multi-use Path Surface Treatment** - Public internal sidewalks shall be concrete and shall be at least five ft. wide. Private internal sidewalks shall be concrete, or masonry; and shall be at least five ft. wide. Public multi-use paths, such as paths for bicycles, pedestrians, and emergency vehicles, shall be concrete and shall be at least 12 ft. wide. Private multi-use paths shall be of the same materials as private sidewalks, or asphalt, and shall be at least 12 ft. wide. All materials used for sidewalks and multi-use paths shall meet City Engineering standards.
- e) **Crossings** - Where internal sidewalks cross a vehicular circulation area or parking aisle, they shall be clearly marked with contrasting paving materials. Additional use of other measures to clearly mark a crossing, such as an elevation change, speed humps, or striping is encouraged.

#### 4.10.60.05 - Service Areas and Roof-Mounted Equipment

- a. **Service Areas** - When provided, service areas such as trash receptacles shall be located to provide truck access and shall not be placed within any required setback area. When located outside a setback area, but within five- 10 ft. of a property line, such service areas shall be screened on all sides with a solid fence or wall at least one ft. higher than the equipment within the service area and also screened with landscaping in accordance with landscape screening provisions of Chapter 4.2 - Landscaping, Buffering, Screening, and Lighting. When located outside a setback area, but greater than 10 ft. from a property line, such service area shall still be screened, but may be screened with landscaping only, provided it is in accordance with landscape screening provisions of Chapter 4.2 - Landscaping, Buffering, Screening, and Lighting.

Service areas for residential building types other than single-family, duplex, and triplex units shall be located a minimum of 15 ft. from habitable floor area of both on-site and off-site residential buildings. An exception to locate service areas inside buildings may be granted consistent with the Oregon Fire Code. Transformers shall also be screened with landscaping. When service areas are provided within alleys, the alleys shall be constructed in accordance with the provisions in Chapter 4.0 - Improvements Required with Development.

- b. **Roof-Mounted Equipment** - Roof-mounted equipment, such as heating, ventilation, air conditioning equipment, etc., shall be screened by providing screening features at least equal in height to the equipment and constructed of materials used in the building's exterior construction. Screening features include features such as a parapet, wall, or other sight-blocking feature. The roof-mounted equipment shall be painted to match the roof.

#### 4.10.60.06 – Pedestrian Circulation

- a. **Applicability**

These additional pedestrian circulation standards apply to all residential developments with eight or more units.

- b. **Standards**

- 1. **Continuous Internal Sidewalks** - Continuous internal sidewalks shall be provided throughout the site. Discontinuous internal sidewalks shall be permitted only

where stubbed to a future internal sidewalk on abutting properties, future phases on the property, or abutting recreation areas and pedestrian connections.

2. **Separation from Buildings - Internal sidewalks shall be separated a minimum of five ft. from dwellings, measured from the sidewalk edge closest to any dwelling unit. This standard does not apply to the following:**
  - c) **Connectivity - The internal sidewalk system shall connect all abutting streets to primary building entrances. The internal sidewalk system shall connect all buildings on the site and shall connect the dwelling units to parking areas, bicycle parking, storage areas, all recreational facility and common areas, and abutting public sidewalks and multi-use paths.**
  - d) **Sidewalk and Multi-use Path Surface Treatment - Public internal sidewalks shall be concrete and shall be at least five ft. wide. Private internal sidewalks shall be concrete, or masonry; and shall be at least five ft. wide. Public multi-use paths, such as paths for bicycles, pedestrians, and emergency vehicles, shall be concrete and shall be at least 12 ft. wide. Private multi-use paths shall be of the same materials as private sidewalks, or asphalt, and shall be at least 12 ft. wide. All materials used for sidewalks and multi-use paths shall meet City Engineering standards.**
  - e) **Crossings - Where internal sidewalks cross a vehicular circulation area or parking aisle, they shall be clearly marked with contrasting paving materials. Additional use of other measures to clearly mark a crossing, such as an elevation change, speed humps, or striping is encouraged.**
  - f) **Safety Adjacent to Vehicular Areas - Where internal sidewalks parallel and abut a vehicular circulation area, sidewalks shall be raised a minimum of six in., or shall be separated from the vehicular circulation area by a minimum six-in. raised curb. In addition to this requirement, a landscaping strip at least five ft. wide, or wheel stops with landscaping strips at least four ft. wide, shall be provided to enhance the separation of vehicular from pedestrian facilities.**
  - g) **Lighting - Lighting shall be provided consistent with the lighting provisions in Chapter 4.2 - Landscaping, Buffering, Screening, and Lighting.**

#### **LDC Chapter 4.12 – Significant Vegetation Provisions**

##### **Section 4.12.20 - Applicability**

These provisions apply to areas of Significant Vegetation identified on the Significant Vegetation Map. Significant Vegetation includes:

- a. **Highly Protected Significant Vegetation (HPSV); and**
- b. **Partially Protected Significant Vegetation (PPSV).**

Standards for development and vegetation management on sites containing Significant Vegetation are included below.

##### **Section 4.12.60 - Standards for Development On Sites Containing Significant Vegetation**

The location and extent of development on sites containing Significant Vegetation shall be based on the standards established below. Encroachments into areas of Significant Vegetation may be permitted based on the provisions of Chapter 4.11- Minimum Assured Development Area and the following:

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a. **Highly Protected Significant Vegetation (HPSV) Areas - For Properties Containing Areas Designated as Highly Protected Significant Vegetation (HPSV), the following standards shall apply –**

2. **Vegetation that is required to be protected shall be preserved and/or enhanced in specific tracts or conservation easements (as defined in ORS 271.715), which shall ensure that a minimum of a 70 percent Mature Tree Canopy Coverage is achieved in the tracts or conservation easements. The preserved and/or enhanced vegetation shall not be placed in tracts, if the creation of separate tracts will cause the remainder lot or parcel to fall below the required minimum lot area. The City of Corvallis shall be the holder of proposed conservation easements. Exceptions to this requirement shall be granted based on the following:**

- a) **Preserved existing upland prairie areas shall be credited as 100 percent Tree Canopy Coverage; and**
- b) **Preserved Oak savannas, which are identified as ARA type 13 in the Natural Features Inventory, shall be credited at 70 percent Mature Tree Canopy coverage;**

#### **Section 4.12.70 - Provisions Limiting Extensions of Public And Private Roadways And Utilities On Sites Containing Significant Vegetation**

Location and construction of streets, utilities, bridges, bicycle, and pedestrian facilities within Significant Vegetation areas must be deemed necessary to maintain a functional system by the City Engineer. This Code, City Transportation and Utility Master Plans, and other adopted City plans shall guide this determination. The design standards of Chapter 4.0 - Improvements Required with Development shall be applied to minimize the impact to the Significant Vegetation area.

### **LDC Chapter 4.13 - Riparian Corridor and Wetland Provisions**

#### **Section 4.13.20 – Applicability**

These provisions apply to Significant Riparian Corridor and Wetland areas, as mapped on the Corvallis Riparian Corridors and Wetlands Map. However, state and federal Wetland and riparian regulations will continue to apply to Wetland and Riparian Corridor areas within the City, regardless of whether or not they are mapped on the Corvallis Riparian Corridors and Wetlands Map. Nothing in these regulations should be interpreted as superseding or nullifying state or federal requirements.

#### **Section 4.13.40 – Procedures**

b. **For properties containing Wetlands, as indicated on the Corvallis Local Wetland Inventory Map - The submittal materials listed below are required. Additionally, all applications will be reviewed to determine that all necessary permits have been obtained or will be obtained from those federal, state, or local governmental agencies that require prior approval.**

1. **Site Plan - A site plan that graphically depicts:**

- a) All Wetland boundaries, as indicated on the Corvallis Local Wetland Inventory Map;
- b) A 25-ft. setback/buffer around the upland edge of locally and nonlocally protected Wetlands, as mapped on the City's Local Wetland Inventory Map1. Proximate Wetlands shall not be included when determining this 25-ft. setback/buffer location; and
- c) A Wetland Delineation of the boundaries of the Wetland area, with an accompanying site map, that has been accepted and approved by the Department of State Lands (DSL) may be substituted for the information in "b," above;

**Section 4.13.50 - Use Limitations and Exceptions Within Highly Protected Riparian Corridors And Riparian-Related Areas**

In addition to the requirements of the underlying zone, the following limitations and exceptions shall apply to activities within Highly Protected Riparian Corridors and Riparian related Areas, as mapped on the City's Riparian Corridors and Wetlands Map.

- b. **Building, Paving, and Grading Activities** - The placement of structures or impervious surfaces, as well as grading, excavation, and the placement of fill, are prohibited. Exceptions to the drainageway restrictions may be made for the purposes identified in items 1-7 of this Section, provided they are designed and constructed to minimize adverse impacts to Riparian Corridors and Riparian-related Areas.
  - 2. The location and construction of streets, utilities, bridges, bicycle, and pedestrian facilities within Highly Protected Riparian Corridors and Riparian related Areas must be deemed necessary to maintain a functional system by the City Engineer. This Code, City Transportation and Utility Master Plans, and other adopted City plans shall guide this determination. The design standards of Chapter 4.0 - Improvements Required with Development shall be applied to minimize the impact to the subject area;
  - 7. Water quality or detention facilities located outside of riparian easement areas, as determined in Section 4.13.70.
- d. **Re-vegetation of Streambanks** - Commensurate with the extent of new development of structures or of impervious surface areas on development sites containing Stream or river frontage as shown on the City's Riparian Corridors and Wetlands Map, the re-vegetation of Stream banks is required.

For each 500 sq. ft. of new structure area or impervious surface area, 100 lineal ft. of the development site's Stream frontage shall be re-vegetated according to the following standards, up to the total amount of the development site's Stream frontage:

- 1. Stream bank vegetation, as outlined in "2," below, shall be provided within the first 30 ft. from Top-of-bank, with the exception of the Willamette River, which shall be addressed as indicated in "3," below;
- 2. Re-vegetation Standards -
  - a) Streams that already have existing vegetation as outlined in this provision are considered to be compliant with these Stream shading standards. To

be considered compliant, at minimum the vegetation within the first 30 ft. from the Top-of-bank, as described in "1" above, shall include:

- 1) An existing vegetated tree canopy consisting of healthy trees at least four in. caliper, measured at four ft. above Natural Grade, and located at an average spacing of 20 ft. along the Stream bank; and
  - 2) An existing vegetated under story consisting of healthy riparian shrubs over at least 50 percent of the area; and healthy groundcover such that the combination of shrubs and groundcover results in a coverage over at least 90 percent of the area.
- b) Streams that do not have the required existing vegetated tree canopy and existing vegetated under story in the area to be shaded are subject to re-vegetation. Such re-vegetation shall either be that required by an Oregon Department of Fish and Wildlife-approved restoration plan for improving Riparian Function, or that required by the provisions outlined below:
- 1) In areas that do not meet the tree canopy requirement outlined in "a" above, large-canopy riparian trees, such as Acer Macrophyllum, with a minimum caliper size of 3/4 -1 in. shall be planted in a triple row with staggered spacing of 20 ft. on-center along the length of the Stream bank. All new trees are required to be mulched with four cubic ft. of bark chips and drip irrigated for a period of five years to ensure establishment. All new trees shall be staked and protected by rodent-proof fencing, as specified by the Public Works Department;
  - 2) In areas that do not meet the riparian shrub coverage portion of the under story requirement outlined in "a," above, riparian shrubs shall be planted and maintained to provide the required 50 percent coverage within five years. The minimum planting size for the riparian shrubs shall be one gallon or 18 in. live stakes. All new shrubs shall be mulched with three in. of bark chips, extending one ft. from the drip line of the shrub or around the live stake or live stake bundle. All new shrubs shall also be irrigated and maintained for a period of five years to ensure establishment.
  - 3) In areas that do not meet the groundcover coverage portion of the under story requirement outlined in "a," above, groundcover shall be maintained or planted to provide a minimum of 90 percent total coverage of shrubs and ground covers within five years. The minimum planting size shall be one gallon. Ground covers shall be mulched with three in. of bark chips and irrigated for a period of five years to ensure establishment.

**LDC Section 4.13.70.02**

- d. **Easement Widths - When an easement is required, the appropriate width shall be as described in "1," through "5," below. However, in no case shall riparian easements include areas containing existing buildings that are intended to remain,**

nor shall easements include development area assured under "4," below. For areas with Riparian Corridors, as designated on the City's Riparian Corridors and Wetlands Map, the associated easement width and requirements shall be as follows:

1. **Measurement and Separate Tract - Easement areas shall be measured from Top-of-bank, as indicated from a submitted topographic survey, and shall be placed in a separate tract.**
2. **Easement Width - When an easement is required, the appropriate width shall be as outlined in Table 4.13-2 - Easement Width, except as modified by the provisions in "3," through "5," below.**

<b>Table 4.13-2 Easement Width</b>	
<b>Riparian Corridor Areas Mapped on the Riparian Corridors and Wetlands Map</b>	<b>Required Easement Area --To be Placed in Separate Tracts</b>
<b>All Partially Protected Stream Corridors</b>	<b>Drainage channel + 25 ft. from top-of-bank; or The boundary of the 0.2-ft. Floodway, whichever is greater 2</b>
<b>Highly Protected Riparian Corridors along the Willamette and Mary's Rivers</b>	<b>Drainage channel + 75 ft. from top-of-bank; or The boundary of the 0.2-ft. Floodway, whichever is greater2</b>
<b>All other Highly Protected Riparian Corridors</b>	<b>Drainage channel + 50 ft. from top-of-bank; or The boundary of the 0.2-ft. Floodway, whichever is greater2</b>
<b>Note: The area between the outer edge of the easement boundary and the outer edge of the Riparian Corridor is regulated by sections 4.13.50 and 4.13.60.</b>	

**4.13.80.01 - Use Limitations and Exceptions within Locally Protected Wetlands**

- a. **In addition to the requirements of the underlying zone, the limitations and exceptions in "b," through "e," below, shall apply to –**
  1. **Activities within Locally Protected Wetlands (LPWs) as shown on the City's Riparian Corridors and Wetlands Map; and**
  2. **The associated 25-ft. setback/buffer area described in Section 4.13.40.b.1.b, unless a delineation results in a different boundary.**
- c. **Building, Paving, and Grading Activities - Within LPW areas, the placement of structures or impervious surfaces, as well as grading, excavation, and the placement of fill, is prohibited, except as outlined below.**

**Exceptions to the LPW restrictions may be made for the purposes identified in "1," and "2," below, provided they are designed and constructed to minimize adverse impacts to Wetland Functions.**

2. **Activities outlined in sections 4.13.50.b.2, 4.13.50.b.5, and 4.13.50.b.6.**

## **LDC Chapter 4.14 – Landslide Hazard and Hillside Development Provisions**

### **Section 4.14.50 - Standards for Development in Steeply Sloped Areas**

#### **4.14.50.02 - Applicability**

Steeply sloped areas are identified on the Corvallis Natural Hazards Map. The Natural Hazards Map provides information regarding the location of steep slopes on property within the Corvallis Urban Growth Boundary.

- a. The following standards regulate development on areas with slopes of 15 percent or greater, which are slopes identified as having a significant hazard potential;
- b. In addition to these regulations, the Hillside Development standards in Section 4.14.70 apply to development in areas with slopes of 10 percent or greater; and
- c. No portion of this Code shall preclude the Building Official's authority to require geotechnical reports and other analyses, as deemed necessary, and in compliance with the City's currently adopted Oregon Structural Specialty Code. All construction in these areas shall be subject to currently adopted Oregon Structural Specialty Code requirements.

#### **4.14.50.04 - Site Assessment**

- a. Site Assessments are required:
  1. In conjunction with development proposals on areas with slopes of 15 percent or more; and
  2. For development in Landslide Hazard areas, as stipulated in Section 4.14.60 of this Code;
- b. The Site Assessment is an overview of site conditions, as well as a professional evaluation of whether or not additional studies are needed prior to development on a property. The Site Assessment shall be completed and stamped by either a Certified Engineering Geologist or by a Licensed Civil Engineer, licensed in the Specialty of Geotechnical Engineering. At a minimum, the Site Assessment shall include the following elements:
  1. A field investigation of the site and vicinity;
  2. A discussion of geologic hazards, if any;
  3. Suitability of the site for proposed development, from a geologic standpoint;
  4. If applicable, discussion of any unusual or extreme geologic processes at work on the site, such as rapid erosion, Landslide Hazard, flood hazard, rockfall, subsidence, debris run-out, or other features;
  5. A list of any geologic hazards that may affect the proposed land use, including slope stability, debris flow, flooding, topography, erosion hazard, shallow groundwater, springs, expansive soils, subsidence, fault rupture, or any other geologic hazard discovered by the investigation;
  6. If applicable, an identification of any areas of the site recommended to be avoided for human-occupied structures;
  7. If necessary, identification of mitigation measures needed to address any anticipated geologic problems;

8. A discussion regarding the need for follow-up studies that should be conducted, such as engineering geotechnical reports, additional subsurface exploration, or more extensive soil reports; and
9. Feasibility of the site for the proposed development.

**4.14.50.08 - Standards for Areas with Slopes Equal to or Greater than 15 Percent, but less than 25 Percent**

Development in these areas should be carefully evaluated, due to concerns with safety, ground movement, slope stability, and erosion impacts. The following standards shall apply for development in areas with slopes equal to or greater than 15 percent, but less than 25 percent. These standards are applicable only to the specific portions of a site which contain the specified slopes, as indicated on a topographic survey. If an applicant demonstrates, by submittal of a topographic survey, that development on a property can be accommodated without encroachment into the specified slope areas, then the following standards do not apply.

- a. **Site Assessment Required - Applications for development on the specified slope areas, including land use applications, Public Improvements by Private Contract Permits (PIPC), Excavation and Grading Permits, Floodplain Development Permits, and Building Permit submittals, shall be accompanied with a Site Assessment which meets the criteria identified in Section 4.14.50.04. If the Site Assessment identifies the need for a Geotechnical Report, or other reports, those reports shall be submitted with the application for development and shall be consistent with the requirements of Section 4.14.50.05. Development shall conform with all recommendations and requirements established by any and all required reports.**
- b. **Compliance with Hillside Development Standards - Development shall comply with the Hillside Development Standards in Section 4.14.70.**

**4.14.70.02 - Applicability**

Areas with slopes of 10 percent or greater are identified on the Natural Hazards Map. The following standards regulate development on areas with slopes of 10 percent or greater. In addition to these regulations, the Standards for Development in Steeply Sloped Areas in Section 4.14.50 apply to development in areas with slopes of 15 percent or greater. The Natural Hazards Map provides information regarding the location of slopes of 10 percent or greater on property within the Corvallis Urban Growth Boundary.

**4.14.70.04 - Grading Regulations**

- a. **Types of Grading - The following regulations address two types of grading, both of which are defined in Section 4.14.70.03, above:**
  1. **Mass Grading; and**
  2. **Grading on Individual Lots.**
- b. **These regulations prescribe grading area limitations based on zoning and lot size, as set out in Sections 4.14.70.04.c.3 and 4.14.70.04.d.2 -**
  1. **On development sites where both Mass Grading and Individual Lot Grading are employed, Mass Grading and Individual Lot Grading must be contained within the same grading limitation areas. The amount of gradable area allowed, per lot, is the**

same under both standards. This means that when Mass Grading is employed, the area that is Mass Graded on an individual lot will be the area in which Individual Lot Grading is allowed, unless the Mass Graded area is less than the maximum gradable area allowed. In this case, additional area, up to the maximum allowed, can be graded at the time of Individual Lot Grading.

c. **Mass Grading Standards** - The following standards shall apply to development throughout the City of Corvallis:

1. **Maximum Allowed Cut Depth and Fill Height** - The following standards govern the maximum cut depth and fill height:

Site Characteristics	Maximum Cut Depth and Fill Height
No Extenuating Conditions	Eight-ft. Standard
One Extenuating Condition	10-ft. Standard only where allowed to work around extenuating condition
Two or more Extenuating Conditions	12-ft. Standard only where allowed to work around extenuating conditions

2. **Extenuating Conditions** - Exceptions to the Eight-ft. Standard for Mass Grading shall be based on the following specific extenuating conditions:

a) **Street/Pedestrian Alignment** - Additional Cut/Fill provides for the alignment of a necessary street or pedestrian connection. A necessary street or pedestrian connection is one which is needed to create a Block Perimeter of approximately 1,600 ft., or which is identified in an adopted City Master Plan document. A necessary street connection must comply with the slope standards in Section 4.0.60.k of Chapter 4.0 - Improvements Required with Development. Section 4.0.60.k stipulates that Arterial Streets shall not exceed a six percent grade, Collector and Neighborhood Collector Streets shall not exceed 10 percent, and Local and Local Connector Streets shall not exceed 15 percent. The width and overall extent of any street exceeding the Eight-ft. Standard shall be minimized, where feasible, to minimize grading impacts.

b) **Significant Natural Feature** - Additional cut/fill is necessary to protect a Significant Natural Feature, which is defined as a feature subject to a Natural Hazards (except slopes) and/or Natural Resource Overlay on the Comprehensive Plan Map, or a Significant Tree, as defined in Chapter 1.6 - Definitions. In the case of a preserved tree, a certified arborist must find that the proposed cut/fill exception would preserve the viability of a Significant Tree that would otherwise have been damaged by the application of the Cut and Fill Standards.

c) **Detention Facilities** - To accommodate stormwater detention facilities where no other viable location exists on the site.

3. **Grading Area Limitations** - The following requirements apply to Mass Grading in areas with slopes equal to or greater than 10 percent, as mapped on the Natural Hazards Map:

Staff Identified Review Criteria  
Campus Crest / The Grove

b) Medium-high and High Density Residential Development Zones –

Medium-high and High Density Development Zones	Mass Grading Regulations:
RS-12, RS-12U, RS-20, and MUR Zones	<u>For development sites greater than 6,500 sq. ft. in size</u> - Graded area shall not exceed 75 percent. The Eight-ft. Standard shall apply, unless extenuating conditions are present.
	For development sites less than or equal to 6,500 square ft. in size - Grading of up to 100 percent of the site is allowed. The Eight-ft. Standard shall apply, unless extenuating conditions are present.

## Major Replat / Subdivision

### LDC Chapter 2.4 – Subdivision and Major Replat

#### 2.4.30.04 - Review Criteria

b. Residential Subdivisions - Requests for the approval of a Residential Tentative Subdivision Plat shall be reviewed to ensure consistency with the clear and objective approval standards contained in the following: the City’s development standards outlined in the applicable underlying Zoning Designation standards in Article III of this Code; the development standards in Article IV of this Code; the standards of all acknowledged City Facility Master Plans; the adopted City Design Criteria Manual; the adopted Oregon Structural Specialty Code; the adopted International Fire Code; the adopted City Standard Construction Specifications; the adopted City Erosion Prevention and Sediment Control Ordinance; and the adopted City Off-street Parking Standards. Additionally, the following criteria shall be met for Residential Subdivisions and the application shall demonstrate adherence to them:

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

### LDC Chapter 4.4 – Land Division Standards

#### Section 4.4.20 - General Provisions

##### 4.4.20.01 - Applicability

All Land Divisions shall be in compliance with the requirements of the applicable zone and this Chapter, as well as with all other applicable provisions of this Code. Modifications to these requirements may be made through the procedures in Chapter 2.5 - Planned Development and/or Chapter 2.12 - Lot Development Option, as applicable.

#### **4.4.20.02 - Blocks**

- a. **General - Length, width, and shape of blocks shall be based on the provision of adequate lot size, street width, and circulation; and on the limitations of topography.**
- b. **Size - Blocks shall be sized in accordance with the Block Perimeter provisions within Section 4.0.60.o of Chapter 4.0 - Improvements Required with Development.**

#### **4.4.20.03 - Lot Requirements**

- a. **Size and Shape - Lot size, width, shape, and orientation shall be appropriate for the location of the Subdivision and for the Use Type contemplated. No lot shall be dimensioned to contain part of an existing or proposed street. All lots shall be buildable. Lot sizes shall not be less than required by this Code for the applicable zone. Depth and width of properties reserved or laid out for commercial and industrial purposes shall be adequate to provide for off-street parking and service facilities required by the type of use proposed, unless off-site parking is approved per Chapter 4.1 - Parking, Loading, and Access Requirements.**
- b. **Access - Each lot shall abut a street (not an alley) for a distance of at least 25 ft. unless it complies with the exceptions listed in "1," "2," or "3," below:**
- c. **Through Lots - The creation of Through Lots through a Land Division process shall be avoided except where essential to overcome specific disadvantages of topography and orientation. Through lots, in low density residential zones, created through a Land Division process shall comply with the following standards:**
  - 1. **A 20-ft. wide easement area shall be provided along the full length of one abutting street to the Through Lot, and shown on the plat;**
  - 2. **No vehicular access shall be permitted within the Through Lot Easement area; and**
  - 3. **Landscaping in the Through Lot Easement area shall comply with the provisions in Chapter 4.2 - Landscaping, Buffering, Screening, and Lighting.**
- d. **Lot Side Lines - Side lines of lots, as much as practicable, shall be at right angles to the street the lots face.**
- e. **Lot Grading - Lot grading shall conform to Chapter 4.12 – Significant Vegetation Protection Provisions; and the City's excavation and fill provisions.**
- f. **Building Lines - Building setback lines may be established in a final plat or included in covenants recorded as a part of a final plat.**
- g. **Large Lots - In dividing land into large lots that have potential for future further Subdivision, a conversion plan shall be required. The conversion plan shall show street extensions, utility extensions, and lot patterns to indicate how the property may be developed to Comprehensive Plan densities and to demonstrate that the proposal will not inhibit development of adjacent lands.**
- i. **Minimum Assured Development Area - For property with Natural Resources or Natural Hazards subject to Chapter 2.11 – Floodplain Development Permit, Chapter 4.5 - Floodplain Provisions, Chapter 4.12 – Significant Vegetation Protection Provisions, Chapter 4.13 - Riparian Corridor and Wetland Provisions, or Chapter 4.14 - Landslide Hazard and Hillside Development Provisions, lots created through a Subdivision, Partition, or Property Line Adjustment process shall be consistent with the provisions of Chapter 4.11 - Minimum Assured Development Area (MADA).**

#### **Applicable Provisions from Chapter 4.11:**

Staff Identified Review Criteria  
Campus Crest / The Grove

**Section 4.11.30 - PROCEDURES**

Properties with Natural Resources or Natural Hazards subject to the provisions of Chapter 2.11 - Floodplain Development Permit, Chapter 4.5 - Floodplain Provisions, 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, have access to the provisions of this Chapter, provided the regulations within it are followed. Compliance with the provisions of this Chapter shall be determined through the development review processes identified in Section 1.2.110 of Chapter 1.2 - Legal Framework or through the Building Permit or construction permit review processes.

**a. Property within the City Limits as of December 31, 2004 -**

**1. Existing Lots and Development Sites - Minimum Assured Development Area (MADA) applies only to -**

- a) Individual lots and individual parcels legally established prior to December 31, 2004; and
- b) Development sites composed of one or more legally established lots or parcels aggregated for a specific development permit application.

**2. Property Proposed for Subdivision, Partition, or Property Line Adjustment -**

- a) Any Subdivision, Partition, and/or Property Line Adjustment processed after December 31, 2004, shall not create lots or parcels unless:
  - 1) Each new and remaining lot or parcel contains:
    - i. an area unconstrained by Natural Resources or Natural Hazards; or
    - ii. an area that includes Formerly Constrained Areas; or
    - iii. contains an area that includes the areas in 2.a)1)i. and ii. above; and
  - 2) The area in "2. a) 1)," above, is equal to or greater than the Minimum Assured Development Area (MADA) for the zone or zones in which the development proposal falls.
- b) Exceptions to the requirements in "a," above, include:
  - 1) Lots created for public park purposes;
  - 2) Privately- or publicly-owned lots completely contained within land zoned Conservation-Open Space; and
  - 3) Common open space tracts created for the purpose of protecting Natural Resources or Natural Hazards.

**3. Zone Changes - Zone Changes, other than those initiated by the City Council, shall not be used to increase the area of encroachment into the protected Natural Resources and Natural Hazards on a lot, parcel, or development site, unless such Zone Change is**

accompanied by an Economic, Social, Environmental, and Energy (ESEE) analysis indicating the overall balance provided by the City's Natural Resources and Natural Hazards protection program is maintained or improved.

**Additional Land Division Standards from Chapter 4.4:**

2. **Preservation and/or protection of Significant Natural Features, consistent with Chapter 2.11 - Floodplain Development Permit, Chapter 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;**
3. **Land uses shall be those that are outright permitted by the existing underlying zoning designation.**
4. **Excavation and grading shall not change hydrology in terms of water quantity and quality that supports existing Locally Significant Wetlands and/or Riparian Corridors that are subject to Chapter 4.13 – Riparian Corridor and Wetland Provisions.**

**A Residential Subdivision that conforms to these criteria is considered to meet all of the compatibility standards in this Section and shall be approved. A Residential Subdivision that involves Uses subject to Plan Compatibility or Conditional Development review, or that involves a Zone Change, shall meet the applicable compatibility criteria for those Plan Compatibility, Conditional Development, and Zone Change applications.**

## MAYOR & COUNCIL EMAIL

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### OSU/City Duties re: CHNA

- *To:* <ward4@xx>
- *Subject:* OSU/City Duties re: CHNA
- *From:* "Gary Angelo" <gcangelo@xxxxxxxxxxx>
- *Date:* Tue, 25 Feb 2014 15:51:56 -0800

Hello Councilor Brown,

I would like to request some information from OSU and City Staff regarding traffic counts that were to be provided on a recurring two-year basis for NW Jackson Avenue, between NW 35th St. and Arnold Way, as required by LDC 3.36.70.a.4.d. College Hill Neighborhood Association does not have a complete record of those counts.

Given the recent growth in population at OSU, additional traffic pressure from both cut-through traffic and open parking space seeking has increased the traffic volumes on other College Hill streets, especially NW Johnson and NW Van Buren Avenues. I would also like to include the traffic counts for those two streets in addition to NW Jackson Avenue in my request. My understanding is that for these traffic counts to be representative, they should be for a 24-hour period during school session and on school days. They should be conducted over several days to even out the variability.

In addition, on NW Jackson at 28th Street, there is a stop sign that is continually ignored by a significant number of drivers, some of whom make no attempt to stop-- in addition to the much higher number of roll-through drivers. This has created a very dangerous situation for resident children as well as bicyclists using that intersection. I understand that City Staff recently conducted a one-time measure of adherence to traffic rules at that stop sign. That one-time measure showed a near-average of four non-stops per hour at that intersection over a four-and -one-half-hour period. As a representative of the neighborhood, this is an unacceptable level of non-compliance with traffic rules. As this measure was only conducted once, I think the results warrant a more thorough and extensive measurement across both weekends and weekdays, so that a more complete picture of the issue can be developed.

ATTACHMENT E  
Page 110-bj

What has also been missing is a concerted engagement with the neighborhood association, as well as nearby business owners along NW Monroe Avenue, to develop workable, effective solutions that would mitigate the issues highlighted by the above measurements. This was the intent of the inclusion of LDC 3.36.70.a and .b when the existing OSU Campus Master Plan was adopted in 2005. While the Collaboration Parking and Traffic Work Group addressed some recommended solutions regarding parking districts, the composition of that work group did not include the appropriate stakeholders to appropriately address the concerns brought about by traffic volumes and street connectivity. Thus, it still remains to pull together the appropriate stakeholders in a proper balance of interests in order to develop the right solutions. First of all, however, what is needed is the data and information to identify all the various issues, for which my above requests would make a good head start.

I have attached a copy of LDC 3.36.70.a.4 and .b for your quick reference.

Thank you,  
Gary Angelo  
CHNA President  
gcangelo@xxxxxxxxxxx

**Attachment:**LDC 3.36.70.a.4 - OSU.docx

*Description:* MS-Word 2007 document

- Prev by Date:**voting**
- Next by Date:**Mike Bleistein re:Witham Oaks**
- Previous by thread:**voting**
- Next by thread:**Mike Bleistein re:Witham Oaks**
- Index(es):
  - **Date**
  - **Thread**

**CORVALLIS CITY COUNCIL  
LOCAL CONTRACT REVIEW BOARD  
MINUTES**

**March 3, 2014**

The meeting of the Corvallis City Council, serving as the Local Contract Review Board, was called to order at 6:15 pm on March 3, 2014 in the Downtown Fire Station, 400 NW Harrison Boulevard, Corvallis, Oregon, with Mayor Manning presiding.

**I. ROLL CALL**

PRESENT: Mayor Manning, Councilors Brauner, Brown, Beilstein, Hervey, Hogg, Sorte, Traber, and York

ABSENT: Councilor Hirsch

**II. NEW BUSINESS**

A. Revision of the dollar value of purchases associated with the intermediate procurement process

In response to Councilor Beilstein's inquiry, Finance Director Brewer said purchasing levels have not been adjusted in some time and prices have increased. Raising the intermediate procurement level to \$5,000 would streamline paperwork requirements by allowing staff to make more purchases using City purchasing cards.

Councilor Sorte said the opportunity to describe the audit process within a procedure such as this can be helpful in avoiding misappropriations and he supports the change.

City Attorney Fewel read a resolution authorizing an increase in the intermediate procurement level to all purchases between \$5,000 and \$49,999.99.

Councilors Traber and Brown, respectively, moved and seconded to adopt the resolution.

RESOLUTION 2014-07 passed unanimously.

**III. ADJOURNMENT**

The meeting adjourned at 6:18 pm.

APPROVED:

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY RECORDER

**DRAFT**  
**CITY OF CORVALLIS**  
**MINUTES OF THE CORVALLIS ARTS AND CULTURE COMMISSION**  
**FEBRUARY 19, 2014**

Attendance

Brenda VanDevelder, Chair  
Rebecca Badger, Vice Chair  
Karyle Butcher  
Charles Creighton  
Shelley Moon  
Elizabeth Westland  
Wayne Wiegand

Staff

Karen Emery, Parks and Recreation Director

Visitors

Bruce Barris  
Ella Rhoades, BCCC Chair

Absent/Excused

Patricia Daniels  
Joel Hirsch, City Council Liaison

**I. CALL TO ORDER.** Chair Brenda VanDevelder called the meeting to order at 5:33 p.m.

**II. INTRODUCTIONS.** VanDevelder welcomed Wiegand to the Commission. Wiegand introduced himself to ACC members and visitors. Visitors Barris and Rhoades introduced themselves as well.

**III. REVIEW OF JANUARY 15, 2014 MINUTES.** The minutes from the January 15, 2014 were approved following motion proposed by Butcher and seconded by Creighton.

**IV. VISITOR PROPOSITIONS.** Rhoades offered thanks for the collaborative effort between ACC and BCCC at the recent networking event. She felt that the collaboration made the event more engaging and gave a greater breadth of coverage to the community. Rhoades also mentioned that the Oregon Art Commission is in the process of hiring a new Executive Director

**V. REVIEW AND DISCUSSION OF FEBRUARY NETWORKING/AWARDS EVENT.**

VanDevelder offered thanks to all involved for making the event so successful, and noted that the full turnout was more than 125 people. VanDevelder then queried for thoughts and comments. Westland noted that the school district's catering was very good, and that leftovers were donated to a local shelter later that night. Butcher stated that she hopes ACC and BCCC's collaborative efforts continue. Wiegand was very impressed by the event, and Westland added that she enjoyed the diversity of the groups and grant projects. Rhoades stated the amount of funds awarded was \$10,820 to 26 different application, and added that collaborations between ACC and BCCC should continue as the synergism was very rewarding.

## **VI. SUBCOMMITTEE REPORTS.**

### **MARKETING AND OUTREACH SUBCOMMITTEE**

Badger discussed that preliminary subcommittee work will be done via email, prior to meetings, in the future. VanDevelder mentioned that such exchanges can be included in ACC meeting packets. Emery noted that the deadline for packet inclusion is the Wednesday prior to the upcoming meeting.

Westland explained that the CAFA brochures have been delivered to SamHealth in print and digital formats, and are being distributed via four departments (Internal Medicine, Family Medicine, Chaplain, and Pediatrics). The digital format has been delivered to United Way, and she will follow up with them. Love, Inc. has been supplied with both digital and print copies as well.

Westland and Moon met with the Benton County Health Department staff member Rocio Munoz, who had previously translated the CAFA flyer. Westland mentioned that the bilingual aspect has largely been addressed, the focus now is to appeal bi-culturally as well. Moon felt that meeting in-person was very important, and that the physical presence is a great aid in connecting, empowering people, and forming alliances. Westland added that she was able to supply Munoz with some great contacts, and that The Vagina Monologues would be coming to the Majestic with future performances planned completely in Spanish.

Westland mentioned that the CAFA logo should be on event posters. Butcher queried as to what could be done to ensure the longterm sustainability for the program. Badger added that outreach could be a part of the signature program for future members. Butcher added that CAFA is more successful in the hands of those who have outgoing personalities. Westland will work on a list of contacts (including names, email addresses, and phone numbers). Butcher mentioned such could be included in the Annual Report. VanDevelder will discuss school contacts with Daniels for inclusion as well

### **ECONOMIC IMPACT SUBCOMMITTEE**

Emery circulated copies of the last draft of the RFP scope of work. The RFP will be available on the City website as well. VanDevelder queried as to what the next steps will be. Emery stated she will develop a City contract and will involve the economic subcommittee and two of her staff for review, adding that they can interview prospective candidates as well if such is necessary. Creighton asked what sort of materials ACC would be requesting of candidates. Emery replied that main focus will be how each would plan to meet the scope, and what each would charge per individual component. Materials will be distributed in the coming week, and two to three weeks will be allowed for responses. These will be brought to either the ACC's April meeting. Emery added that she will circulate the shortlist of candidates via email. With the omission of an unnecessary asterisk, the RFP was approved by a 7:0:0 vote.

**VII. NEW BUSINESS.** VanDevelder plans to have a new Goals document available, which will be included in the March meeting packets. VanDevelder will send the materials to Emery.

Westland is working on a Corvallis Arts Calendar, not to duplicate what Visit Corvallis is doing, but to create a more arts-focused calendar of events.

Butcher expressed interest in inviting a representative of Albany's ACC to share ideas and connections with the Corvallis ACC at an upcoming meeting. VanDevelder will contact the Albany ACC, with hopes of a member present for either the March or April meeting.

VanDevelder pointed out that a number of arts events are upcoming in the local area, such as the Corvallis Arts Youth Symphony's Salsa Cabaret, and also the Chocolate Fantasy Fundraising Event.

Badger is working with campus group Extension Reconsidered Initiative, which will be holding an invite-only forum for 45 guests on April 15<sup>th</sup>.

Emery will be in touch with Westland to gather information regarding the da Vinci Days thinktank group.

The March ACC meeting will have a discussion regarding a Community Stakeholder Meeting.

**VIII. STAFF LIAISON REPORT.** None.

**IX. ADJOURNMENT:** The meeting was adjourned at 6:25 p.m.

# DRAFT

**CITY OF CORVALLIS  
MINUTES OF THE CIVIC BEAUTIFICATION & URBAN FORESTRY  
ADVISORY COMMISSION  
FEBRUARY 13, 2014**

Attendance

Matt Sanchez, Chair  
Owen Dell, Vice Chair  
Angelica Rehkugler  
Brian Kreft  
Becky Goslow  
Ruby Moon  
Larry Passmore  
Joel Hirsch, City Council Liaison

Staff

Jude Geist, Parks Supervisor  
John Hinkle, Urban Forester AIC  
Mark Lindgren, Recorder

Guests

America McMillin  
Josh Bjornstedt  
Samuel Pape  
Ellen Pesek

Absent/Excused

Ross Parkerson  
Tim Brewer  
Norm Brown, OSU Liaison

**SUMMARY OF DISCUSSION**

	Agenda Item	Summary of Recommendations
III.	Vegetation Presentation	Larry Passmore presented on American Chestnuts.
IV.	Approval of January 14, 2013 Meeting Minutes	Approved as presented.
V.	Visitors' Propositions	None.
VI.	15 <sup>th</sup> Street Project – Planning Presentation	Josh Bjornstedt, Public Works- Engineering outlined the project and answered questions.
VII.	Parks Landscape Maintenance Update – America McMillin	Parks Operations Specialist America McMillin described the various WaterWise and Pesticide Free project sites, begun in 2008.
VIII.	Staff Reports – If Questions.	Information only.
IX.	City Council / OSU Liaison Reports	None.
X.	Discuss Mission/Vision/Tasks/Goals for 2014-2015	Geist will bring back revised goals for a quick review.
XI.	Report on Subcommittees	Information only.
XII.	Adjournment	The next meeting will be held March 13, 2014 at 8:30 a.m., at the Avery Park Admin building conference room.

## **CONTENT OF DISCUSSION**

### **I. CALL TO ORDER**

Chair Matt Sanchez called the meeting of the Civic Beautification and Urban Forestry Advisory Commission to order at 8:30 a.m.

### **II. INTRODUCTIONS.**

### **III. VEGETATION PRESENTATION.**

Larry Passmore made a Vegetation Presentation on American Chestnuts. He said there were formerly billions of chestnut trees on the east coast from around the Carolinas north through New England. The first inventory on Chestnut blight was performed in 1913. He recently met a chestnut aficionado who is seeking to breed resistant strains. The only way to know you're successful in breeding for blight resistance is when the blight comes through. Blight typically kills the tops of trees, and they then sprout again. There are American, Chinese and Horse Chestnuts (the latter are not edible). Edible varieties have sharp tines; American and Chinese chestnuts have simple leaves, while Horse Chestnuts have palmate leaves. American Chestnuts have small nuts, while Chinese have larger nuts. Both are self-pollinating. Two or more trees will cross-pollinate, and generate many more nuts.

Passmore related that there has been a lot of research on finding trees with blight resistance. Also, American varieties have been crossed with Chinese (resistant) chestnuts, leaving them about 90% American. Stepping on the nuts' sharp burred exterior breaks them open, revealing the nuts. Moon related that a farm outside Portland is growing them commercially. He said there were generally only a scattering of trees in Oregon.

### **IV. APPROVAL OF JANUARY 9, 2014 MEETING MINUTES**

Owen Dell moved to approve the January 9, 2014 minutes as presented; Becki Goslow seconded; motion passed.

### **V. VISITORS' PROPOSITIONS. None.**

### **VI. 15<sup>TH</sup> STREET PROJECT – PLANNING PRESENTATION.**

Josh Bjornstedt, Public Works- Engineering, said 15<sup>th</sup> Street had reached the end of its useful life and would be reconstructed in April. The intersection at Washington Way will be signalized and the road straightened over the railroad. Washington Way will be widened to collector status with bike lanes.

The reconstruction will go down 30", and will impact trees near Western Boulevard, mostly Norway Maples growing over the curb. Their root bases have been trimmed over

the years and are in the street structure. John Hinkle added that all root mass will be lost on one side of the trees, so he recommended removing them, since they had other problems as well. Bjorn said that Red Horse Chestnuts (with red flowers, not the usual white ones) will be planted as part of the project. He said Hinkle will handle the public notification process.

Moon asked whether the changes would promote increased traffic; Bjornstedt replied the surface would be improved, with improved sight lines, and sidewalks will be improved. Dell asked if the chestnuts would create a safety issue; McMillin replied that some varieties were barren. Bjornstedt added that they have been approved as an appropriate street tree. Maples along parking lots will remain, and trees will be added along Washington Way. Hinkle felt "Frontier" or "Prospector" variety elms provide better shade. Bjornstedt summed up that five trees would be lost, and replaced by 21. Construction should finish by September. Passmore said the recently developed campus area north of Jefferson was beautiful. Hinkle said the trees will be posted for removal next week; bids for removal will go up within a couple weeks.

## **VII. PARKS LANDSCAPE MAINTENANCE UPDATE – AMERICA MCMILLIN.**

Parks Operations Specialist America McMillin said she's been working on WaterWise and Pesticide Free project sites. Two sites were initially planted, and volunteers have helped on the projects. The department saw the need to reduce water use and the use and need for pesticides in landscaped beds over the long run, and decided to look at ways of implementing that successfully.

In 2008, a 780 square foot area at Riverfront Park was planted, along with a 1200 square feet street island site at 18<sup>th</sup> and Van Buren. The main planting bed at Osborn Aquatic Center was planted in 2010; a site in Sunset Park was revamped in 2011; and the Riverfront Park site was extended in 2011. A total of one-third of an acre in the parks system (of a total of five to six acres of landscaped beds) is under Pesticide Free WaterWise management. Rehkugler said the project was first spearheaded by former OSU professor and former CBUF member David Sandrock.

The 2008 Riverfront Park site was a 12' by 65' strip at the top of riverbank there. Irrigation was capped and a special soil mix tilled in. Since then perennials have filled in, and some plants have re-seeded.

The 18<sup>th</sup> and Van Buren Street island site was initially maintained by volunteers; however, it became infested with thistles, so prior to this planting, it was excavated two feet down and a one-time chemical use of the herbicide Casuron applied to suppress extensive invasive thistle root fragments. The same plant design as Riverfront was used. There is still a lot of bare space, but there are few weeds, either.

The Osborn Aquatic Center site was planted in May 2010. A \$1,500 Sustainable Purchasing Program grant funded the planting. Only half was fertilized, and the difference can still be seen. Osborn staff were hand-watering plants, and a contractor

mistakenly pulled all seedlings (so for awhile there was no re-seeding). She has now taken over that maintenance. Foot traffic is cutting through the beds in the parking lot.

The Sunset Park site was planted in April 2011. She said it was a failed planting due to a number of reasons, including planting at the wrong time of year, poor soil conditions and poor fertility. Following that, she expanded the plant palette and left the water on to promote initial growth. The seed plant mix filled in the site well; the site extended around the playground and picnic area to minimize chemical exposure.

The Riverfront area was expanded in 2011, from Jackson to Monroe, and the planting is now denser. The Phase III section, planted in March 2013, was designed by a student, under a maple in Monroe Plaza, and features shade-tolerant varieties, and planted thinly.

She highlighted total staff hours on the project, citing time for installation and maintenance. She summed up that the time was minimal and feasible. Also, 258,201 gallons were saved (116, 919 gallons were used) as of 2013.

She related that 2.8 pounds of herbicide were applied two feet below the surface at 18<sup>th</sup> and Van Buren site. Typically, one gallon of spray covers about 1000 square feet of bare soil; there are 14,768 square feet of pesticide free beds. The pesticide savings were about 12-14 gallons (since the sites are not bare). Rehkugler added that the sites at the riverfront and near eating areas were chosen to minimize the chemical exposure. McMillin added that in general, the department seeks to minimize pesticide use.

The program reduces pesticides, water use, and minimizes labor. She said she's learned that hand watering is impractical; when converting a spray system to drip, make the entire zone the planting area; automatic water times and hoses are great; seed mixes, and dense plantings are critical; and make sure that those caring for the plants know what immature seedlings look like so they don't inadvertently remove them.

Moon said she'd found that leaf mulch was valuable, and it was free. McMillin replied that a location for storage would be needed; Geist said staff can look into it. McMillin said neighbors around parks can volunteer to take on maintenance, as long as they understand that standards must be met. Dell said they were beautiful projects and important.

Dell asked about the public education aspect, and how we can better publicize it. McMillin said there has been little publicity; it could be added to the new City website. Dell said with the new CBUF education push, we should tell the story; if CBUF can get photos and numbers on the project from McMillin, we can get the word out. McMillin said that when the beds are full around July, that would be a good time for articles. She said the only negative responses from passers-by are regarding the plant dead heads, which are retained by design.

Rehkugler asked if there was a map of the sites; McMillin said it could be created. Dell said there could be tours from the booth at the nearby Farmers Market in summer.

## **VIII. STAFF REPORTS – IF QUESTIONS**

Parks Supervisor Jude Geist related the historic Sunnyside schoolhouse was recently moved to the nearby city-owned Owens Farm. The foundation will be poured next month and the house placed on it and its roof replaced.

He related that with the recent heavy snow and ice, staff arranged addressing hazard tree pruning, removal, and cleanup; it will take several months.

Urban Forester AIC John Hinkle related that most of new trees have arrived; next Saturday they will be planted at Hayes Street, with volunteers. Most will be planted in March, when seasonal staff will arrive. He said it was not the 18” of snow that caused the damage; rather, it was the ice, but mostly just causing limb loss. A Central Park Elm was lost (the smallest) and has been removed, along with a gorgeous Cryptomeria. Most pruning and cleanup jobs have been bid out to contractors. The department now has more insured contractors and so can now respond more quickly to these storm events in the future.

Moon asked whether Cotoneasters would survive; Hinkle replied we may not know until spring if they’ll survive, but they are tough, and will likely survive. There was a lot of potential for freeze damage from both of the snow events.

Geist emphasized the Sustainability Initiative Fund (SIF) funds (about \$90,000 a year) have been critical in helping Parks and Rec respond to these events. The goal is to have a \$70,000 reserve for these major events, so if the \$90,000 was exceeded, we can draw on that reserve. The SIF is a fixed amount that is part of the water bill. The funds pay for replacement plant materials, contractors’ work, and for casual workers to water plants during their critical establishment period.

Hirsch asked about tree replanting at Garfield Elementary. Hinkle answered that the old trees were Purple Plums in poor condition, and have been replaced by native trees by volunteers. Hinkle said he reviewed the site and the plan before the replanting.

Rehkugler highlighted the trees covered in ivy at the corner of Harrison and 9<sup>th</sup> Street, and asked if the City can get involved in them. Hinkle said the sidewalk comes up to the curb there, and so those trees are probably on private property. Moon said there is an “Ivy League” that does ivy pull removals in the region; materials are available from Extension. The ivy affects the urban forest and is a problem across the US. Dell added that it is an ongoing public education process. Hinkle noted that ivy on the trunk is not a problem, but becomes a real problem when it gets in the canopy. Passmore added that ivy’s reproductive phase produces berries that get scattered.

McMillin reported that the first volunteer pruning party at the Avery Park Rose Garden was held this week.

**IX. OSU LIAISON / CITY COUNCIL LIAISON REPORTS.** None.

**X. DISCUSS MISSION/VISION/VALUES/TASKS/GOALS FOR 2014-2015.**

Citing the previous packet, #4, Sanchez asked for feedback. Moon asked about the website. Sanchez said the City site was just updated; Geist said materials are still being added back to it. Geist said Linda Hart does department web updates, based on staff input. Rehkugler suggested a subcommittee review the website periodically (quarterly); Sanchez cited #3. Geist said boards and commissions are intended to have a similar look and feel at the website. Moon said navigation was sometimes poor. Moon suggested adding “..and maintain..” (the website) under #4. Rehkugler suggested adding language regarding periodic review and giving feedback to staff; it should be easy for citizens to find. She offered to serve on a website review subcommittee; Owen asked her to work with the Education Committee on that.

Moon asked whether there were protections for trees on private property in historic districts; Geist replied that he wasn't sure, but that trees related to historic figures probably have a degree of protection. Hinkle said trees in the right-of-way have protection.

Moon asked about invasive species, saying that they were becoming more of a problem; we probably need to expand our work. The group agreed that existing language was fine. Dell said that CBUF goals needed to be part of its work plan; Rehkugler agreed we couldn't get to all of them; we have to prioritize, but it is helpful to list some of them as placeholders.

Sanchez asked about the ten-year budget. Rehkugler said we haven't made Beautification Grants recently; we should look at that, and the CBUF Endowment, in 2014. The commission has previously struggled with how to increase the endowment, such as with fundraising, in order to be able to re-start making those grants from the resulting interest. She said those grants funded civic beautification projects in the public right of way and were a good way to generate visibility for CBUF. Goslow asked staff report back on the total in the Endowment Fund. Geist reported that Finance was looking at how to administer various Endowment accounts.

Geist said he'll revise the goals with the minor changes, and bring them back to CBUF for a quick review. Rehkugler said the draft calendar needed to be brought back by staff in a finalized version.

She said CBUF needed to review the Mission; Sanchez replied that it still seemed good.

Moon reported that Garlands Nursery donated six hand tools for CBUF volunteer events.

**XI. REPORT ON SUBCOMMITTEES.** None.

**XII. ADJOURNMENT:** The meeting was adjourned at 10:30 a.m.

**THE COMMISSION FOR MARTIN LUTHER KING, JR  
MINUTES**

**February 25th, 2014**

Present

Jasper Smith  
Megha Shyam  
Luis Rosa  
Marna Claywoman  
Joseph Orosco  
Esmeralda Reyes

Absent

Chareane Wimbley-Gouveia  
Roni Sue

Visitors

None

Staff

None

**SUMMARY OF DISCUSSION**

Agenda Item	Action Recommendation
I. Approve Minutes	Minutes for 1/14/14 approved with the correction that Luis Rosa was not present.
II. Debrief January Event	The event was very well-attended and exceeded expectations. We ran out of programs. We received a lot of food donations that went to Linn-Benton Food Share. Catering leftovers went to Helping Hands Shelter. Very positive feedback from attendees. John Hunter was an excellent speaker and the film was well-done. Partnership with OSU went well and was very smooth. The event with the City Council and the mayor went well and was a good idea. We are grateful to Mayor Julie Manning. Her participation was wonderful. We could have coordinated publicity with OSU a bit better. Despite contact with the GT, they did not cover the event or the essay winners. We have an outstanding bill for printing posters for \$116.80. We approved reimbursement to Esmeralda. Jasper will submit the bill.
III. Discuss Future Events	This summer will be the 50 <sup>th</sup> anniversary of the passage of the

	Civil Rights Act of 1964. We would like to celebrate with a community picnic recognizing local community organizations promoting civil rights at the MLK park on June 28 <sup>th</sup> . We also have the rights to show the documentary, Harvest of Empire, and would like to show it in honor of Cesar Chavez' birthday. We will check to see if the library or another venue might be available 4/2 or 4/3.
IV. Discuss Charge from City	We began discussing how to respond to the request from the Human Services Committee to evaluate and update our charge. We had some preliminary discussions and agreed to meet next on 3/18 from 5:15 to 7:15 to continue discussion.
V.	
VI.	

**Next Meeting**

March 18th, 2014  
5:15-7:15 PM  
Osborn Aquatic Center Conference Room

**CORVALLIS-BENTON COUNTY PUBLIC LIBRARY BOARD MINUTES**  
**February 5, 2014**

<b>Board Present</b>	<b>Staff Present</b>
Jacque Schreck, Vice-Chair	Carolyn Rawles, Library Director
Jennifer Alexander	Janelle Cook, Senior Administrative Specialist
Hal Brauner	Andrew Cherbas, Extensions & Technology Manager
Katherine Bremser	Mary Finnegan, Adult & Youth Services Manager
Martha Fraundorf	Linda Hart, Senior Administrative Specialist
Paula Krane	Felicia Uhden, Access Services Manager
Isabela Mackey	
Cheryl Maze	
Linda Modrell	
Jana Kay Slater	
Steve Stephenson	
Sravya Tadepalli	
<b>Excused:</b>	<b>Visitor:</b>
Scott Elmshaeuser, Chair	None

**SUMMARY OF DISCUSSION**

Agenda Item	Information Only	Action
Call to Order	7:03 pm	
Library Board Sub-Committees Discussion	x	
Visitors' Propositions		None
Minutes: January 8, 2014		Approved as submitted
Library Board Packet	x	
Director's Report	x	
Budget Discussion	x	
Division Manager Reports	x	
Board Reports		
• Friends of the Library Board	x	
• Foundation Board	x	
Information Sharing	x	
Adjournment	8:49 pm	

**CONTENT OF DISCUSSION**

**I. CALL TO ORDER**

Vice-Chair Jacque Schreck called the meeting to order at 7:03 pm.

## II. LIBRARY BOARD SUB-COMMITTEES DISCUSSION

Ideas were generated around the table by each Board member for short-term goals that the Board might be interested in pursuing. See Attachment A for the summarized list. Steve Stephenson suggested the list be pared down to two to three items at the next meeting so the Board can then focus on an action plan.

## III. VISITORS' PROPOSITIONS

None.

## IV. APPROVAL OF MINUTES

Motion: Steve moved approval of the January 8, 2014 minutes as submitted. The motion was seconded by Jana Kay Slater and passed.

## V. LIBRARY BOARD PACKET QUESTIONS AND COMMENTS

Patron letter regarding Inter-Library Loan (ILL) issue was discussed. Carolyn Rawles has explained the decision making process to several patrons. It is possible the Library's ILL vendor might be willing to negotiate after not using the service for a couple of years. In the meantime, Corvallis residents can pay for an Albany Public Library card and then utilize ILL services.

The second quarter statistics were briefly discussed, specifically the 350,000 people that have come through the doors thus far (system-wide). Remote usage and check-outs have both increased. Jennifer Alexander inquired how door count statistics are collected and Carolyn replied there are counters on every public entrance and the numbers collected are then divided by two because it is assumed people who came in the building also exited the building.

## VI. DIRECTOR'S REPORT

Carolyn compiled the Board priorities questionnaire and reported the results. Increased involvement with the local schools received the most votes. Outreach at community events such as the Sustainability Town Hall and staff cross-training were tied for second and third place. Adult summer reading, Maker Spaces, research support for local government, and appointment with a librarian received no votes for the top tier priority. However, appointment with a librarian, Maker Spaces, and adult cultural programming were at the top of the list for the second priority tier.

Another questionnaire regarding the Library's rebranding project was also sent out for everyone to weigh in on. The PDF needs to be saved before sending it back to Carolyn via email.

Carolyn penned an article about the Library Board for the next edition of *Check It Out*.

At the next Board meeting, the Board needs to update or reaffirm the Library Gift and Donation and Internet policies.

Carolyn gave a shout out to Sravya Tadepalli who recently won the City's MLK Essay Contest and also is appearing in a community production of "Fiddler on the Roof."

The South Benton Library Project was presented last night with the Benton County Cultural Coalition's Contribution to Heritage award for saving and restoring the freight depot that is now part of the Monroe Community Library.

Senior Administrative Specialist Linda Hart from the City Parks & Recreation department will be filling in for Senior Administrative Specialist Janelle Cook for the next few months at the Library Board meetings while Janelle is out on leave.

## VII. BUDGET DISCUSSION

The Library's final budget number has still not been received and the budget is due on February 18. Carolyn distributed and reviewed the budget spreadsheet as developed thus far. The target number received in November was \$6,068,140 and a preliminary budget has been prepared based on that number. Carolyn feels fairly confident about personnel costs at this point. Any increases in wages or health insurance would have to be absorbed by the Library's budget. The Library's Administrative Service Charges have decreased by \$65,000, primarily due to a decrease in MIS computer charges. The Library's public computers are no longer considered part of MIS because Library staff maintain these machines. The total book/materials budget from all sources is \$652,980. If the final budget number comes in lower, then the Board may need to hold a special meeting to discuss where to make cuts. Unfortunately, budget items that are not specifically earmarked are becoming less and less. Replacing the Library's courier van next fiscal year will be paid for out of vehicle reserves. Jana Kay inquired if the current one would be sold and Carolyn replied affirmatively. The rental income and expenses for the Fenner property do not show up on the current spreadsheet that was distributed. Steve asked what the total FTE is for the Library and Carolyn responded 42.5 FTE. If the budget number remains the same, there will be about \$39,000, which could be used for strategic planning expenses.

## VIII. DIVISION MANAGER REPORTS

Access Services: Felicia Uhden noted Circulation has been a little thin on the supervisory side due to circumstances beyond anyone's control, but she praised the staff for their hard work and dedication.

Administration: No report.

Adult & Youth Services: Mary Finnegan is adjusting to her new split duties in Adult and Youth Services. Her first task was to start the recruitment process for a new Youth Services Librarian. OSU Bookstore donated more wooden gondolas to the Library. The adult non-fiction DVDs will be moving upstairs to give more space downstairs for audiovisual materials. The gondolas are very nice for visually displaying materials. Mary's new basket of "children's book picks" have been popular with patrons this week.

Circulation: No report.

Extension Services: Andrew Cherbas was very happy to announce the sale of the Library's old Bookmobile to a library system in North Mankato, Minnesota. It was sold for \$28,000 and will be designated as a revenue for the Library.

## IX. BOARD REPORTS

Friends of the Library: Jacque reported the next Friends meeting will be held on February 10. Primarily, the group is working on the Big Book Sale which will be held February 21 - 23 at the Benton County Fairgrounds. Friends members will be allowed to enter the sale early on the first day and there will be a membership table at the door. If anyone would like to volunteer at the Book Sale, please visit the Friends web site to sign up. A very generous \$10,000 donation was received and designated for Maker Space purposes. Debra Goldenberg has volunteered to be the Friends Facebook coordinator and Cheryl Maze will fill in as needed.

Foundation Board: The Foundation Board last met on January 13 according to Steve where they outlined sub-committee assignments and charges. The Foundation has had a positive response to its annual solicitation letter which was sent out last fall. The Fenner property purchase should close any day now.

## X. INFORMATION SHARING

Jennifer and Katherine Bremser summarized the January 13 public participation task force meeting which they both attended. If interested, you can subscribe to receive this committee's notifications automatically or view them on the City's web site under the Boards & Commissions link. Hal Brauner also mentioned the meeting minutes from all City Boards & Commissions can be accessed under the City Council Consent Agenda link on the City web site if you want to see them in one location.

**XI. ADJOURNMENT**

The meeting was adjourned at 8:49 pm.

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**NEXT MEETING: March 5, 2014 7:30 pm**

**CITY OF CORVALLIS  
ECONOMIC DEVELOPMENT COMMISSION  
Minutes – February 10, 2014**

**Present**

Elizabeth French, Chair  
Rick Spinrad  
Pat Lampton  
Tim Weber  
Jason Bradford  
Skip Rung (3:45)  
Biff Traber, Council Liaison

**Excused Absence**

Nick Fowler  
Ann Malosh  
Jay Dixon

**Staff**

Tom Nelson, Economic Development Manager  
Amy Jauron, Economic Development Officer  
Claire Pate, Recorder

**Visitors**

Sean Stevens, *Business Oregon*  
Eric Blackledge, *Member - Oregon Business Plan*  
Robert Mauger, *Corvallis Sustainability Coalition;  
Economic Vitality Action Team Leader*  
Joe Raia, *Corvallis TidBits*  
Jim Day, *Corvallis Gazette-Times*

**SUMMARY OF DISCUSSION**

	Agenda Item	Summary of Recommendations/Actions
I.	Call to Order/Introductions	
II.	Approval of Minutes: • January 13, 2014	Approved as drafted
III	Visitor Comments	None
IV	Oregon Business Plan Report (Eric Blackledge)	Presentation
V	CSC Local Investment Survey (Robert Mauger)	Presentation
VI	Strategy/Business Activity Update	Discussion
VII	Marketing Strategy Development Report	Postponed to March meeting
VIII	Other Business	
IX	Next Meeting /Agenda Planning	
X	Adjournment	Adjourned at 5:10 pm; next meeting scheduled for 3 pm, March 10, 2014; Madison Avenue Meeting Room

## **CONTENT OF DISCUSSION**

### **I. CALL TO ORDER.**

Chair French welcomed everyone to the meeting.

### **II. APPROVAL OF MINUTES – January 13, 2014.**

Commissioner Spinrad **moved** to approve the minutes as drafted; Commissioner Weber seconded the motion which **passed** unanimously.

### **III. VISITOR COMMENTS.** None

### **IV. OREGON BUSINESS PLAN REPORT.**

Chair French introduced Eric Blackledge, Corvallis business owner and member of the Oregon Business Plan. Mr. Blackledge had been invited to give the Commission background information and an update of the Oregon Business Plan.

Mr. Blackledge said he intended to link his talk about the Oregon Business Plan to some of the same issues he understood the EDC had discussed in its meetings. One of the larger issues is how to take “economic development” to the public and explain the value of it in understandable terms. Historically, Oregon had to find a way to get back on an economic track after the short cyclical recession and the loss of the forest products industry followed by a loss of the Asian electronics companies that had filled in that gap. They determined that there was a need to broaden the public understanding of economic development issues in order to gain public support for the concepts and efforts. The Oregon Business Plan evolved as a means to coordinate statewide economic development efforts and communicate them effectively. Additionally, they have developed a broad-reaching philosophy incorporating many things that one does not think of as business-related, such as education reform. Their four “P’s” include: people, place (quality of infrastructure), pioneering innovation, and productivity. He mentioned the importance of industrial clusters as a means for sharing ideas, and that the Oregon Business Plan launched the Oregon Industry Cluster Network to identify Oregon's mature, emerging, and potential industry clusters, and assist cluster participants as they work to accelerate innovation and the growth in their industries.

Their governing structure is broad based, with “ex officio” representation from most of the statewide business-related and other pertinent organizations. He announced that ED Manager Nelson had been newly appointed to the Steering Committee, representing the Oregon Economic Development Association (OEDA).

Mr. Blackledge outlined initiatives the Oregon Business Plan had been involved in on an on-going basis, including: public finance and budgeting, improving education in general for workforce preparation, reducing health care costs, improving transportation and infrastructure, improving access to capital, streamlining regulations and permitting processes on all levels, industrial/commercial land availability, improving forest health and agricultural production, improving energy availability and cost, and water quality/availability. This year, the focus is on three initiatives which include gaining approval for the Columbia River Crossing, industrial lands issues, and building a world-class signature research center for cancer at OHSC-Portland, with major funding provided by Nike co-founder Phil Knight. This latter project has potential positive impacts for OSU and the Linus Pauling Institute, as well as other medical research startups in the area. In 2015, they will likely return to tax reform as another focus, specifically targeting Oregon's high capital gains tax.

His suggestions for the Commission included working to ensure inclusion and networking by reaching out to a broader composition of people, in both public and private spheres, and developing a common agenda and strategy. The importance of economic development needs to be understood by all, and it needs to be sold with a broad message: businesses create jobs; jobs create new government revenue to pay for infrastructure, both human and physical; and infrastructure attracts new business. He noted that the support by the County and City to establish an Economic Development Office is a great step and it is important that the Commission build a community consensus for supporting their efforts. Mr. Blackledge responded to Commissioner questions.

Q: What is your view on the value of pursuing a regional downscaling of the industry clusters? For example, is Central Oregon wishing to develop an aviation cluster?

A: The industry clusters are not statewide clusters, though there are a few that are somewhat dispersed. Clusters are primarily focused in metro areas. There are distribution clusters in the mid-valley and higher tech clusters in Portland, Corvallis, and Eugene. Corvallis has the seeds for very strong clusters.

Q: Corvallis had a recent opportunity to be the site for a new business but one of the issues was workforce development. Where does Oregon stand relative to other states in this arena?

A: The educational system is an issue with budget restrictions and school closures. Other states have workforce training incentives which require funding. Oregon has players who would like to be offering workforce training, and the state will have to commit to that cost. Investment in a better-educated workforce will help attract businesses. As a smaller state, Oregon has had barriers to funding such an initiative; however, Corvallis has OSU as a key asset.

Chair French thanked Mr. Blackledge for his informative and presentation.

#### **V. CORVALLIS SUSTAINABILITY COALITION – LOCAL INVESTMENT SURVEY REVIEW.**

Chair French reminded the commissioners that the Corvallis Sustainability Coalition (CSC) had undertaken a local investment survey; and Robert Mauger, Economic Vitality Action Team Leader, had been invited to give a brief presentation of those survey results.

Mr. Mauger explained that the Economic Vitality Action Team had three goals: to promote local buying, investing and production; to encourage local businesses to adopt sustainability practices; and to support community networks meeting local needs while minimizing resource consumption. The CSC had chosen local investing as its focus for 2013, and the survey had been conducted as part of the process.

With the help of ED Manager Nelson, they reached out to members of the Downtown Corvallis Association, Chamber of Commerce, the Corvallis Independent Business Alliance, and other groups. Many of the 188 surveys returned expressed a desire to invest locally and others expressed the need for investment in their businesses. He gave a synopsis of other survey results and stated that all results would be posted on the Economic Vitality Action Team website <http://sustainablecorvallis.org/action-teams/economic-vitality/>. Some of the more important takeaways included participants wanting to learn more about local investment opportunities, and the difficulties in obtaining the first \$10,000 that helps a business develop to the next stage.

The next meeting of the Economic Vitality Action Team will be on February 28, 2014, at 2:30 pm, at the Business Enterprise Center. The next step is participation on a panel during the March 13 Business Resources workshop. Mr. Nelson said the workshop agenda was being drafted.

Mr. Mauger and Mr. Nelson answered questions posed by the Commissioners. The following are those questions (Q) and responses (A), as well as Commissioner comments (C):

Q: As part of the workshop, will you be offering advice and tools to potential investors about how they can reasonably review potential investments; e.g., understanding the risks, etc.?

A: Most likely this workshop will not be that specific. Dan Whitaker will talk about Angel funding, and there will be a panel discussion with representatives from Citizens Bank, OSU Federal Credit Union, Cascades West Council of Governments, and other groups. The intent is to steer participants in various directions for the type of funding that might be appropriate for them. It is not likely there will be specifics related to rules and regulations for local investing, or on equity investments. The workshop will set the stage for follow-up workshops.

C: A critical outcome of this workshop will be to obtain feedback from attendees about what follow-up information they might need.

C: According to the survey data, there are 35-40 potentially significant investors that should be followe-up with. It would be good to follow-up on their other responses to characterize them a bit more.

Q: Cutting Edge Capital and Springboard were drafting a template that would lower the barrier of costs to acquire a direct public offering in the state. Do you know the status?

A: Mr. Mauger will be working with Springboard and ChangeXchange to get information related to securities laws that could be shared in a local workshop setting.

C: How many business owners who responded are associated with traded sector businesses versus local supply? There seems to be potentially rich data from people who have made investments in the past. They might make a good panel as well, for example, what worked well, what vehicles they used for investing, etc.

Q: Sustainability seemed to be one of the largest interests in terms of investing. Do you have a sense of the granularities around promoting sustainability and what folks mean by this? For instance, in moving money from Wall Street - is this to have more immediate control of the money or is there another goal?

A: Sustainability is a loaded word and means different things to various respondents. There are no more granularities around this at this time. The goal of the survey was to excite people about the concept of local investing. The survey did not look into the specifics of the intent behind the responses.

Q: There seems to be some enthusiasm coming out of the survey, which is a bit counter to some of the other messaging coming from CSC related to "no-growth, no-development." Do you have a perspective on this?

A: People within the CSC have a lot of different perspectives, and they do not speak with a single voice. It is a coalition of many widely differing viewpoints. For this reason, CSC has not taken positions on some of these issues.

C: In keeping with Mr. Blackledge's comments related to communicating with the community at large, it would be beneficial to have continued conversations with CSC. All viewpoints need to be part of the conversation about economic development.

C: It would be useful if the Commission could work with the CSC to come up with other metrics to be considered as outcomes of its work. For instance, the common metrics are number of jobs created, income levels, tax revenue generated, infrastructure supported, etc. From a sustainability perspective, there are other considerations, such as high income is associated with additional spending and consuming and includes a higher output of waste. It is

important to have a conversation about what is measured. Is it possible to raise income and promote well-being while also lowering consumption, or the waste that consumption generates? Every time something in an economy is mined, processed, transported, used, and disposed, it creates waste. If the EDC aligned its goals with reducing the ecological footprint - carbon load and waste disposal - then the type of job development and promotion of growth would be more focused on that which meets the goal. These types of conversations are needed. Governor Kitzhaber is also interested in this topic.

Q: Are there metrics that the CSC might advance along those lines?

A: Carbon footprint is a huge one, and this will be a focus of the CSC Town Hall which will be held on March 10, 2014, from 7 to 9 pm.

Q: Are there any requests that you have of the EDC at this time?

A: They will look forward to more dissemination of information between the two groups as well as cooperation as their work moves forward.

Mr. Nelson said he would put a link to the Economy Vitality Task Force webpage on the EDO website, and invited Mr. Mauger to write a paragraph about next steps that might be included with the link.

## **VI. STRATEGY/BUSINESS ACTIVITY UPDATE.**

### **A. Business Activity Update:**

ED Manager Nelson stated that the business activity update was included in the packet and asked if there were any questions related to it. Commissioner Rung asked if it might be possible for the Small Business Development Center (SBDC) report to also cover some analyses of the quantitative data, i.e. give some insight behind the numbers. Mr. Nelson said that both Barbara Bessey and Marc Manley were unable to be at the meeting due to weather and to a family emergency, but they had intended to be there to field some of the questions and share some of the anecdotal stories behind the figures. Chair French said she is troubled by the small amount of capital infusion reflected in the performance measurements.

### **B. FY 2015 Budget:**

ED Manager Nelson referred to the draft budget page included in the packet, outlining the proposed FY2014/15 budget for the Economic Development Office. He explained that the City Manager was employing a new budget process wherein each program manager was given a set amount for their budget after salaries and overhead were accounted for. The EDO office will have a total of \$41,430 in discretionary funds. In terms of revenue, the County partially funds the program with \$100,000, the Airport Fund transfers \$21,000 for marketing services, and the balance of \$172,300 comes from the General Fund. The County funds are subject to renewal after the next fiscal year.

Council Liaison Traber said his understanding was that the new process focus was to take each department and give them a projection of their share of the property tax revenue based on their past financial history and have the departments then work through how they intend to spend those monies to meet the service goals they have set. He does not see that come through very clearly on the document. Chair French added that the budget for the current fiscal year was \$326,250, and the proposed budget of \$293,300 for FY14/15 appears to be a substantial reduction. This seemed out of proportion to the across-the-board reductions being made in other program areas. This reduction in City funding is occurring at the same time as the Transient Room Tax revenue is increasing, which historically had been part of the intended funding for economic development.

Mr. Nelson said that there had been “one-time, special projects” monies that had been carried over from the past fiscal years in order to complete the marketing plan and fund the WIN expo. Chair French said that even with that, the fact remained that the proposed budget represented a very large cut in funds available for their program area, and the Commission had never considered the current budget to be all that adequate. Clarification is needed on how these cuts could impact their Economic Development Strategy goals so that the Commissioners can weigh in with the City Manager’s Office and eventually the Budget Commission when they meet in April. Councilor Traber added that since the levy passed there did not seem to be a strong reason to make such a substantial across-the-board reduction in departmental budgets.

Commissioner Rung said there was a danger of Benton County deciding not to renew their funding as a response to the reduction the City is making in its contribution. Chair French said she felt that the economic development efforts had finally gotten some traction and the proposed cuts would be very problematic. There could be potential issues with not being able to maintain the website, provide workshops, etc. that will impact their ability to get work done.

Manager Nelson said he would be meeting with City Manager’s Office staff to take back concerns and comments. He would bring back more information to the next meeting.

**B. Economic Development Officer Report:**

Economic Development Officer Jauron said that she had been asked to do a more in depth analysis of the information she has gathered during her business visitations, including business challenges and successes as well as her visitation goals (Attachment A).

Ms. Jauron then reviewed the information contained in her report in the packet, stating that her primary goal at this point was to establish good working relationships with the local business community. Collecting data to enter into the database was secondary to her goal of ensuring that businesses feel comfortable in communicating with the EDO and come to EDO staff with their questions and needs. She also tries to focus on the long-term business retention and expansion discussions with certain businesses, and Mr. Nelson explained that it is those follow-up meetings with potential expansion companies where the work gets done. Ms. Jauron’s initial visits set the stage for this.

One example of this is Corvallis Tool. They had indicated that they were looking at expanding their production line. Ms. Jauron had numerous meetings with them to offer assistance and provide information. The owner of the business, who lives in Washington, came down to meet with Benton County to discuss the project, and with EDO assistance at that meeting and at previous visitations they appear persuaded to do the expansion here, with the potential of constructing a bigger facility in the near future to manufacture Porter tractors. Ms. Jauron pointed out the list of several long-term business retention and expansion (BREs) projects in which she was currently involved, and she gave a few particulars on each. It was noted that the new Corvallis project management team approach had worked well with a client who was looking to both relocate and expand. The EDO staff work as interpreters to come to a common understanding of what the codes allow and what the business needs.

Chair French suggested that the Commission would welcome any of the long-term BRE business owners to attend a meeting and share with them what worked with the process and what barriers they might have encountered. Additionally, a commissioner might be able

to accompany her some time on any of her visits with those businesses. Ms. Jauron said it would be good to do that to get their different perspectives on appropriate questions to be asking of those businesses.

Ms. Jauron finished her report by stating that the top challenges are still overcoming the perception that the City has a “no” attitude in its dealings with new development. However, many of the businesses now have a feeling that the culture is changing. Other challenges are the lack of a “maker” incubator and a community commercial/incubator kitchen; the lack of venture capital; and the lack of a commuter flight from Corvallis Airport to Portland. In response to a Commissioner's question, Ms. Jauron said she has not heard workforce come up as an issue. In fact, she constantly hears about how excellent the workforce is in this community. Commissioner Spinrad suggested that this be probed deeper. Even though the quality of the workforce might be excellent, the availability of certain categories of workforce has been found lacking in the past. Chair French also suggested that entry-level workforce wages and availability of affordable housing was an issue often expressed. Ms. Jauron said she would incorporate some questions into her visitations that might elicit responses relating to these issues. She would also obtain comparator information relating to cost-of-living, housing costs, etc., to share with businesses to put Corvallis’s situation in context.

Commissioners commended Ms. Jauron on her work, and on her successes. She is helping to create good will with businesses and changing the culture.

**VII. MARKETING STRATEGY DEVELOPMENT REPORT (POSTPONED UNTIL MARCH).**

Though she had intended to give a marketing strategy development report, the recent “snow-day” closures had impacted getting her work done and she would be giving that report in March.

**VIII. OTHER BUSINESS.** None.

**IX. FUTURE AGENDA ITEMS.**

A meeting on the OSU campus will be tentatively scheduled for April. Mr. Nelson will work with Commissioner Spinrad on setting it up. Commissioner Spinrad suggested that a topic for discussion could be the OSU Advantage Accelerator program, and past Venture interns could be invited to be on a panel. Chair French hoped that more students would be encouraged to come and suggested that Dr. Ray be invited.

For the March meeting, Mr. Nelson will invite Jim Coonan, Angel Oregon Fund Architect. Ms. Jauron will talk about her marketing strategy and Karen Goddin, Business Oregon Deputy Director, will be invited to discuss the State’s partnership with local community economic development efforts.

**X. ADJOURNMENT.**

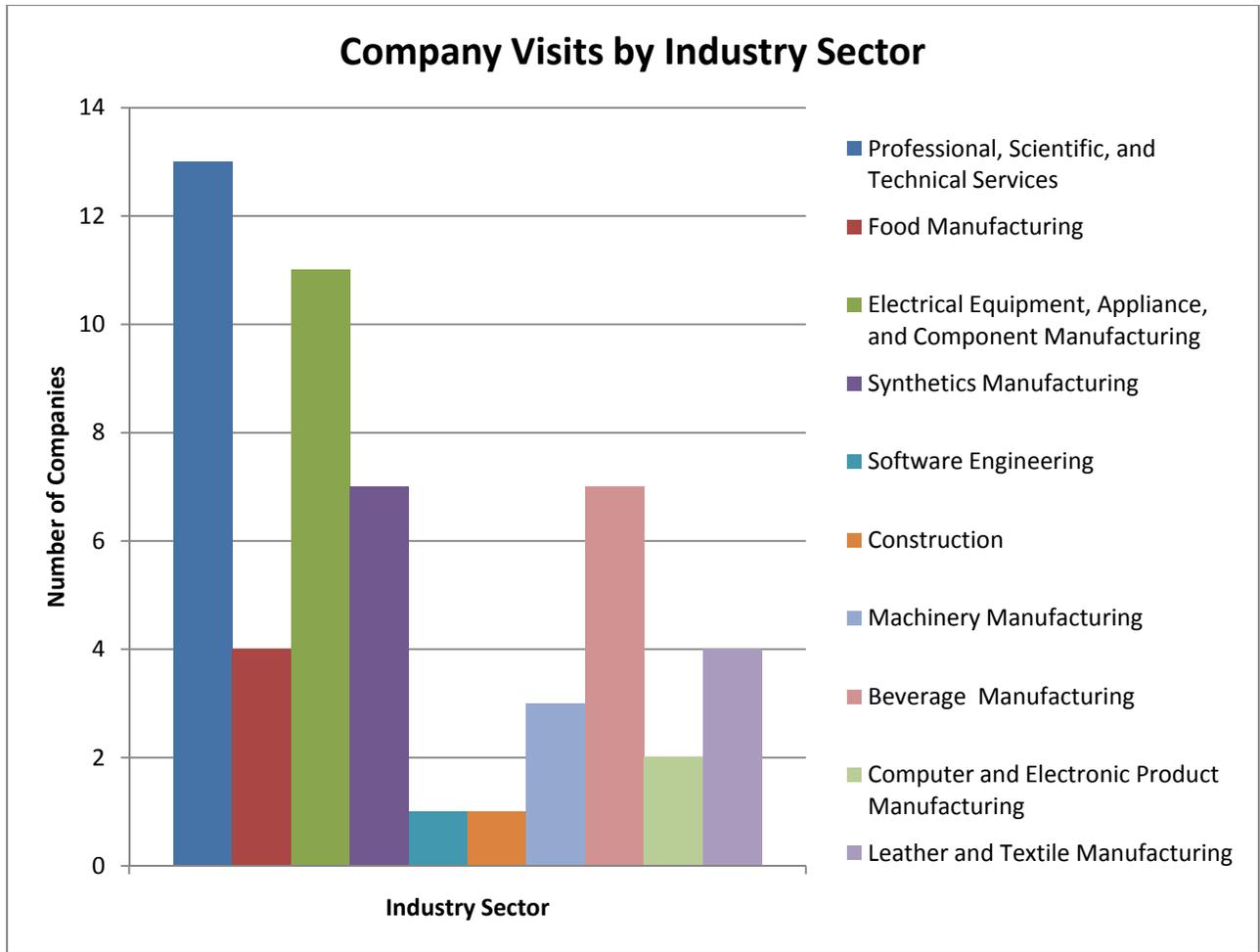
The meeting adjourned at 5:10 pm. The next meeting will be March 10, 2014 at 3 pm in the Madison Avenue Meeting Room.

### EDO Company Visit Summary: July 1- February 10

Industry Sector	Total	Company
Professional, Scientific, and Technical Services	13	CH2M Hill, Aptina Imaging, Spiral Elements Design, VDOS, Alsea GeoSpatial, Baker Group LLP, East Gate Industrial Park, InsightsNow!, MBI, Monroe Telephone Company, Polycom, SOS Employment Group, Eagle Digital Imaging, Samaritan Health Services
Food Manufacturing	4	Bursts Chocolates, Food Smart Foods, Living Earth Bakery, Stahlbush Island Farms
Electrical Equipment, Appliance, and Component Manufacturing	11	Carts and Tools, Hewlett & Packard, NaturalPoint, ONAMI, Perpetua Power, RelianceCM, ViewPlus, Inspired Light, OilExTech, Trimble, Juniper Systems
Synthetics Manufacturing	7	CSD Nano, Trillium Fiber Fuels, VallisCor, Inpria, Oregon Rubber, Gene Tools/Brain Tools/Onco Tools, EarthFort
Software Engineering	1	NSExtreme
Construction	1	Gerding Companies
Machinery Manufacturing	3	Korvis Automation, Ram-Z Fabrication, Corvallis Tool Company/Porter Tractors
Beverage Manufacturing	7	Oregon Ryegrass Spirits, 2Towns Cider, 4 Spirits Distillery, Mazama Brewery, Vivacity Spirits, Nectar Creek Honeywine, Oregon Trail Brewery
Computer and Electronic Product Manufacturing	2	Amorphyx, Zaps Technology
Leather and Textile Manufacturing	4	Soft Star Shoes, Footwise, Design.Christonium, Mitzlaff Scarves

#### Company Visit Goals:

1. Establish relationships with the Benton County/Corvallis business community
2. Market the local and state EconDev resources that are available for traded sector business
3. Collect data around “reoccurring themes” in local business
  - a. Challenges and successes
  - b. Long-term BRE projects stemming from initial visits



#### Long-Term BRE Projects

- Project Porter
  - Retention and expansion segmented project with Benton County
  - Business Oregon connection
- Project Food Smart
  - Team Oregon Food Processing: NPE West booth share
- Project 2 Towns
  - AIP expansion
  - Business Oregon connection
- Project Spirits
  - Corvallis project management team approach
- Project Seed
  - Lease to purchase
- Project Salk
  - Major expansion

### **Top Business Challenges**

- Difficult to work with the City of Corvallis/Benton County
  - “No” attitude
  - Historical perception
- Unmet industrial space needs
  - Plug and play industrial buildings
  - Temporary/rent-by-the-day office spaces
  - Warehouses
  - “Maker” incubator
  - Community commercial/incubator kitchen
- Services lacking in the Corvallis Industrial Park
  - Public transportation to AIP for employees
  - Lack of restaurants nearby for clients and employees
  - Daily shuttle plane to PDX
- Distance from Benton County to major metropolitan area/PDX
  - Distribution challenges by small manufacturers
  - Long commute for business people/clients/VC
  - No rail stop in Corvallis
  - No simple way of getting from Albany rail stop to Corvallis
  - No commuter flight from Corvallis Airport to PDX
- Lack of understanding by the community around the importance of primary jobs/traded sector
- Lack of venture capital access for Oregon/Corvallis start-ups

### **Top Business Successes**

- Back to pre-2008 FTE numbers
- Expanding FTE, marketing efforts, and business outreach. (Plans to grow in the near future)
- Business friendliness at City level seems to be changing/improving
- CBC Econ Dev doing a lot to support and connect entrepreneurs/start-ups (NPE and WiN events)

**Draft**  
**Subject to review &**  
**HCDC approval**

**HOUSING AND COMMUNITY DEVELOPMENT COMMISSION**  
**MINUTES**  
**February 18, 2014**

Present

David McCarthy, Vice Chair  
 Kara Brausen  
 Ed Fortmiller  
 Gary Hamilton  
 Dave Henderer  
 Kenny Lowe  
 Gerry Perrone  
 Roger Lizut, Planning Commission Liaison

Absent

Judy Gibson, Chair  
 Dan Brown, City Council Liaison

Staff

Kent Weiss  
 Bob Loewen  
 Terri Heine

Visitors

Tera Stegner, Grace Center  
 Rene Knight, Grace Center  
 Judy Hecht, South Corvallis Food Bank  
 Sheila O'Keefe, South Corvallis Food Bank  
 Michelle Maddux-Robinson, Furniture Share  
 Gina Vee, Corvallis Homeless Shelter Coalition  
 Dan Hallgrimson, Corvallis Homeless Shelter Coalition  
 Kimberly Moore, Work Unlimited  
 Samantha Ortiz, Work Unlimited  
 Mary VanderLinden, Work Unlimited  
 Kelly Noland, Parent Enhancement Program  
 Bettina Schempf, Old Mill Center  
 Cindy Bond, Old Mill Center  
 Aleita Hass-Holcombe, Corvallis Daytime Drop-in Center

**SUMMARY OF DISCUSSION**

Agenda Item	Action/Recommendation
I. Consideration & Approval: HCDC Draft Minutes of December 18, 2013	Approval
II. Status: Loan Funds & Recent Rehab Loans	Information Only
III. Administrative Loan Policy Reviews	Recommendations
IV. Allocation Process Overview	Information Only
V. FY 14-15 Human Services Fund Proposal Presentations	Discussion

## **CONTENT OF DISCUSSION**

### **I. Consideration & Approval: HCDC Draft Minutes of December 18, 2013**

Vice Chair McCarthy opened the meeting, asking for consideration of the HCDC draft minutes of December 18, 2013. The minutes were approved unanimously.

### **II. Status: Loan Funds and Recent Rehab Loans**

Housing Program Specialist Loewen reported that no new First Time Home Buyer (FTB) loans have closed since the last meeting, adding that one is in progress. Regarding rehabilitation loans, Loewen noted that none have closed since the last meeting, adding that several are in the application/review process.

### **III. Administrative Loan Policy Reviews**

Housing Division Manager Weiss directed Commissioners to a memo included in their packet regarding review of the City's Housing Loan Program Administrative Policies. He noted that Housing loan program administrative policies are typically reviewed by the HCDC on a three-year cycle, and may also come back more frequently when staff identifies issues that need to be addressed more quickly than the normal review cycle allows. Weiss noted that the Loan Assumption and Subordination Policy and the Loan Conversion Policy, both included in the current meeting packet, are in revised/draft form, adding that the proposed modifications are minimal, intended for the most part to update language and remove references to loan programs that the City no longer offers. None of the proposed modifications represents a significant change from current practice.

Weiss noted that the other two policies, for the First Time Home Buyer Program and the NewHome Buyer Assistance Loan Program, are in their current original form. Staff is providing them as the basis for a discussion next meeting about reducing the program loan limits, at least temporarily for the remainder of the current fiscal year.

Continuing, Weiss noted that staff's goal for the discussion on the two revised policies will be to get an HCDC recommendation that the City Manager approve and sign both policies either as they are being provided by staff, or with any recommended additional modifications. Regarding the First Time Buyer and NewHome Buyer Loan Program policies, any recommended changes will be made and modified draft policies will be available for the HCDC's review tomorrow evening.

Loewen directed Commissioners to a redline/strikeout version of the Loan Assumption and Subordination policy, noting that the policy currently includes language referring to two loan programs that the City has not offered for several years: the Investor Rehabilitation Loan Program and the Rental Rehabilitation Program. The language has been left in the policy until now because there were still a few active loans on the City's financial system, but these have now all been paid off. The other suggested revisions are minor, housekeeping changes.

Following a brief discussion, Commissioner Perrone moved, with Commissioner Fortmiller's second, that the HCDC recommend the Loan Assumption and Subordination administrative policy, with the revisions as suggested by staff, to the City Manager for approval. The motion passed unanimously.

Regarding the Loan Conversion Policy, Loewen noted that the suggested revisions are similar to the Loan Assumption and Subordination policy. References to the Investor Rehabilitation Loan Program and the Rental Rehabilitation Program have been removed, and the other revisions are minor, housekeeping changes.

Commissioner Brausen moved, with Commissioner Hamilton's second, that the HCDC recommend the Loan Conversion administrative policy, with the revisions as suggested by staff, to the City Manager for approval. The motion passed unanimously.

Continuing, Loewen noted that in regard to the final two policies for the First Time Home Buyer Program and the NewHome Buyer Assistance Loan Program, staff is looking for direction from the HCDC about whether to reduce the current maximum loan amount of \$15,000 to a lower amount. When the City first offered FTB loans in 1992, the maximum loan amount was \$6,000. As the housing market changed through the years, this amount went up to \$10,000. More recently, following the economic downturn, the amount went up again to a maximum of \$15,000 to hopefully increase the number of people taking advantage of the program. Loewen noted that because the housing market is becoming more favorable again, the FTB program has been successfully used several times already in the current fiscal year. Knowing that there are potentially six more loans coming up from the sale of WNHS's Community Land Trust homes, staff is concerned that funding for the FTB program may run out during the second half of FY 13-14 and would like HCDC's thoughts about whether the maximum loan amount should be dropped, even temporarily, to an amount lower than \$15,000. Loewen added that if the maximum loan amount was lowered and a customer found that they needed a higher amount to purchase their home, they still would have the option of requesting a loan policy exception.

Following a brief discussion, it was the consensus of the HCDC to continue monitoring usage, but to keep the maximum loan amount at \$15,000 for both the First Time Home Buyer and NewHome Buyer Assistance loan programs. Members feel a market slowing may be coming, and are concerned that the current incentive value of the program might be lost if the limit is reduced. Weiss noted that staff will continue to keep a close eye on the FTB program's funding and will provide an update during the next meeting scheduled for March 12.

#### **IV. Allocation Process Overview**

Weiss began an overview of the allocation process intended to provide Commissioners with helpful information as they prepared to hear presentations of proposals requesting FY 14-15 Community Development Block Grant (CDBG) and HOME Investment Partnerships Program (HOME) funding. He noted that all of this evening's presenters will be requesting CDBG Human Services Fund (HSF) funding. Current year recipients seeking HSF funding for next fiscal year will each have ten minutes for their presentations. The two agencies who are not receiving funding in FY 13-14, Grace Center and Old Mill Center, will each have fifteen minutes to present their proposals.

Continuing, Weiss noted that two agencies will be presenting their requests tomorrow evening. Jackson Street Youth Shelter (JSYS) will be presenting a capital proposal for CDBG funding. Willamette Neighborhood Housing Services (WNHS) will be presenting a HOME non-capital request for Community Housing Development Organization (CHDO) operating funding, as well as a HOME capital funding request. Following the proposal presentations tomorrow evening, the process to develop a set of allocation recommendations for City Council consideration will begin.

Weiss noted that the City does not yet know the total CDBG program funding amount for FY 14-15, so for estimating purposes, 95% of the current year's total CDBG award amount of \$493,675 will be used. Based on this estimated allocation, the City would receive \$469,000 in FY 14-15, and thus would have up to \$70,000 to spend on Human Services Fund activities under the CDBG program's 15% regulatory cap for this type of activity. The total amount of HSF assistance being requested by the agencies for FY 14-15 is \$115,080.

## **V. FY 14-15 Human Services Fund Proposal Presentations**

Beginning this evening's presentations, representatives from the Grace Center for Adult Day Services arrived and introduced themselves as Tera Stegner, Director of Community Relations, and Rene Knight, Director of Operations. Ms. Stegner noted that they are requesting \$10,000 for their Financial Assistance program. The agency is celebrating its 30 year anniversary and provides specialized day services to the elderly and frail elderly as well as to persons with mental, physical, and/or developmental disabilities. These services make it possible for adults with moderate to severe disabilities to live in their own home or the home of a family member instead of a nursing home. The outcome of the Financial Assistance program is the provision of specialized day services specifically to low income seniors and disabled adults in the community. Currently, Grace Center is providing discounted rates for 68% of its participants, averaging \$22 per day/per person. Specialized services include activities, cognitive therapy, social stimulation, exercise, health monitoring, and various other therapies. In addition to these direct benefits to the clients, Grace Center also extends benefits to the family caregivers by providing much needed respite. Ms. Stegner noted that Grace Center collaborates with several federal, state, and local agencies that serve the frail elderly and disabled adults, adding that they also work with local physicians, nurses, therapists, adult foster homes and in-home services, as well as provide a learning site for the Health Occupations students from the local high schools. She concluded by noting that Grace Center is the only adult day services program in Corvallis, and offers the City's only post-rehabilitation program with nursing supervision and multi-dimensional assessment, care planning, and activities.

Commissioner Henderer asked how the agency is planning to expand, as noted in their application. Ms. Knight responded that Grace Center is always expanding its program as its population changes and new contracts are put in place, adding that the agency has fairly recently contracted to serve developmentally disabled clients, as well as veterans. Commissioner Hamilton asked if their facility's capacity is able to handle a growth in clients. Ms. Knight noted that Grace Center currently resides in a building that is leased through Samaritan Health Services, adding that the agency has recently acquired approximately an additional 2000 square feet of the building for expansion of its program. Commissioner Brausen asked for clarification regarding why the proposed budget in the application shows revenue of \$5,000 from the Human Services Fund, but the agency's request is for \$10,000.

Ms. Knight noted that the agency's budget cycle runs on a calendar year, so only \$5,000 is projected as revenue for the first half of the City's next fiscal year. Commissioner Brausen then asked how solid the projection is for State revenues to increase from \$134,000 this year to almost \$180,000 next year. Ms. Knight responded that they are quite certain that the State revenues will increase due to contract renewals and expansions with Grace Center, adding that it is expected that the State's Medicaid funds will be increasing as well.

Vice Chair McCarthy thanked Ms. Stegner and Ms. Knight for their presentation. Following their departure, representatives for the South Corvallis Food Bank (SCFB) arrived and introduced themselves as Judy Hecht, Executive Director, and Sheila O'Keefe, Associate Director. Ms. O'Keefe noted that they are requesting \$19,080 to cover the cost of the agency's facility rent in the coming year. Ms. O'Keefe noted that the SCFB is an emergency food box agency located in South Corvallis, providing at least a five-day supply of food once a month to qualifying low income clients since 2001. Clients are welcome to return every week for fresh bread and produce. Although fresh produce is somewhat limited during the winter months, in the summer SCFB collaborates with community gardens and local farmers for a larger variety. In 2013, the agency saw continued demand for their food boxes although the growth was not quite as fast as it has been in recent years. Ms. O'Keefe noted that SCFB served 295 households per month on average in 2012, adding that about 40% of the clients were children. The agency is anticipating that in the current FY 13-14, they will serve about 925 unduplicated households (approximately 3,300 - 3,400 individuals). Projections for FY 14-15 include serving 970 households (approximately 3,500 individuals). Ms. Hecht noted that for the last few years, SCFB has been collaborating with OSU's Linus Pauling Institute to offer cooking demonstrations and tasting sessions during the food bank's open hours. The agency has found these activities are helpful for clients who may not know how to use certain products that the food bank offers.

Commissioner Lizut asked what percentage of SCFB's food is provided by Linn-Benton Food Share (LBFS). Ms. O'Keefe responded that except for the fresh produce, approximately 95% of the food comes from LBFS. Commissioner Perrone asked if tours of the facility are available. Ms. O'Keefe noted that they provide tours for students of OSU when asked, as well as several scheduled volunteer trainings throughout each month, adding that others are welcome to join any of those tours. Commissioner Henderer asked if the agency serves homeless clients. Ms. Hecht noted that although the homeless population is only a small percentage of the clients they serve, SCFB does serve a substantial number of people who are homeless due to the Food Bank's location and proximity to Avery Park and the river. Commissioner Brausen asked if SCFB has any plans to own their own facility in the future. Ms. O'Keefe responded that the agency hopes to one day have the funds to own their own building, but are happy in the meantime to have a facility that is meeting their needs quite well.

Vice Chair McCarthy thanked Ms. Hecht and Ms. O'Keefe for their presentation. Following their departure, Michelle Maddux-Robinson, Executive Director for Furniture Share (FS) arrived. Ms. Maddux-Robinson noted that she is requesting \$11,000 for FS's Sustaining Client Services to Target Populations through Furniture Delivery and Landfill Diversion program that will help continue their delivery of donated furniture to CDBG-qualified Corvallis populations. Within that larger program, FS operates three programs: Beds for Kids, Feeding Our Future, and Furniture for Individuals in Crisis. It is anticipated that the Beds for Kids program will provide 750 beds for 750 children in FY 14-15. The Feeding Our Future program, which

provides dinner tables to families along with a flyer including recipes and conversation starter tips, is expected to serve 125 families next fiscal year. The Furniture for Individuals in Crisis program encompasses everything else the agency provides outside of the other two programs. FS is projecting help to 600 individuals and families with their basic furniture needs such as sofa/love seat, book shelves, lamps, etc. that are in good, useable condition. All of the agency's furniture is donated, and FS anticipates diverting from the landfill 129.3 tons of reuseable home furnishings from the Corvallis area in FY 14-15. Concluding, Ms. Maddux-Robinson noted that the clients served by FS are referred through caseworkers from more than 65 social service agencies in the area, with the goal of helping clients become more self-sufficient. Following the provision of basic furniture needs, it has also been found that both adults and children can lead more productive lives, in large part because they are no longer sleeping on the floor and are getting quality rest.

Vice Chair McCarthy thanked Ms. Maddux-Robinson for her presentation. Following her departure, Weiss noted that the Corvallis Homeless Shelter Coalition (CHSC) will be presenting next. Their request is for \$15,000 to cover overnight personnel costs for their Cold Weather Men's Shelter (CWMS). Representatives for the CHSC arrived and introduced themselves as Gina Vee, Executive Director, and Dan Hallgrimson, Board President. Ms. Vee noted that the CHSC's mission to provide shelter, and the agency's philosophy, is that the shelter should be provided under the Housing First model. This allows the agency to serve chronically homeless and very mentally and/or physically ill clients. The CWMS program is a five-month service from November 1 to March 31. The shelter is open every night from 7:00 p.m. to 7:00 a.m. Upon check-in each evening, each person signs in which is a commitment to following shelter guidelines. Meals are served with food provided by Linn-Benton Food share and volunteers. Ms. Vee noted that 18 local secular and religious organizations take turns providing a group of 3 - 4 volunteers who help as needed from 6:30 - 11:00 p.m. each night. Beginning at 11:00 p.m., the shelter needs to have a paid staff member to remain awake and alert throughout the night as required by the Fire Marshal; this is the position for which funding is being requested. There is also a volunteer who stays at the shelter all night, but that person is allowed to sleep and is available as back-up if needed. Ms. Vee noted that the CHSC feels they are the first responders for homelessness in the community. The agency has relationships with the police and the hospital to try to ensure that no individual who wants shelter has to be out in the elements during the winter months. Concluding, Ms. Vee noted that the agency recently purchased the CWMS property at 530 SW 4<sup>th</sup> Street, with the plan to continue the shelter for another year. Following that, plans include demolishing the building and then constructing one more suitable, which will include areas that can be leased to Stone Soup, the Corvallis Daytime Drop-in Center, and other social service providers.

Vice Chair McCarthy asked what the agency is planning for its capital funding process for the new facility. Ms. Vee responded that CHSC has formed a steering committee comprised of a diverse group of community leaders. Fundraising plans include pursuing support from local individuals, as well as from larger local and regional funding sources with which the CHSC has already established relationships through other past projects.

Vice Chair McCarthy thanked Ms. Vee and Mr. Hallgrimson for their presentation. Following their departure and a short break, Weiss noted that the next presentation will be from Work Unlimited. Their request is for \$20,000 to support their Supported Living program. Representatives for Work Unlimited arrived and introduced themselves as Kimberly Moore, Vocational Services and Supported Living Program Director, Samantha Ortiz, Program

Manager for the Supported Living Program, and Mary VanderLinden, Staff Assistant for the Supported Living Program. Ms. Moore explained that the Supportive Living program is designed to provide comprehensive case management to individuals with severe or chronic mental illness, and other disabilities and life challenges. The office is located within the Benton Plaza, a low income apartment complex, and provides services to the majority of its residents as well as others living in low income housing throughout Corvallis. One of the main services provided through the program is assistance with finding safe and affordable housing, and helping people stay in their homes. Other services include reminders to take medication, transportation to appointments and the grocery store, help with paperwork including Social Security, food stamps, and insurance, and life skills training and counseling. A Social Security representative payee service is offered, as well as money management assistance. Ms. Moore then handed out copies of a report put together for her recently by Ms. Ortiz and Ms. VanderLinden that summarizes last week's activities and the services provided, noting that the report is a good example of what the Supportive Living staff does for their clients every week.

Commissioner Brausen noted that the agency is requesting \$20,000 for FY 14-15 and asked why the program budget only reflects funding at a level of \$10,000. Ms. Moore apologized, noting that at the time the application was being put together, there were some issues within the accounting department and not everyone was in sync. She clarified that the program budget assumes a similar outcome for next fiscal year in that the agency is requesting \$20,000, but received approximately half of the requested amount.

Vice Chair McCarthy thanked Ms. Moore, Ms. Ortiz, and Ms. VanderLinden for their presentation. Following their departure, Kelly Noland, Executive Director of the Parent Enhancement Program (PEP) arrived. Ms. Noland noted that PEP is requesting \$10,000 to support their Healthy Families/Safe Kids program. She then provided a brief overview of PEP, noting that the agency provides supportive services to pregnant and parenting teenagers and young parents. The agency has slightly changed its focus from last year when they served only clients age 13 through 25. PEP now serves clients who are 26 and older if they have young children and need the services the agency provides. Services include a buddy/mentoring program, parenting and life skills classes, social activities throughout the year, transportation when necessary, and child safety seat, crib and safety gate instruction. Educational assistance is another provided service, including GED preparation in conjunction with the local high schools and Linn-Benton Community College. PEP provides supervised day care at their facility while parents attend classes. The agency also reaches out to Latino families, as well as father/male figures who are involved in the children's lives. Regularly scheduled home visits offer opportunities to work on parenting/adult education skills, follow-up to lessons learned and child development training. Ms. Noland noted that PEP maintains a list of low income housing to help clients who may be in danger of losing their home find new housing before they become homeless with their children, adding that 10% of the agency's clients have been homeless at some point in their lives.

Vice Chair McCarthy thanked Ms. Noland for her presentation. Following her departure, Weiss noted that the Old Mill Center (OMC) will be presenting next. Although the agency is not receiving funding for this program in the current fiscal year, they have received HSF funding in the past. Representatives for OMC arrived and introduced themselves as Bettina Schempf, Executive Director, and Cindy Bond, Relief Nursery Program Manager. Ms. Schempf noted that they are requesting \$15,000 to support their Relief Nursery Outreach and Respite Service program. She then provided a brief overview of OMC's Relief Nursery

program, noting that it is one of 15 in the state and serves high risk families with children six months to six years old. Program goals include reducing child and family risk factors associated with increased risk of child maltreatment, improving family stability and family functioning, improving parents' ability to successfully parent their children, and supporting positive child development and well-being. Funding for the Relief Nursery comes primarily from the State of Oregon and is based on the number of children served in the program. One of the requirements of receiving State funding is for OMC to acquire a 25% match. The annual cost of the program is \$430,000 of which 42% is funded by the State. Ms. Schempf noted that Portland State University (PSU) recently completed a comprehensive two year research project using data provided by all 15 Relief Nurseries in Oregon for the time period of July 2010 to June 2012. PSU found that 87% of the parents using the Relief Nursery services are experiencing high levels of stress; 50% have a history of domestic violence; 60% of parents have mental health problems; 45% of parents were raised by an alcoholic or substance abusing parent; 45% of parents have current anger management issues; and 34% have a history of incarceration. According to the research, outcomes achieved through participation in the program included increased parent employment, improved quality of parent-child interaction, increased frequency of reading to children, reduced number of risk factors, improved family functioning and stability, and increased rates of child immunization. Ms. Bond noted that one of the key central services of the Relief Nursery program is a therapeutic classroom where the focus is on the social-emotional development of the children. Another key service is providing respite care to give parents and/or caregivers time for self-care. There is only room in the therapeutic classroom for 19 children at a time, so all other families receive respite through Outreach services. The Outreach respite service allows parents to have a 3 hour break once a month at their homes while the children receive quality care in an age appropriate environment at OMC. Parents participating in the Outreach respite service also receive the other services provided by the Relief Nursery program that include parenting support groups, access to the resource closet, and transportation assistance.

Weiss asked for clarification regarding whether the service that would be provided by the requested funding would take place in the facility or in the home. Ms. Bond responded that the service would take place in the facility. Ms. Schempf added that the children are either brought to the facility by the parents or OMC staff will pick them up if transportation is a problem. Ms. Bond noted that typically, the family's Outreach worker is also the person who provides the care while the children are at OMC. Commissioner Henderer asked how long relationships with the families typically last. Ms. Bond noted that one family has been taking part in the program since 2007, adding that as long as a family has children under six years old, they can continue to receive services. She added that OMC has additional programs and also works with several other agencies to coordinate care as the children age out of the Relief Nursery program in order to provide a continuum of care for the families.

Vice Chair McCarthy thanked Ms. Schempf and Ms. Bond for their presentation. Following their departure, Weiss noted that the final agency presenting this evening will be the Corvallis Daytime Drop-in Center (CDDC). Their request is for \$15,000 to cover a portion of the agency's rent. Representatives for the CDDC arrived and introduced themselves as Aleita Hass-Holcomb, Board President, and Dan Hallgrimson, Board Vice President. Ms. Hass-Holcomb noted that the CDDC is a link in the network of agencies that are the ears of poverty in the community. The agency serves as a point-of-entry for information, referral and assistance for its clients. The CDDC is currently located in McLean Hall at the First Christian Church on the corner of 6<sup>th</sup> & Madison. The drop-in center is open Monday-Friday from 9:00

a.m. to 2:00 p.m. The CDDC is staffed by volunteers, except for a licensed clinical social worker and the manager of the Homeless Employment Launching Project (HELP) who both receive small stipends for their work. Ms. Hass-Holcomb noted that past CDBG funding toward facility rent has been a life line for the agency as it helps them have a stable place to provide their services. The agency is projecting that it will serve 775 extremely low income clients in FY 14-15, along with approximately another 100 clients that are either very low income or low income. Along with the provision of the licensed counselor and HELP program, the CDDC also provides socialization opportunities, referral help to the Benton County Health Department, prescription drug assistance, ID replacement help, phone use, and use of a Post Office box. Ms. Hass-Holcomb noted that a fairly new service is providing a memorial service to recognize the passing of people in the community who were homeless. By doing this, the CDDC has brought several families together, some who have been estranged for years. Other client services provided outside of the hours that the drop-in center is open include helping people move, and also visiting hospitals or care facilities and working with discharge planners to facilitate safe transitions. Concluding, Ms. Hass-Holcombe noted that during the recent snowstorm, the CDDC stayed open when many other buildings and businesses were closed, including on Saturday and Sunday when the drop-in center typically would have been closed, in order to give their clients a place to come in out of the cold.

Vice Chair McCarthy commended Ms. Hass-Holcombe and the CDDC for their good work. Commissioner Lowe asked if the CDDC has seen an increase in the number of clients they serve due to other program closures. Ms. Hass-Holcomb cited an example of a client referred to the CDDC today who needed to find housing so that she could proceed with shoulder surgery, noting that it's possible that these type of referrals are being made to the CDDC because they are known as a strong link in the community and as a good information and referral resource.

Vice Chair McCarthy thanked Ms. Hass-Holcombe and Mr. Hallgrimson for their presentation. Following their departure, Weiss reminded Commissioners that their February 19 meeting, which will begin at 4:45, will include the CDBG Program capital project presentation from the Jackson Street Youth Shelter, and a HOME Program capital proposal from WNHS. WNHS will also present their HOME funding proposal for support of their operations as a CHDO. Weiss noted that following all of tomorrow evening's presentations, the HCDC will discuss and develop a set of recommendations for funding allocations to be forwarded to the City Council for their consideration and approval.

There being no further business, the meeting was adjourned at 7:50 p.m.

**Draft**  
**Subject to review &**  
**HCDC approval**

**HOUSING AND COMMUNITY DEVELOPMENT COMMISSION**  
**MINUTES**  
**February 19, 2014**

Present

David McCarthy, Vice Chair  
 Kara Brausen  
 Ed Fortmiller  
 Gary Hamilton  
 Dave Henderer  
 Kenny Lowe  
 Gerry Perrone  
 Roger Lizut, Planning Commission Liaison

Absent

Judy Gibson, Chair  
 Dan Brown, City Council Liaison

Staff

Kent Weiss  
 Bob Loewen  
 Terri Heine

Visitors

Garrick Harmel, WNHS  
 Ben Stiehl, WNHS  
 Jodi Erickson, WNHS  
 Ann Craig, Jackson Street Youth Shelter  
 Andrea Myhre, Jackson Street Youth Shelter  
 Mark Rosegold, Jackson Street Youth Shelter

**SUMMARY OF DISCUSSION**

Agenda Item	Action/Recommendation
I. Loan Policy Exception Consideration: First Time Home Buyer Program	Recommendation
II. Agency Presentations: CDBG and HOME Capital and Other Project Proposals	Discussion
III. Deliberations	Recommendations

## **CONTENT OF DISCUSSION**

### **I. Loan Policy Exception Consideration: First Time Home Buyer Loan Program**

Vice Chair McCarthy opened the meeting. Housing Program Specialist Loewen handed out copies of a memo detailing a First Time Home Buyer (FTB) loan policy exception request for an applicant who hopes to purchase a newly-constructed home located at 1113 NE Sorrel Place, which is a Seavey Meadows Community Land Trust (CLT) home. He noted the applicant is requesting approval for a City loan in the amount of \$15,000 in order to complete the purchase of the property.

Continuing, Loewen noted that City loan policy states that the maximum amount of funds that a first time home buyer may have in savings after closing is the greater of \$5,000 or six months of PITI (principal, interest, taxes and insurance). The applicant is requesting that they be permitted to retain \$7,500 in available funds following closing in order to purchase a washer and dryer and window coverings, and to help cover moving expenses. This amount exceeds the policy limit. Loewen noted that the applicant is contributing adequate cash resources (\$41,000) from their personal savings to qualify for the \$15,000 in City loan funding, and so meets all other criteria for FTB loan approval. He noted that a loan policy exception is needed in order to forward this request for City Manager approval.

Following a brief discussion, Commissioner Perrone moved, with Commissioner Fortmiller's second, that the HCDC recommend City Manager approval of the request for a loan policy exception for a First Time Home Buyer loan for the applicant purchasing a home located at 1113 NE Sorrel Place. The motion passed unanimously.

### **II. Agency Presentations: CDBG and HOME Capital Projects and Other Proposals**

Housing Division Manager Weiss directed Commissioners to the schedule included in their packet noting the order that agencies would be presenting their proposals. He stated that two agencies will be presenting their requests this evening: Willamette Neighborhood Housing Services (WNHS) will be presenting their South Corvallis Revitalization Phase 1 (Pickford Leonard) project and HOME CHDO operating funding proposal, and Jackson Street Youth Shelter (JSYS) will be presenting their Transitional Living Facility funding request. Weiss reminded Commissioners that even though the City does not yet know what it's FY 14-15 CDBG and HOME funding amounts will be, it is likely that there will be enough CDBG and HOME funds available to fully fund the requests being presented this evening if the Commission is so inclined.

Beginning this evening's presentation process, representatives from Willamette Neighborhood Housing Services arrived and introduced themselves as Garrick Harmel, Director of Housing Development, Ben Stiehl, Housing Rehabilitation Coordinator, and Jodi Erickson, Asset Manager. Mr. Harmel noted that the Pickford Leonard property is one of the oldest properties owned by WNHS. It consists of five homes that were moved from various sites in the City back in the early 1990s onto lots located between the southern ends of SE Leonard Street and SE Pickford Street. The five homes were rehabilitated in conjunction with the move, and during that process were converted into ten units of affordable rental housing.

Ms. Erickson noted that the ten housing units range in size from a studio to a four bedroom.

She noted that the rents for the units are some of the most affordable in Corvallis. The four bedroom unit rents for \$663 a month compared to the average rent of \$1,500 for a three bedroom unit. The homes still retain some of the characteristics of when they were built, such as hardwood floors and built-in cabinets. The tenants are some of the lowest income residents in the City and take pride in their unique housing units. Ms. Erickson noted that at times, WNHS has worked with HUD's Veterans Affairs Supportive Housing (VASH) program to place veterans who were at risk of becoming homeless into the studio unit. There is a waiting list for the units that is maintained by WNHS's property management company. WNHS has a contract in place with other service providers in the City to inform them when a person is homeless or at risk of homelessness; these potential tenants are moved to the top of the waiting list and placed into housing when a vacancy opens up. Ms. Erickson noted that WNHS sees this as a way to do their part to try to end homelessness in the community.

Regarding the project's scope of work, Mr. Stiehl noted that the focus will be on improving the envelope of the buildings, which will include removing and replacing each building's siding and windows. Exterior painting, doing porch repairs, and making interior alterations to improve energy efficiency and indoor air quality (specifically moisture management within the kitchens and bathrooms) will also be done. The scope of work was determined initially by what maintenance workers and internal inspectors have seen. Mr. Stiehl noted that a Capital Needs Assessment (CNA) has been performed since the application for City funding was submitted. The CNA will assist WNHS in further narrowing down a scope of work specific to each home. Preliminary estimates from contractors have been received, and an in-house cost estimate for the project has been processed using historical data from WNHS's previous single family home rehab projects.

Commissioner Henderer asked how the units are heated. Mr. Stiehl noted that all but one of the units use electric Cadet heaters. The remaining unit has a gas forced air furnace and water heater. Commissioner Henderer asked if the tenants pay for their utilities. Ms. Erickson responded that tenants are responsible for paying for their utilities, and the high heat cost is an issue. Mr. Stiehl added that WNHS will be working with Community Services Consortium's (CSC) Weatherization program to improve energy efficiency in the units, including adding insulation. Vice Chair McCarthy noted that roof work is not included in the scope of work and asked when these are scheduled for replacement. Mr. Stiehl noted that the roofs are in various stages of condition, and that work will likely take place down the road sooner rather than later as funding becomes available. Commissioner Lizut asked if there are any historical resource concerns to contend with as part of the project. Mr. Stiehl noted that when the homes were moved several years ago, the State Historic Preservation Office (SHPO) was consulted and there was a finding of no significant impact. Weiss noted that a new SHPO consultation process will need to be completed at some point, but that because the homes lost their location-based historical integrity back when they were moved, it is anticipated that the finding of no significant impact will remain the same.

Commissioner Perrone asked how the project would change if they did not receive the entire \$220,000 in requested funding. Mr. Harmel responded that it's hard to know at this point as final decisions would be made depending on how close the award is to the requested amount. Mr. Stiehl added that a decent contingency amount is built into the budget. Commissioner Henderer asked if performing a lead based paint assessment is included in the scope of work. Mr. Stiehl responded that a lead risk assessment has already been completed and that WNHS will work closely with the City since lead was found to be present in some areas of the homes.

Commissioner Fortmiller asked if tenants will be required to move during the rehab work. Mr. Harmel noted that since most of the work will be on the exterior of the units, tenants will not need to be relocated during the project. Ms. Erickson confirmed that tenants will not be relocated, and if the need arises for contractors to be inside the units for an extended period during a given day, WNHS is prepared to coordinate and pay for activities for residents during the brief time they will need to be away from their homes. Concluding the presentation, Mr. Harmel read a letter written by one of the tenants at Pickford Leonard, describing what “home” means to them and their appreciation for having a warm, safe place to live.

Vice Chair McCarthy thanked Mr. Harmel, Mr. Stiehl and Ms. Erickson for their presentation. Following their presentation, representatives for Jackson Street Youth Shelter (JSYS) arrived and introduced themselves as Ann Craig, Executive Director, Andrea Myhre, Grants Officer, and Marc Rosegold, Board member. Ms. Myhre noted that JSYS’s proposal is in regard to its transitional living facility located on NW 17<sup>th</sup> Street and that the \$75,000 being requested would be used to help fund the purchase of the building to be used. Ms. Craig noted that the building is part of the agency’s Transitional Living Program (TLP) for older homeless youth ages 18-21. Once youths reach the age of 18, they no longer qualify to stay at JSYS’s facility on NW Jackson Avenue. JSYS has been partnering with Community Outreach, Inc. (COI) in the development of the TLP to provide these older youth with support, and skills to help them improve their well-being and become self-sufficient. The transitional living facility will shelter up to four of the older youths for up to 18 months. JSYS estimates that it will serve at least 10 youths per year in this facility. Ms. Craig noted that the transitional living facility is currently being rented for \$1 a month, and that services and shelter are already being provided. Owning the building is the agency’s goal so that there is more flexibility with running the program and making upgrades that would enable JSYS to serve more clients.

Commissioner Brausen asked if youth will be asked to leave the transitional living facility if they age out while living there. Ms. Craig noted that although JSYS is not currently receiving federal funding for their TLP, they have applied for funding and so they are following federal guidelines which state that the maximum length of shelter is 18 months. She added that it has been found, though, that most youth do not actually need to stay for that length of time as the average number of months for this type of shelter is closer to six months. Mr. Rosegold noted that although this is a transitional facility, it does allow youth a good option besides couch-surfing at friend’s homes and/or trying to live in an adult shelter, as well as an opportunity to work on needed life skills. Ms. Myhre added that as part of the TLP program, the older youth have access to all of the classes, activities, and mentoring services offered at the emergency shelter on Jackson Street. Mr. Rosegold noted that when youth are living in shelter, it is easier to keep them coming to school during the day and working toward graduation.

Commissioner Henderer asked if a supervisor stays overnight in the transitional living facility. Ms. Craig noted that the model the agency is using is that there is staff at the facility during most of the waking hours, but staff does not sleep there at night. This provides more opportunity for these older youth to experience what it is like to be more independent. There is a security system on site, with cameras located outside at the exits. Vice Chair McCarthy asked whether given the young age of the clients, and the fact that there is no overnight staff, there was a back-up plan should there be a need for intervention. Ms. Craig noted that there are robust procedures in place and on-call staff available 24 hours a day should a problem arise. She added that JSYS participates monthly in a group that includes similar agencies around the state that focus on runaway homeless youth. Through conversations with these agencies and

learning about “best practices” according to the federal guidelines, it has been found that the more successful programs operate under the model that JSYS is implementing with its transitional living facility. Ms. Craig noted that potential clients also complete an extensive screening process. Commissioner Perrone asked if there are rooms set aside for just men or just women, or if it is first come, first serve. Ms. Craig noted that it is basically first come, first serve but that men and women would not share a room, adding that so far, all of the clients have been male.

Vice Chair McCarthy thanked Ms. Craig, Ms. Myhre and Mr. Rosegold for their presentation. Following their departure and a short break, the deliberation process began. A lengthy discussion ensued during which all of the CDBG and HOME proposals were discussed in order to bring Commissioners’ recommendations to a consensus.

Regarding the CDBG and HOME capital and WNHS CHDO operating funding proposals, the HCDC came to a consensus regarding all of the proposal requests presented this evening as follows:

Commissioner Henderer moved, with Commissioner Lowe’s second to recommend: 1) HOME capital funding in the amount of \$220,000 to WNHS for their Pickford Leonard rehabilitation project; 2) \$13,500 in HOME funding to support WNHS’s operations as a CHDO; and 3) \$75,000 in CDBG funding to JSYS for their Transitional Living Facility purchase, with the requirement that the agency provide updates on their fund raising progress at least every two months for the next six months. The motion passed 8-0.

Commissioners completed individual worksheets for Human Services Fund allocations, which were combined on a single sheet for discussion and consensus development. Following agreement on final amounts, Commissioner Brausen moved, with Commissioner Hamilton’s second, to recommend to the City Council allocations of FY 14-15 CDBG Human Services Fund resources as follows:

- \$10,000 Corvallis Daytime Drop-in Center
- \$12,000 Corvallis Homeless Shelter Coalition
- \$10,000 Furniture Share
- \$10,000 Parent Enhancement Program
- \$18,000 South Corvallis Food Bank
- \$10,000 Work Unlimited

No funding was recommended for the Human Services Fund programs proposed by Grace Center and Old Mill Center. The motion passed 6-0, with Vice Chair McCarthy and Commissioner Perrone abstaining.

Weiss thanked the Commissioners for their time and hard work with this year’s funding allocation process. He noted that recommendations will be included in a future draft FY 14-15 Action Plan which the Commission will review at least once more before it is forwarded for consideration by the City Council.

There being no further business, the meeting was adjourned at 7:50 p.m.

**DRAFT**  
**CITY OF CORVALLIS**  
**MINUTES OF THE PARKS, NATURAL AREAS AND RECREATION BOARD**  
**FEBRUARY 20, 2014**

Attendance

Lynda Wolfenbarger, Vice-Chair  
 Joshua Baur  
 Jon Soule  
 Ed MacMullan  
 Deb Rose  
 Ralph Alig  
 Phil Hays  
 Tatiana Dierwechter  
 Michael Mayes  
 Joel Hirsch, City Council Liaison

Staff

Karen Emery, Director  
  
 Jude Geist, Park Operations Supervisor  
 Jackie Rochefort, Park Planner  
  
 Mark Lindgren, Recorder

Guests

Mariana Mace  
 Stewart Wershow

Absent/Excused

Betty Griffiths, Chair  
 Marc Vomocil  
 Kevin Bogotin, 509-J District Liaison

**SUMMARY OF DISCUSSION**

	Agenda Item	Summary of Recommendations
III.	Approval of January 26, 2014 Meeting Minutes	Approved as presented.
IV.	Visitors' Propositions	Information only.
V.	Budget Update	Information only.
VI.	Marys River Boardwalk Project	Information only.
VII.	General Review of Goals	Information only.
VIII.	Staff Reports	Information only.
IX.	Adjournment	The next regular meeting will be held March 20, 2014 at 6:30 p.m., at the Downtown Fire station meeting room.

**CONTENT OF DISCUSSION**

**I. CALL TO ORDER**

Vice Chair Lynda Wolfenbarger called the regular meeting of the Parks, Natural Areas and Recreation Board to order at 6:30 p.m.

## **II. APPROVAL OF JANUARY 16, 2014 MEETING MINUTES**

Phil Hays moved to approve the minutes as presented; Deb Rose seconded the motion and it passed unanimously.

## **III. INTRODUCTIONS.**

## **IV. VISITORS' PROPOSITIONS.**

Mariana Mace related that she lived near the historic Gaylord House. Highlighting the City's recent acquisition of the historic Sunnyside School building, she asked about plans for the Gaylord House, saying it had been neglected for about twenty years, and there doesn't seem to be a plan for it. Planner Rochefort replied that the Sunnyside building moving costs were donated. She said that very early on, there was interest in restoring Gaylord House for use with RSVP, but that didn't come through. It is in the CIP, but until funding comes forward, it is difficult.

Mace said she was afraid it would be vandalized; it has been a homeless hangout more than once, and a plan was needed. Director Emery concurred, saying there had been plans for it, but the plans changed, and it needs to be reconsidered. It was repainted five years ago; re-roofing is in the CIP. Geist said the current priority is keeping water from entering from the roof. Mace said that buildings without activity can become unsalvageable. Planner Rochefort said there was discussion of whether to go forward on acquiring Sunnyside School when this structure already needed attention.

Hays said there were several historic structures that the county maintains; there is a constant cost to maintain them, and that is a challenge while money is tight; he noted the Parks and Recreation budget had been repeatedly cut. He said it would help to have a "Friends of the Gaylord House" group. Mace replied that she used to be a member of just such a group in the past. Hays highlighted a foundation whose purpose is restoration of historic buildings. Emery felt that main challenge was that the building had lost its purpose, and that needed to be established.

Stewart Wershow, President of the Garfield Park Neighborhood Association, stated that Parks staff did a great job maintaining the park, including cleaning drains recently at the park, where water was pooling badly during storms. He related he'd been on the Council when the house was acquired in 1989-1990; he said historic preservation advocates need to be reminded about the structure; if nothing is done, it will deteriorate.

## **V. BUDGET UPDATE.**

Director Emery related she'd had a subcommittee meeting with Lynda Wolfenbarger, Tatiana Dierwechter and Mike Mayes. Wolfenbarger praised staff on their work on the budget process. She said the January PNARB meeting had discussed the possible forced limit on spending on the family assistance program in the coming year; if it is capped at \$125,000 of funding, there was discussion on what the department would have to cut to make that money available. She said the Finance Department would likely approve increasing some program fees by about 7%; that would be a reliable source of money,

and the extra money could go into an operational reserve for the family assistance program. Parks and Recreation can continue to do its regular fundraising for the program. She related that staff agreed there would be no fee increases at the Senior Center, which was still coping with some users having negative feelings about the (recently eliminated) Gold Pass. Also, there would not be an increase for use of community rooms. Increases would mostly be in youth and adult programming, thereby saving \$125,000 in its operating budget.

She highlighted Director Emery's memo to the City Manager Jim Patterson and Finance Director Nancy Brewer, highlighting the outcome of PNARB's December work session. Under the proposed budget, there will be staff changes; homeless camps would receive less regular clean up; there would be less tree care and maintenance in median strips; and some parks would get less irrigation and less mowing. One Parks position would stay unfilled but the FTE for the position would remain so it could be filled at a future time, so if the department's expenditure limit is raised due to higher City revenues, addressing staff reductions is a top priority to fund.

There are seven Capital Improvement Projects with alternate funding, with \$840,000 to \$880,000 in SDC funding for improvements. Recommendations in the Master Plan can be forwarded; ADA improvements will be done; and implementing the "Tree for a Fee" Program (to help developers, Parks will obtain and plant the trees at an appropriate time: a win/win). A new program being considered will require that developers pay for the value of a tree removed from the right of way. The Recreation Division will ensure that programs are accessible to those with disabilities. A concessions program will create youth employment. The department is working with School District 509J to teach swimming to 100 elementary school students. Some work at the Senior Center can be completed with funding from a trust. The Marketing Committee within the department will meet with the PNARB Marketing Committee. Staff marketing is concentrating on securing and streamlining rentals. The department will continue to find more ways to make money (54% of funding comes from property taxes).

Director Emery said staff were excited about the alternate ways of funding the Family Assistance Program and will meet with Finance to outline the logistics of it. Dierwechter added that there was a lot of leveraging in the Family Assistance Program across many partners, organizations and stakeholders in the community, who are committed to figure out ways to continue to ensure access of all families to public Parks and Recreation services.

## **VI. MARYS RIVER BOARDWALK PROJECT**

Planner Rochefort related she was working with the Friends of Parks and Recreation group to discuss options for fundraising for the boardwalk project. A neighborhood meeting was held January 23 as an overview on ways to move forward, with another follow-up meeting January 30 to discuss design options. Several OSU civil engineering students are using this as their senior capstone project. She said the slides displayed were those shown at the neighborhood meeting.

The boardwalk was a condition of approval for the Brooklane Estates Project across the street. The design is supposed to have the least impact to the wetland, and is an opportunity to have controlled access to the 72-acre site. Once the site was acquired, the City applied for it to become part of the Natural Resource Conservation Service (NRCS) Wetland Program; there is an easement over the site, which limits what can be done at the site.

The boardwalk failed for various reasons, including that no concrete or rebar was used in the footings as NRCS was concerned about the impact. There was inadequate cross bracing. It was built in eight-foot sections to permit removal during major floods, but flooding occurred too fast, and there was no equipment to remove the sections.

The boardwalk was developed using SDC funds. When it failed, FEMA awarded funding for its reconstruction, but requires a 20% match. An expansion of the boardwalk is planned, but SDC's use would be limited. Regarding opportunities and constraints, FEMA is requiring that about 60% of materials be re-used or re-purposed somehow, and many of the materials were salvaged. Some of the non-salvageable decking has already been used for the new Rotary shelter at Willamette Park.

Approvals are in place for the current location. The neighborhood wanted to look at an expanded footprint, which is possible if funds are available. Approvals may be needed from the Division of State Lands (DSL) and NRCS. The cost of materials has increased since the 2012 FEMA report. The State Historic Preservation Office (SHPO) has requested that the City do a full site assessment; she related that she'd objected to assessing the entire 72-acre site, not just the footprint, and a new footprint may require a new approval. The project description is to reconstruct 1900 linear feet, salvaging just over 50%, and allowing for the natural flow of water. She related that the neighbors would like to bring the boardwalk to the river, even though a bridge can't be built there yet.

The department applied for matching funds with a State Recreational Trails grant, using a design that would be more stable for the site conditions. She said many of the old 8" by 8" posts could be set 4' deep into a concrete footing with rebar, and use larger pieces of wood for cross-bracing, thereby addressing both materials re-use requirements and the causes for the original failure. A consulting engineer felt confident the design would work with the site conditions but was still completing the footing calculations. She noted that the Shooting Star boardwalk has a lower profile; it uses 8" by 8" sleepers anchored in a shallower concrete footing.

She said final decisions on design were needed, as well as fundraising. In the Parks and Recreation Master Plan Trails Chapter update (approved but not yet adopted), there are specifications for trail profiles, including boardwalks; both posts in concrete and sleeper design options were approved. A third design option is to use helical piles.

DSL approval will be required for either of the first two designs, if more than 50 cubic yards of material are disturbed. Some mitigation would also be required, though some

mitigation credit has already been accrued at Sunset Park. DSL will also look at the impact on decking shading of plant materials, and that may also need to be mitigated. The onus is on the department to determine whether plant material can be grown under the decking.

She said the helical piles approach (which screws support posts into the ground) is very costly, but has very low maintenance and no soil disturbance. The State granting agency asked the department to consider the idea. She plans to do cost estimates of the three approaches to help determine how to move forward (including indirect costs of permitting, etc.).

The trail has been closed for safety purposes and salvaged materials stored. The department got an extension out to November 2014 from FEMA. She related that the lack of connectivity in the proposed route was the main reason the first application for the Oregon State Recreational Trails grant was not successful; the grants emphasize connectivity.

A bridge to connect to the Caldwell Natural Area across the Marys River has been in the CIP. The Portland Water Bureau offered a historic bridge, but the timing didn't work out. Students are looking at the possibility of putting in a pedestrian bridge; the state would be much more open to granting a State Recreational Trails funds if there was a bridge in an enhanced package. FEMA estimated the value of the project at about \$258,000, with FEMA providing 75%, and requiring the City to come up with about \$65,000 in matching funds, which must be in cash (it cannot be in-kind). The plan is to begin construction in spring or summer of 2014. She related that neighbors asked for a viewing platform or circulation through the riparian area in a loop, until a bridge can be built.

Ralph Alig asked for projected life of the project; she replied the steel helical would have the longest life. The 8" by 8" sleepers and posts are wood and would eventually break down. Geist added that the helical posts would have a longer life. Hays asked how deeply the helical posts were set; Rochefort replied that she was still researching it. Hays said the previous system essentially floated up and away, due to the buoyancy of the wood; it also collected a lot of debris. Concrete footings would provide a lot of anchoring. Rochefort added that it actually started to fail in the 2006 flood. Hays noted that where the road crosses, a creek, by a wall, funnels a lot of water in a channel there, impacting the boardwalk during flooding. Rochefort related that the neighbors had asked that the new boardwalk route meander more, to create more interest, and the route placement could allow for the pressure and velocity of the funneling there.

She said the original boardwalk was built around 2003-2004, by Preferred Construction in Springfield; the principal has since died. The Friends of Parks and Recreation has a March 2 fundraising event at the Senior Center. Emery added that the event was planned by the neighborhood, with musicians, artists, family-friendly, and was intended to raise awareness. Two coffee fundraisers are also planned in the neighborhood.

Hays stated that the previous design was boring; Rochefort replied that neighbors agreed. Hays added that he was always bothered that the boardwalk didn't make it all the way to the river; it just ended up in the middle of a field; it needs a good destination. Rochefort related that neighbors said that it would be easier to fundraise if it were more interesting. It is also planned to be wider: 5' or 5.5', making it easier to pass and walk side by side.

Emery added that the boardwalk provides controlled access, and allows people using a wheelchair to experience a natural area, and being able to also experience a river would improve that experience. She related that given funding constraints, one neighbor suggested starting it at the river in order to use the same amount of supplies, and expanding it in phases as funding allows. Hays suggested starting construction from the road, rather than the parking lot, initially. Rochefort said the north road is a private drive, on which the City has a maintenance easement; the curb that leads to the road is public right-of-way, and cars can park there. Hays suggested asking Brooklane Estates about allowing public parking in an area that would reduce the length of needed boardwalk. Alig asked about handicapped access; Rochefort replied that the original plan featured parking at the top and an ADA path down to the ramped start of the boardwalk. There is a shared access with the golf club and the cemetery.

## **VII. GENERAL REVIEW OF GOALS.**

Regarding Goal #1, Hays related that he still needs staff recommendations; Geist related that staff work was underway on them. Regarding Goal #2, Josh Baur said a meeting was scheduled for next Tuesday, to discuss options. Regarding Goal #3, Deb Rose said a meeting had to be rescheduled; she expects to bring recommendations back to the board. Regarding Goal #4, Dierwechter said the committee did brainstorming yesterday with staff on how to work with staff's marketing and outreach committee. She expected opportunities to integrate them and streamline efforts. Regarding Goal #5, Michael Mayes reported that a meeting was scheduled within the next week. Regarding Goal #6, Wolfenbarger said there was discussion on the budget, in terms of creating an operational reserve, the early educational program, emerging demographics information, and evaluating in December 2014 how changes to the Family Assistance Program are working.

## **VIII. STAFF REPORTS.**

Jude Geist reported that staff have been busy cleaning up from the snow and ice storm; while there were limb failures, few entire trees were lost in the system and right-of-ways. Some damage is being cleaned up by contractors. He noted that the less than expected damage was partly due to years of preventive pruning maintenance in right-of-ways, thus reducing the amount of follow-up needed. Director Emery explained that \$90,000 annually comes from one of the Sustainable Initiative Fees (SIF) bundled in utility bills, which is dedicated to preventive maintenance pruning and hazard tree removal for trees in the right-of-way and in the Parks system. Geist added the funds also purchase planting of replacement trees. He said seasonal crews return next week.

Planner Jackie Rochefort reported historic Sunnyside School was successfully moved to a site near the Owens Farm farmhouse. Funding was received for a foundation, and to reconstruct the roof and the original bell tower; she is seeking a 2' bell for it. The City got a grant from the National Trust, with private matching funds, to conduct an assessment of the farmhouse. That will tell us the condition it is in, along with guidelines for restoring and reconstructing it, with construction details and cost estimates. There were also grants from the Kinsman Foundation and Restore Oregon for a similar assessment of the barn; there were also donations for matches for those grants. Dave Pinyard will assess the house, and we haven't gotten quotes for the barn yet.

The department will apply for State Parks grants for MLK Park, to make the Walnut Barn more accessible and usable for the public. Funds were received to replace play equipment at Arnold Park; she is preparing bid documents. Emery added that the Friends group got a \$25,000 donation to expand the Arnold Park Project.

Rochefort reported there was recently another public hearing on the Campus Crest proposal; the Council considered conditions of approval (the Comp Plan amendment and zone change were already approved). The Council is looking at connections to Arnold Park and the City's existing open space; the developer has an interest in donating additional open space. The Council will do deliberations at its first March meeting.

Liaison Hirsch asked about the septic system at Owens Farm; Rochefort replied that when the house was acquired, the City installed a septic system (now outlined by boulders in front of the house) that replaced a clay pipe that simply drained into the field. In consideration of the use of the Sunnyside Schoolhouse for classroom and meeting space for visitors, the assessments will look at water sources and additional restroom requirements.

**IX. ADJOURNMENT:** The meeting was adjourned at 7:38 p.m.

**CITY OF CORVALLIS**  
**Public Participation Task Force Minute**  
**March 6, 2014 - DRAFT**

<b>Members Present:</b>	Annette Mills, Vice Chair; Richard Hervey; Penny York; Rocio Munoz; Brenda VanDevelder; Emily Bowling; George Brown; Becki Goslow; Mary Beth Altmann-Hughes
<b>Members Absent:</b>	Kent Daniels, Lee Eckroth
<b>Staff:</b>	Claire Pate, Scribe
<b>Visitors:</b>	

<u><i>Agenda Item</i></u>	<u><i>Key Discussion Points</i></u>	<u><i>Action or Information Only</i></u>
1. Check in, introductions, review ground rules (Chair)		
2. Review Agenda (Chair)	<ul style="list-style-type: none"> <li>• Add “budget” discussion</li> </ul>	
3. Review/Approve 2/20/14 Meeting Minutes (All)		Motion by Richard/seconded by Brenda to approve minutes as drafted; motion passed unanimously.
4. Continue discussion; Plans for 4/3/14 meeting (Brenda)	<ul style="list-style-type: none"> <li>• Broad outline: share process; present recommendations; get feedback about what excites them, any unforeseen/unintended consequences, and possible gaps.</li> <li>• The three Tiny Task Force (TTF) leaders will each explain their processes.</li> <li>• Full marketing push for the meeting; reach out to Health Equity Alliance.</li> </ul>	Brenda will send out a draft of her PowerPoint presentation once it is done.
5. TTF recommendations: updates (Rocio, Emily, Brenda)	<ul style="list-style-type: none"> <li>• <b>Outreach and Engagement (Attachment A)</b> – Rocio distributed an updated version of Guiding Principles and recommendations. Consensus that Guiding Principles are overarching all the efforts, and should be presented first. Need additional discussion about</li> </ul>	

<u>Agenda Item</u>	<u>Key Discussion Points</u>	<u>Action or Information Only</u>
	<p>item 1.c (allowing group presentations), as there is not consensus that this is appropriate.</p> <ul style="list-style-type: none"> <li>• <b>Board and Commissions (Attachment B)</b> – Brenda explained the latest draft of the Board and Commission (B&amp;C) recommendations. Discussion about how transitions will work for potential sunseting of some B&amp;Cs, and broadening scope/refocusing efforts. Suggested changes: 1) Under “<i>Community Participation</i>,” mention Neighborhood Associations/connections as part of the Community Involvement and Diversity Board (CIDAB) charge, and articulate broadened scope for Commission for Martin Luther King, Jr. work, such as including diversity training; 2) Under “<i>Economic Development</i>”, add “sustainable business practices” as another area of expertise for membership; 3) under “<i>Water</i>,” include references to tap, storm and waste water; and add riparian ecosystems as an area of expertise.</li> <li>• <b>Neighborhood Association (Emily)</b> - Survey was extended to 3/9/14; 105 responses received to date. Richard will help with “qualitative” analysis of responses.</li> <li>• General agreement that final report format should state key points up front and have recommended action items prioritized. “Don’t bury the lead.”</li> </ul>	

<u><i>Agenda Item</i></u>	<u><i>Key Discussion Points</i></u>	<u><i>Action or Information Only</i></u>
	Backup information/data could be in appendices.	
6. Visitor's comments, ideas, suggestions	<ul style="list-style-type: none"> <li>• None</li> </ul>	
7. Budget	<ul style="list-style-type: none"> <li>• There was general agreement that it would be difficult to cost out recommended items until finalization. Since PPTF was created as a result of a Council Goal, initial implementation of recommendations might be partially financed through Council Reserves. Mention this at the March 17, 2014 verbal report to City Council.</li> </ul>	
8. Check-out: Was time used efficiently? Was everyone prepared? Everyone heard? Meeting process okay? Can we do better? Agenda for next meeting? (Richard/All)	<ul style="list-style-type: none"> <li>• The need for folding the three TTF work products together into a final report is imminent.</li> <li>• Next agenda(s) should not include TTF breakout time. Focus should be on finalizing recommendations to present at the April 3 public meeting, and formatting the final report.</li> </ul>	
9. Adjournment	<ul style="list-style-type: none"> <li>• The meeting adjourned at 1:05 pm</li> </ul>	

Respectfully submitted, Annette Mills, Vice-Chair

Next Meeting: March 20, 2014

**Public Participation Task Force – TTF 1**  
Guiding Principles & Outreach and Engagement  
(DRAFT 3/5/2014)

**Collaborative Democracy:** Enhance and support a community-driven democracy in city government. Ensure that there is a genuine intent and attitude by the City and community members to listen to all sides and to attempt to understand different viewpoints.

1. Create a community-friendly atmosphere at all public meetings (i.e. City Council, Boards & Commissions, Task Force, etc.)
  - a. Ensure that those giving public testimony are being listened to.
    - o Examples: make eye contact, ask a question, alert public that electronic devices may be used to capture testimony for future reference.
  - b. Replace 3-minute clock with alternative alert signals.
    - o Example: City of Pasadena has podium with three built in lights: green, yellow, and red. Observable by the council and the speaker in a discrete manner.
  - c. Allow groups (e.g., neighborhood associations) to make presentations as a group, with limits on time and number of people in the group. (Needs further PPTF discussion)
  - d. Have agendas and other relevant documents available for the public at meetings.

**Diversity:** Seek input from all viewpoints, backgrounds, and philosophies. Treat each person with dignity, fairness, and respect.

2. Identify and reach out to diverse sectors of the community.
  - a. Take steps to make meetings linguistically and culturally appropriate (e.g., have public meetings at schools).
  - b. Set up mechanisms within city government to connect to translation/interpretation services to provide this at public meetings when there is a topic of interest.
  - c. Set up a resource service for child care at major meetings (e.g., partner with a non-profit or social service agency that provides such services).

**Openness and Accessibility:** Promote fair, open and respectful processes that allow all who are interested or affected to have an equal opportunity to participate.

3. Increase access to elected officials.
  - a. Create reasonable ways for community members to communicate with elected officials, board/commission chairs, and city staff. Provide phone numbers and email addresses that will ensure a response.
  - b. Consider real-time on-line access to city meetings.
    - o Look at OSU's New Media Communications Department
  - c. Consider alternate locations for forums, special outreach meetings, and government corner

4. Increase access to city government information.
  - a. Make the City website more user-friendly – more accessible and searchable by having links for the multiple modes of community member engagement more visible and easier to see/understand from the city homepage.
    - a. Research software with appropriate design
  - b. Post to available traditional and social media sources (newspaper, Facebook, Twitter, etc.).
  - c. Set standards for city government and boards/commissions to do outreach and market their events, meetings, BC openings to ensure that information is reaching the community.
  - d. Examples: Continue and expand Government Corner at library lobby every Saturday; send into the newspaper's F.Y.I.

**Inclusiveness:** Create a variety of ways for community members to participate and influence decisions.

5. Involve community members in the decision-making process.
  - a. Engage community members early in the planning and budgeting process [look at Lake Oswego requirements - pre-application conferences with neighbors; look at Pasadena - appoint special committees at beginning of process to help gather public opinion].
  - b. Develop and offer Public Participation 101 training/workshop/manual in multilingual languages. This should include:
    - o Brief explanation of legal time requirements to audience for specific boards (i.e., Mayor, Planning Commission Chair, and HRC Chair) and give notice of this prior to testimony by staff, applicant, and public.
    - o Explanation of the process where there are opportunities for community input (i.e., boards and commissions, Council committees, etc.).
    - o Information about board/commission processes and where public testimony fits in the decision-making process.
    - o Tips on how to testify effectively.
    - o The guiding principles referenced and a flow chart or organizational chart that allows community members to better understand the process of how city government works

**Additional thoughts:**

- Reinstated Neighborhood Empowerment grants.
- Support NAs [see Bend - mailings, monthly meetings of NA chairs, City Councilors assigned to NAs, annual reports of NAs to Council; see Eugene Neighborhood Services Program; see Pasadena Office of Neighborhood Connections]
- Create NA Resource Guide [see Lake Oswego and Eugene model]
- Create email listserv for each NA [see West Linn model]
- Offer a list of acronyms used throughout online communication.

## **Responses to Task Force member questions from Feb. 20 meeting**

### **How will these changes increase collaboration?**

- There will be less compartmentalization of related issues and groups. There will be greater collaboration on broad, significant community issues. For example, the City's Transportation Plan, adopted in 1996, was reviewed by CACOT and the Commission on Bicycles. The plan has not dealt successfully with the broad and interrelated transportation issues that have developed in our community since that time.

We believe that genuine collaboration and effective citizen input to City Council can be achieved by creating Advisory Boards comprised of people with different backgrounds and types of expertise, to discuss major issues in a public meeting forum.

### **What are the Staff Advisory Committees?**

- Department directors would continue the practice of bringing together small groups with particular areas of knowledge to advise them on technical issues. The City Manager is responsible for ensuring that the Mayor and City Councilors are aware of the formation, purpose, duration and membership of these groups prior to the first meeting.

### **Can the Advisory Board Chair be a part of the interview session with the Mayor to fill Advisory Board vacancies?**

- We have suggested the formation of an Advisory Committee to support the Mayor in seeking qualified individuals for appointments.

### **It seems that the scope of the newly imagined Citizen Involvement Advisory Board is too broad. Shouldn't the Martin Luther King Jr. Commission continue as is?**

- We have suggested that the work of the MLK Jr. Commission continue as a sub-committee of the newly formed Advisory Board.

## **Elements of the recommendations for New/Revised Advisory Boards**

**Transition** – Include the name of the new/revised advisory board, any related current boards to be sunsetted or combined into the new group, or otherwise altered; also any relevant dates for action.

**Charge** – The charge should be broad, related to a city department or other large area of city policy, and related to significant city master plans such as the Parks and Recreation Master Plan or the Transportation Plan. Advisory Board will retain its perspective as advisory to city council on significant matters of policy.

**Membership** - Representative of the general public (diverse age, gender, ethnicity, geography, socioeconomic), and also inclusive of areas of special knowledge, experience and interest related to the particular charge of the advisory board.

**Work and focus** - This would change based on annual or biennial goals in the advisory board's work plan. May align with council goals or serve to implement the city's vision statement. They may also arise from changing situations or developing problems. A narrow goal or function within the broader scope may be addressed by a subcommittee, either ongoing (coordinating an event or reviewing annual recognitions or award applications) or to address a temporary concern or project of the whole advisory board.

## **Newly formed/revised Advisory Boards**

### **Community participation**

#### **Transition:**

- Develop a new Community Involvement and Diversity Advisory Board to begin in January 2015.
  - Sunset the current Martin Luther King, Jr. Commission in Dec. 2014 and incorporate it into a subcommittee under the new CIDAD, to continue the planning for the City's annual Martin Luther King, Jr. celebration.
  - Incorporate selected responsibilities of the MLKC around diversity and inclusion into the charge of the new CIDAD.
  - Sunset the current Committee for Citizen Involvement and incorporate all its responsibilities required by state statute into the new CIDAB.
  - Incorporate some recommendations from the Public Participation Task Force into the CIDAD charge and goals, to be determined after review by the City Council.

#### **Charge:**

- Advise City Council on ways to meet Statewide Planning Goal 1, Citizen Involvement.
- Advise City Council on the development and implementation of the City Vision Statement.
- Advise City Council on policies that will strengthen diversity and inclusion in Corvallis.
- Act as the City's Committee for Citizen Involvement.

#### **Membership:**

- Broad socioeconomic and geographic representation.
- Expertise in areas including diversity and cultural competence, community communication, community leadership, and land use processes in Corvallis and Oregon.

#### **Goals and focus:**

- As recommended by the retiring committee and task force members, the incoming members and the related Council's Human Services Committee.
- Develop a plan to review and address the requirements of the State's planning goal for citizen involvement.

### **Economic development**

#### **Transition:**

- Develop a new Economic Development Advisory Board to begin in January 2016.
  - Convert the current EDC into a task force focused on traded sector and innovation. The Task Force would complete its work by Dec. 2015.
  - Convert the Downtown Commission to a task force to complete its work by Dec. 2015.
  - Some work of the current Economic Development Commission and Downtown Commission would be moved into this new advisory board's charge and goals. Some

would transfer to city staff and business advocacy organizations (DCA, CIBA, OSU accelerator, etc.)

**Charge:**

- Advise City Council on broad and specific ways to develop city policy and plans to create and sustain a vital, productive local economy, as part of a broader regional and state economy, which fosters innovation, service to local and regional customers, and supports traded sector business bringing jobs and resources to our city.
- Selectively include some areas from the responsibilities of the current Downtown Commission and the Economic Development Commission.
- Advise City Council on ways to meet Statewide Planning Goal 9, Economy of the State.
- Advise City Council on the development and implementation of the City Vision Statement.

**Membership:**

- Broad socioeconomic and geographic representation.
- Expertise in areas including traded sector, retail, job development, business incubation and retention, various business segments.

**Work and focus:**

- As recommended by the retiring task force members, the incoming members and the related Council's Administrative Services Committee.

**Transportation**

**Transition:**

- Develop a new Transportation Advisory Board to begin in January 2015. Its charge would be to give the public early involvement in transportation master planning, and to provide council with review of developing issues.
  - The Citizen Advisory Commission on Transit, Downtown Parking Commission and Bicycle and Pedestrian Advisory Commission would sunset Dec. 2014. Some of their work would move to the new, broader advisory board. Some could move to independent advocacy groups. Staff could call special groups together, as needed.

**Charge:**

- Advise City Council on ways to meet Statewide Planning Goal 12, Transportation.
- Advise City Council on ways to meet Statewide Planning Goal 13, Energy, where it relates to transportation.
- Advise City Council on the development and implementation of the City Vision Statement.
- Advise City Council on the development, review and adoption of City policies related to transportation including the Corvallis Transportation Plan.

**Membership:**

- Broad socioeconomic and geographic representation
- Expertise in areas of traffic analysis, alternative transportation, special population needs.

**Work and focus:**

- As recommended by the retiring committee members, the incoming members and the related Council's Urban Services Committee.
- Preparation for review and revision of the City's Transportation plan.

**Public Safety**

**Transition:**

- Develop a new Public Safety Advisory Board to begin in January 2015. Its charge would be to provide council with review of developing issues.
  - The Police Review Board would sunset Dec. 2014. Some of their work would move to the new, broader advisory board. Some could move to independent advocacy groups. Staff could call special groups together, as needed.

**Charge:**

- Advise City Council on public safety policy and resource issues in an effort to increase communications between the police and the community, and to facilitate a greater understanding of public safety policy.
- Advise City Council on the development and implementation of the City Vision Statement.
- Advise City Council on the development, review and adoption of City policies related to Public Safety.

**Membership:**

- Broad socioeconomic and geographic representation
- Expertise in areas of public safety and special population needs.

**Work and focus:**

- As recommended by the retiring committee members, the incoming members and the related Council's Urban Services Committee.

**Water**

**Transition:**

- Develop a new Water Advisory Board to begin in January 2015. Its charge would be to give the public early involvement in water resource master planning, and to provide council with review of developing issues.

**Charge:**

- Advise City Council on water quality including drinking water source protection, water quality, and water rates.
- Advise City Council on ways to meet Statewide Planning Goal XX?, where it relates to water.
- Advise City Council on the development and implementation of the City Vision Statement.
- Advise City Council on the development, review and adoption of City policies related to water including the Corvallis Storm Water Master Plan.

**Membership:**

- Broad socioeconomic and geographic representation
- Expertise in areas of water quality analysis, water conservation, and water source protection.

**Work and focus:**

- As recommended by the incoming members and the related Council's Urban Services Committee.



# MEMORANDUM

**To:** Mayor and City Council  
**From:** Karen Emery, Director Parks and Recreation  
Stephen DeGhetto, Assistant Director Parks and Recreation  
**Date:** March 17, 2014  
**Subject:** Review of Council Policy CP 07- 4.16. Code of Conduct for Patrons at Parks and Recreation Facilities, Events and Programs

**Issue:** Staff requests Council approval to amend a statement in Council Policy CP 07-4.16, Code of Conduct for Patrons at Parks and Recreation Facilities, Events and Programs.

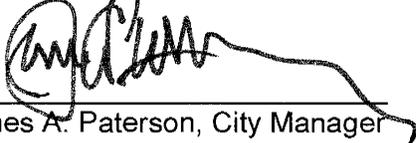
**Background:** Council approved extensive edits to this Council Policy at its February 18, 2014 meeting. As language changes were being incorporated into the final policy, staff realized one of the statements in Section 4.16.030 the policy is ambiguous as written.

**Discussion:** Item 12 in Section 4.16.030 could better communicate the intent of the section, without changing policy direction. Since the proposed change only seeks to clarify, not to change policy direction, it seemed more expeditious to bring the request to Council via the Consent Agenda rather than sending it back through the Committee process. The request is being brought forward now so the clarification can be made in concert with the recently approved changes, rather than waiting three years for the next scheduled policy review. The proposed change is provided below.

4.16.030 12. Failing to leave a Park or Facility when the Park or Facility is closed ~~without having a permit to do so~~ **unless a permit has been obtained from the Parks and Recreation Department that allows occupancy beyond normal Park or Facility hours.**

**Recommendation:** Approve, via the Consent Agenda, the suggested wording change to CP 07-4.16, "Code of Conduct for Patrons at Parks and Recreation Facilities, Events and Programs" Section 4.16.030, Item 12 as recommended by staff.

**Review and Concur**



James A. Paterson, City Manager

Attachment:

Council Policy CP 07- 4.16 Code of Conduct for Patrons at Parks and Recreation Facilities, Events and Programs

## MEMORANDUM

**Date:** March 9, 2014  
**To:** Mayor and City Council  
**From:** Ken Gibb, Community Development Director   
**Re:** Collaboration Recommendations – Update and Requested Direction

### Background:

The Collaboration Steering Committee met on November 8, 2013 and approved a series of recommendations for consideration by Oregon State University and the City of Corvallis. An excerpt of the staff report to the Steering Committee related to these recommendations is provided in Exhibit A.

This report will review those recommendations for which the City has sole or shared responsibility and request direction from Council. In addition, an update on implementation of previous approved recommendations is presented later in this report.

### Discussion:

#### Neighborhood Planning Work Group Recommendations

##### Item 1- 1: Residential Re-zoning Assessment (Exhibit A, 2-4)

The Neighborhood Planning Work Group spend significant time and consideration on the question of down-zoning certain areas of university area neighborhoods. The matter was reviewed due to compatibility concerns about higher density redevelopment in those neighborhoods. As discussed on Exhibit A, 2 - 4, the Work Group identified goals, criteria and benefits and disadvantages of down-zoning. During the process, the Work Group recognized that up-zoning in other areas would likely be necessary to compensate with loss of density resulting from down-zoning. While there was discussion about potential up zoning locations, the Work Group did not recommend specific candidate areas. Rather, criteria for up-zoning were developed as shown on Exhibit A, 14.

Regarding down-zoning, criteria were developed and applied with the product being a map of areas proposed for down-zoning (Exhibit A, 20).

The Neighborhood Planning Work Group also acknowledged that more work and process was necessary to pursue this recommendation including:

- An update of the Buildable Lands Inventory
- Revisions to the Housing Article of the Comprehensive Plan
- Analysis of areas outside the city limits but within the Urban Growth Boundary that could be annexed for residential development

- That a community-wide process would be necessary prior to making re-zoning decisions.

The need to take a comprehensive approach on this matter was discussed at the Collaboration Steering Committee and is endorsed by Staff. It is noted that in a December 16, 2013 memorandum to the City Council and Planning Commission, a series of long range planning projects are identified including a Buildable Lands Inventory Update and updating Vision 2020 and the Comprehensive Plan. The projected timetable to complete these major projects is 2014-18 (Exhibit B).

***Staff recommends that the City Council approve Item 1-1 for consideration in a future Comprehensive Plan update with timing of this effort to be determined through the future review and prioritization of the City's planning work program.***

Item 2-21: Changes to the Demolition Process for Residential Property (Exhibit A, 4-6)

The Neighborhood Planning Work Group heard concerns about the number of demolitions of residential structures particularly those with historical significance.

After reviewing various options and conducting a public comment process, the Work Group recommended that the City revise ordinances that govern the demolition process for residential structures throughout the City. It is recommended that the City consider several elements including:

- Increasing demolition permit fees
- Requiring a 35 day notice prior to demolition permit issuance and requiring the owner to offer for the structure to be acquired and moved by a willing party
- Incentives to repair or relocate such structures
- Noticing regarding DEQ requirements for hazardous material abatement
- Requiring that a percentage of the non-hazardous materials be diverted from landfills or re-used

It is noted that demolition requirements fall under the City's Municipal Code rather than the Land Development Code.

***Staff recommends that the City Council approve Item 2-21 for consideration by a Council Standing Committee and a recommendation to the City Council.***

Staff is prepared to bring this item forward during the spring 2014 subject to calendar availability of the selected Council committee.

Item 2-22: Recommendation that the Historic Preservation Commission Develop a Historic Preservation Plan (Exhibit A, 6-7)

The Neighborhood Planning Work Group determined that now a Neighborhood Photo Survey has been completed (with the involvement of a great number of community volunteers, financial support from the Collaboration Project and with technical assistance from the State Historic Preservation Office), the next step should be development of a Historic Preservation Plan (HPP). In making the recommendation, the Work Group noted that:

- An HPP will provide the community with direction on protection of all historic resources

- An HPP has been identified as a high priority project by the HRC but that lack of funding and staff time have not allowed this project to move forward
- That a inventory of historic properties is the first step in completing a HPP and the Neighborhood Photo Survey is a significant start on such an inventory
- Timing is very important in order to prevent further impacts on historic resources

***Staff recommends that the City Council approve Item 2-22 and refer it to the Historic Resources Commission for inclusion on an updated work program. That consideration should include identification of required resources and potential funding sources.***

### **Parking and Traffic Work Group Recommendations**

The Work Group developed five recommendations that were approved by the Collaboration Steering Committee. As indicated in Exhibit A, all of these recommendations were identified as OSU responsibilities with two recommendations being a shared responsibility with the City as discussed below.

#### **Item 3-7: OSU to Conduct an Assessment (with relevant support from the City) of the Feasibility of Remote Parking Lots (Exhibit A, 9-10)**

As noted in the background discussion, among other things, this concept would be intended to decrease parking impacts in neighborhoods near campus, in light of the recommended expansion of parking management districts. Potential users of these remote lots include:

- Students living off-campus in nearby neighborhoods but who need their cars infrequently
- Vehicles of on-campus student residents
- OSU fleet storage that could be relocated from on-campus spaces
- Student, staff and faculty commuters

The discussion describes factors to be considered in the feasibility assessment including potential locations, infrastructure requirements and market demand.

OSU has not yet determined a course of action on this recommendation which anticipates some level of support from the City.

***Staff recommends that the City Council accept Item 3-7 with the understanding that Staff would monitor/support OSU's progress on this initiative and bring back any required specific City action for Council consideration at a future date.***

#### **Item 3-11: Neighborhood Traffic Volume Assessments (Exhibit A, 12-13)**

This recommendation relates to joint action by OSU and the City to establish baseline traffic counts on local streets prior to implementation of the proposed expansion of residential parking districts (RPD) and the recommended tiered parking permit fee for on-campus parking facilities. The goal would be to

evaluate changes to traffic volumes on neighborhood streets resulting from parking management strategies.

The recommendation anticipates that the City's RPD expansion and OSU's changes to campus permit system will be in place by fall 2014 and that therefore, baseline traffic counts should occur prior to fall 2014.

Over the past several months OSU and the City have been expending a major effort on implementing Collaboration recommended campus parking permit changes and RPD expansion respectively. There has been preliminary discussion about the logistics and cost of the recommended traffic counts but funding sources and timing have yet to be finally determined. Further, City Council action on the RPDs and OSU action on campus parking permits may influence the location of where traffic counts should be conducted.

***Staff recommends that the City Council approve Item 3-11 on a preliminary basis with the understanding that City staff work with OSU to develop a scope and funding strategy and report back to a designated Council Standing Committee prior to implementing this project.***

### **Update on City Related Collaboration Recommendations**

In previous reports to the Council, staff has provided a matrix which highlights status of implementation of Collaboration recommendations for which the City has sole or shared responsibilities. An update of this matrix is provided as Exhibit C.

Information is categorized by timing of Collaboration recommendations, i.e. Pre-March 18, 2013, March 18, 2013, and June 4, 2013. This matrix reflects a "snapshot" of status at this point in time.

Highlights of significant work over the past 6 months includes:

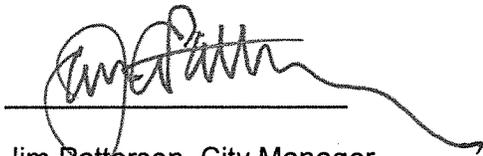
- Corvallis voters approved the November Levy which provides funding for additional officers to address livability issues as recommended by the Collaboration Project. The Corvallis Police Department is moving forward to hiring livability officers
- As directed by the City Council, program design for the Collaboration Project recommended Neighborhood Livability / Property Maintenance Code program has been completed. The proposed program is currently under review by the Administrative Services Committee
- The project to install a Vehicle Information System (VIS) on the Corvallis Transit System was completed in November 2013. This will enhance transit service by providing real time information on bus locations
- A major effort to address the Collaboration recommended expansion of residential parking districts (RPDs) is ongoing. A council decision is anticipated in Spring 2014. The work has been led by Public Works with support from Finance, Police and Community Development Departments. The Urban Services Committee has devoted a major amount of time in review of the proposed and various options
- Land Development Code (LD) Update Package #1 has been developed and will be reviewed by the Planning Commission starting on March 19<sup>th</sup>. The package includes many recommendations from the Neighborhood Planning Work Group

- Work on LDC Update Package #2 is underway. A consultant group led by Eric Adams has been engaged to work with City staff and a Technical Advisory Team in evaluating Neighborhood Design Standards that were recommended by the Neighborhood Work Group and developing LDC implementation code language

**Requested Action:**

Staff requests that Council review this information, ask questions and take action on the recommendations that are highlighted in ***bold italics*** above.

**Review and Concur:**

A handwritten signature in black ink, appearing to read "Jim Patterson", is written over a horizontal line. The signature is stylized and extends to the right with a long, thin tail.

Jim Patterson, City Manager

**Attachments:**

Exhibit A - 5<sup>th</sup> Set of Work Group Recommendations

Exhibit B – Long Range Planning Opportunities

Exhibit C – Update to 10-7-33 Collaboration Recommendations Status

**TO: Collaboration Corvallis Steering Committee**

**FROM: Eric Adams, Project Manager**

**DATE: November 4, 2013**

**SUBJECT: Fifth Set of Work Group Recommendations**

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Since the June 4, 2013, Steering Committee meeting, the Neighborhood Planning and Parking and Traffic work groups have continued to address their remaining Scope of Work objectives. The recommendations presented below, which constitute the fifth set of recommendations forwarded for the Steering Committee's consideration, respond to those objectives.

Also attached to this memorandum are updated versions of the two recommendation matrices that were presented to the Steering Committee at their last meeting. These revisions include updates on the status of recommendations accepted prior to the June 4, 2013 meeting, as well as the addition of recommendations accepted at that meeting.

## **I. Neighborhood Planning**

Provided below are recommendations formulated by the Neighborhood Planning Work Group in response to Objectives 1 and 2 from its Scope of Work. For reference, the text of each objective is presented prior to the associated recommendations.

**Scope of Work Objective 1 – Consider pros and cons of making adjustments to zoning/density in areas near the University.**

- a. Review current zoning, City Comprehensive Plan, other local policy direction, as well as direction from the statewide planning program (DLCD)**
- b. Determine if there are appropriate locations within the City for lower and higher density housing**
  - 1. Include in the review, impact on traffic and livability in other areas; CTS impact; and other pedestrian, bicycle, and traffic impacts that would occur from having higher density zoning in areas further away from campus**
- c. Determine if the benefits of making such adjustments outweigh the disadvantages**

## **Recommendation**

**1. The Neighborhood Planning Work Group recommends down-zoning particular portions of the Collaboration Corvallis Project Area as an effective and necessary means of mitigating consequences of incompatible higher density redevelopment. This recommendation is based on:**

- **public testimony received by the work group;**
- **identified goals to be achieved through down-zoning (Attachment A);**
- **identified criteria for determining which areas should be down-zoned (Attachment A);**
- **potential resultant benefits and disadvantages (Attachment B); and**
- **the work group's assigned Scope of Work.**

Attachment "C" identifies the areas selected for down-zoning, which were determined based on an assessment of the identified criteria and associated trade-offs. The recommendation to down-zone these areas is made in conjunction with previous recommendations presented by this work group, and is considered essential to effectively address neighborhood livability and housing concerns within the Project Area.

Part of the work group's evaluation process was consideration of the need to compensate for the potential loss of housing by examining opportunities for up-zoning other areas of the community. However, this did not include a comprehensive examination of opportunities for up-zoning within the Project Area. The work group identified specific criteria and used them to examine potential locations for up-zoning. The work group determined that, indeed, adequate capacity exists within the city to compensate for density potential lost through down-zoning. The work group acknowledges further analysis is needed, and expects that a community-wide process will be initiated in order to make those determinations.

Given these factors, the work group further recommends that, at a minimum, the following additional research and analysis must be completed to fully inform rezoning decisions.

- 1. Consideration of the work group's identified criteria for rezoning decisions.**
- 2. An update of the 1998 Buildable Lands Inventory.**
- 3. Revisions to the Housing Article of the Comprehensive Plan.**
- 4. Analysis of lands within the Urban Growth Boundary that could be annexed for residential development.**

## **Basis for Recommendation**

The components of this recommendation respond directly to Objective 1 of the Neighborhood Planning Work Group's Scope of Work, as cited above. In order to formulate it, the work group completed the following tasks in the order listed below:

1. Reviewed applicable policies from the Corvallis Comprehensive Plan regarding housing, transportation, neighborhood structure and diversity, and land use compatibility.
2. Reviewed the current distribution and balance of residential zoning designations within the Project Area and for all other land within the City Limits.

3. Reviewed the current housing types allowed in each residential zone and their associated development standards, in consideration of previously recommended amendments to those standards.
4. Reviewed the presence, distribution, and significance of historic dwellings within the Project Area, as documented through the Neighborhood Photo Survey.
5. Compared the existing residential development patterns inside of the Project Area with the potential outcomes of redeveloping these neighborhoods consistent with standards of the underlying zones.
6. Identified goals that should be achieved through rezoning.
7. Identified rezoning criteria to assess down-zoning portions of the Project Area and up-zoning other areas of the community as a means of recapturing density potential.
8. Selected preliminary areas for down-zoning and up-zoning, which were refined using the identified rezoning criteria.
9. Conducted a detailed analysis of the changes in density potential resulting from areas identified for rezoning.
10. Identified the potential benefits and disadvantages resulting from down-zoning portions of the Project Area and up-zoning other areas of the city as a means of recapturing density potential that might be lost otherwise.

Having completed these tasks, the work group concluded that the benefits of down-zoning specific portions of the Project Area potentially outweigh the disadvantages of up-zoning other areas of the community.

However, the identified trade-offs resulting from rezoning demonstrate that many of the benefits gained from down-zoning portions of the Project Area may result in disadvantages for areas of the community that are up-zoned. This is particularly true with respect to transportation if those trade-offs are assessed under the assumption that displacing density potential further away from the Oregon State University (OSU) campus will also cause the demand for student housing to follow. There may be opportunities to mitigate resultant traffic impacts by increasing the frequency and convenience of transit service between the OSU campus and areas of the community that are up-zoned. However, as has been discussed by the Parking and Traffic Work Group, substantial financial investments are necessary to implement such measures. It should also be noted that while many of the areas identified for up-zoning are also served by existing pedestrian and bicycle improvements that connect with the OSU campus, the distance between the campus and those areas may discourage walking or bicycling; especially during inclement weather. These considerations are likely to apply, in varying degrees, regardless of which portions of the community might ultimately be selected for up-zoning.

It is also relatively certain that down-zoning portions of the Project Area would diminish the likelihood of further adverse impacts to the overall character of these neighborhoods. The comparative decreases in density potential, when combined with less intensive housing types of lower density zones (i.e., RS-6 and RS-9), are anticipated to reduce the potential financial incentives of redevelopment. The resultant reduction to existing projections for a desired return

on investment may be significant enough to dissuade some forms of redevelopment, if not entirely preclude all of them. These outcomes might be consistent with goals articulated by the work group, including: protecting unique neighborhoods, preserving historic neighborhoods, and maintaining a supply comparatively affordable homes. They might also align with their other goals of balancing satisfaction of housing needs across the community and facilitating diverse uses to support comprehensive neighborhoods.

Despite their conclusions, the work group acknowledges that assessing the merits of rezoning is an entirely subjective exercise. For example, one person's perspective that housing compatibility and protecting neighborhood character are paramount may be as equally valid as another person's opinion that minimizing traffic impacts is more important. It is unlikely that a single "right" answer exists, which is why the work group has acknowledged that a community-wide dialog about making such changes must take place. Along with that acknowledgement, the work group has also emphasized the critical importance of updating specific land use planning documents to facilitate those discussions and ensure the any decisions made through that process are fully informed.

**Scope of Work Objective 2 – Review current development standards, and identify potential measures that would minimize potential impact from the creation of high density housing in or near lower density residential areas.**

- a. Develop and enact Land Development Code (LDC) language that would implement selected mitigation measures (measures to mitigate impacts to neighborhood character, privacy, parking, and other issues, as identified).**

**Recommendations**

- 1. The Neighborhood Planning Work Group recommends to the Collaboration Corvallis Steering Committee that the City of Corvallis make changes in the appropriate codes and ordinances and fee schedules to increase the requirements and the fee for demolition of any residential property in the City. The work group further recommends that the City of Corvallis consider including the following elements as a part of the relevant codes and ordinances for issuance of a demolition permit:**
  - Increase demolition permit fee to cover costs of processing increased demolition permit requirements.**
  - Require owner to provide a "35 working-day notice" to all neighborhood associations and post a notice at the property under consideration for demolition before the demolition permit is issued.**
  - For the purpose of determining when the notice described above is required, "demolition" should be defined as "the complete destruction or removal of a residential structure, or the removal of more than 50 percent of the perimeter walls."**
  - Require the owner to offer the structure to be acquired and moved by a willing party 35 working days or longer prior to issuance of demolition permit. Provide notice of how property was advertised for sale and bids received.**

- **Establish a registry of interested individuals and businesses that notifies the registrant whenever a demolition permit application has been submitted to the City of a single family residential property.**
- **Consider what incentives might be provided to a property owner to assist in rehabilitation or relocation of the structure.**
- **Require that the notice given by the owner, as described above, include information about DEQ requirements for hazardous materials abatement, if required, and how to report non-compliance with those requirements.**
- **Require that contact information regarding city and DEQ permits be posted at the site for neighbors to review in case violations are suspected.**
- **If moving is not an option, consider a requirement that a percentage of the materials remaining after excluding material that requires abatement (i.e. asbestos, etc.) must be diverted from landfills or must be reused.**
- **Require that prior to demolition the owner provide the city with photos of façade of the structure.**

#### Basis for Recommendation

One result of increased demand for more student housing off campus has been an increase in the number of residential demolitions. Between 2008 and 2012, the City of Corvallis issued 77 permits for the demolition of residential structures, many of which were located inside of the Collaboration Corvallis Project Area and may have been historically significant. In comparison, only four residential structures were relocated as an alternative to demolition during this period of time. Although the demolitions that occurred between 2008 and 2012 represent a relatively small percentage of the total number of residential structures within the Project Area, the work group concluded that the loss of potentially significant historic dwellings is contributing to the gradual erosion of the community's existing character.

Receiving a demolition permit from the City of Corvallis is currently a straightforward process that generally results in a permit being issued within a matter of days. As with many other types of building permits, which are regulated by provisions contained in the State Building Code and not the Corvallis Land Development Code, a public notice is not issued to owners of adjacent property when a demolition permit has been requested. These conditions have resulted in neighbors receiving little or no advanced knowledge of when a house nearby, or even next door, will be demolished, causing a variety of concerns.

The Neighborhood Planning Work Group received public testimony regarding cultural and environmental impacts caused by demolition of residences in neighborhoods near the OSU campus. In addition to adverse impacts on the character of these neighborhoods were concerns about missed opportunities to relocate intact structures or recycle or reuse particular building materials, as well as concerns about the airborne release of environmental contaminants (e.g., lead and asbestos) during the demolition process. Potential increases to the cost of housing in the community as a result of increasing the requirements and procedural time frame for obtaining a demolition permit were also noted.

While the focus of the work group's discussions on this topic were related to older, potentially historic dwellings, it was acknowledged that the same set of concerns summarized above could apply to newer housing as well. For this reason, and because of limitations contained in State law regarding regulation of historic properties, the work group determined that it was appropriate to craft a recommendation that applies to the demolition of any residential dwelling.

The subject recommendation requires a notification period that would provide interested parties an opportunity to purchase and move a residence that would otherwise be demolished. In the event that a purchase agreement could not be reached, elements of the recommendation would result in greater awareness of the impending demolition and the relevant contact information for the Department of Environmental Quality in the event nearby residents are concerned about exposure to contaminants. Photographs of a structure's façade would also be submitted to the City of Corvallis for archiving, thus securing at least a visual record for future reference.

The recommendation also encourages the City of Corvallis to explore opportunities for developing a locally-based program for reusing and recycling building materials generated through the demolition process. Several models exist for such a program, including a robust system in the Portland metro area. However, it will be necessary to gain additional input from local stakeholders (e.g., property owners and construction trades) and service providers (e.g., Republic Services, Benton County, and Benton Habitat for Humanity) in order to successfully implement a program in the Corvallis area.

2. **The Neighborhood Planning Work Group recommends to the Collaboration Corvallis Steering Committee that the Recommend that the Historic Resources Commission (HRC) develop a Historic Preservation Plan (HPP) as a tool to identify significant historic assets within the community and strategies to inform future land use decisions. The work group further recommends that the HRC work with City of Corvallis staff and others to find a source of funding for development of such a plan.**

#### Basis for Recommendation

The recently completed Neighborhood Photo Survey, which documented the existence of historically significant structures within and immediately adjacent to the Project Area, shows that over 1,400 properties inside of the Project Area would qualify as "historically significant" per preliminary assessments conducted by the Oregon State Historic Preservation Office. As specifically articulated by the work group, the basis for completion of a Historic Preservation Plan is as follows:

1. A Historic Preservation Plan (HPP) provides guidance for the identification and protection of the community's historic resources. The development of a plan will tell the community what historic resources currently exist (a photo survey is a part of this), what historic resources are protected, what historic resources are not protected, and it will provide direction on promoting protection of all historic resources.
2. A preservation plan has been on the city's Historic Resources Commission (HRC) work plan since at least 2006. It has received the highest priority rating from the HRC. However, due to lack of funding and staff time the plan has not moved forward.
3. The HRC has already reviewed a draft topical outline for such a plan.

4. The first step in the development of a HPP is to generate an inventory of historic properties to ascertain the scope of such a plan.
5. Since the Neighborhood Photo Survey, which was partially funded through the Collaboration Project, has completed a Reconnaissance Level Survey for the neighborhoods near the OSU campus, most of this work has already been completed. Adding to that and developing a HPP for the community would serve as an invaluable resource.
6. This plan needs to be developed soon before more of the community's historic resources are lost.

## **II. Parking and Traffic Workgroup Recommendations**

Provided below are recommendations formulated by the Parking and Traffic Work Group in response to Objective 3 from its Scope of Work. It should be noted that additional recommendations have been presented by the work group in response to this objective through previous memoranda to the Steering Committee.

For reference, the text of the objective is presented prior to the associated recommendations.

### **Scope of Work Objective 3 – Find opportunities to better manage traffic volumes and parking impacts within study area.**

- a. Study area as one traffic system.
- b. Opportunities for new or adjusted parking districts or other parking management system.
- c. Work with consultant to analyze traffic patterns and distribution, as well as parking destinations and levels.
- d. Identify short term strategies for managing traffic along with long term solutions (solutions may not be confined to the study area, but may look to larger system fixes, such as park and ride lots, expanded shuttle routes, etc.).
- e. Examine potential adjustments to on-campus parking system that would have a positive impact.
- f. Consider other measures that might be utilized (such as OSU restrictions on bringing vehicles to campus, or requirement for on-campus living).

### **Recommendations**

1. The Parking and Traffic Work Group recommends to the Collaboration Corvallis Steering Committee that Oregon State University identify the primary pedestrian, skateboarding, and bicycle routes immediately adjacent to and passing through the OSU campus, and conduct an assessment of their actual and perceived safety. While OSU is currently in a position to conduct such an assessment and respond to it through the Campus Master Plan update, it is further recommended that the City of Corvallis conduct a counterpart assessment of primary routes leading to the campus as part of a forthcoming update to its Transportation Master Plan. In no case should the City delay initiation of its assessment beyond 2015.

The goal of the travel corridor safety assessment should be to:

1. **identify and establish criteria for infrastructure, landscape maintenance practices, and safety education programs that, if implemented and constructed, would improve safety of pedestrian and bicycle travel between the campus and off-campus locations, as well as between on-campus parking and transit facilities and the campus core;**
2. **facilitate increased use of perimeter parking lots, particularly those near Reser Stadium and Gill Coliseum, and planned locations of new lots; and**
3. **decrease the use of private motor vehicles for traveling to and from the campus.**

**The assessments should include the following elements:**

- **provide a programmatic framework through which OSU and the City of Corvallis develop and sustain a system of strategically located primary travel corridors to and through the campus, including an annual, publicly released assessment of those corridors based on the established safety criteria;**
- **presence of consistent pedestrian-level lighting, as well as quality of illumination;**
- **design and maintenance of landscaping along primary corridors;**
- **accessibility, alignment, and visibility of primary routes from adjacent uses and spaces;**
- **ability for community safety officers to expediently access primary corridors and the frequency of their presence;**
- **frequency of “blue light” safety call stations along primary on-campus corridors;**
- **consideration of benefits resulting from installation of motion-activated video cameras at “blue light” safety call stations;**
- **benefits of installing wayfinding signage along primary corridors; and**
- **continuity of safety measures along primary corridors to and through the campus.**

**Such measures should be considered in light of current or future housing and parking development near the boundary of campus. Regardless, the assessments should place an emphasis on identifying additional measures that will improve the safety of pedestrians and bicyclists who travel along these corridors, regardless of whether increased utilization of these modes would occur. An action plan for constructing infrastructure and implementing maintenance practices, safety education programs, and other identified measures should be completed by OSU before the end of the 2014-2015 academic year. The involvement of a community-based stakeholder group is strongly encouraged to ensure that diverse perspectives are taken into consideration.**

### Basis for Recommendation

Through considering a variety of strategies to reduce the use of single occupancy vehicles for traveling to and from the OSU campus, the Parking and Traffic Work Group has determined that it is important to encourage walking, bicycling, and other non-motorized forms of transportation as much as possible. Testimony received by the work group highlighted several concerns regarding the safety of routes commonly used to travel to and within the OSU campus. As the population of students living on and off campus increases, identifying strategies for making these corridors safer and then implementing those strategies is expected to help minimize traffic and

parking impacts that might occur otherwise. Even in the event that the use of single occupancy vehicles is sustained at the same level, the work group has concluded that identifying additional measures for improving the safety of corridors between the campus core and parking facilities near the perimeter of campus will be an essential component of a successful on-campus parking system.

2. **The Parking and Traffic Work Group recommends to the Collaboration Corvallis Steering Committee that Oregon State University, with relevant support from the City of Corvallis, conduct an assessment of the potential advantages and disadvantages associated with establishing remote parking lots that could be used for storage of vehicles belonging to students enrolled at OSU.**

**The goals of the assessment should be to determine if the availability and use of remote, long-term storage lots would:**

1. **decrease parking impacts in residential neighborhoods surrounding the campus;**
2. **increase availability of parking spaces in portions of the campus that are commonly used for storage of vehicles (including overnight parking); and**
3. **mitigate potential adverse impacts from implementing a policy that would otherwise ban freshmen students from bringing a car to campus.**

**The assessment should explore the following considerations:**

- **Locations of existing lots and/or new lots that would contribute toward achieving the identified goals of the assessment.**
- **Infrastructure that may be needed to facilitate regular use of remote, long-term storage lots, such as a shuttle service and security patrols.**
- **How many students living on and off campus who would regularly use remote, long-term storage lots.**
- **Whether the use of remote, long-term storage lots would vary over the course of the academic year due to changes in weather, class schedules, and/or duration of daylight.**
- **The price students would be willing to pay in order to use a remote, long-term storage lot assuming the desired infrastructure could be provided.**

**The assessment should be completed before the end of the 2014-2015 academic year. Findings from the assessment should be documented and incorporated into the update of the Campus Master Plan.**

### Basis for Recommendation

As part of its review of “best practices” that other universities have implemented for managing parking and traffic issues, the work group identified the use of remote parking lots as a potentially viable option that could be integrated with previously recommended strategies. Expansion of residential parking districts in the neighborhoods around the OSU campus is anticipated to restrict opportunities for long-term, on-street parking, especially for those residences where the number of off-street spaces available is insufficient to accommodate the total number of vehicles associated with the residence. The residential parking districts are also anticipated to significantly reduce the availability of on-street parking spaces for use by students,

faculty, and staff who commute to the campus during weekdays. When combined with a revised on-campus parking permit system that is projected to decrease the cost of parking permits for lots further from the campus core, the number of cars parked on campus is expected to increase significantly. This dynamic may place a premium on those on-campus spaces that are now used by students living on campus to park a private vehicle long term.

The recommended assessment of remote parking lots would help determine if their availability and use would serve as a viable means of meeting the long term parking needs for students living on or off campus, as well as potentially increase the supply of on-campus parking available to commuters.

- 3. The Parking and Traffic Work Group recommends to the Collaboration Corvallis Steering Committee that Oregon State University install additional parking at locations identified by the Fall 2012 Bike Parking Utilization Study by June 2014. At least 50 percent of the parking added should be covered (i.e., sheltered from inclement weather).**

**Further, the Parking and Traffic Work Group recommends to the Collaboration Corvallis Steering Committee that Oregon State University develop a sustainable funding model to enable installation of additional bike parking facilities, as identified by future utilization studies; to replace existing “wheel racks” with “hoop racks”; and to provide secure bicycle parking that is convenient for campus commuters.**

#### Basis for Recommendation

Similar to the recommendation regarding a safety assessment of primary non-motorized travel corridors, the subject recommendation is intended to encourage and facilitate additional bicycle travel to and from the OSU campus. Based on a study of on-campus bicycle parking facilities conducted by OSU’s Alternative Transportation Advisory Committee (ATAC) in Fall 2012, 11 key facilities had utilization levels in excess of 80 percent. Survey results also indicate that once utilization reaches 80 percent, bicyclists are less likely to attempt parking in those locations, even though remainder capacity may exist.

In addition to addressing the existing demand for more bicycle parking on campus, the work group agrees with ATAC that a sustainable funding mechanism should be implemented to respond to the need for additional facilities in the future.

- 4. The Parking and Traffic Work Group recommends to the Collaboration Corvallis Steering Committee that Oregon State University designate the exploration and development of a carpool program as a critical work element for the on-campus parking task force that is expected to be formed in Fall 2013. Specific emphasis should be placed on identifying potential incentives that would encourage OSU faculty, students, and staff to participate in a carpool program. Task force membership should be structured to meet that objective.**

#### Basis for Recommendation

In comparing components of OSU’s existing transportation demand management programs with those of comparable universities, the work group determined that additional resources should be committed to developing a carpooling program. Input from staff in OSU’s Transit and Parking

Services and its Sustainability Office highlighted opportunities to capitalize on parallel programs within the region that offer incentives to carpoolers. Expanding OSU's efforts in this arena is viewed as a critical element of a successful transportation demand management program aimed at reducing identified parking and traffic impacts.

- 5. The Parking and Traffic Work Group recommends to the Collaboration Corvallis Steering Committee that Oregon State University should develop and implement a comprehensive Transportation Demand Management (TDM) plan, with the goal of reducing the number of single occupant vehicles coming to the campus. The TDM plan should address all transportation options including transit, carpool, vanpool, cycling, walking and telecommuting, and should be a component of the Transportation Plan section of the OSU Campus Master Plan.**

#### Basis for Recommendation

Transportation demand management (TDM) is a set of strategies to reduce travel by single occupancy vehicle. In most communities, investments in TDM programs have positive financial returns and constructive outcomes such as stabilizing parking demand, reducing traffic impact, saving money for commuters, reducing environmental impact and improving human wellbeing. Schools with comprehensive and well-funded TDM programs, have seen benefits like reduced single occupancy vehicle (SOV) commuting rates. For example, Stanford University has documented a reduction from 72 percent to 47 percent since about 2001. Currently, OSU has many, but not all, best practices in place, including the following:

- Free transit passes for Corvallis Transit System, Albany Transit System, Linn Benton Loop and Philomath Connection
- Free regional online carpool match system, Drive Less Connect
- University-wide telecommuting policy
- Free campus shuttle
- Car sharing with Enterprise Carshare
- Preferential parking for vanpools and free vanpool matching services
- Emergency ride home service
- Bike lockers and showers for bike commuters

As demonstrated by other universities with a comprehensive program, investments in TDM typically yield high returns:

- Stanford University, which utilizes cash payments for non-SOV commutes, car sharing, free transit passes, a sizable expansion of bike facilities, and other methods in a world-class TDM program, which have reduced faculty and staff SOV commuting from 72 percent to 47 percent and increased faculty and staff transit use from 4 percent to 21 percent. Stanford estimates savings of approximately \$100 million have accrued through their TDM program.
- University of Washington, where elements like vanpool fare credits, discounted carpool parking, discounts on helmets and bike lights, and discounts at local merchants decreased morning trips by 15 percent, afternoon trips by 9 percent, and SOV trips by 10 percent.
- Cornell University, using a similar set of incentives, reduced the number of cars coming to campus daily by about 26 percent.

Across the board, successful TDM programs help improve employee and student wellness by encouraging physical activity, allow more compact development and prudent land use, save commuters money, enable focus on incentives rather than punitive measures to encourage desired travel modes, reduce traffic and congestion, promote local economic development, and greatly reduce environmental impacts. By developing a comprehensive and integrated TDM plan and implementing it as a component of the Campus Master Plan, it is anticipated that OSU's current planning efforts will be more effective by proactively designing and implementing necessary transportation systems.

6. **The Parking and Traffic Work Group recommends to the Collaboration Corvallis Steering Committee that Oregon State University and the City of Corvallis undertake an assessment of traffic volumes for neighborhood streets within the Project Area, with the intent of improving neighborhood livability. The assessment should measure, in Spring 2014, Average Daily Traffic to establish a baseline for determining impacts of new and expanded residential neighborhood parking districts and changes to the on-campus parking permit system as they relate to traffic volumes in the subject neighborhoods. Neighborhood associations and other neighborhoods within the Project Area should be surveyed to determine potential locations for Average Daily Traffic counts.**

**The work group further recommends that periodic follow-up assessments of neighborhood traffic volumes should be conducted to measure the effectiveness of parking and transportation strategies implemented in response to the Collaboration Corvallis Scope of Work.**

#### Basis for Recommendation

Historically, the transportation system in Corvallis has been planned and managed in order to maintain functionality at or above a minimum Level of Service (LOS) rating – typically, LOS “D” on an “A-F” scale. Providing this degree of functionality means that vehicles are generally able to travel through the system efficiently. However, LOS ratings are based on the capacity of a given street and its associated intersections to accommodate Peak Hour traffic volume, and do not necessarily represent whether the volume of traffic is supportive of livable neighborhoods. For example, a Local Street, such as NW Jackson Avenue or NW 25<sup>th</sup> Street, is expected to serve traffic related to the immediate neighborhood. A Local Street is also contemplated to accommodate up to 2,000 trips per day based on street classification thresholds in the Corvallis Transportation Master Plan. Depending on the volume of traffic traveling along intersecting streets, it may be possible to maintain an acceptable LOS rating even though that many vehicles may be using a Local Street on a daily basis. While consistent with the expected range of traffic volume, the resultant effects on the livability of a neighborhood may not be acceptable to residents for obvious reasons.

Average Daily Traffic volume counts conducted recently on certain Local Streets within the Collaboration Corvallis Project Area indicate that some are approaching or even exceeding 2,000 trips per day. It is generally assumed that these streets are being used in order to avoid congestion along higher classification streets (i.e., Collectors and Arterials), or they may provide a more direct route to a particular destination than is possible by using higher classification streets. It is also possible that a portion of traffic traveling on neighborhood streets near the OSU campus is related to students, faculty, and staff who are looking for on-street parking spaces.

Activities occurring daily at the OSU campus are known to contribute toward the volume of traffic traveling along streets within the Project Area. In certain locations and during certain times, this volume of traffic has caused a variety of concerns for residents in the surrounding neighborhoods. Many of the recommendations formulated by the Parking and Traffic Work Group are intended to decrease OSU-related traffic volumes and redirect it toward Collector and Arterial streets to the extent practicable, where adverse impacts to neighborhood livability are less likely to result. In order to understand how effective these strategies are over time, the work group has concluded it is necessary to establish a baseline understanding of neighborhood traffic volumes that reflects conditions existing prior to implementation of the various strategies. Given ongoing implementation efforts, it appears that two of the more significant strategies, residential parking districts and changes to the on-campus parking permit system, will be in place by Fall 2014. This means that Average Daily Traffic counts must be conducted this coming Spring in order to capture traffic conditions while the University is still in session.

Moving forward, the work group recommends that additional Average Daily Traffic counts be conducted periodically to assist with determining whether and to what extent implemented strategies have mitigated neighborhood traffic issues.

### **III. Summary**

With this set of recommendations, the Collaboration Corvallis work groups have now fully responded to their associated objectives from the Scope of Work. Unless the Steering Committee determines it is necessary for a work group to reconsider one or more of the recommendations, or that additional recommendations are desired in order to fully respond to the Scope of Work, project staff recommend that the Steering Committee declare this phase of the Collaboration Corvallis project complete.

Assuming the Steering Committee agrees with project staff, it will be necessary to discuss at the November 8, 2013, meeting what role the Steering Committee desires to maintain with regard to overseeing the response to accepted work group recommendations. Project staff would appreciate direction regarding information the Steering Committee would like to continue receiving, as well as how often additional meetings might occur.

**Attachment ‘A’**  
**Collaboration Corvallis**  
**Neighborhood Planning Work Group**  
**Rezoning Goals and Criteria**

**Rezoning Goals**

- Maintain a variety of housing types and diversity of residents within and across neighborhoods.
- Preserve of older, historic neighborhoods.
- Protect existing, unique neighborhoods.
- Facilitate diverse uses to support comprehensive neighborhoods.
- Balance the distribution of needed housing across the community.
- Maintain the stock of comparatively affordable homes.
- Base rezoning decisions on an updated analysis of supply and demand for residential land.

**Rezoning Criteria**

*Down-zoning Criteria*

1. Historic context of existing development
2. Stabilizing a mixture of housing
3. Holding existing development harmless in terms of redevelopment/replacement
4. High risk for incompatible development
5. Natural features context (i.e., presence of significant trees, or other features)
6. Provide for increased density transition between higher and lower density zones
7. Maintain continuity of development patterns across neighborhoods
8. Avoid downzoning if already developed at higher density
9. Maintain stock of affordable single family housing types.
10. Mix of housing for:
  - a. Demographics
  - b. Architectural mix
  - c. Affordability and varied incomes

*Up-zoning Criteria*

1. Proximity to neighborhood centers/commercial services/employment centers
2. Promote mixture of density and housing types throughout community
3. Currently undeveloped parcels that satisfy other criteria
4. Provide transitions from lower to higher density, and/or commercial areas
5. Likelihood that property will redevelop within a reasonable timeframe
6. Proximity to parks and schools
7. Resolve areas with currently non-conforming uses
8. Transportation system serviceability; transit, bicycle, pedestrian
9. Lot size – “bigger is better”; adequate space for parking and compliance with other development standards
10. Public utility access/serviceability
11. Changes to MADA allowance for properties with natural features and natural hazards

**DOWN-ZONING TRADE-OFFS**

Trade-off Category	Advantages	Disadvantages
<i>Housing Options and Density</i>	Rezoning areas to RS-6 may encourage retention of existing mixture of single family homes, some of which may be affordable to certain segments of the market, thus potentially contributing toward the stability of neighborhoods.	Many housing types permitted in the RS-9 and RS-12 zones could be as affordable, if not more so, than existing single family homes found in Project Area neighborhoods.
	Rezoning areas to RS-6 and RS-9 may continue to allow some degree of redevelopment resulting in a mixture of housing types and densities that are compatible with existing neighborhoods.	Reduction in density potential may place pressure on other areas of the community to accommodate housing demand.
	Greater acreage of RS-6 and RS-9 zoning along with retention of some RS-12 and RS-20 acreage within the Project Area can support diverse uses and comprehensive neighborhoods.	Reducing density potential for individual properties will expose the City of Corvallis to the risk of Measure 49 claims.
	Strategic use of the RS-6 and RS-9 zones can provide for increased compatible transition from higher density to lower density neighborhoods.	Reduction in density potential may increase the need for annexations of additional residential lands.
	Rezoning to RS-6 may encourage retention of owner-occupied homes that can result in greater property maintenance and neighborhood stability.	It may be difficult for some individuals to understand the reasons for transitioning density.

**DOWN-ZONING TRADE-OFFS**

Trade-off Category	Advantages	Disadvantages
<i>Housing Options and Density (cont.)</i>	Rezoning areas to RS-6 and RS-9 that are adjacent or abutting other RS-6 or RS-9 zones will help maintain continuity of development patterns across neighborhoods.	--
	Increasing the density transitions between lower density and higher density uses may reduce conflicts between these lower and higher density uses.	--
	Rezoning may impact property values.	Rezoning may impact property values.
<i>Historic Resources</i>	Rezoning areas to RS-6 may help protect and facilitate retention of historically significant dwellings.	Historically incompatible redevelopment could still occur under standards associated with the RS-6 zone, but not to the same extent as would occur with a higher density zone.
	Rezoning areas to RS-6 within, adjacent and abutting existing Historic Districts and in areas where homes might be historic will help to maintain neighborhood integrity and preserve and protect the legacy of the city.	--
<i>Transportation</i>	Reduced density potential may limit increases in localized adverse traffic and parking impacts within the Project Area.	Relocation of density potential to areas further from the OSU campus, downtown, and other commercial centers may cause relocation of traffic and parking impacts as well.

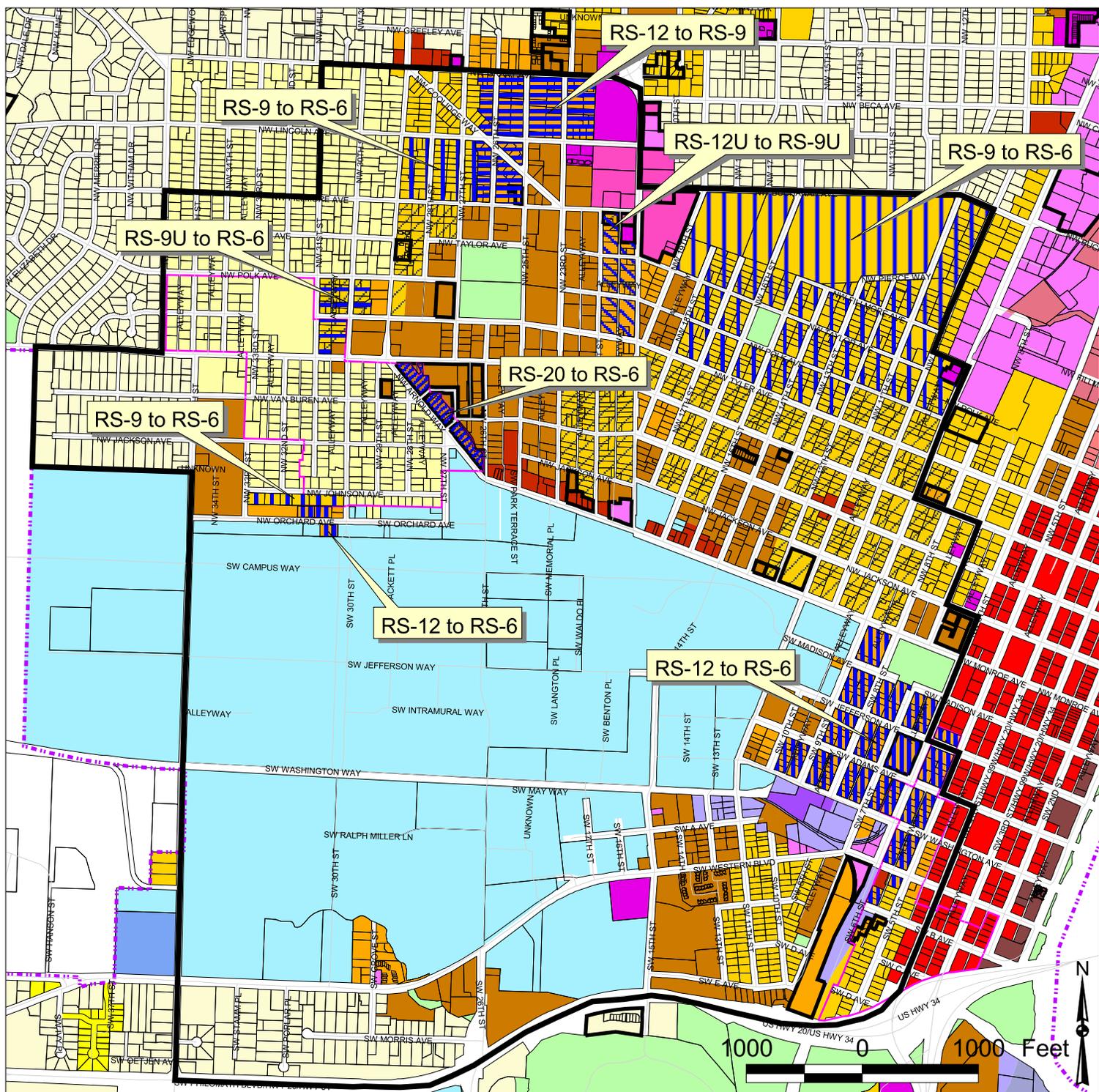
**DOWN-ZONING TRADE-OFFS**

<b>Trade-off Category</b>	<b>Advantages</b>	<b>Disadvantages</b>
<p align="center"><i>Transportation (cont.)</i></p>	<p>Retaining an optimal mixture of medium to high density zones, i.e., the RS-9, RS-12, and RS-20 zones, near primary transit corridors, rather than down-zoning those areas, would support continued use of the Corvallis Transit System as an alternative to single occupancy vehicles.</p>	<p>Reducing density potential in areas within the Project Area, specifically those that are directly served by transit and bike paths, may reduce the number of people who may utilize transit and/or bike to and from the OSU campus and elsewhere within the community.</p>
	<p>Reduced density potential may reduce traffic in those areas and prevent or delay street intersections from operating at failing Level of Service.</p>	<p>Relocation of density potential to areas further from the OSU campus, downtown, and other commercial centers may cause an increase in traffic in other areas of the city and a decrease in the LOS for streets and intersections in those areas.</p>
	<p>Retaining an optimal mixture of medium to high density zones near the OSU campus, downtown, and other commercial centers, rather than down-zoning those areas, would support traveling to and from these destinations via walking, bicycling, and other alternate modes of transportation.</p>	<p>Shifting density potential to areas that are further away from the OSU campus, downtown, and other commercial centers may discourage walking, bicycling, and use of other alternate modes of transportation (refer to studies on transportation distance decay models). This could potentially encourage use of single occupancy vehicles and increase parking and traffic impacts in areas near the OSU campus, downtown, and other commercial centers.</p>

<b>UP-ZONING TRADE-OFFS</b>		
<b>Trade-off Category</b>	<b>Advantages</b>	<b>Disadvantages</b>
<i>Housing Options and Density</i>	Up-zoning may encourage efficient use of currently undeveloped or underdeveloped properties.	Redevelopment or infill development occurring as a result of up-zoning may adversely impact existing housing affordability in those areas of the community.
	Redevelopment or infill development occurring as a result of up-zoning may positively impact existing property values in those areas of the community.	--
	Up-zoning in strategic areas of the community may provide additional demand for the development of new commercial centers, as well as further support existing centers in areas that have them already.	--
	Up-zoning in strategic areas of the community may increase the potential for a wider variety of housing options than currently exists in those areas, as well as improve the availability of housing that may be affordable to a broader portion of the market.	Increased housing diversity may also have the effect of changing the existing architectural character of neighborhoods where up-zoning occurs, as well as adjacent neighborhoods.
	Shifting density away from OSU and downtown may provide for increased housing options near other employment centers and may increase the use of other commercial centers.	Up-zoning areas may have unintended consequences regarding neighborhood livability.
<i>Historic Resources</i>	Unknown. Insufficient information available regarding potential historic resources outside of the Project Area to make an assessment.	Unknown. Insufficient information available regarding potential historic resources outside of the Project Area to make an assessment.

**UP-ZONING TRADE-OFFS**

<b>Trade-off Category</b>	<b>Advantages</b>	<b>Disadvantages</b>
<i>Historic Resources (cont.)</i>	--	Some yet unidentified or unlisted historic resources outside the project area may be lost to redevelopment.
<i>Transportation</i>	Up-zoning areas located along or within close proximity to major transportation corridors may minimize the potential for localized parking and traffic impacts in comparison to up-zoning areas internal to lower density neighborhoods.	The potential for “cut-through” traffic and out-of-direction travel may be increased by up-zoning, as residents seek to avoid congested streets and/or intersections during Peak Hour travel periods.
	--	Up-zoning areas located along or within close proximity to major transportation corridors may increase traffic through street intersections currently operating at a marginally acceptable Level of Service to fail, thus requiring mitigation.
	Up-zoning areas located along or within close proximity to existing or future alternate transportation modes and transit routes may increase the potential number of residents who might use those modes.	Relocating density to areas along existing transit routes may not sufficiently mitigate traffic impacts that would be anticipated elsewhere, as the frequency and convenience of transit service could remain major barriers to regular use.



**LEGEND -- Attachment 'C' Recommended Project Area Down-zoning**

	Project Boundary	<b>Zoning</b>		PD(RS-9U)		PD(P-AO)		PD(MUC)	
	RS-9 to RS-6		RS-3.5		RS-12		NC-Minor		MUE
	RS-9U to RS-6		PD(RS-3.5)		PD(RS-12)		PD(NC-Minor)		GI
	RS-12 to RS-6		RS-5		RS-12U		MUCS		RTC
	RS-12 to RS-9		RS-6		PD(RS-12U)		MUGC		MUT
	RS-12U to RS-9U		RS-9		RS-20		CB		OSU
	RS-20 to RS-6		PD(RS-9)		PD(RS-20)		CBF		AG-OS
			RS-9U		P-AO		RF		

## Memorandum

**Date:** December 16, 2013

**To:** Mayor and City Council  
Planning Commission

**From:** Ken Gibb, Community Development Director



**Re:** Long Range Planning Opportunities

As the City Council reviews Vision 2020 progress and the need to update the City's planning documents is discussed, the following information is intended to help inform this conversation:

- The Planning Commission recommended and City Council approved 2013-14 Planning Work Program included several long range planning projects for 2014 such as updating the Buildable Lands Inventory, and updating the Vision 2020 to a 2040 Vision Statement. At the time of adoption, the work program acknowledged the limited capacity to do all of these projects.
- Community Development will be prepared to hire an additional staff position as soon as possible in order to provide the levy supported long range planning services that will be available in FY 14-15.
- In the meantime and as recently communicated to the City Council, we will be working on 2 LDC update packages related to Collaboration recommendations over the next 10 months or so.
- The City is in the process of securing ODOT funding to update the City's Transportation System Plan (TSP).

Here is a rough outline of a potential game plan for the next few years relative to long range planning activities:

Prepare LDC Package # 1 for Planning Commission consideration	December 2013 – March 2014	Work being done w/ in-house planning staff. Council review should occur in April/May 2014
Develop LDC Package #2 ((neighborhood design standards) for PC consideration	January – September 2014	Consultant assistance with staff and advisory committee engagement

Initiate/undertake TSP update	July 2014 – TBD (likely 2016)	PW will take the lead – ODOT funded
Complete housing study (CC goal)	July 2014	Consultant will be engaged – staff support from CD
Initiate/complete BII update	Summer 2014 – early 2015	Consultant will be required, CD to manage project assuming funds are available through housing goal \$ and/or grant application approval
Develop a scope of work for Vision 2020 Update	Fall 2014	Process TBD
Develop Vision 2040	February – September 2015	Presumably, a citizen committee will be formed to assist
Update Comprehensive Plan	Fall 2015 through 2016	Staff managed with lots of citizen work group involvement
Major LDC update to reflect Comp Plan changes	2017-18	Staff managed with PC/citizen work group guidance – may require some outside expertise

While this may seem like a long time frame (2014-2018), it is aggressive in consideration of the amount of work and public involvement required – and this timeline generally matches up with the last round of vision/comp plan/LDC update work.

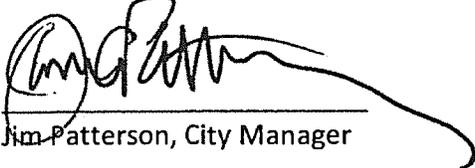
As we look to the long range planning projects ahead, it is useful to reflect on significant work done in the late 1990s /early 2000s. Here is a brief review:

- In 1997, a citizen based Vision Committee (led by Chair Julie Manning) and with the assistance of staff, completed the Vision 2020 update engaging 2000 citizens in the process. The project was essentially completed in about 6 months and garnered enough widespread support that it was officially adopted by the City Council, unlike the previous community vision project.
- Managed in-house by staff with the full involvement of multiple citizen-based work groups, the Comprehensive Plan was then updated, reviewed by the Planning Commission and approved by the City Council by the end of 1998 and acknowledged by the State of Oregon in 2000.

- The LDC Phase 1 update was then completed and approved locally by 2000 (although various appeals delayed implementation until 2006).
- During the same time period, the West Corvallis / North Philomath Plan was approved and the South Corvallis Area Plan was initiated, completed and approved between 1996-98.
- In the early 2000s, the North Corvallis Area Plan was initiated, completed and approved.
- The Natural Features Project, a landmark effort to identify natural features and develop tools for protecting highest priority resources while accommodating efficient urbanization within the Corvallis Urban Growth Boundary, was undertaken in the early 2000s. The resulting protection measures were incorporated into the current LDC.

In my opinion, these projects were conducted with the right mix of staff support, citizen, Planning Commission and City Council engagement along with a strategic amount of consultant assistance primarily the area plans and natural features project. While circumstances are different now (including less staff and contractual service resources) and we don't want to necessarily be locked in to how things were done in the past, I believe that is a good model to start with. I can assure you that Community Development staff are very excited about having the levy funded planning resources available soon and to be part of the upcoming round of long range planning projects in Corvallis.

Review and Concur:



Jim Patterson, City Manager

**Collaboration Corvallis Brief Review-Status of City Implementation Actions**

**Pre-March 18, 2013 Recommendations**

Item No.	Item/Work Group	Primary Responsibility	Timeline	Action/Progress	Resources Used / Needed	Status/ Next Steps
<b>Neighborhood Livability</b>						
1.1	Off Campus Living Guide	City/OSU	2013	Guide was finalized, published and distributed Fall 2013.	Staff Time, as future updates are necessary	No additional City action required. Completed by OSU.
1-2	CDP/State Police Coordination	City/OSU	Ongoing	Levy Passed in Nov.13, hiring of staff will occur 1/14. Training time is 10-12 months before realized solo capacity. Enhanced relationship and information is occurring and on-going with OSP/OSU and Office of Student Conduct.	Additional Police Officers, pending implementation of Public Safety tax	November levy passed. CPD has initiated process to hire officers.
1-3	SRN warnings	City	Ongoing	Expanded use of SRNs within current staffing levels. CPD staff have increased the use of SRN's for CMC violations and expanded the CMC to include initial response fee.	Additional Police Officers, pending implementation of Public Safety tax.	Ongoing effort
1-6	ITGA participation	City/OSU	Spring 2013	City/OSU joined International Town/Gown Association, City staff attended 2013 ITGA conference.	Membership costs + Travel/Training Budget. Small budget obligation	Ongoing

**Collaboration Corvallis Brief Review-Status of City Implementation Actions**

**Pre-March 18, 2013 Recommendations**

Item No.	Item/Work Group	Primary Responsibility	Timeline	Action/Progress	Resources Used / Needed	Status/ Next Steps
1-7	Safer Universities Project	City/OSU	Spring 2013	Secured national expert to visit on April 9 <sup>th</sup>	Grant supported project	Completed
2-1	Increase alcohol fines	City	Spring 2013	Ordinance amendments approved by Council	Staff time	Completed
2-2	Social host ordinance	City	Spring 2013	This work was completed in March 2013 and is currently in effect.	Staff time	Completed
2-3	Monitor SRN effectiveness	City	Late 2014	Evaluate progress through survey	Staff time/small budget for survey (\$5,000)	Funds included in 2013-14 budget. Work has begun on developing a livability survey format.
2-4	Gravel parking enforcement	City	Late 2014	Existing conditions survey to enhance enforcement	Staff time/small budget (\$5,000)	Survey work scheduled for late 2014.
2-5	Refuse disposal enforcement	City	Mid-2014	Municipal Code to be amended	Staff time	Proposed code changes part of PMC proposal being considered by ASC.

**Neighborhood Planning**

2-1 through 2-3	LDC definitions	City	Mid-2014	LDC changes in progress	Staff time	Included in LDC package #1. Planning Commission will review in March 2014
2-4	Parking requirements	City	Completed Dec 2012	LDC changed to address parking for 4/5 bedroom units	Staff time	Completed

**Parking and Traffic**

**Collaboration Corvallis Brief Review-Status of City Implementation Actions**

**Pre-March 18, 2013 Recommendations**

<b>Item No.</b>	<b>Item/Work Group</b>	<b>Primary Responsibility</b>	<b>Timeline</b>	<b>Action/Progress</b>	<b>Resources Used / Needed</b>	<b>Status/ Next Steps</b>
4-1	Expanded CTS service with OSU support	City/OSU	September 2012	Implemented	Only needed if funded runs continue to future years -- \$30,000	Completed. OSU will fund a second year of expanded service in FY 13-14 for \$22,000
4-5	CTS Vehicle Info Service	City	Fall 2013	Vehicle Information System (VIS) providing real-time CTS bus location information to the public was fully implemented in November, 2013	\$500,000 from federal grant plus staff time to implement.	Completed
4-6	CTS marketing plan	City	September 2014	City continues to work with OSU representatives.	\$20,000 from OSU and staff time to implement the plan that is developed.	Continuing effort
4-7	Funding for Loop	City / OSU	FY 13-14	Funding for FY 14-15 secured through agreement between Corvallis and Albany MPOs.	\$125,000 increase in funding from CTS to Loop to come from FTA grant funds; results in loss of those funds being used on CTS services	Completed

**Collaboration Corvallis Brief Review-Status of City Implementation Actions**

**Pre-March 18, 2013 Recommendations**

<b>Item No.</b>	<b>Item/Work Group</b>	<b>Primary Responsibility</b>	<b>Timeline</b>	<b>Action/Progress</b>	<b>Resources Used / Needed</b>	<b>Status/ Next Steps</b>
4-8	OSU commitment for CTS funding	OSU / City	No timeline	An agreement exists between the entities for OSU funding of the CTS program. Currently OSU's annual contribution to the City is \$130,000 for regular transit service and 70% of the operational cost for the Beaver Bus.	Staff time	Staff to develop a data-driven proposal for increased support to present to OSU. Will be addressed as work program allows.
4-9	on-campus transit hub	City	July 2014	City has secured agreement from MPO to do study as part of their FY 13-14 work plan	\$50,000 for the study to come from state planning dollars for transit	CAMPO working on this item with report to be completed by July 2014.
4-10	market alternative modes of safe travel	OSU/City	July 2014	City staff to support OSU marketing efforts-City Bicycle/Pedestrian Coordinator to work with OSU for advocating bicycle/pedestrian routes for students.	Staff time	Completion expected by September 2014.

**Collaboration Corvallis Brief Review-Status of City Implementation Actions**

**March 18, 2013 Recommendations**

<b>Item No.</b>	<b>Item/Work Group</b>	<b>Primary Responsibility</b>	<b>Timeline</b>	<b>Action/Progress</b>	<b>Resources Used / Needed</b>	<b>Status/ Next Steps</b>
<b>Neighborhood Livability</b>						
1-8	Community Policing – Increase police officer staffing with a goal of 1.2 per 1000 residents	City	Incremental steps with first opportunity in FY 14-15 budget	City Council has authorized levy includes 2-3 additional police officers with a focus on livability	\$206K proposed for levy.	Levy approved by voters. Officers to be hired by July 2014.
3-1	Implement Property Maintenance Code (PMC) program	City	Mid-2014	City Council directed the development of the program on 5/20/13	Additional staffing and other program costs.	Program design completed – under consideration by ASC.
3-2	Progressive Code Enforcement Model	City	Mid-2014	Will be included in property maintenance code program design	Additional staffing and other program costs.	Program design completed – under consideration by ASC.
3-3	Explore additional property maintenance education and outreach options	City	Within 2 years after PMC program is implemented	Future Activity	Staff time	On hold until PMC program in place and can be evaluated
4-1	Off campus living orientation program	City/OSU	Work group recommended Spring 2013 implementation	No action as of yet – will need prioritization and staff assignments from City and OSU	Staff time	Additional collaborative work by City / OSU needed.

**Collaboration Corvallis Brief Review-Status of City Implementation Actions**

**March 18, 2013 Recommendations**

<b>Item No.</b>	<b>Item/Work Group</b>	<b>Primary Responsibility</b>	<b>Timeline</b>	<b>Action/Progress</b>	<b>Resources Used / Needed</b>	<b>Status/ Next Steps</b>
4-2	Neighborhood Liaison Program	City	Mid-2014	Part of PMC program endorsed by City Council for program design	Staff assignments and associated costs	Program design completed – under consideration by ASC.
4-3	Welcome week program	City/OSU	Livability Work Group recommended Fall 2013 implementation	No action as of yet – will need prioritization and staff assignments from City and OSU	Staff time	Additional collaborative work by City / OSU needed.
4-4	Neighbor to neighbor mediation program	City/OSU	Livability Work Group recommended Fall 2013 implementation	No action as of yet – will need prioritization and staff assignments from City and OSU	Staff time	Additional collaborative work by City / OSU needed.

**Neighborhood Planning**

2-5	LDC standards for lot line adjustments	City	Mid-2014	Code Language developed in conjunction with other recommendations	Staff time	Included in LDC Package #1. Planning Commission review in March 2014.
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**Collaboration Corvallis Brief Review-Status of City Implementation Actions**

**March 18, 2013 Recommendations**

<b>Item No.</b>	<b>Item/Work Group</b>	<b>Primary Responsibility</b>	<b>Timeline</b>	<b>Action/Progress</b>	<b>Resources Used / Needed</b>	<b>Status/ Next Steps</b>
2-6	LDC setbacks for single attached units	City	Mid-2014	Code Language developed in conjunction with other recommendations	Staff time	Included in LDC Package #1. Planning Commission review in March 2014.
2-7	LDC density calcs for replats and minor land partitions	City	Mid-2014	Code Language developed in conjunction with other recommendations	Staff time	Included in LDC Package #1. Planning Commission review in March 2014.
2-8	Increased notice area for major lot development option application	City	Mid-2014	Code Language developed in conjunction with other recommendations	Staff time	Included in LDC Package #1. Planning Commission review in March 2014.
2-9	Minimum density calcs for infill development	City	Mid-2014	Code Language developed in conjunction with other recommendations	Staff time	Included in LDC Package #1. Planning Commission review in March 2014.

**Parking and Traffic**

3-5	Neighborhood Parking and Management Program	City	Dependent on final program design – currently projected for September 2014	Public Works staff working with USC on program design.	Staff time for program design; staffing and sign installation costs for implementation phase.	USC to make recommendation to City Council in Spring 2014.
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**Collaboration Corvallis Brief Review-Status of City Implementation Actions**

**June 4, 2013 Recommendations**

<b>Item No.</b>	<b>Item/Work Group</b>	<b>Primary Responsibility</b>	<b>Timeline</b>	<b>Action/Progress</b>	<b>Resources Used / Needed</b>	<b>Status/ Next Steps</b>
<b>Neighborhood Livability</b>						
5-1	Form a community relations advisory committee	OSU/City	By end of 2014	Best practice research has been initiated.	City/OSU leadership time and commitment	Continued development of a proposal for City / OSU consideration.

**Neighborhood Planning**

2-10	LDC Floor area ratio	City	LDC Package #2 – late 2014	Council prioritized in Planning Work Program.	Staff and consultant time 25K in 2013-14 budget.	Consultant team engaged. Technical Advisory Committee formed.
2-11	LDC average front yard setback	City	LDC Package #2 – late 2014	Council prioritized in Planning Work Program.	Staff and consultant time 25K in 2013-14 budget.	Consultant team engaged. Technical Advisory Committee formed.
2-12	LDC residential design standards	City	LDC Package #2 – late 2014	Council prioritized in Planning Work Program.	Staff and consultant time 25K in 2013-14 budget.	Consultant team engaged. Technical Advisory Committee formed.

**Collaboration Corvallis Brief Review-Status of City Implementation Actions**

**June 4, 2013 Recommendations**

<b>Item No.</b>	<b>Item/Work Group</b>	<b>Primary Responsibility</b>	<b>Timeline</b>	<b>Action/Progress</b>	<b>Resources Used / Needed</b>	<b>Status/ Next Steps</b>
2-13	LDC pedestrian features	City	LDC Package #2 – late 2014	Council prioritized in Planning Work Program.	Staff and consultant time 25K in 2013-14 budget.	Consultant team engaged. Technical Advisory Committee formed.
2-14	LDC garages toward rear of lot	City	LDC Package #2 – late 2014	Council prioritized in Planning Work Program.	Staff and consultant time 25K in 2013-14 budget.	Consultant team engaged. Technical Advisory Committee formed.
2-15	LDC varied roof plane orientation	City	LDC Package #2 – late 2014	Council prioritized in Planning Work Program.	Staff and consultant time 25K in 2013-14 budget.	Consultant team engaged. Technical Advisory Committee formed.
2-16	Consider citywide LDC amendments	City	LDC Package #2 – late 2014	Council prioritized in Planning Work Program.	Staff and consultant time 25K in 2013-14 budget.	Consultant team engaged. Technical Advisory Committee formed.
2-17	LDC residential window standards	City	LDC Package #2 – late 2014	Council prioritized in Planning Work Program.	Staff and consultant time 25K in 2013-14 budget.	Consultant team engaged. Technical Advisory Committee formed.

**Collaboration Corvallis Brief Review-Status of City Implementation Actions**

**June 4, 2013 Recommendations**

<b>Item No.</b>	<b>Item/Work Group</b>	<b>Primary Responsibility</b>	<b>Timeline</b>	<b>Action/Progress</b>	<b>Resources Used / Needed</b>	<b>Status/ Next Steps</b>
2-18	Assistance from Infill Task Force in developing neighborhood design <u>guidelines</u>	City	Mid-2014	Infill Task Force is developing draft guidelines.	Volunteer time, with staff consultation	Finalization of guidelines.
2-19	Consider creating Neighborhood design <u>standards</u>	City	LDC Package #2 – late 2014	Council prioritized in Planning Work Program.	Staff and consultant time 25K in 2013-14 budget.	Consultant team engaged. Technical Advisory Committee formed.
2-20	Craft proposal for “historic preservation lite” program	City	TBD	Approved by City Council	Staff time	To be included in future Planning Work Program.

**URBAN SERVICES COMMITTEE  
MINUTES  
March 4, 2014**

Present

Councilor Richard Hervey, Acting Chair  
Councilor Dan Brown

Absent

Councilor Roen Hogg (excused)

Staff

Jim Patterson, City Manager  
Nancy Brewer, Finance Director  
Jon Sassaman, Police Chief  
Mary Steckel, Public Works Director  
Stephen DeGhetto, Assistant Parks and  
Recreation Director  
Greg Gescher, City Engineer  
Emely Day, City Manager's Office

Visitors

Gary Angelo  
Hilary Berkman  
Steve Clark  
Courtney Cloyd  
Bill Cohnstaedt  
Richard Daniels  
Martha Fraundorf  
Anika Hall  
Rick Hangartner  
David Hart  
Tom Jensen  
Stanley Nudelman  
Mindy Perez  
Tim Stewart  
John Wydronek

**SUMMARY OF DISCUSSION**

Agenda Item	Information Only	Held for Further Review	Recommendations
I. Systems Development Charge Annual Review			Approve the proposed systems development charge rates, <b>by means of a resolution to be read by the City Attorney</b>
II. Residential Parking Districts	Yes		
III. Other Business			

**CONTENT OF DISCUSSION**

Acting Chair Hervey called the meeting to order at 5:04 pm.

I. Systems Development Charge Annual Review

City Engineer Gescher explained that the Corvallis Municipal Code required annual reviews and adjustments of the City's systems development charge (SDC) rates, based upon inflation and changes to the projects lists, which were a basis for the SDC fee calculation.

The City used the *Engineering News Record (ENR) Construction Cost Index (CCI)* for Seattle as the inflation guide. The inflationary rate for the past year was 7.7 percent and was applied to the transportation and utility SDC fees. The inflationary rate was applied to parks SDC fees in conjunction with a change in real market values of properties in Benton

County. The parks SDC adjustment acknowledged that a majority of parks SDC fees would be used for parks property acquisition. The combination of the *ENR CCI* inflation rate and the change in real market values in Benton County resulted in a parks SDC inflation rate of 4.8 percent for the past year.

No projects were added to the SDC project list. Two projects were completed, and their estimated costs would be changed to actual costs on the SDC reimbursement project list. A third project was removed from the project list and would not be pursued.

Mr. Gescher said staff recommended that the Council approve a resolution to adjust the SDC fees, effective April 1, 2014.

In response to Councilor Hervey's inquiry, Mr. Gescher explained that the canceled advanced transportation management system project involved eight intersections along NW Van Buren Avenue and NW Harrison Boulevard between NW Second and NW Fifth Streets that would be retrofitted with traffic control equipment that could be remotely operated and monitored. The project would provide additional flexibility in managing the traffic signal system. Project costs increased, and an additional \$86,000 was needed to complete the project; Oregon Department of Transportation (a funding partner in the project) did not have the additional funds for the project. The project would be a demonstration of transportation management but would not help relieve traffic congestion at the intersections during peak traffic hours. City staff determined that project costs would exceed project benefits; therefore, the project was canceled.

Based upon a motion moved and seconded by Councilors Brown and Hervey, respectively, the Committee unanimously recommends that Council approve the proposed systems development charge rates, **by means of a resolution to be read by the City Attorney.**

## II. Residential Parking Districts

Public Works Director Steckel distributed additional e-mails to the Mayor and City Council and correspondence received after the meeting packet was prepared (Attachment A) and additional e-mail responses to a public outreach postcard staff previously mailed, also received after the meeting packet was prepared (Attachment B). She distributed the current Residential Parking District Formation Process outline dated April 2006 (Attachment C). Councilor Brown distributed his notes to the Committee, dated March 4, 2014 (Attachment D).

Ms. Steckel reviewed that staff was asked to develop alternative scenarios for a residential parking district (RPD) program, based upon Committee discussions and testimony at the February 4 Committee meeting. Testimony included requests for short-term parking in all of the proposed RPDs for customers and clients, guests, and property management activities. Staff recommended continuing with the Committee's RPD Program, as developed thus far, with a change to allow two-hour, free on-street parking. Staff questioned the validity of selling parking permits up to the 75-percent parking capacity level

in a RPD Program that allowed two hours of free parking, as it was difficult to "control" the number of people who would park for free within the RPD and, therefore, the amount of parking that might occur and the capacity for additional parking.

When on-street resident parking was "controlled," staff could somewhat determine the amount of additional parking permits that could be sold to non-residents and maintain a parking capacity level. Staff did not have enough data regarding drivers' behavior and two-hour, free-parking activity to know whether a RPD would have capacity for non-resident, on-street parking permits. If the "hybrid" alternative was pursued, staff would recommend postponing action on the non-resident Program element until more experience with the new RPD was available.

Staff report charts compared aspects of the existing "status quo" RPD Program, the program USC developed thus far, and a "hybrid" of the two RPD Programs in terms of the Council's goals in reviewing the RPD Program and citizens' concerns during the two years the Oregon State University (OSU)/City Collaboration Project Steering Committee had worked on OSU/community issues. Ms. Steckel cautioned that a two-hour, free-parking allowance would not meet all of the goals expressed thus far. The current RPD Program did not meet all of the goals, and it was possible that no program would do so. Staff recommended allowing two-hours of free parking on every block face within each of the proposed RPDs; however, that scenario could be adjusted. The Committee's program proposal thus far included resident-only parking within two blocks of OSU's campus, and all other RPD areas would require parking permits. A similar scenario could be applied to the two-hour, free-parking allowance – short-term, free parking could be restricted in specific RPDs or portions of RPDs. Staff's recommendation was based upon the amount of testimony requesting two-hour or short-term parking from residents and businesses in all of the proposed RPDs.

Staff considered the "hybrid" RPD Program the best option, as it would result in more available on-street parking than was currently available in some of the proposed RPDs; would prompt drivers to make choices regarding whether to park in the proposed RPDs; and would provide short-term, free, on-street parking in every block.

Previous testimony and input involved modifying the proposed RPD boundary adjustments. Specific suggestions included removing from the proposed RPDs the Public Library, Central Park, Good Samaritan Episcopal Church, The Gem student housing facility, and commercial properties south of SW Washington Avenue (Washington) and adding the neighborhood just south of Linn Benton Community College (LBCC) Benton Center. Staff concurred with the suggestions regarding the Public Library, Central Park, and the neighborhood near the LBCC Benton Center. Staff heard extensive testimony regarding those three boundary suggestions but had not heard as much testimony about the other suggestions. She noted that the Downtown Commission also recommended removing some blocks from the proposed RPDs.

Richard Daniels and his wife had lived in proposed RPD J since 1974 and observed parking conditions in their neighborhood worsen during the past three or four years. He participated with the Central Park Neighborhood Association (CPNA) on the parking issue. He considered a RPD with two hours of free parking the best solution to existing parking problems. For one week during OSU's fall term he surveyed parking in his neighborhood.

Mr. Daniels said he observed the parking district near University of Oregon's (UofO) campus gradually expand and almost encircle the campus. The UofO's parking district seemed to work well.

Mr. Daniels generally agreed with the staff report. He considered two hours of free parking important and convenient for service personnel and visitors. He said cars traveled through his neighborhood throughout weekdays while OSU was in session, and traffic in the neighborhood was increasing.

Courtney Cloyd, CPNA President, said the CPNA supported a version of the "hybrid" RPD Program, which would continue allowing two hours of free parking in existing RPD C and proposed RPD J east of the west side of NW Tenth Street to allow businesses and the Public Library to receive the benefits of current, easy patron parking.

The CPNA did not support the Downtown Commission's recommendation to remove both sides of NW/SW Sixth Street from the proposed RPDs. He would support RPDs north of SW Jefferson Avenue (Jefferson). However, RPD Program regulations affecting the west side of SW Sixth Street south of Jefferson would significantly inconvenience property owners, some of whom did not have off-street parking.

The CPNA supported the six RPD boundary adjustments cited in the staff report *[those cited by Ms. Steckel earlier, excluding the Downtown Commission's recommendation]*. Mr. Cloyd suggested including in the proposed RPDs the west side of SW 11th Street (11th) between Jefferson and Washington. That portion of 11th was available for free parking along the eastern OSU campus boundary but could easily be handled through permit parking and accommodate residents of the townhouses that fronted the east side of the street.

Mr. Cloyd clarified for Councilor Brown that the Downtown Commission recommended removing both sides of NW/SW Sixth Street from the proposed RPDs. He would prefer continuing the current parking regulations on the west side of NW/SW Sixth Street north of Jefferson. He would like the west side of SW Sixth Street south of Jefferson included in proposed RPD F to accommodate residential property owners who did not have available off-street parking.

In response to Acting Chair Hervey's inquiry, Mr. Cloyd recalled that the OSU/City Collaboration Project Parking and Traffic Work Group (PTWG) discussed free-parking time allowance durations of one to two hours. The majority of PTWG members preferred continuing with the two-hour time duration because it had been practice for a long time and

understood by community members and parking enforcement staff and provided visitor convenience.

Councilor Brown cautioned that allowing two hours of free parking would probably result in higher RPD resident parking permit fees to pay for increased parking enforcement. He asked how much of a permit fee increase Mr. Cloyd would support.

Mr. Cloyd responded that the PTWG understood that RPD parking permit fees would be established to pay the costs of administering the RPD Program, including signage and permit issuance; enforcement costs would be paid from parking citation fine revenue. The PTWG did not find reason for permit fees to pay enforcement costs. The PTWG agreed that RPD resident parking permit fees up to \$35 would be acceptable. Including enforcement costs in the permit fee would be difficult to justify to RPD residents.

Gary Angelo, College Hill Neighborhood Association (CHNA) and PTWG member, confirmed Mr. Cloyd's statement about PTWG discussions regarding time durations for free-parking allowances. The PTWG acknowledged that one RPD Program scenario would not be applicable in all neighborhoods. Two or three PTWG members opposed the two-hour, free-parking allowance because it would not address the issues of traffic in existing RPDs and the "hot spots," where parking demand exceeded 85 percent of parking space availability. He noted that the proposed RPDs had different needs, demographics, compositions, land use zoning, etc. The CPNA boundary encompassed numerous categories of property owners, but the CHNA boundary encompassed lots zoned primarily for single-family residences. Therefore, one set of RPD regulations could not be applied to all of the proposed RPDs. He commented that University of California Davis was surrounded by 13 parking permit districts with different regulations and four or five timed parking districts. He believed it was possible for different RPDs to have different regulations.

Mr. Angelo expressed support for a modification of the "hybrid" RPD Program, with portions of RPDs, such as the "hot spots," allowing permit-only parking. If the majority of residents within "hot spots" wanted permit-only parking, they should be able to request a permit-only RPD. He believed the City should have a process to allow permit-only RPD parking; otherwise, the current RPD Program would continue unchanged for the "hot spots," and traffic through the RPDs would probably not change. His existing RPD was large enough to have different experiences. Neighborhoods east of NW 30th Street (30th) had more traffic and non-resident parking, where parking permits were required and two hours of non-resident parking was allowed. Neighborhoods west of 30th had little traffic and less parking. Those differences demonstrated why he believed neighborhoods should be able to request permit-only parking regulations.

Mr. Angelo questioned why the OSU-owned The Gem residential facility was included in a proposed City RPD, as he believed the City should not provide parking for OSU properties. He recommended removing OSU properties from the proposed RPDs.

In response to Councilor Brown's inquiry, Mr. Angelo said the maximum fee for RPD resident parking permits should be based upon recovering costs of signage and administering the RPD Program and that parking citation fine revenue should pay for parking enforcement. This cost-recovery scenario should continue if two hours of free parking was allowed. The PTWG agreed that \$15 to \$35 was an appropriate range for RPD resident parking permit fees. He added that he generally supported Councilor Brown's memorandum in the meeting packet.

Stanley Nudelman, a PTWG member, opined that some of the proposed RPDs should be individualized, as some included businesses and needed two-hour, free-parking allowances. He believed businesses should be allocated one RPD parking permit per 400 square feet of space, rather than basing the permit allocation on property frontage. He noted that OSU was growing and its on-campus parking capacity was decreasing because of building construction. He did not expect that scenario to change or for OSU to construct a parking garage, especially near the main campus area; costs of building a parking structure and limited available space in the central campus area were factors. He noted that the Reser Stadium parking lot and the parking garage near Gill Coliseum were not fully utilized. He believed those facilities would only be fully utilized if the City established parking districts around OSU's campus and expanded the RPDs, forcing OSU students to find on-campus parking and OSU to do something about their parking situation. He considered RPDs a livability situation and the only "cure" for eventually getting OSU students to utilize available, on-campus parking and improving neighborhood livability, which was the primary objective in initiating the RPD Program review. He recalled that the initial Collaboration Project meetings attracted almost 100 attendees and focused on doing something to improve livability. He did not want the Committee to ignore the primary goal of neighborhood livability, which the proposed RPDs should achieve, along with forcing OSU and its staff and students to find parking alternatives. He expected the parking situation to worsen.

Councilor Brown noted that Mr. Nudelman's property was in existing RPD C, which was created in 2010 under the current RPD formation process. He inquired whether the current process would be appropriate to create or expand RPDs in neighborhoods desiring RPDs.

Mr. Nudelman responded that existing RPD C was successful in alleviating parking pressures from OSU students and staff and Downtown employees. RPD C allowed two hours of free parking, facilitating people accessing Central Park.

Councilor Brown said proposed RPD F would encompass a portion of existing RPD C, a residential area south of existing RPD C, and a commercial/industrial area south of Washington. He inquired whether the current RPD formation process would be appropriate for the area south of existing RPD C so that RPD C became proposed RPD F, rather than the City imposing RPD F on the neighborhoods.

Without reviewing the situation, Mr. Nudelman was uncomfortable responding to the question. He said individualizing or splitting the proposed RPDs would make the overall

proposed RPD Program more complicated but more successful with greater livability. He expected that some of the RPDs would need unique regulations.

Mindy Perez, Harding Neighborhood Association (HNA) Board member, spoke for herself, rather than the Association. She concurred with Mr. Angelo that the one-size-fits-all premise may not be the best solution to achieve neighborhood livability. Two-hour, free-parking allowances may be more successful in neighborhoods farther from OSU's campus; the scenario created more traffic problems in neighborhoods closer to the campus. She emphasized the RPD Program review goal of increasing neighborhood livability, which she considered more important than the RPD Program option criteria cited in the comparison chart in the staff report.

Ms. Perez suggested that the Committee present a proposed RPD Program in greater detail for review by people who might be impacted by it. She advocated the City and OSU simultaneously presenting proposals as an expressed commitment by both entities to collaborate toward a solution. That effort might make the RPD program options more appealing to citizens.

Acting Chair Hervey said OSU Vice President of University Relations and Marketing Clark was invited to make a presentation at the March 17 Council meeting regarding OSU's efforts to resolve the parking issues.

City Manager Patterson said it would be helpful to staff if citizens indicated whether they preferred the existing RPD formation process that allowed neighborhoods to recommend and decide whether to expand or change RPDs or if they preferred the City Council imposing RPDs upon the community. He had not heard from testimony thus far a clear indication of citizens' desires for how the Council could resolve the issue. The Council determined that it would decide how RPDs were created or expanded.

Councilor Brown referenced previous testimony from HNA members that they wanted to decide whether to be included in a RPD.

Ms. Perez confirmed and said tentatively, HNA members would prefer deciding whether to be included in a RPD; however, she did not know the details of the RPD formation process.

Mr. Nudelman said he strongly believed the Council must decide whether to create RPDs, noting that it took two years to establish existing RPD C. He believed it would be "catastrophic" to individualize RPD creation.

Mr. Daniels concurred with Mr. Nudelman.

Anika Hall thought much of the parking problem was the result of a lack of alternatives to parking. When she used Corvallis Transit System, she was often late arriving at her destination. She suggested that transit routes be traveled more frequently, although this would necessitate purchasing more buses. Overall, more public transportation would

reduce traffic and the need for private vehicle parking. She believed increasing public transportation should be investigated as a solution to the parking issues.

John Wydronek owned rental properties and would prefer that neighborhoods be allowed to determine whether to establish RPDs. Some of his properties were on the fringes of proposed RPDs, and he would prefer that parking regulations for those neighborhoods remain unchanged. If RPDs were established to resolve "hot spots," he expected that the parking issues would extend to the neighborhoods encompassing his rental properties, and those neighborhoods would then prefer to be in RPDs.

Mr. Wydronek said the "hybrid" RPD Program appeared to include year 'round parking enforcement, yet he believed that decision had not been made. He opposed year 'round parking enforcement of RPDs, believing it could result in several problems. His tenants signed leases effective July 1 and would need RPD resident parking permits for July and August and then for September through August. Many OSU students graduated mid-June each year, and their units were re-rented during the summer; new tenants would also need to obtain resident parking permits for the duration of the summer and then again in September for the new RPD permit year. No parking enforcement during summer months would enable use of on-street parking in the RPDs for periods longer than two hours, during a time of year the parking was less utilized.

Mr. Wydronek referenced the Committee's previous discussion of one transferrable guest parking permit per residence, with the cost of the permit based upon whether the resident obtained a resident parking permit. Some of his tenants were OSU students from other communities, states, or countries without personal vehicles or drivers' licenses. From the Committee's discussions, a resident who did not obtain a resident parking permit would be required to pay for a guest parking permit. He considered this policy supportive of a strategy to deter OSU students from bringing personal vehicles to college. He considered it unreasonable to not allow residents without resident parking permits to obtain guest parking permits. He advocated that the proposed RPD Program allow all residents to have at least one guest parking permit.

Mr. Wydronek referenced larger multi-unit residential developments without adequate off-street parking. His rental properties were developed during the late-1960s and early-1970s with some off-street parking, but three or four on-street parking spaces were needed to accommodate all of the tenants. The proposal to allocate resident parking permits based upon lot square footage would not result in enough resident parking permits being available for purchase by all of his tenants. He noted that tenants of multi-unit residential developments within the proposed RPDs expressed the same concerns.

Acting Chair Hervey explained that the Committee was still discussing the issue of a proposed RPD Program expansion, which would be subject to final approval by the City Council.

In response to Councilor Brown's inquiry, Mr. Wydronek said allowing two hours of free parking in the proposed RPDs would somewhat address the guest permit problem he referenced.

Councilor Brown said he interpreted from the Committee's January 7 meeting minutes that the Committee reached consensus on seasonal, rather than year 'round, parking enforcement. He cautioned that the City Council would make the final decisions regarding a proposed RPD Program.

David Hart owned a business and property in proposed RPD J, which he believed was a very diverse area with possibly 50 businesses, individual houses, rental properties, churches, fraternities, and sororities. He believed it would be difficult for property owners and residents within proposed RPD J to organize and determine the best scenario for all of their needs. Two-hour, free-parking allowances would work for his business; however, residents may not want to see high parking turnover in front of their homes. It may be best for the City Council to determine whether to establish proposed RPD J. He expressed concern that any decision regarding RPDs would affect property values positively or negatively. He expected that property owners were concerned about having office buildings without available parking. Older houses without driveways may lose property value because of a lack of parking.

Acting Chair Hervey said the current RPD formation process specified that, to be effective, new RPDs should consist of at least ten block faces.

Mr. Hart said a two-hour, free-parking allowance throughout proposed RPD J would be beneficial to the businesses. He doubted that proposed RPD J could be divided into ten-block sections of similar land use zoning designations.

Tim Stewart resided near NW 12th Street and NW Taylor Avenue, just outside proposed RPD E and owned rental properties within a proposed RPD. He questioned whether parking ticket fine revenue covered parking enforcement costs. He expected that a two-hour, free-parking allowance would create an enforcement "nightmare." If the RPDs were expanded as much as was proposed, parking enforcement officers would have a lot of area to patrol each day. He believed neighborhoods should decide whether to be included in RPDs. He did not believe neighborhoods should be required to select a specific number of regulations from a list of options, rather than being able to freely create a RPD profile; he did not believe that procedure would create a "catastrophe."

Many of the properties near OSU's campus had very few if any off-street parking spaces. Many lots in his neighborhood did not have off-street parking. With creation of the proposed RPD Program, he expected that the existing parking problems would transition to neighborhoods farther from OSU's campus, creating more problems.

Mr. Stewart suggested that the proposed RPD Program be more generous than previously discussed regarding RPD resident permits, noting the various scenarios created by

businesses and out-of-area OSU student residents within the proposed RPDs. This demonstrated a need for RPD guest parking permits. He considered the proposal created thus far by the Committee very restrictive in terms of allocating RPD resident parking permits and doubted that it would resolve any parking problems. He believed the proposed RPD Program was intended to discourage commuter parking within neighborhoods surrounding OSU's campus. He considered it punitive to restrict RPD resident parking permit allocations.

Mr. Stewart concurred that OSU and the City should plan together to address the parking situation. He believed that OSU's growth and the City's Land Development Code provisions contributed to the current parking problems. He suggested that Code provisions regarding parking requirements may need to be amended for areas with parking problems. He noted that in-fill development could create problems in neighborhoods and emphasized that livability should be the primary concern, rather than in-fill development or accommodating developers.

Councilor Brown noted that the City must review every service proposal in terms of how it would be funded from a shrinking budget. The City Council must identify a means of funding the proposed RPD Program.

Tom Jensen, a resident near Chintimini Park, concurred that more public transit service was needed, that the proposed RPDs would cause changes in property values, and that there was no single solution to the parking situation. He expressed concern that parking need had not been determined. He noted that total RPD resident parking permits available decreased with each RPD Program proposal, and resident parking need was not addressed in staff reports. He believed the RPD resident parking permit allocation methodology was based upon an arbitrarily selected number multiplied by building or lot square footage or kitchens. He believed a realistic estimate of RPD resident parking need should include a survey of on- and off-street parking spaces and bedrooms within the proposed RPDs. He urged the Committee to ensure that residents of the proposed RPDs were accommodated before non-resident parking permits were sold.

Mr. Jensen expressed concern regarding a two-hour, free-parking allowance, as the City could not guarantee the distribution of vehicles whose drivers chose to park for two hours. One option could involve allowing a driver to park free for two hours once daily in any of the RPDs; that could reduce the number of drivers who moved their vehicles from RPD to RPD throughout the day.

Mr. Jensen acknowledged the need for parking for businesses. The metered parking spaces along NW Monroe Avenue seemed to accommodate customers of nearby businesses. One hour of free parking was allowed along NW Tenth Street near NW Fillmore Avenue. The section of NW Tyler Avenue in front of the Senior Center was marked allowing four hours of free parking; he suggested that it be amended to indicate that the parking was for Center patrons. He was concerned that the two-hour, free-parking allowance could result in a "flood" of parking along some blocks. He would prefer RPD

resident-only parking with modifications within individual RPDs. He cautioned that creating resident-only RPDs within two blocks of OSU's campus would push the parking problems outward from the campus. He would like resident-only parking in his neighborhood before the overflow parking spread to his area. He asked the Committee to strive to create the best solution.

Mr. Angelo opined that the City Council needed to initiate the RPD formation process, which may include creating new RPDs and new regulations. The existing RPD formation process should be revised to accommodate new scenarios, such as permit-only parking and preventing people becoming attached to specific RPDs.

Bill Cohnstaedt believed it would be preferable for the City to provide a process for neighborhoods to create RPDs, as it would clearly indicate the neighborhoods' desires. He believed the City was obligated to provide the process. Further, he believed as few regulations and mandates as possible should be issued by the City Council, as City-initiated processes were very expensive. Most of the people advocating for RPDs attributed the parking problems to OSU and its students. Through the Collaboration Project, OSU agreed to address the parking issues. He advocated that the City be patient and wait for OSU to develop and present a proposal, rather than proceeding with a RPD Program.

Hilary Berkman, a resident of proposed RPD G, believed her neighborhood did not need a RPD. She observed plenty of available parking in her neighborhood and garbage and recycling containers in parking spaces. She noted consensus that OSU was an economic "engine" for Corvallis. She believed the neighborhoods most impacted by parking were expected to deal with the issue, and she suggested that the community help resolve the parking problem; she would support all Corvallis citizens supporting the RPDs. She did not believe that more parking enforcement vehicles traveling through her neighborhood would enhance the sense of community. In-fill development changed the character of neighborhoods. She expressed concern about the inconvenience the proposed RPD Program would create for her guests.

Martha Fraundorf, a member of the Corvallis-Benton County Public Library Board, supported excluding the Library and Central Park from the proposed RPDs. She noted that metered parking on three sides of the Library block was not sufficient for all Library patrons. The average number of Library patrons each hour was fewer than the metered parking spaces in the Library's parking lot. During special events at the Library, patronage levels were much higher; so available public parking elsewhere in the neighborhood was important. Parking along the south side of Central Park supported the Library's needs. She noted that the Library was supported by Benton County taxpayers, who needed access to the facility.

In response to Councilor Brown's inquiry, Ms. Fraundorf said she would prefer two hours of free parking being available near the Public Library, to provide parking for County residents who supported the Library through property taxes. She believed the City should impose

constraints on neighborhood-created RPDs to protect facilities, such as the Library and Central Park.

Courtney Cloyd, referencing Mr. Patterson's inquiry, said he favored a Council-imposed, unified RPD, primarily because it would limit unnecessary impacts on people. RPDs scattered throughout the community could cause the parking problem to migrate to another neighborhood. If the Council preferred, the CPNA would pursue the current RPD formation process.

Steve Clark, OSU Vice President of University Relations and Marketing, PTWG Chair, and College Hill resident, reviewed recent OSU activities regarding the parking issue.

- OSU scheduled several community forums to institute in September 2014 several changes to management of OSU's on-campus parking and shuttle services and investment and promotion of alternate modes of transportation to the campus.
- OSU evaluated the Collaboration Project recommendations toward implementation of those that would increase the certainty and effectiveness of on-campus parking. This should mitigate parking impacts on surrounding neighborhoods and improve the likelihood of an on-campus parking permit holders finding a parking space in their desired area of the campus.
- OSU would provide "market place" parking choices by price.
- OSU would work toward improving transit and alternate transportation modes.
- OSU's Transportation Solutions Work Group would submit a recommendation to OSU officials at the end of March, likely recommending establishing on-campus parking zones to allow permit holders to purchase permits based upon areas of the campus. This should eliminate people "hunting" for on-campus parking spaces.

Mr. Clark explained the current and proposed parking permit programs.

- Currently, OSU sold faculty/staff and student parking permits.
- Selling parking permits based upon campus zones would create a market-place demand system. Within a zone, OSU might sell faculty/staff parking permits for 85 percent of available parking spaces and student parking permits for 15 percent of available parking spaces.
- OSU would only oversell faculty/staff permits by 1.1 percent and student permits by 50 percent. Additional parking permits would be sold because parking utilization fluctuated, and OSU wanted to increase the effectiveness of on-campus parking. By increasing the opportunity for parking permit holders to find parking spaces in their desired zones, OSU believed parking demand would be moved on the campus.
- Parking in the central and northern portions of the campus was utilized at 90 to 100 percent of capacity. Parking in the western and southern portions of the campus was used to a much lower rate.
- OSU had 1,775 on-campus parking spaces that were not used on a daily basis and wanted to make them available via zone designation and price level.
- Faculty/staff parking permits cost \$267 per year, and student parking permits cost \$195 per year.

- OSU would establish three or four on-campus parking permit price levels. Parking permits for zones at the outer edges of the campus might be available for \$50 to \$100 per year; near the center of the campus for \$300 per year; and in the higher-demand, northern areas of the campus for \$550 per year. The rates were "tested" via on-campus surveys and in 20 to 22 community meetings on the campus and in neighborhoods.
- Distributing parking may better ensure available parking where it was desired.
- OSU would invest in efficient, effective on-campus transit shuttle services. Current shuttle services were not fully effective or well promoted. Under the proposal, shuttles would pass points every five to eight minutes.
- OSU would promote carpooling, bicycling, walking, and other forms of pedestrian transit to de-emphasize the amount of traffic accessing OSU's campus. OSU would invest in promotions, bicycle racks, covered bicycle racks, and shelters. OSU would also emphasize to prospective students and their parents the cost of bringing a personal vehicle to the campus, hopefully reducing the number of personal vehicles freshmen students brought to the campus.

Mr. Clark said OSU's proposal would be fully explained during the next two weeks. Articles would be published in the *Corvallis Gazette-Times* and *OSU Daily Barometer*. Community meetings would be held throughout OSU's campus, and a full presentation would be made to the City Council March 17. OSU officials would receive the proposal March 20, and a final decision would be issued soon thereafter. A public process would be pursued March 31 through April 9 to explain the final decisions that would become effective September 2014.

Councilor Brown referenced testimony advocating a joint roll-out of City and OSU parking plans. The City planned that the Council would approve a plan during April.

Mr. Clark responded that it was likely that OSU could coordinate its schedule with the City. He encouraged that the roll-out and implementation of City and OSU plans be concurrent and complimentary. Otherwise, either entity's efforts would not be fully effective. He assured the Committee that OSU would take action regarding the parking problems. He believed the community and OSU would ultimately need to consider investing in satellite facilities for "storage parking" – freshmen and sophomore students' vehicles that were rarely used – and remove those vehicles from on-campus parking facilities and neighborhood streets. Satellite parking might improve livability of the community and the campus. He emphasized the need to pursue fully utilizing the available 1,775 on-campus parking spaces and promote carpooling and transit measures.

Rick Hangartner began a PowerPoint presentation concerning Oregon Senate Bill 270 and its relationship to OSU. Realizing that the presentation only remotely involved the issue of parking, Acting Chair Hervey interrupted Mr. Hangartner and offered to invite a member of each of the other Council Standing Committees to join him in meeting with Mr. Hangartner to review the presentation. Mr. Hangartner accepted the offer and discontinued his presentation.

Mr. Patterson said he previously had several communications with Mr. Hangartner and encouraged him to submit his information in writing to the Committee or City Council prior to a meeting. Mr. Patterson believed it would be beneficial for Mr. Hangartner to meet with Acting Chair Hervey outside a Committee meeting.

Mr. Hangartner said OSU was enrolling more part-time students who would only be served if affordable, on-campus parking was available.

Ms. Steckel responded to questions posed in testimony tonight:

- The existing RPD model evolved over time. To maintain reasonable fees for RPD resident parking permits, staff established permit fees to cover costs for RPD Program administration, including creating and selling parking permits, installing and maintaining signage, etc. Parking enforcement costs were paid from parking citation fine revenue, which did not fully cover the enforcement costs.
- Shorter time limits for free parking would result in higher parking enforcement costs because of the need for parking enforcement officers to patrol RPDs more frequently.
- A decision was not made regarding seasonal or year 'round RPD enforcement. It was not feasible to hire and train a parking enforcement officer to work nine out of 12 months. The City would hire full-time parking enforcement officers to enforce the RPDs during OSU's academic year. The cost of the positions would be paid from RPD Program revenue, as that was the reason for the new positions. During the three summer months, the officers would work on other projects unrelated to RPDs. It was important to generate revenue from some RPD source to pay the parking enforcement officers' costs for 12 months, even though they would not work with RPD Program issues all of those months.
- If neighborhoods were allowed to determine whether parking in their RPD was restricted to permit holders, versus allowing two hours of free parking, staff would need Committee direction regarding the size of that unique RPD. The current RPD Program required that RPDs be at least ten block faces in size. A permit-only RPD would not allow parking for residents' short-term guests.
- The current process to create or change RPDs involved an extensive amount of staff time. No staffing was devoted to the RPD Program; Program work was incorporated into current staff workloads. Allowing neighborhoods to petition to create RPDs could affect staff workloads and require assessing staffing levels.
- The current process to create RPDs was intentionally lengthy to allow adequate consideration by neighborhood residents and statistical analysis. Staff would need City Council direction regarding prioritizing work on RPD requests, as there may be more requests than could realistically be processed before the targeted RPD Program implementation of September 1, 2014.
- RPD creation costs (including parking enforcement staff hiring and training, signage construction and installation, and permit creation) must be considered. Residents of a Council-created RPD would expect the initial costs to be paid by the City and recovered over time. However, payment of costs for RPDs created upon residents' requests may not be handled the same way.

Police Chief Sassaman explained that a parking enforcement officer must undergo extensive training, as they had responsibilities in addition to issuing parking tickets. The current 2.75 full-time-equivalent (FTE) parking enforcement officers enforced parking regulations throughout the city. Parking enforcement staffing was not increased when RPDs were created, but the workload increased. If new RPDs were created throughout the city, parking enforcement staffing must be increased. If the proposed PRD Program was established with allowance for two hours of free parking, three additional FTE positions would be needed to provide an appropriate level of parking enforcement throughout the city. Staff was hiring one additional parking enforcement officer, based upon the Committee's discussions, and equipment for the new position was ordered. He needed to know soon whether he would need to hire additional officers, as the training process could take several months. Parking enforcement officers received on-the-job training with other parking enforcement officers, resulting in a decline in efficiency during the training period. The parking enforcement scenario would be more complicated for a while with a delay in achieving the full benefits of additional parking enforcement officers.

Ms. Steckel confirmed for Councilor Brown that staff did not offer a recommendation for or against the proposed RPD boundary adjustments involving Good Samaritan Episcopal Church, The Gem, and commercial property south of Washington.

Councilor Brown acknowledged that he was unfamiliar with the current RPD formation process. He referenced the provision that new RPDs be comprised of at least ten block faces and requested clarification of how that was calculated. Ms. Steckel clarified that facing block faces would count as one block face segment.

Acting Chair Hervey requested clarification of the staff report statement "Removing the [75 percent parking capacity] threshold will maximize the number of permits that residents can buy and use and minimize the amount of RPD parking available to short-term commuters."

Ms. Steckel clarified that, if staff sold parking permits for 75 percent of available parking spaces within a RPD, the remaining parking spaces should, theoretically, be available for use by guests and other non-residents. If the 75-percent threshold was not applied, residents would be allowed to maximize the number of RPD resident parking permits they purchased up to the number of available parking spaces. If residents purchased permits for all of the available parking spaces and used the spaces, no spaces would be available for short-term parking. Even if two hours of free parking was allowed in the RPD, commuters could have difficulty finding available parking spaces because most of the spaces would be occupied by residents' vehicles.

Acting Chair Hervey inquired how, in the "hybrid" RPD proposal, having a lot of two-hour, free-parking spaces would aid in prompting OSU students to park in on-campus parking facilities. He surmised that students who needed to park for periods longer than two hours would be prompted to purchase OSU on-campus parking permits.

Ms. Steckel confirmed, adding that extensive two-hour, free-parking spaces would, theoretically, reduce OSU-related parking. The PTWG and its study indicated that proposed RPD G was primarily used by OSU faculty and staff seeking places to park for eight hours at a time. Those people would not be able to park in RPDs with two-hour, non-resident parking restrictions.

Acting Chair Hervey inquired whether a temporary modification of the RPD formation process would aid neighborhoods that wanted to pursue creating RPDs, particularly since some of the parking study requirements were already met through the Collaboration Project work. He also asked about parking enforcement challenges in the case of RPDs created by neighborhoods.

Chief Sassaman said a "patchwork" of RPDs would be more complex to enforce and create more potential for errors, including parking enforcement errors. A "patchwork" of RPDs could also prompt non-residents to park in other neighborhoods, creating parking problems in new areas or prompting neighborhoods to request different RPD provisions. The greater complexity of a "patchwork" of RPDs would result in higher costs for signage, parking permits, and parking enforcement. He would prefer a degree of consistency among the RPDs.

Acting Chair Hervey said he expected that neighborhoods would be offered a limited number of possible RPD provisions from which to choose.

Acting Chair Hervey said he would prefer postponing Committee discussions about the RPD proposals until Councilor Hogg was able to participate in the discussions. He suggested that the Committee deliberate on the RPD proposals during its March 18 meeting.

Ms. Steckel reviewed that, for the March 18 Committee meeting, staff would provide information about a modified, expedited RPD formation process.

Councilor Brown observed that, according to the current RPD formation process guidelines, proposed RPD I was not big enough to be created via a neighborhood request.

Councilor Brown asked that the Committee begin deliberating the RPD proposals during its March 18 meeting.

This issue was presented for information only.

### III. Other Business

- A. Ms. Steckel noted that the City would begin updating the Transportation Master Plan during July, and the Committee would receive update reports from staff.

- B. The next regular Urban Services Committee meeting is scheduled for March 18, 2014, at 5:00 pm, in the Madison Avenue Meeting Room.

Acting Chair Hervey adjourned the meeting at 7:14 pm.

Respectfully submitted,

Richard Hervey, Acting Chair

## MAYOR & COUNCIL EMAIL

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### Parking Issues

- *To:* ward2@xx
- *Subject:* Parking Issues
- *From:* Herb Heublein <herbyh@xxxxxxxx>
- *Date:* Fri, 28 Feb 2014 14:53:16 -0800

Hi Mr. Hogg,

My name is Herb Heublein and I am a resident of your Ward 2. I have been attending many if not most of the public meetings involving parking and parking districts as well as Collaboration Corvallis meetings regarding livability issues in the O.S.U. neighborhoods.

I have a big concern about where it seems the parking issue is moving. It seemed to be going quite smoothly until about a month ago and people who hadn't attended meetings or kept up with the progress showed up and started making hash of it. I can understand that residents of the Central Park Neighborhood Association would not want to be impacted with a parking district that might affect businesses. Perhaps that district needs a modified parking district, but they will need something to help mitigate non resident parking.

My big concern is where we live which is on N.W. 13th St. between N.W. Vanburen Ave. and N.W. Harrison Blvd. N.W. 14th St. Is the last street on the east edge of a current parking district. Twelfth St., to our east, has only one side parking, but has at least 16 separate rentals in the two blocks between N.W. Harrison and N.W. Jackson with multiple residents in every unit. There is not nearly enough parking on 12th St. to met the needs of all the residents so guess what, they spill over onto our street. There is both sides parking on 13th St. (our street), but not nearly enough to supply the parking needs of our block, let alone any spillovers.

I know many people object to paying a parking fee when they already pay taxes and other fees related to streets. I have no objection to paying a modest fee as LONG AS IT GUARANTEES A PARKING SPOT FOR US WITHIN OUR BLOCK. I do not want to have to park in another block and requires walking across busy Vanburen or Harrison, especially when it is dark, wet, slippery, or all three.

I would like to see a parking district for our neighborhood as originally recommended in one of the later meetings that encompassed all the streets within a half mile radius of campus. Whether or not that is or isn't feasible for all streets, I would hope it would be so for ours.

I also have an issue with O.S.U. regarding parking and parking issues. They need to step up and provide parking services and parking facilities either free or at very reduced rates for students, staff, and faculty to take the pressure away from residential areas and streets in the neighborhoods surrounding campus. There is plenty of unused space on OSU property that could be used for building a parking lot or parking facility. A shuttle could provide continuous transport from parking to central campus if the facility is located in an outlying area.

Student parking needs are NOT being addressed by the university adequately. The pricing drives students (and staff) away from campus to park. Sure, walking several blocks can be a minor inconvenience, but when it is FREE PARKING the inconvenience is worth the walk.

My wife works at OSU in a facility over a half mile from central campus. Her building has a parking lot, but the cost is so expensive the parking lot is used only sparingly if at all. How cost effective is that? OSU NEEDS TO TAKE ACTION ON A PROBLEM IT HAS CREATED!

I know this is not new information for you, but the more you hear it from your Ward residents, the more you have a better case to make.

Thanks for letting me rant.

Herb Heublein  
318 N.W. 13th St.  
herbyh@xxxxxxxx

- **Follow-Ups:**
  - **Re: Parking Issues**
    - *From:* ward2
- Prev by Date:**The Partnership Evaluation Survey**
- Next by Date:**Transient Issues**
- Previous by thread:**The Partnership Evaluation Survey**
- Next by thread:**Re: Parking Issues**
- Index(es):
  - **Date**

## MAYOR & COUNCIL EMAIL

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### Parking Districts and upcoming Urban Services Committee meeting

- *To:* ward4@xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx, brown.dan@xxxxxxxxxxx
- *Subject:* Parking Districts and upcoming Urban Services Committee meeting
- *From:* wondzell@xxxxxxxxxxx
- *Date:* Thu, 27 Feb 2014 22:48:54 +0000 (UTC)

Please see the attached letter.

In short:

1. I am in favor of delaying the parking plan implementation until it can be tailored to meet the needs of different neighborhoods/parking zones.
2. Lacking a better parking plan, I am in favor of Option 3 - easiest to enforce, least net cost to the City, and biggest impact on solving the parking crisis.
3. INCLUDE CEDARHURST IN THE PHASE ONE IMPLEMENTATION!

Thank you for listening and representing our neighborhood,

Sincerely,

Steve Wondzell

**Attachment:**2014\_02\_27 to Dan Brown, re. Parking Districts.docx

*Description:* MS-Word 2007 document

- Prev by Date:**Witham Oaks land**
- Next by Date:**Campus Crest**
- Previous by thread:**Witham Oaks land**
- Next by thread: **Campus Crest**
- Index(es):
  - **Date**
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27 February, 2014

Dan Brown  
Corvallis City Councilor, Ward 4  
Member, Urban Services Committee

Dan Brown:

First, thank you for holding the Ward 4 meeting at the Senior Center on Feb. 25. I enjoyed getting to meet you and enjoyed seeing so many of my neighbors at the meeting. Second, I missed the deadline to get my comments into the package for next week's Urban Services Committee meeting and ask that you relay my comments and sentiment to the committee at large.

I am writing to express both my interests and concerns about the impact of continued growth of OSU on our community. I first moved to Corvallis in 1988 and lived for over a decade at 623 NW Witham Dr. My job took me to Olympia WA, and in 2012 I had the opportunity to move back to Corvallis. I purchased a house at 3719 NW Jackson Ave. My wife and I spent a long time hunting for a house because we wanted a house in town so that neither of us would need to drive to access daily activities of work, shopping, and play.

I am deeply concerned that the continued growth of OSU is making it increasingly difficult for families to live in central locations in town, within easy walking distances to schools, churches, and other activities. Overall, I view OSU as an "irresponsible citizen" of our community - making decisions that directly benefits the long-term bottom line of the University and paying too little attention to the needs of the larger community in which they are located. Unfortunately, many of the University's decisions come with substantial external costs that are borne by the Corvallis community and tax payers. Even worse, OSU is a public institution to which the public has no effective means of providing oversight. How then do we respond to the pressures that continued growth of OSU is placing on our community? Do my wife and I flee the urban center, take up car commuting and become part of the problem? Or do we try to be actively involved and work to promote a high quality of life for citizens of our town?

Many issues have been in-front of the City Council recently (with rather unfortunate outcomes in my opinion, but that is another argument). Right now I need to focus on the more immediate question of the City's plans for parking districts in the near-OSU neighborhoods. I am dismayed at what I've read about the proposed Residential Parking District. It seems to me that the City is doing a poor job of thoroughly evaluating the issues and developing a parking plan with sufficient flexibility to meet the different needs of different neighborhoods arrayed around the University. The City is essentially promoting a "one-size-fits-all" plan. But the neighborhoods involved range from mixed business and high density residential to the lowest density residential zoning within the City limits. Is a "one-size-fits-all" plan really an effective response to the immediate and long-term needs of the community. I would suggest that the answer is a resounding NO! But worse, implementing this "one-size-fits-all" plan effectively squanders the current opportunity to address parking in these neighborhoods for a long time into the future.

The City needs to consider different parking options for different parking zones so that the parking regulations can be better tailored to meet the specific needs of different neighborhoods. At the moment that is not an option under consideration. In my opinion, any decision on the Parking Districts needs to be delayed until a plan can be developed that allows flexibility to meet differing needs. To do less is

simply poor government, one that imposes the least-common denominator when attempting to solve a problem. We can do better than that!

If the City insists on going forward with a "one-size-fits-all" plan in the near future (decision this spring; implementation of Phase One by Fall 2014), then I strongly support what I believe is called Option 3 - Permit parking only, residents at \$20/year; non-residents at 115% of the OSU faculty rate. There is no evidence that OSU will voluntarily step forward to provide sufficient parking in convenient locations at a sufficiently cheap price so as to solve the residential parking crisis. Given that, the only realistic solution is to make parking in our residential neighborhoods more inconvenient than parking on the OSU campus. Option 3 has many problems, but it is the only option that will have a significant impact on the "attractiveness" of using our residential streets as de-facto OSU parking lots, "parking lots" that the City has to pay to patrol and enforce. That responsibility rightly belongs to OSU, not to the City.

Option 3 does not appear to be well developed. I would strongly recommend that the parking district rules only be enforced during the Fall, Winter, and Spring quarter, when OSU classes are in session.

Finally, regardless which Parking District Option eventually goes forward and the timing of the implementation, I strongly ask that the Cedarhurst subdivision (NW Jackson and NW Van Buren Streets, west of 35th) be included in the first phase of the implementation of the new parking districts. Our street currently has unrestricted parking, and every day the street is lined with the cars of commuters to OSU campus avoiding the costly OSU parking permits and the 2-hour limitation of parking in adjacent blocks. My neighbors tell me that the parking problem has grown significantly worse in the last few years; the phased implementation of the new parking districts will put even more pressure on OSU commuters to park on the streets of our neighborhood.

I know that the City has to respond to many competing needs, issues and voices. I also know that my opinions about this issue would be the same whether I lived on the fringes of the City or in a near-OSU neighborhood. The difference is that, because I live close to OSU, I am motivated to speak up. At some point the City has to take control of ensuring the future quality of our lives here and not simply continue to adapt to, or even facilitate the decisions that OSU makes. Push OSU's problems back to OSU. Solving those problems is their responsibility.

Sincerely,

s/ *Steve Wondzell*

Steven Wondzell  
3719 NW Jackson Ave.,  
Corvallis OR 97330

## MAYOR & COUNCIL EMAIL

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### Proposed Parking Districts

- *To:* <mayorandcitycouncil@xxxxxxxxxxxxxxxxxxxxxx>
- *Subject:* Proposed Parking Districts
- *From:* Martin Stephenson <stevestp@xxxxxxxx>
- *Date:* Thu, 27 Feb 2014 17:29:19 -0800

Dear Mayor and Council:

As a member of the Corvallis-Benton County Public Library Board and President of the Corvallis-Benton County Public Library Foundation I urge you to drop the proposed plan for new Parking Districts. As currently envisioned this plan is a solution which is far worse for the community as a whole and Library in particular than any problem it may seek to address. Attempting to make virtually all of the old neighborhoods of Corvallis into a complex parking district will do nothing but create problems for every citizen living within the district and every citizen entering the boundaries of it. Tinkering or adjusting this Plan will not help. This plan, in concept, is overly ambitious and actually addresses some problems that don't exist, but will if it is implemented.

As a 40 year resident of Corvallis and a 24 year Library employee I assure you there will be truly impossible burdens imposed upon everyone who works, volunteers, or uses the Public Library.

Remember, this is the most heavily used public facility in Benton County with hundreds of thousands of visits every year.

I respect the good intentions and efforts of all who worked on this project but it must be shelved for the good of the entire community.

Martin Steve Stephenson  
829 NW 34th

- **Follow-Ups:**
  - **Re: Proposed Parking Districts**
    - *From:* mayor

## MAYOR & COUNCIL EMAIL

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### Parking districts ATTN: Urban Services

- *To:* <mayorandcitycouncil@xxxxxxxxxxxxxxxxxxxx>
- *Subject:* Parking districts ATTN: Urban Services
- *From:* <fraundom@xxxxxxxxxxxx>
- *Date:* Thu, 27 Feb 2014 15:17:57 -0800

As a member of the Corvallis-Benton County Public Library board and as a tax-paying citizen, I am concerned about the effect of the proposed parking district on access to the library and to Central Park. I hope I am correct in assuming that the parking district would not affect the library's metered parking lot and garage. Even though these two facilities contain 71 parking spaces for the general public plus 4 handicapped spaces and one motorcycle spot, they are insufficient to meet the demands by the library users. In addition to users of the library collection and the volunteers who provide free labor to the city, people also come to programs such as story hour, Random Reviews, and a variety of other meetings held in the large meeting room. Many of these programs are during the day and may attract as many as 100 people. The library lot is insufficient during these times. Library counts show that the average number of in-person visits during fiscal year 2012-2013 equaled 82.41. Thus, the public must also use the metered spaces to the east and south of the library and the free parking on the south side of Monroe and around the park. The parking district would remove this option. It would also increase the demands on the library parking lot as those using Central Park, a tax-payer supported facility, by those who would have not be able to park on the surrounding streets.

Although some would argue that people should bike or ride the bus, not everyone can do so. In addition to the portions of Corvallis not well served by the bus, library users include those from areas outside of the city which have no public transportation. Yet they also support the library by paying taxes through the library service district.

I am also concerned about the effect of these restrictions on the library staff. Many of the shelves and library clerks work only part time at entry

wages. The projected cost of the parking permits for those who do not live in the area is relatively high compared to their earnings. Riding the bus is not an option for those whose shifts start before five but work until the library closes at 8, after the last bus has left. Volunteers who find it more difficult to park may quit or fail to show for their shifts when parking is unavailable. Library volunteers provide the city with thousands of hours of free labor per year.

For these reasons, I believe inclusion of the library and Central Park in the proposed parking district would make it more difficult for citizens of Corvallis to use these tax-payer supported facilities. It might also make it more difficult to retain experienced library workers and to maintain a facility which is one of the attractions of Corvallis as a place to live. If you feel you must include this area in parking district J, I hope you will retain the metered spaces along side the library and add metered spaces along side the park. Paying modest fees for parking is better than having no access whatsoever.

Thank you for your consideration.

Martha Fraundorf  
1750 NW Arbol Pl.  
Corvallis, OR 97330

- **Follow-Ups:**
  - **Re: Parking districts ATTN: Urban Services**
    - *From:* mayor
- Prev by Date:**Re: Campus Crest**
- Next by Date:**Re: Parking districts ATTN: Urban Services**
- Previous by thread:**Re: Campus Crest**
- Next by thread:**Re: Parking districts ATTN: Urban Services**
- Index(es):
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# MAYOR & COUNCIL EMAIL

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## Parking districts

- *To:* "ward3@xx" <ward3@xx>, "ward4@xx" <ward4@xx>, "ward2@xx" <ward2@xx>
- *Subject:* Parking districts
- *From:* SM Coakley <coakley.sm@xxxxxxxxxxxx>
- *Date:* Tue, 25 Feb 2014 22:12:36 -0700

Urban Services Committee,

I live on the west end of Jackson St. in the Cedarhurst neighborhood. Our dead-end street is being heavily impacted by OSU related individuals seeking free all-day parking. It is negatively impacting our neighborhood, endangering our residents, children, and pets as cars "cruise" and then must turn around before leaving the street.

In conversation with neighbors, it is evident that we must be included in a Parking District to limit the incursion of cars. While exactly which option will be offered remains to be determined, I ask that you ensure that Jackson from 35th-39th be offered the opportunity to be included in Phase I of any changes to Parking Districts. At the very least, we would like to see our street added to Parking District A; I am confident that more than 50% of our residents would sign on to that current parking district structure.

Please let us know what documentation you need to move us into the conversation.

Thank you.

Stella Coakley  
3839 NW Jackson  
Corvallis, OR 97330  
541-753-6215  
coakley.sm@xxxxxxxxxxxx

- Prev by Date: **Reinvention of da vinci days press**

## MAYOR & COUNCIL EMAIL

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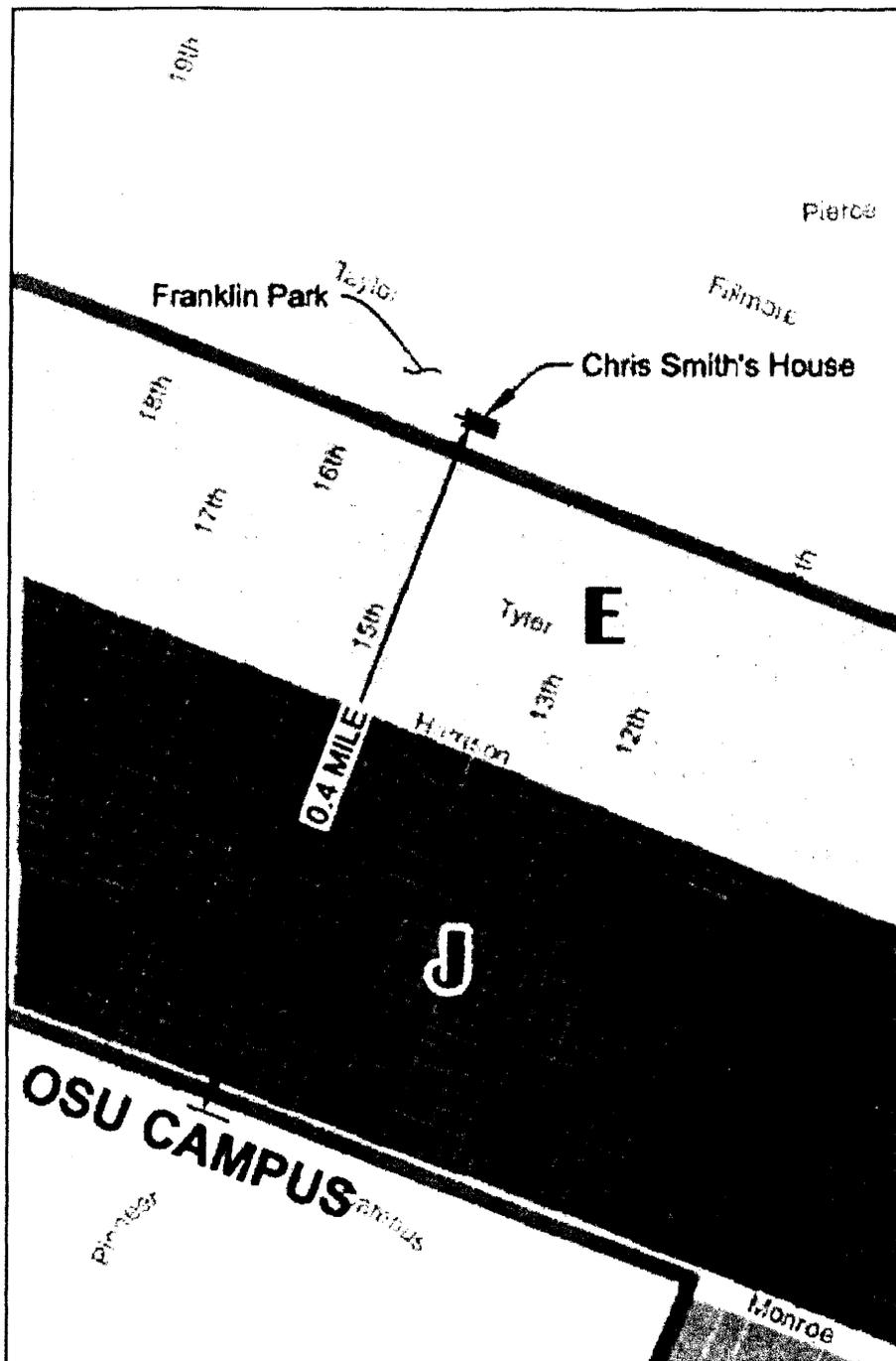
### comments regarding Residential Parking District expansion

- *To:* "ward5@xx" <ward5@xx>
- *Subject:* comments regarding Residential Parking District expansion
- *From:* "Chris M. Smith" <csmith@xx>
- *Date:* Tue, 25 Feb 2014 19:47:17 +0000
- *Cc:* "mayor@xx" <mayor@xx>, "public.works@xx" <public.works@xx>

Mr. Beilstein,

My name is Chris Smith, and I live in your ward at 611 NW 15<sup>th</sup> Street in Corvallis. My house is on 15<sup>th</sup> street north of Polk and south of Taylor Street. I am writing to provide feedback regarding the proposed residential parking district expansion.

I am familiar with on-street parking on 15<sup>th</sup> Street between Polk and Taylor dating back to May 2011, when I purchased my home. Based on my observations, I believe this block gets utilized for parking for several purposes: residents park on the street, people park on the street when using Franklin Park, staff and students and parents attending Corvallis High School events park along this street, and occasionally students and commuters to OSU will park along this street during the daytime. **In the 3 year period I have lived here, I have never had to park on another street to access my residence.** Occasionally, during special events such as OSU football games and events at Corvallis high school, parking does become more limited, but these events are episodic and do not last long. I have included a map showing my property in relation to the proposed districts and Oregon State University below.



I am concerned with the proposed parking district because it ends at Polk Street, which is immediately south of my property. I am concerned that after the districts are implemented, parking will become more limited on my street because it is the closest street to the parking district boundary, and is less than a 10 minute walk to the OSU campus. Parking has not been an issue for me on my street, and I

am concerned that if the new districts are implemented it will encourage more people to park on my street.

I would like to encourage the City to include this street and the area around Franklin Park into the first phase of proposed parking districts. I would encourage the City to consider two issues related to the proposed parking district boundary. One consideration is the affect the proposed parking district boundary will have on adjacent streets bordering the district boundary. My residence is only 0.4 miles from the OSU campus and after implementing the parking district, it would be the closest unregulated parking to the OSU campus. I believe this will increase parking from OSU students and staff on my street. Secondly, this 15<sup>th</sup> Street borders Franklin Park, and many of the people parking on the street are using Franklin Park. It seems like most park patrons use Franklin Park for less than 2 hours at a time. If this street were included in the parking district, I believe more parking would be available for people using Franklin Park by allowing park patrons to park in a residential parking district using the 2 hour limit. Additionally, it is common for people living in their cars or vans to park on the street bordering Franklin Park. Inclusion of streets bordering the park into a residential parking zone would also address homeless vehicle camping along the park.

Thank you for the opportunity to comment on the proposed parking districts. If I can provide any more information for your consideration, please feel free to contact me at this e-mail, or by phone at 541-231-5217.

Respectfully,

Chris Smith

- Prev by Date:**Last Chance for Ecological Risk Assessments - Webinar Series**
- Next by Date:**Open Source government**

**RESIDENTIAL PARKING DISTRICTS**

**EMAIL RESPONSE TO PUBLIC OUTREACH POSTCARD (2/25 noon - 3/4 noon)**

**From:** bomar31@XXXXXXXXXX  
**Sent:** Tuesday, February 25, 2014 3:13 PM  
**To:** Public Works  
**Subject:** Parking Districts

Urban Services Committee

I live at xxx NW 14th Street in Corvallis. I have owned , occupied and paid property taxes on this property since October, 1965. I am opposed to having a parking district established in this area and to being required to purchase a parking permit so I, my family, guests or anyone needing to be at my home, can parking in front of my house. **OWNER OCCUPIED** residences should not be required to purchase a permit but provided with one should a parking district be established. Any additional expense to the city for establishing the new parking district, i.e., added patrols, added signage, etc., should be absorbed by the University since it is the staff, yes staff, and students who are using the parking spaces.

If, indeed as has been reported, that the parking available on the campus is 20-25% unused, then it should be strongly recommended to the University that is is their responsibility solve the parking problem. **OWNER OCCUPIED** residences should not be required to solve the University parking problem. I strongly urge the Urban Services Committee to find a better solution to the neighborhood parking problems. Please do not continue to ask the long time residents to foot the bill for the University's problems.

Thank you.

Margaret J. Loper

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**From:** John Wydronek  
**Sent:** Thursday, February 27, 2014 1:38 AM  
**To:** Public Works  
**Subject:** Feedback on Proposed RPD's

Hi Mary,

Please include this feedback in the next meeting packet for the proposed RPD's.

Thanks,

John Wydronek

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DATE: February 26, 2014

TO: Urban Services Committee

FROM: John Wydronek

RE: Feedback on proposed parking districts

First, I'd like to commend the OSU/Corvallis Collaboration Committee, Urban Services Committee and city staff for the amount of time, effort and thought that has been put into the proposed residential parking districts. Unfortunately, I strongly disagree with the proposed solution. Corvallis currently has a significant parking problem (which is supported by data) in a few hot spots located near the campus. However, the proposed solution will create significant parking and livability issues in a much larger area of the City. A plan which takes a concentrated problem and spreads it around is not a viable solution. I recommend shelving the RPD idea and putting further efforts into working with OSU to create a parking structure on the north end of campus which is truly the best solution.

As for the currently proposed solution, I have the following specific feedback/comments:

*Non-resident owner parking*

I'm the owner of 3 rental properties which will fall within the proposed parking districts. Although I don't live at any of these properties I have a need to visit my properties on a regular basis. Reasons for these visits include yard maintenance, repairs, lockouts, cleaning apartments between tenants and showing apartments to potential tenants.

Based on my discussion with Mary Steckel I will not be entitled to a low cost (\$20) parking permit because I don't reside at the address. As the legal owner of these properties, and given the fact I pay significant taxes which support public infrastructure including streets and parking areas, I feel being denied the right to park on the street near my properties to be unacceptable.

Under the current proposal, I would be required to purchase a permit at a cost of 115% the going rate of OSU Faculty parking or use a visitor pass from one of my tenants. I understand the purpose for this cost structure is to encourage commuters (students and faculty) to park on campus rather than in the surrounding neighborhoods. Unfortunately this is not a practical

solution for rental property owners. We need to park near our properties in order to attend to needed business activities.

I was also told permits will be issued for specific parking districts. It turns out each of my properties is located in a different district. As currently proposed, I would need to purchase 3 separate \$300+ permits each year. Again, this is unacceptable. Any additional costs related to the running of my rentals will be passed onto the tenants via increased rental rates. Affordable housing is a key goal for Corvallis but this proposal clearly adds to housing costs through increased rents as a result of increased owner expenses.

I recommend the following:

- Rental property owners should be allowed to purchase up to two \$20 parking passes if they own and manage a property within a parking district.
- The parking pass provided to the rental property owners should apply to all parking districts in which they own and manage properties.
- These passes should be transferable to multiple vehicles (like a visitor pass).

#### Enforcement Period

Although the notes I have read indicate a decision has not been made on when the RPD's will be enforced, I was told by city staff that parking district compliance will be enforced year round. This doesn't make sense to me. This proposal came as a recommendation from the Corvallis/OSU collaboration project. The express purpose of this project was to address issues related to the increasing population of OSU students and how it impacts citizens and students. I understand there is a parking problem when school is in session. However, this is not the case during the summer months when the student population drops considerably. I believe any new programs that are spawned from the collaboration project should be tailored to address the specific problem to be solved. We do not see significant parking problems in the summer and therefore this program should not try to overreach by being enforced during this period of time.

Benefits of not enforcing parking districts during the summer include:

- It addresses the issue of current permit holders leaving town in June when school ends and not having permits available for new tenants that sign leases and move in before September 1.
- Allows for larger maintenance projects to be completed on rental properties that require tenants to park on the street – painting the outside of the building, seal-coating the off-street parking lots, reroofing, etc. NOTE: This is an issue that needs to be addressed.
- Allows potential tenants (new arrivals to OSU) to drive around and park in the OSU area while looking for properties to rent.
- Makes available a large portion of Corvallis for the enjoyment of the citizens.
- Makes it easier for citizens to visit businesses within the RPDs (business friendly).
- Reduces cost to enforce compliance.

### Contractor Parking Passes

The current proposal is to charge \$100 for contractor passes. The reasoning provided is that they are more valuable as they can be used in multiple districts. I feel the use of these passes is significantly different than a resident or non-resident pass as they will only be used on occasion when the contractor has work to do in the district. This work is at the request of the property owner/resident and is a normal requirement for the upkeep and function of the neighborhood. By charging more for these passes you are using them as a revenue generator as the price will not deter these people to park in the parking districts. I would like to see these passes sold at \$20 per pass, or slightly more if the cost to the program (in making and issuing the passes) can be documented. These passes should also be transferable so that businesses with multiple vehicles can use the pass for the vehicle to be used in the parking district.

### RPD Program Review

Although it has been discussed, I would like to see, as part of the RPD code, a requirement for a yearly review meeting. This meeting date should be communicated well in advance and through multiple means (post cards to owners and residents of parking districts, GT, City Web Site, Barometer, OSU Website, etc.) with the request for any feedback, good or bad, about the current parking districts. At a minimum, the meetings should be required for 2 years past any significant tweaks or modifications to the RPD rules.

### Resident and Guest Pass Requirements

Currently City staff is recommending that only those who purchase a resident pass will be allowed to purchase a guest pass. My recommendation is that any address, whether or not they have a resident pass, should be entitled to the purchase of a guest pass. There are several reasons for my recommendations.

- Many residents have the ability to meet their parking needs with off street parking and only need a permit for guests.
- For those that choose to purchase a guest pass and not a resident pass, this will reduce the total number of passes sold (a good thing).
- There are residents of the RPDs that do not own a car or have a drivers license (this is the case with 4 of my 33 tenants in the parking districts) so they do not meet the requirements necessary to purchase a resident permit. This is exactly the behavior OSU and the city is encouraging – come to OSU but don't bring a car – yet they aren't allowed to have visitors as a result. Seems like a slap in the face for doing a good thing.
- It is unreasonable to expect some tenants not to be allowed visitors just because someone got the last allocated resident pass before they arrived. It's not equitable.

### Approval of Final RPD Program

Even though a significant amount of work has been done on the recommendations for the RPD program, there are still a large number of decisions to be made. I would like to see the final

program recommendations completed, with plenty of time for public comment, before it is sent to City Council for consideration. Approving this program on a piecemeal basis is a disservice to the residents of Corvallis.

### Linn Benton Center

Although I've seen a lot of discussion on OSU, BCHS and the Senior Center, I have seen little discussion on the LBCC facility on 7<sup>th</sup> Street. The onsite parking available to users of this facility is nowhere near enough to handle the number of people being served. This needs to be addressed by requiring LBCC to add parking, find an alternative parking area, or reduce the number of users so it matches their available parking.

### Parking Permit Allocation

Basing number of permits on lot size is not a workable solution for larger multi-family properties. For my properties the total number of permits allowed under this proposal is enough but there is no equitable way to distribute the passes. For example: One of my properties is a 9-plex with 2 bedrooms per unit. Based on lot size there are 4 resident permits allowed and I have 13 off street parking places. This totals 17 spaces, which is enough as on average there are 16 or 17 cars. To date this has not been a problem as my tenant's park in the off street lot and if it's full they use a parking space in front of the property (there are 6 abutting my property). Although the total number of parking spaces available with current proposal is acceptable, how do you propose I enforce which tenants get the permits (remember it impacts whether they can have guests as well)? Because they prefer to use the off street lot (which is designated tenant parking only), even if all of them had resident permits they would fill the lot before parking on the street. So in reality, there is no impact to on-street parking whether all of them have permits or just 4. With only 4 permits available where do cars without permits park if a permitted car uses a space in the off street lot?

The solution I propose is to adjust the number of available permits based on whether the building is multi-level - this means the front door is on a different level, not a 2 or 3 story single apartment. If the property is two stories the number of permits would be based on area but doubled and tripled for 3 story properties. At first glance you may think this will be problematic but I urge the committee to actually look at a few of the districts and determine the actual impact. I suspect it won't be as bad as you think. If the result is acceptable, it will solve a real problem.

### Short Term Parking

Having read the meeting packets it's clear that a large number of people are not happy with not being able to have guests stop by for a short period of time. I understand you decided to drop this option because of the cost and difficulty to monitor short term parking. One idea I haven't seen discussed is the use of paper parking permits. It would work like this:

- You park your car.

- You walk to the end of the block and press a button on a machine which dispenses a paper which has the date and expiration time (two hours after you pressed the button) printed in large letters.
- You walk back to your car and place the paper on the dash or stick it to the driver's side window if you want to make the paper like a Post-It.
- Compliance staff looks for paper if no permit is found and checks date and time.

This is very similar to what is commonly used elsewhere and is basically a low cost paper parking meter. Although the printing machines would be costly they don't need to be on every block if placed at strategic locations. Just something to consider as 2 hour parking (or even 1 hour) would certainly make the vast majority of residents in the RPD's much more supportive of the effort.

My last comment is that I would like the committee to consider implementing options that they don't feel are the best solution but can be changed easily in the future. For example, is it really that important to pick the perfect solution for number of resident or guest permits if this can be easily tweaked the following September. My suggestion is to start loose and tighten as needed as there's always resistance to changing something that is working. This is the case even if you could be less restrictive. It could even be stated that we don't think this is right but based on feedback or knowing it will be less disruptive (improve Livability), we're willing to try it for a year.

Thank you in advance for your consideration of these recommendations.

Best Regards,

John Wydronek

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From: Karin and Tim  
Sent: Saturday, March 01, 2014 10:42 AM  
To: Public Works  
Subject: parking district issues

Some questions I have:

\*our neighborhood(Jana) has a home based business down the street, with quite a few people coming and going on a daily basis. Where would those people park?

\*City needs to encourage more landlords to come to their rentals regularly to take care of maintenance, lawn care, etc. Where does a landlord/property owner park if not a resident of the residence?

Expanding parking districts seems to raise more questions, problems than expansion would solve.

Thanks for hearing my concerns.

Karin Krakauer

## Residential Parking District

### Formation Process

April 2006

- Step 1      Petition to form a new district or expand an existing district
- A petition signed by at least 50% of the **property owners** abutting each block face in any area that is interested in forming a new district or expanding an existing district. The petition should clearly indicate the area (include a street map with the proposed district outlined). To assure effective districts, the minimum new district size is **10 block faces**.
- Step 2      City staff will complete a parking study that identifies the peak parking demand in relationship to supply. Generally, demand must be **85% of supply** to continue the process. This step may result in adjustments to the proposed district boundaries.
- Step 3      City staff will complete an enforcement impact report that discusses the ability to enforce parking controls within the proposed district and/or the need for additional enforcement staff.
- Step 4      Property owners within the proposed district will be asked, via ballot, to support the formation of the district. Information regarding the cost and process to acquire parking permits for those living in residential parking districts will be provided with the ballot.
- Step 5      Proposed districts within the area included in the 2002 Downtown Parking Plan will be reviewed by the Downtown Parking Commission with a recommendation to the City Council.
- Step 6      All the information developed through steps 1-5 above will be provided to the City Council through the Urban Services Committee for a decision regarding district formation or expansion
- Note        The current annual cost for a residential parking permit is \$15. There is no fee to petition to create a new residential parking district or to expand an existing district.

### **Residential Parking District Guidelines**

1. Municipal Code states the permit must be attached to the left rear bumper or the left rear corner of the of the back window of the vehicle.
2. If you park at a parking meter, you must put money in the meter.
3. Temporary Residential Permits are available for guests who will be visiting at your residence for more than two hours. Anyone can park in a residential district for up to two hours.
4. The two hour limit is intended as a once per day time only, i.e. a person can not park for two hours , leave and come back and park in the district for another two hours.
5. The residential parking permit allows parking during posted times in excess of the two hour limit. You may not park in any one location for more than 48 hours. This limit also applies to on-street parking outside of residential districts.
6. Parking violations are \$25.00 for each two hour period - from 8:00 AM to 5:00 PM Monday through Friday.
7. Each residential address is allowed a maximum of three permits only. The permit must be renewed annually. The current cost for a permit is \$15.
8. Permits are only valid in one district (there are currently two districts).
9. You cannot buy a permit for one car and put it on another car. If you replace a vehicle, the old permit must be surrendered. A new permit for the balance of the year will be issued at no cost.

To: Urban Services Committee  
From: Dan Brown

March 4, 2014

**SUBJECT: CATCHING UP**

**RPD Enforcement Period**

To the last USC meeting, I brought an email from John Wydronek. He enquired about the USC decision about whether RPD enforcement would be year round or during the academic year. When I reviewed the minutes of the Jan. 7, 2014 USC meeting (pp.11-12), I came to the conclusion that there was USC consensus that academic year only enforcement was the committee's preferred option. I assume this would be true for 2hour free or permit-only parking.

**Deletions of areas from the RPD**

To the last USC I brought a list of RPD boundary concerns and recommended deleting:

Central Park  
Public Library  
Chintimini Park  
The GEM  
Good Samaritan Church

Previously, I have also discussed deleting the commercial property south of Washington. We have received testimony from the Downtown Commission about 6th Street. Their idea finesses the commercial property south of Washington.

Staff report of Feb. 26 agrees with only Central Park and the Library. (We also have received affirmative testimony from the Downtown Commission and representatives of the Library Board about those.)

I would be interested in hearing Staff's reasoning about the the GEM, Chintimini, and Good Samaritan Church. In my opinion, the wisdom of including Chintimini Park and the Good Samaritan Church depends on the USC's decision about permit-only versus 2 hour free parking. Permit-only is wrong for these two properties.

**Hybrid - Enhanced Status Quo**

In this meeting's packet I provided a list of suggestions for improving the *status quo*:

Eliminate enforcement during OSU breaks - see above.  
Delete non-residential areas from the boundaries (and the GEM) - see above.  
Adopt the revised map for zone boundaries as part of MC 6.15.  
Allow choice between 2hr and resident-only parking in documented "red zones."

**Permit-Only Parking**

If we propose the 2 hour free parking option, many of the details about district administration will disappear. If we go ahead with the permit-only proposal have several concerns about determining parking capacity which I will bring up at the next USC meeting.

# MEMORANDUM

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**TO:** Urban Services Committee (USC)

**FROM:** Mary Steckel, Public Works Director *Ma Steckel*  
Karen Emery, Parks and Recreation Director *KE*

**DATE:** February 10, 2014

**SUBJECT:** Annual System Development Charge (SDC) Adjustment

## Issue

The Corvallis Municipal Code requires an annual review of SDC rates with adjustments becoming effective April 1st of each year.

## Background

Municipal Code Section 2.08 directs the City to review and revise SDC's annually, adjusting for inflation and modifications to eligible project lists. Current Oregon Revised Statutes do not require a public hearing unless requested by an interested party. Although no such request has been made, staff has scheduled the USC review as a public hearing to avoid delays that a last minute request might cause. Notification of the March 4, 2014, USC public hearing was sent to identified interested parties.

SDC fees are collected from new development to pay for capital projects that have been, or will be, built to serve growth. All SDC fees, with the exception of Park SDCs, are comprised of two components: a reimbursement fee and an improvement fee. Based on the City Council adopted methodology, Park SDCs are collected only on an improvement fee basis.

### Water, Sewer, Street, Drainage SDCs

The improvement fee is based on projects to be constructed that provide extra capacity to serve growth. Municipal Code Section 2.08.030.5 requires this fee to be adjusted annually for inflation using the *Engineering News-Record* (ENR) Construction Cost Index (CCI) for Seattle. Improvement fee monies collected can be used to construct capital projects that provide extra capacity. The reimbursement fee is based on projects already constructed that provide extra capacity to serve growth. It is not adjusted for inflation and can be used to construct any capital improvement. Both improvement and reimbursement fees must be spent on projects consistent with the funding source (e.g., Water, Sewer, Street, or Drainage SDCs).

Once an identified project on the improvement fee list is constructed, the estimated costs are removed from that list and actual project costs are added to the reimbursement fee list. This occurs in conjunction with the annual inflationary adjustment to SDCs.

### Park SDCs

The Parks and Recreation SDC methodology was updated in 2006. The process used to update the City's Parks and Recreation SDCs establishes the required connection between the demands of growth and the proportionate need of each type of park facility for use by current and future residents. The Parks and Recreation SDCs are based on the park, trail, and natural area acquisition and development needs such as neighborhood parks, trails, sports facilities as identified in the adopted 2000 Park & Recreation Facilities Plan. The Parks and Recreation Master Plan is scheduled for completion in 2014.

Based on State statute, SDC rates are calculated using a series of sequential formulas which, when completed, yield the total SDC rates for each new dwelling unit in the City. The formulas identify:

- a) the park improvements cost per capita population
- b) the improvements cost per dwelling unit
- c) the SDC debt service credit per dwelling unit - This is applied to credit new development for its

share of debt service that will be funded by current residents for the costs of future park improvements.

- d) the total Park SDC per dwelling unit
- e) the discounted SDC per dwelling unit – Based on statute, the City may discount the SDC rate to collect less than 100% of growth costs. The adopted Park SDC was discounted at a 60% charge rate. Said another way, the Park SDC rates that are collected fund a percentage of the new growth costs needed to provide for the park improvement needs.

In addition, based on City Council direction, the annual adjustment index is applied in two parts. This two-part process will recognize the park related project components of both development elements (the change in ENR CCI for Seattle at 67%) and acquisition elements (the change in Benton County Real Market Value at 33%).

### **Discussion**

#### **Water, Sewer, Street, Drainage SDCs**

Current SDC fees are based on a December 2012 Seattle ENR CCI of 9412.52. The January 2014 index of 10140.15 has been used for calculating the fee revision. This represents an index adjustment of approximately +7.73%. This adjustment is applied only to the improvement fee list of each SDC.

The following projects have either been completed or cancelled with expenditures moved from the improvement fee list to the reimbursement fee list:

- ▶ **WWMP Odor Control Facility (Sewer SDCs)** A detailed evaluation of existing Wastewater Treatment Plan odor problems in conjunction with design efforts revealed operational modifications that have successfully dealt with odor problems in lieu of structural improvements. As a result, the project was cancelled and SDC expenditures limited to the completed design work. The SDC list will still include future odor control facilities needed as wastewater treatment volumes increase.
- ▶ **Advanced Transportation Management System (Street SDCs)** This project was funded in part by an ODOT grant. It was cancelled due to escalating costs and the inability of the City and ODOT to commit additional funding.
- ▶ **Reservoir Road Improvements (Street SDCs)** The City's involvement in this project was through an SDC reimbursement to the county for improvements to Reservoir Road west of 53<sup>rd</sup> Street.

There are no new proposed additions to the SDC project list this year.

#### **Park SDCs**

The Parks and Recreation SDC two-part index is calculated based on the Seattle ENR CCI and the Benton County Real Market Value. The Seattle ENR CCI is applied to 67% of the Park SDC unit costs and Benton County Real Market Value increase or decrease is applied to 33% of the Park SDC unit costs. This is based on the parks and recreation project list where 67% of the total costs are construction related and 33% of the total costs are acquisition related. As previously stated, the January 2014 Seattle ENR CCI is 10140.15, representing an index adjustment of approximately +7.73%. The Benton County Real Market Value experienced a decrease of 1.0 % over the past year.

Table 1 details the proposed SDC fee adjustment based on the criteria described herein. The impact of the fee changes on a typical single family residence and comparison with other cities is shown in Table 2. The result of the update is a 5.9% increase over 2013.

Proposed SDC rates will become effective April 1, 2014, with City Council approval of the attached resolution.

**Recommendation**

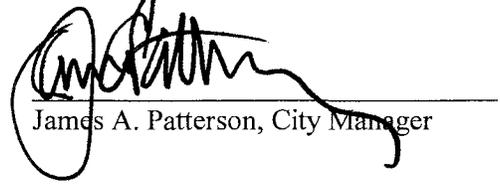
Staff recommends the USC forward the attached resolution to the City Council for approval.

***Review & Concur:***

  
\_\_\_\_\_  
Jim Brewer, City Attorney

  
\_\_\_\_\_  
Nancy Brewer, Finance Director

  
\_\_\_\_\_  
Ken Gibb, Community Dev. Director

  
\_\_\_\_\_  
James A. Patterson, City Manager

**Attachment**

X:\Divisions\Engineering\Capital Planning&Projects\Projects\SDC\SDC 13-14\14 Adjustment USC Staff Rpt.wpd

<b>System Development Charge Rates</b>		
<b>Unit Description</b>	<b>Current SDC (\$/Unit)</b>	<b>Proposed SDC (\$/Unit)</b>
<b>WATER</b>		
Equivalent Fixture Units		
1st Level	\$ 70.14	\$ 73.75
2nd Level	\$ 151.71	\$ 161.20
3rd Level	\$ 272.66	\$ 289.97
<b>SEWER</b>	\$ 218.22	\$ 233.75
Equivalent Fixture Units		
<b>STREET</b>	\$ 259.56	\$ 277.00
Daily Trip Ends		
<b>DRAINAGE</b>	\$ 0.082	\$ 0.087
Impervious Sq Ft		
<b>PARKS</b>		
Single Family Dwelling Unit	\$ 5,197.04	\$ 5,449.05
Multi Family Dwelling Unit	\$ 3,852.38	\$ 4,039.19
<b>Table 1 – Current / Proposed SDC Comparison</b>		

<b>MULTI-CITY SDC COMPARISON</b>						
<b>SINGLE FAMILY RESIDENCE</b>						
<b>City</b>	<b>Parks</b>	<b>Sewer</b>	<b>Water</b>	<b>Transportation</b>	<b>Stormwater</b>	<b>Total</b>
Monmouth	\$ 1,726	\$ 2,852	\$ 1,464	\$ 394	\$ 236	\$ 6,672
Albany <sup>1</sup>	\$ 1,073	\$ 2,645	\$ 2,211	\$ 2,528	No SDC	\$ 8,457
Grants Pass	\$ 1,166	\$ 2,955	\$ 2,794	\$ 1,491	\$ 479	\$ 8,885
Lebanon	\$ 2,788	\$ 3,581	\$ 2,141	\$ 1,492	\$ 198	\$ 10,200
Woodburn	\$ 1,752	\$ 2,977	\$ 2,085	\$ 3,532	\$ 303	\$ 10,649
Eugene	\$ 3,845	\$ 1,946	\$ 2,689	\$ 1,865	\$ 586	\$ 10,931
Columbia City	\$ 1,495	\$ 1,623	\$ 4,292	\$ 4,575	\$ 250	\$ 12,235
<b>Corvallis (Current)</b>	<b>\$ 5,197</b>	<b>\$ 3,492</b>	<b>\$ 1,122</b>	<b>\$ 2,484</b>	<b>\$ 226</b>	<b>\$ 12,521</b>
Garibaldi	\$ 1,164	\$ 2,328	\$ 2,633	\$ 3,659	\$ 2,857	\$ 12,641
Veneta	\$ 3,859	\$ 5,048	\$ 1,937	\$ 1,973	\$ 164	\$ 12,981
<b>Corvallis (Proposed)</b>	<b>\$ 5,449</b>	<b>\$ 3,740</b>	<b>\$ 1,180</b>	<b>\$ 2,651</b>	<b>\$ 240</b>	<b>\$ 13,260</b>
Salem <sup>2</sup>	\$ 3,792	\$ 7,108		\$ 1,954	\$ 500	\$ 13,354
Gresham	\$ 3,837	\$ 5,056	\$ 4,153	\$ 2,823	\$ 824	\$ 16,693
Newberg	\$ 2,017	\$ 5,666	\$ 5,837	\$ 2,909	\$ 311	\$ 16,740
Portland	\$ 8,460	\$ 4,551	\$ 3,274	\$ 2,786	\$ 824	\$ 19,895
Philomath	\$ 835	\$ 6,941	\$ 7,561	\$ 4,235	\$ 1,311	\$ 20,883
Silverton	\$ 4,505	\$ 4,773	\$ 5,178	\$ 3,716	\$ 2,843	\$ 21,015
Hillsboro	\$ 4,072	\$ 4,800	\$ 5,889	\$ 6,665	\$ 500	\$ 21,926
Wilsonville	\$ 4,791	\$ 4,324	\$ 4,930	\$ 6,860	\$ 1,068	\$ 21,973
Beaverton	\$ 5,524	\$ 4,800	\$ 5,150	\$ 6,665	\$ 982	\$ 23,121
Lake Oswego	\$ 11,650	\$ 2,463	\$ 6,763	\$ 4,195	\$ 135	\$ 25,206
West Linn	\$ 9,484	\$ 5,128	\$ 9,126	\$ 8,765	\$ 1,083	\$ 33,586
5-Feb-14 9:07 AM						

**Table 2 – Multi-City SDC Comparison**

Notes

1. With the exception of Albany, only communities with parks, sewer, water, transportation, and stormwater SDCs are listed for comparison. The City of Albany is provided as an often-requested comparator.
2. Salem combines their water and sewer SDCs.

RESOLUTION 2014- \_\_\_\_\_

Minutes of the March 17, 2014, Corvallis City Council meeting, continued.

A resolution submitted by Councilor \_\_\_\_\_.

WHEREAS, the methodology for establishing systems development charges (SDCs) is established in Municipal Code Chapter 2.08, as amended;

WHEREAS, Municipal Code Chapter 2.08, as amended, requires the SDC rates be established by resolution of the City Council;

WHEREAS, Municipal Code Chapter 2.08, as amended, directs City Council to review SDC rates annually and revise capital project costs used to set rates to reflect changes in the *Engineering News - Record* (ENR) Seattle Construction Cost Index (CCI), Benton County Real Market Value of unimproved property, modifications to master facility plans, and modifications to the list of eligible projects as approved by City Council;

WHEREAS, the Seattle ENR CCI has increased from 9412.52 (Dec 2012), to 10140.15 (Jan 2014) since the previous review of improvement fee rates;

WHEREAS, the Benton County Real Market Value of unimproved residential land has decreased by 1% over the past year;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CORVALLIS RESOLVES that the SDC rates are determined as follows:

(1) SDC Determination

SDC Rates			
Unit Description	Improvement Fee (\$/Unit)	Reimbursement Fee (\$/Unit)	Total SDC (\$/Unit)
WATER: Fixture Units			
1st Level	\$50.30	\$23.45	\$73.75
2nd Level	\$132.30	\$28.90	\$161.20
3rd Level	\$241.21	\$48.76	\$289.97
SEWER: Fixture Units	\$216.29	\$17.46	\$233.75
STREET: Trip Ends	\$239.19	\$37.81	\$277.00
DRAINAGE: Sq. Ft. - Impervious Surface	\$0.073	\$0.014	\$0.087
PARKS: Single Family Dwelling	\$5,449.05	NA	\$5,449.05
Multi-Family Dwelling	\$4,039.19	NA	\$4,039.19

BE IT FURTHER RESOLVED that the portion of Resolution 2012-06, previously establishing SDC rates for extra-capacity facilities is, by this resolution, rescinded;

BE IT FURTHER RESOLVED that the City Manager is hereby directed to apply these rates as required by Municipal Code Chapter 2.08, as amended, for SDCs, effective April 1, 2014.

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Councilor

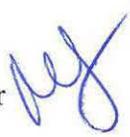
Upon motion made and seconded, the foregoing resolution was adopted and the Mayor thereupon declared said resolution to be adopted.

## MEMORANDUM

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February 26, 2014

TO: Urban Services Committee

FROM: Mary Steckel, Public Works Director 

SUBJECT: Collaboration Recommendation to Expand Residential Parking Districts—  
Presentation of Three Scenarios in Response to Public Input

### ISSUE

The Urban Services Committee (USC) requested staff input on suggestions for the Residential Parking District (RPD) program made at the previous meeting and continued progress on program element design.

### BACKGROUND

In a memorandum dated March 13, 2013, the Collaboration Corvallis Parking and Traffic Work Group (Work Group) recommended a RPD program design, which included retaining the ability for anyone to park free on the street within a district for up to 2 hours. Staff suggested an alternative program design that would require anyone desiring to park on the street within a district to first obtain a parking permit.

At the August 6, 2013 meeting, USC formulated a recommendation to the full City Council to expand RPDs, to not pursue a pilot district, and to not employ a petition process when making decisions about RPD expansion. At the August 19 meeting, the City Council approved those recommendations.

At the August 20, 2013 meeting, USC reviewed expenditure and revenue assumptions for the 2-hour free and permit-only program designs. They established that USC would take public input on this topic, that the goal of the RPD program should be neighborhood livability, that a phased approach was preferred, and that multiple districts should be created. USC agreed that the RPD program elements would be shared with the full Council via committee report, and that the Council vote would occur after USC developed a fully-formed proposal. On September 3, the Council approved the goal of neighborhood livability and concurred with USC's direction on the other items.

At the September 17, 2013 meeting, USC addressed parking options for various groups in the permit-only scenario and the feasibility of completing the RPD expansion by January 2014. They also deliberated on the desired level of enforcement. They came to a consensus to move forward with a permit-only program design, to target a September 2014 implementation date, and to aim for two parking enforcement trips through each of the RPDs in an eight-hour period. On October 7, the City Council heard this information and did not provide any different direction to USC.

At the October 8, 2013 meeting, USC discussed areas in the proposed RPDs that might require special consideration due to past high parking usage (hot spots) or because of parking pressures from civic facilities in the neighborhood.

At the November 5, 2013 meeting, USC agreed to assign “resident only” parking to a two-block area immediately adjacent to the Oregon State University (OSU) campus; to address the parking situation in the proposed District C (Chintimini Park) in a separate effort with a proposed strategy to be implemented concurrent with the main expansion effort; to not offer free permits for residents; and to target a 75% parking utilization as the desired level to achieve neighborhood livability. On November 18, the City Council received a report from USC and did not offer direction different from USC’s proposed approach.

At the December 3, 2013 meeting, USC came to consensus that street frontage is not the preferred permit allocation methodology; that the strategy developed for new District C (Chintimini Park) will be implemented with the rest of the Phase I expansion; and that postcards will be sent out to affected properties in January.

At the December 17, 2013 meeting, USC reviewed data on the number of parking spaces per block face in the Phase I RPD area and the milestone dates for key decisions in order to implement the expanded program in September 2014. The members agreed that annual resident permits would cost \$20 and that annual non-resident permits would cost 115% of the OSU faculty annual permit price. They preferred the square-footage methodology for allocating resident permits and discussed using a different methodology for business, religious, and civic entities in an RPD. One option they considered is the allocation scheme used in the current District C for business properties, which is one permit per 400 square feet of office space.

At the January 7, 2014 meeting, USC approved the public outreach postcard text sent to affected properties in the expanded RPDs and discussed in detail the proposed guest permit program element. The topics included how ‘guest’ would be defined, how these permits would be allocated (per property, per address, or per resident permit) and the consequences of a transferable guest permit. USC requested staff bring back information on the parameters of a separate permit for employees of businesses located in the planned RPDs.

At the February 4, 2014 meeting, USC heard testimony from the public regarding the RPD program as currently designed.

## DISCUSSION

Based on the public input at the last meeting, USC asked staff to come back with three alternative RPD program designs, one that keeps the program the way it is currently (Status Quo), one that reflects the work to date (USC February), and one that attempts to address the concerns raised by the public (Hybrid). Below are the major component pieces of the Status Quo and the USC February alternatives.

## *Alternative Program Designs*

### Status Quo

The components of this alternative are:

- Three districts
- Enforced all year, Monday through Friday, 8 am to 5 pm
- On-street parking allowed with a valid permit or for 2 hours without a permit once per day
- Parking meters and other parking limitations exist within the districts
- Resident permits allocated by kitchen; up to 3 permits per kitchen
- Group homes (i.e., fraternities) allocated up to 20 permits per kitchen
- District C businesses allocated transferrable permits at 1 per 400 square feet of office space
- Resident and District C business permits valid only in one district
- Ten free one-day guest permits per resident permit; use not restricted to one district
- No guest permits for business, civic, religious (BCR) properties
- Fee for all permits is the same--\$15

### USC February

The components of this alternative are:

- Seven districts
- Enforced all year, Monday through Friday, 8 am to 5 pm
- On-street parking allowed only with a valid permit; no free on-street parking
- Parking meters and other parking limitations that currently exist would remain
- Resident permits allocated on square footage of lot; 1 per 2,500 square feet; minimum of two
- Parking in the first two blocks surrounding campus restricted to resident permit only
- Permits for residents and non-residents valid only in one district
- Permits for contractors/vendors valid in all districts
- One transferable permit for guests per address valid only in associated resident district
- No guest permits for BCR properties
- Transferable business (employee) permits allocated on 1 per 400 square feet of office space
- Business (employee) permits valid only in the district of the associated business
- Permits sold first come/first served to a 75% threshold of available spaces in the district
- Fees for different permits differ:
  - Resident permit—\$20
  - Guest permit—\$20 or \$30 depending on whether purchased with a resident permit
  - Contractor permit—\$100
  - Business (employee) permit—\$100
  - Non-resident permit—115% of OSU faculty annual permit price

The distinguishing features of the Status Quo alternative are the ability to park for free on the street for a limited time, the single type of parking permit, and the number of free guest permits provided. The distinguishing features of the USC February alternative are the requirement to have a permit to park on the street, the creation of multiple permit types, the change to one transferable guest permit, and the limitation on the number of permits sold in a district based on a 75% parking capacity threshold.

The majority of the comments received at the last meeting spoke to a desire to have some level of free parking in the new program to accommodate customers, clients, property managers, and

guests. To address this concern, staff suggests a Hybrid alternative that mirrors the USC February alternative, but adds the ability to park on the street for free for up to 2 hours.

In developing the Hybrid alternative, staff also discussed whether keeping the 75% threshold for the sale of permits would be prudent. With free parking available, it is no longer possible to control the amount of parking on the street. In fact, the threshold might be detrimental to the resident parker. This is because, once the threshold number is reached, residents who have a right to a permit will not be able to purchase one, restricting their access to long-term on-street parking. At the same time, short-term commuters will be able to use the available spaces for free. Removing the threshold will maximize the number of permits that residents can buy and use, and minimize the amount of parking available to short-term commuters.

In addition, staff considered the benefit of the non-resident permit program element in developing the Hybrid alternative. At this point, there is not enough information about how allowing 2 hours of free parking will impact the availability of spaces on the street and by extension the capacity to offer permits to non-residents. Gaining experience with the new RPD program and the resulting behavior of motorists will allow more informed decisions about this capacity to be made at a future date.

A high-level comparison of the three alternatives against the goals of the project and the comments received from the public is shown in the following table.

	Status Quo	USC February	Hybrid
Reduces neighborhood traffic		√	
Reduces long-term on-street parking	√	√	√
Reduces short-term on-street parking		√	
Encourages use of alternative transportation modes		√	
Addresses need for short-term guest parking	√		√
Addresses need for short-term client/customer parking	√		√
Addresses need for short term property manager parking	√		√
Addresses need for tenant parking	√		
Provides for long-term, limited guest parking		√	√

Each alternative will have a different impact on the cost of enforcement and the work load for Municipal Court. A comparison of those impacts is shown below.

	Status Quo	USC February	Hybrid
Parking Enforcement staff	no change	+ 1.0 FTE	+ 3.0 FTE
Municipal Court staff	no change	+ 0.5 FTE	+ 1.0 FTE

Two-hour free parking in the Hybrid model would require more frequent enforcement trips due to the increased turnover of vehicles, which would require more enforcement staff. Current experience has shown that motorists are not shy to challenge the 2-hour limit, resulting in more tickets in the Hybrid alternative and more activity at Municipal Court.

Staff is sensitive to the fact that a blanket application of 2-hour free parking will not accomplish all the stated goals for this project. While under this scenario, commuters desiring a place to

park for the work day will still be forced to find an alternative, students who are driving to a single class will be able to do so within the 2-hour limit. Therefore, traffic will likely increase if the parking turns over every two hours. There are, of course, variations of the Hybrid model that the Committee could consider, three of which are shown below.

Hybrid 1– 2 hour free parking on all blocks within the RPD

Hybrid 2 – Permit-only parking in the first two blocks surrounding campus; 2-hour free parking on all other blocks

Hybrid 3 – Permit-only parking in the first districts north of campus (A, D, and J); 2-hour free parking in other districts (C, E, F and G)

None of these variations satisfies the full range of needs expressed by the people who have participated in this project over the last two years. The mixture of property types in the targeted expansion area does not lend itself to a simple solution. Attempting to meet the range of needs identified would require frequent changes of parking restrictions from block to block within a district. The resulting convoluted design would be confusing for motorists and much more costly to enforce, as Parking Enforcement staff would be patrolling some blocks in a district more frequently than others, depending on the type of parking restriction.

Staff's recommendation is to move forward with the Hybrid 1 alternative, eliminate the 75% parking capacity threshold on the sale of permits, and hold off on implementing the non-resident program element to some future point. The Status Quo alternative does not address the very real issue of limited parking in the areas proposed for the RPD expansion. In order to see true, sustained behavioral change in terms of transportation choices, an environment must be created that forces a choice to be made and this typically requires a Council action for implementation. If Status Quo is the chosen alternative, staff would like to modify the current program to include some of the other changes discussed to date, especially those related to increasing the variety of permit types and the guest permit elements. The USC February alternative results in more available parking on the street and creates an environment that forces people to make a choice about travel. The majority of testimony at the last meeting in opposition to the USC February alternative was about the need for short-term on-street parking, which this alternative does not provide, but not an opposition to the RPD expansion in concept. The Hybrid 1 alternative would result in more available parking on the street, an environment that would force some level of choice in travel, and free short-term on-street parking. As such, it is the best compromise alternative.

### ***RPD Boundaries***

Testimony has also been received from the public and USC members requesting changes to the currently proposed RPD boundaries.

1. Remove the Library block (District J)
2. Remove the Central Park block (District F)
3. Include Polk from 9<sup>th</sup> to 6<sup>th</sup>, the area south of LBCC Benton Center (District E)
4. Remove the Good Samaritan Church parcel (District A)
5. Remove The GEM parcel (District J)
6. Remove the commercial property south of Washington (District F)

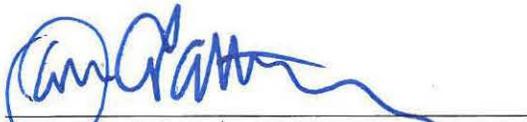
Staff reviewed these requests and recommend that numbers 1, 2 and 3 be incorporated. The meters currently located on three sides of the Library block would remain, providing the necessary turnover to meet patron needs. The 2-hour parking restrictions on three sides of Central Park would remain, meeting the needs expressed for that public space. The area around LBCC was not included in the original boundary of District E because it was outside the OSU/City Collaboration project area. This was a mistake that needs to be corrected, as the parking pressures in this neighborhood are long-standing and the result of commuters to the Benton Center.

It is expected that the other proposed boundary changes will be discussed at the USC meeting and staff awaits the Committee's direction for these and any others that are brought up.

REQUESTED ACTION

That the USC review this information, ask questions, and provide direction on data required to further the RPD program design discussion.

Reviewed:



James A. Patterson, City Manager

- Attachment A - Summary of Questions and Comments on the Proposed Program Design
- Attachment B - Email Feedback from February 4th to February 25th
- Attachment C - Proposed Parking District Maps

**Summary of Email Questions and Comments  
On the Proposed Program Design  
As of February 25, 2014**

<b>Questions</b>	<b>Number of Unique Inquires</b>
How to accommodate residences with no on-site parking	1
How to accommodate businesses with no on-site parking for employees	5
How to accommodate businesses with some on-site parking, but not enough for customers and employees	1
How to accommodate parking for tenants	5
How to accommodate facilities with patrons (i.e., churches, non-profits)	2
How to allocate permits to cooperative living facilities (i.e., fraternities)	2
Where will guests park	2
How to accommodate multiple guests	1
How to accommodate property managers/property owners	1

<b>Comments</b>	<b>Number of Unique Remarks</b>
Don't change the parking regulations at all	10
Expand the districts with the permit-only design	8
Expand the districts but keep the 2-hour free parking	12
Let residents park for free	9
Charge non-residents the same or higher as OSU parking permits	2
Don't offer non-resident permits	5
Expansion should target 75% utilization	3
Expansion should not target 75% utilization	1
OSU should be dealing with the parking problem, not the City	11
Permit-only close to campus; 2-hour free farther away	1
Permit-only discourages visitors	3
One guest permit is adequate	3
Don't want to obtain a permit for guests	2
Businesses need 2-hour parking for customers	3
Not all parking is OSU-related	3
Apartments don't provide adequate parking or charge for parking	2
Square-footage allocation doesn't provide enough tenant parking	3
The expansion pushes the problem farther out	8
Implement the expansion to the Phase II boundary	5
Set aside permits for Senior Center patrons	1
Moving parking to campus will increase traffic on other streets	1
More parking opportunities should be provided (parking structures)	1
Square footage is a good allocation methodology	1
Square footage is a bad allocation methodology	2
Only enforce the parking restrictions during the OSU school year	1
Remove Central Park and the Library from the districts	2

## RESIDENTIAL PARKING DISTRICTS

### EMAIL RESPONSE TO PUBLIC OUTREACH POSTCARD AFTER FEBRUARY 4

**From:** Stanley Borders  
**Sent:** Thursday, February 20, 2014 10:23 AM  
**To:** Public Works  
**Subject:** New Parking Plan

My name is Stan Borders, I live at XXXXXXXXXXXX street. My wife and I have lived here for 30 plus years. Parking has always been a problem. Parking was a problem when I attended OSU 55 years ago.

The situation as I see it, is the City and OSU have helped to create this problem and what to penalize the residents in order to control the situation.

#### Comments:

The way this proposal is structured, it seems to penalize the home owner instead of addressing the core of the problem.

1. OSU expansion without adding additional parking structures to handle the added expansion and the loss of parking due to building on previous parking areas.
2. New off campus housing that allows two units on one lot that has occupancy up to five persons each (usually adults) with minimal off street parking. in addition, often a parking space on the street is lost due to a wider driveway.
3. LBCC provides little off street parking and thus students and probably faculty must park on the street.
4. Local business' do not have enough off street parking for staff and clients, thus staff have to park on the streets.
5. The rental housing adds more pressure to on street parking as there is not enough off street parking.

#### Solutions:

1. OSU should build parking structures to meet the needs expansion and to cover previous growth. If they can afford to build they can also provide adequate parking.
2. City of Corvallis should be more realistic in regards to new housing and the true impact occupancy will have and require adequate off street parking - a garage and one parking space in front of the garage for five students does not measure up.
3. LBCC should provide off street parking. The ball field and vacant lot to the east of the school could be utilized.
4. Local business within the boundaries of OSU should provide parking for staff and clients.
5. Parking ordinances could be modified to allow parking in paved front yards - even though this is not appealing.
6. Public works could evaluate the yellow stripping at intersections to see if they need to be as

extensive ( i.e. summer painting crews paint over and sometimes extend the fire hydrant zones )

Sincerely,

Stan

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**From:** Stillger/Mills [  
**Sent:** Thursday, February 20, 2014 9:28 AM  
**To:** Steckel, Mary  
**Subject:** proposed changes to residential parking districts

Please add to the record my comments regarding proposed changes to residential parking districts:

- In District A where I live (31<sup>st</sup> and Van Buren), the current system works very well. I understand that this may not be the case on streets within my district that are closer to campus.
- Revoking the 2 hour parking limit for those who don't possess stickers would cause difficulty for visiting friends and household workers.
- The services of the Parking Patrol Officer are not needed when OSU is not in full session (summer, winter break, spring break). That officer would better serve the community during those off times if she/he were assigned to code enforcement. As we are all aware, Corvallis is inundated with junk (couches, refrigerators, etc.) that is left in front yards and on curbs when students move out after spring term. As the Code Enforcement Officer is already overwhelmed with work, it seems that the Parking Enforcement Officer could be of great assistance during those times.
- Parking districts should continue to be separate (A, B, C, etc.) and should be based on land use zoning. A single parking mega-district would only add to the parking difficulties that are faced by many Corvallis residents.

Thank you,

Christine Stillger  
XXXXXXXXXXXXXXXX  
Corvallis

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**From:** fake\_mcco1@XXXXXXXXXX  
**Sent:** Wednesday, February 12, 2014 8:42 AM  
**To:** Steckel, Mary  
**Cc:** Ward 2  
**Subject:** Re: parking

Mrs Steckel,

Thank you for your response.

As I watched my street (Sw 11th, south of Western) fill up with students cars and them packing on foot off to campus a thought struck me.

having my address "not in the proposed parking District for Phase 1" only means two things to me:

1. It being extremely likely that my address will be next in Phase 2.
2. More important, once the students see that they cannot park in the areas you have designated in Phase 1, they will swarm to my street and parking will be even worse than it is already.

The city is NOT addressing the problem. Make OSU provide adequate parking for it's students!!!

Also I want to note that I have no parking for the residence I live in but the street. And your plan being first come first serve and residents not being givin a chance to purchase one of your permits a year is a slap in the residents face.

Everything about this lousy plan stinks as I can see and as I said the city suffers from uncontrolled campus growth and not requiring OSU to provide parking.

On top of it all ..I've terminal cancer and disabled and now I have to fight for a place to park at my own residence.

I plan on opposing this plan and writing the local newspaper with my concerns.

Robert McCoy

Mr. McCoy,

Your address, which is south of Western Boulevard, is not included in the Residential Parking Districts currently proposed for Phase I.

Please let me know if you have any other questions.

Mary Steckel  
Public Works Director

-----Original Message-----

From: Ward 2  
Sent: Sunday, February 02, 2014 5:00 PM  
To: fake mcco1  
Subject: Re: parking

Thanks for your comments. They will be reviewed by urban services.

--- Original Message -----

From: fake mcco1 @XXXXXXXXXXXXXXXXXXXX  
To: ward2  
Sent: Sun, 02 Feb 2014 04:33:23 -0800 (PST)  
Subject: parking

Hello,  
This is Robert McCoy.

You have heard from me before in regards to the pur posed residential parking permits coming in September.

I received the postcard in the mail a week or two ago with a website address to go to with FAQ about the fees.

The information on the site is not adequate:

1. The map is NOT readable even when expanded. I live at 845 SW 11th Street. I CANNOT tell whether or not I will be affected.
2. Further more, it does NOT give me information as to how to apply for a permit.
3. It also states:

("However, not every resident will be able to purchase a permit for every vehicle they own. The amount of on-street parking is limited in most of the proposed districts and the Urban Services Committee proposes to sell permits for no more than 75% of a district's parking capacity. That means if there are 100 available parking spaces in a district, only 75 permits will be sold. Permits will be sold on a 'first come, first served' basis. Once the threshold number of permits is issued for a particular district, no more permits will be sold, even to residents.") This is NOT FAIR and will just make for a bidding war for us residents!

If I own property at 845 SW 11th street and have only the street to park I believe I have a right to park in front of my house.

The streets belong to the public and residents. It is not in my opinion up for "bid" to raffle out to just anyone who is first in line and has money to purchase the right to own their own spot to park just because they need to go to class at OSU !!!

The residents deserve the right to a first com basis!

Not just persons who have a bank account and moneys to buy a spot on the street in order to go to class.

WE residents deserve the right first to park in front of out own home!!!!

I repeat! I have NO other place to park and I deserve the right to have a place to park in order to live at my own home at 845 SW 11th Street.

I'm also appalled to read (after expressing my concern to you several weeks ago) that disabled

persons as myself have been disregarded. I intent on writing the local newspaper about this and will mention all correspondence by date with the city council.

Robert McCoy  
541-829-1276

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**From:** Beth Dyer

**Sent:** Tuesday, February 04, 2014 2:21 PM

**To:** Ward 3; Ward 2; Ward 4; Steckel, Mary

**Cc:** beth@xxxxxxxxxxxxxx; Matt Gough; Tony & Louise VanVliet; Peter Barnhisel; Roberson Family; Barbara Malloy; Charlie Bruce

**Subject:** Proposed changes in city parking districts...

February 4, 2014

Subject: Proposed changes in city parking districts

Counselors,

This is a follow-up to the January 27, 2014 memo from church member and Trustee Tony Van Vliet to Councilor Brown regarding discussions on proposed changes in city parking. We would like to briefly explain how our church facility is staffed and used during the year, current parking conditions as we know them and concerns we have for the proposed changes. To our knowledge the church office has never been contacted regarding this issue even though we are one of the largest and busiest locations in the current parking district C (proposed F) which we helped to establish.

The First Presbyterian Church has been in the current location for over 100 years as the city and university grew up in all directions. As a "downtown" church, parking was normally on the street. In time, the Church acquired the entire block between 8<sup>th</sup> and 9<sup>th</sup> Streets and Monroe and Madison avenues and limited parking was established within the block as older homes were removed. The ownership now consists of 3 different tax lots and 3 buildings. The older 1930's home on the corner northeast corner of 9<sup>th</sup> and Madison has been used for church ministerial staff in the past but is currently rented. In 2010 with the addition of our Dennis Hall Community Center and Fellowship wing and continued growth of OSU, we worked with others in the neighborhood to establish the current parking district "C" as parking conflicts and concerns had become problematic. Since then, 9<sup>th</sup> Street between Monroe and Jefferson was re-engineered and all parking on the east side of 9<sup>th</sup> was eliminated in 2011. We should note that the current and proposed parking district maps for this area along 9<sup>th</sup> street are out date and do not reflect all the spaces removed on that side of street.

Because of the location close to OSU, Central Park, city library, and downtown, and adjacent businesses, available parking is at a premium and rarely goes unused. Utilization is easily 90%+

most of the time. Church staff and visitors have to “compete” for whatever parking is available. Currently the Church has 17 parking permits for the district for church staff and the Preschool/Day Care center. Part time staff do not have permits. Church activities continue seven days a week. The Preschool/Day Care center serves about 68 families each day year round. They have 19 full-time and 6 part-time staff each day. Parents need to locate a parking spot on the street or church parking lot to drop off and pick up children throughout the day between 7 am and 5:30 pm. The Church offers its facilities to community organizations, events, and classes throughout the day. In addition during weekdays the Church is used by the Corvallis Indoor Park from 9-4 which provides a play area for infants through kindergarten aged children for anyone in the community. During the day they will have anywhere from 20-50 families participating throughout the day coming and going for 1-2 hours visits. Parking for Indoor Park families is wherever they can find it on the street.

The current parking district C with both time limited parking and some unlimited parking (Monroe St.), has helped address the growing conflicts in the area. Part-time church staff utilize both the 2-hr and unlimited parking spaces around the church block during the day if available to be able to work here. We cannot see how eliminating the time-limited parking and going to a permit only will improve an already stressed system. The church literally has hundreds of visitors on some days, not including regular service deliveries and maintenance contractors.

It’s important to note again that since the current parking district C was established in 2010, OSU student enrollment has increase by 4-5,000 students at an annual rate of about 6%. At that rate, an additional 1700 students will enroll this fall shortly after proposed parking changes are implemented. Whatever well intentioned fix at the city level will not address the unexpected consequences of university growth. In this regard, it’s essential that whatever strategies are implemented there must be a companion adaptive management process that provides for continual public feedback on any changes in each parking district. This will contribute to important evaluation checkpoints in the future.

Feel free to contact my office if you wish to discuss this further or need additional information. Thank you for your attention to this challenging community issue.

Beth Dyer

Church Administrator

First Presbyterian Church

114 SW 8<sup>th</sup> St.

Corvallis, Oregon

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From: Russell Ruby

Sent: Tuesday, February 04, 2014 7:52 PM

To: Steckel, Mary

Subject: Copy of testimony given at tonight's Urban Services Committee meeting

Hello,

For what it is worth, attached is a PDF copy of the letter I read during the public comments at tonight's meeting.

Russell Ruby  
2311 NW Van Buren Ave Apt 1

Russell Ruby  
XXXXXXXXXXXXXXXXXXXX  
Corvallis OR 97330-5346  
RussellRuby@XXXXXXXX

Urban Services Committee  
Honorable Councilors,

The proposed plans for the new parking districts would make it impractical for many of the Veggie House residents to continue living here at 2311 NW Van Buren Ave.

There are typically 19 people living at the Veggie House with most having cars. There are seven private parking spaces behind the house which are available on a first come first served basis.

These spaces are usually filled first before anyone searches for a spot on the street. Currently, all residents are allowed to buy permits for parking district B. Finding a place to park can sometimes result in a spot several blocks away, but this risk has been tolerable

The lot size allocation scheme described in previous USC meetings provides 1 parking permit per 2500 square feet (with some adjustments made for small lots). At 13,939 square feet, our lot would qualify for five parking permits. Even if these five permits were magically available to the first five cars turned away from our seven private spaces, there would still be five to seven additional resident vehicles which would be forced to park beyond the new district C two blocks North of Harrison.

Unfortunately, there is no "magic" for distributing the even the five allocated permits in an optimal use fashion. A car with a permanent permit sticker might be using one of our private spaces, or otherwise be on a trip out of the area. Even if the permits were transferable and portable, they could still end up disappearing in cars on trips out of the area. What about residents with permits who move out? I only see chaos in our future with friction between the haves and have nots.

These difficulties have forced me to consider moving out of the Veggie House before September 2014. Others of my fellow residents feel the same way.

The parking pressure in my neighborhood has had two sources: 1) The increasing pressure from OSU parking and 2) the continuing negligence of the City Council in failing to require sufficient off street parking for new high density housing (e.g. most recently the Samaritan property apartments).

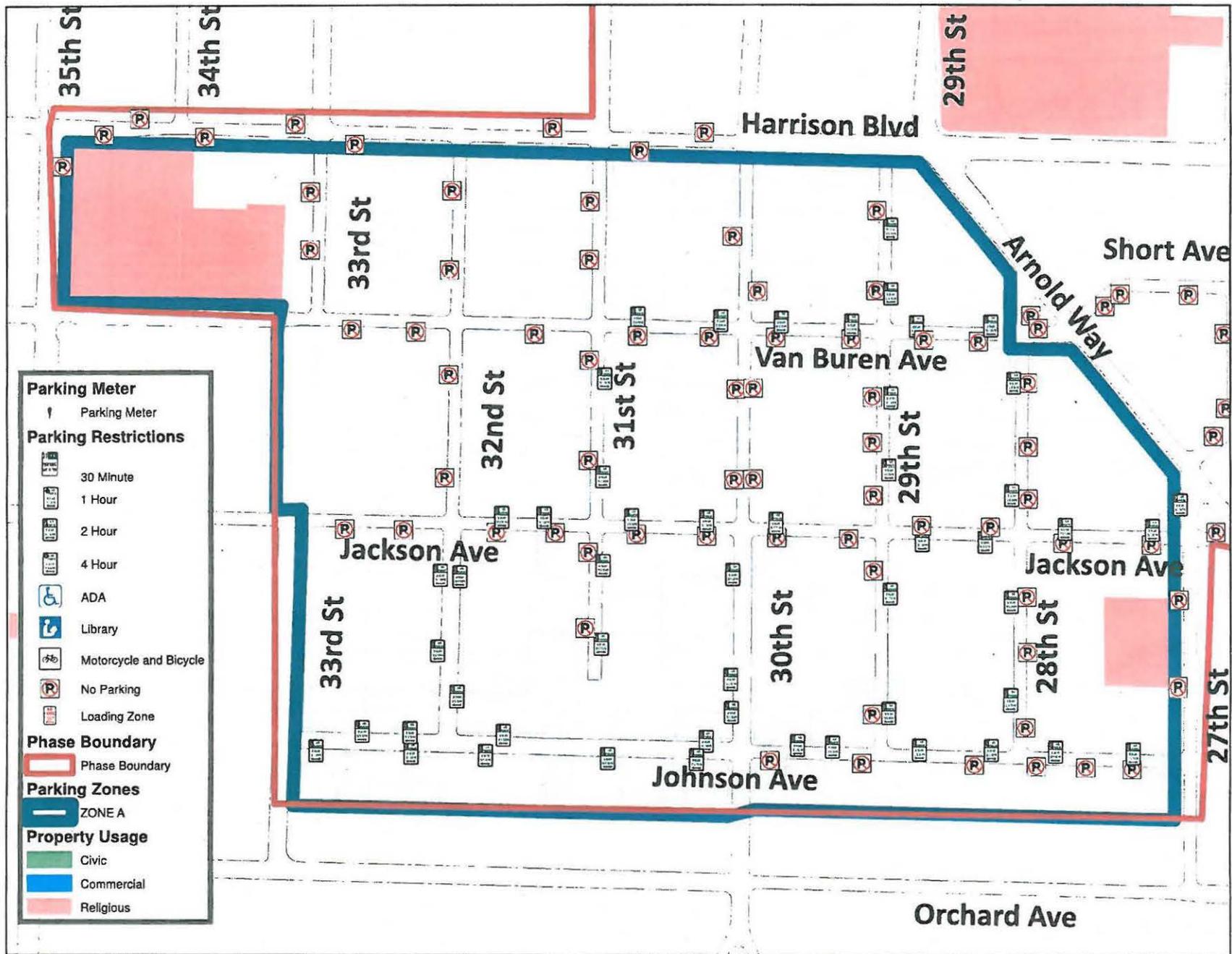
Thank you, Russell Ruby



# Proposed Parking Districts - Existing Restrictions

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# Proposed Parking Districts - ZONE A Restrictions

A Technical Policy Manual for All Cities and Towns of the State of Illinois  
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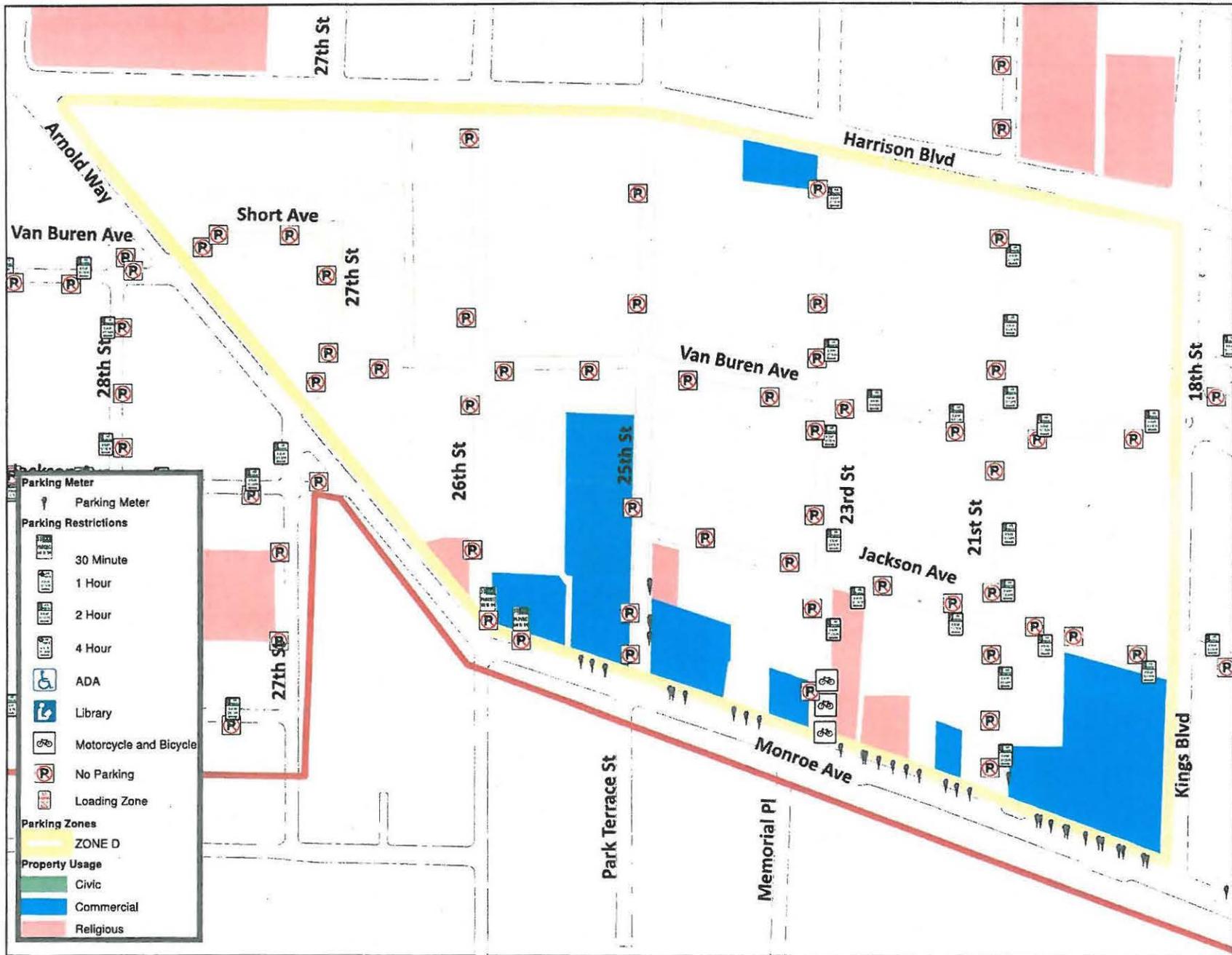




# Proposed Parking Districts - ZONE C Restrictions

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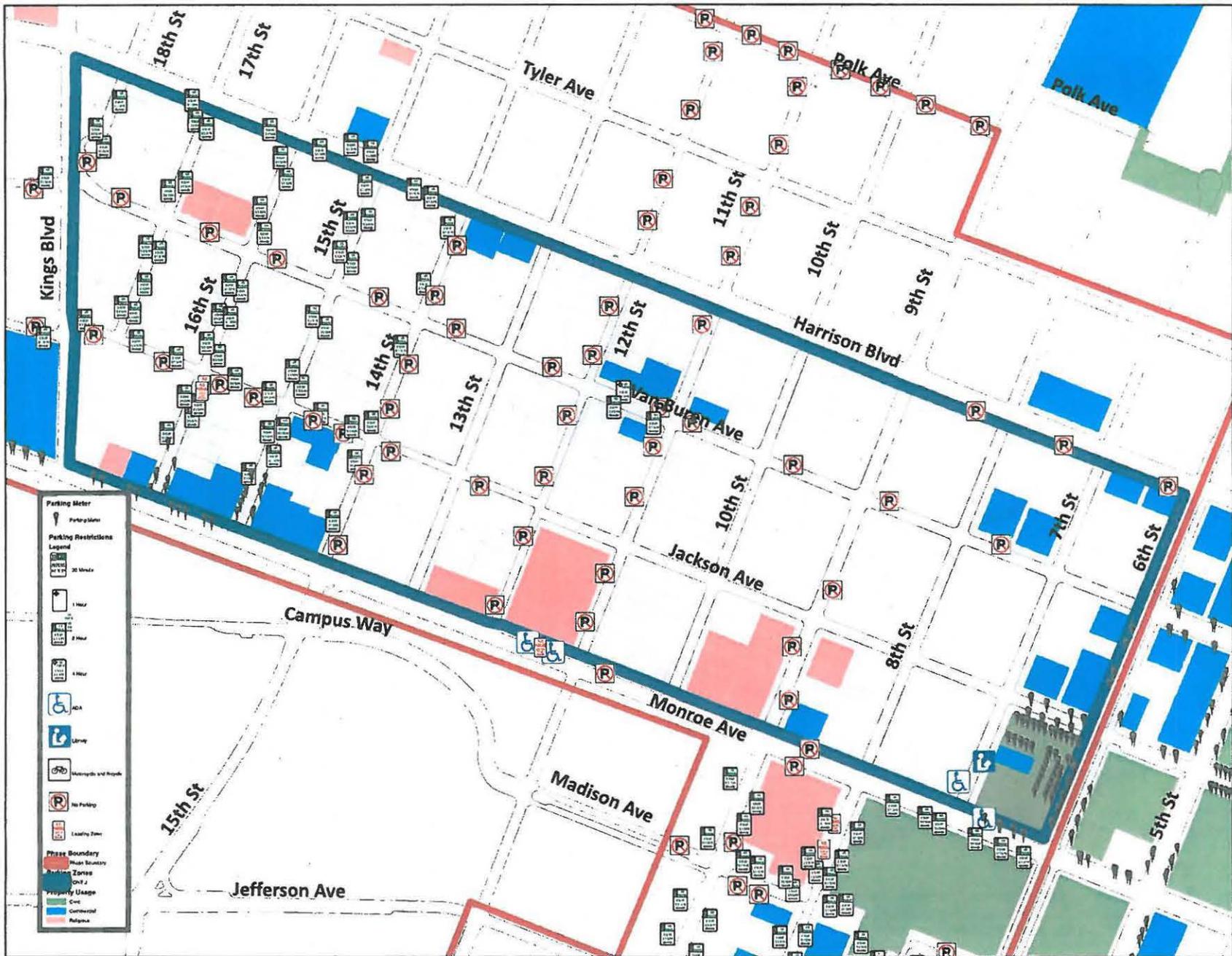




# Proposed Parking Districts - ZONE D Restrictions

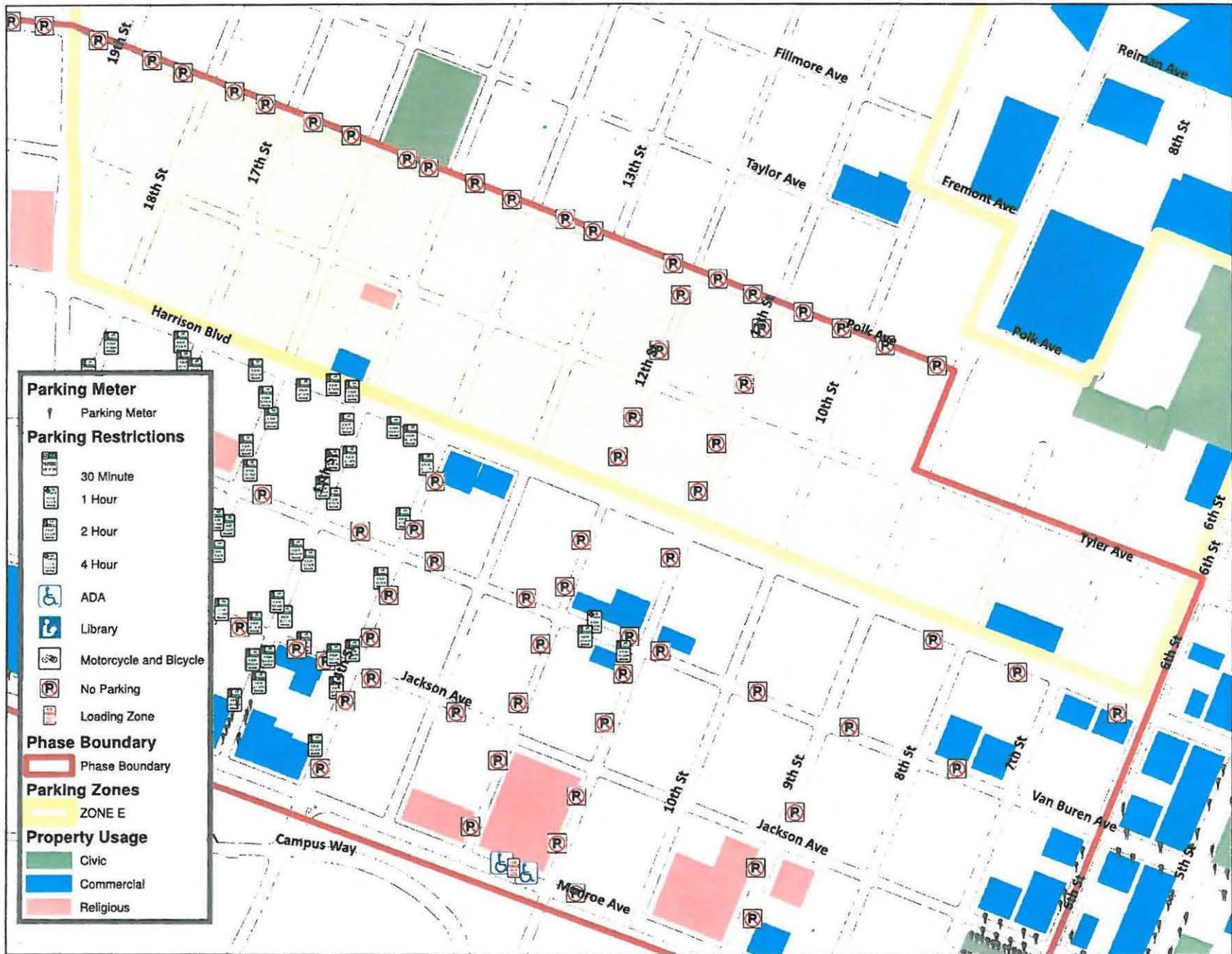
A Van Buren Planning District, Inc. 2017 Planning District Map - Parking Districts, Final  
© 2017 Van Buren Planning District, Inc.





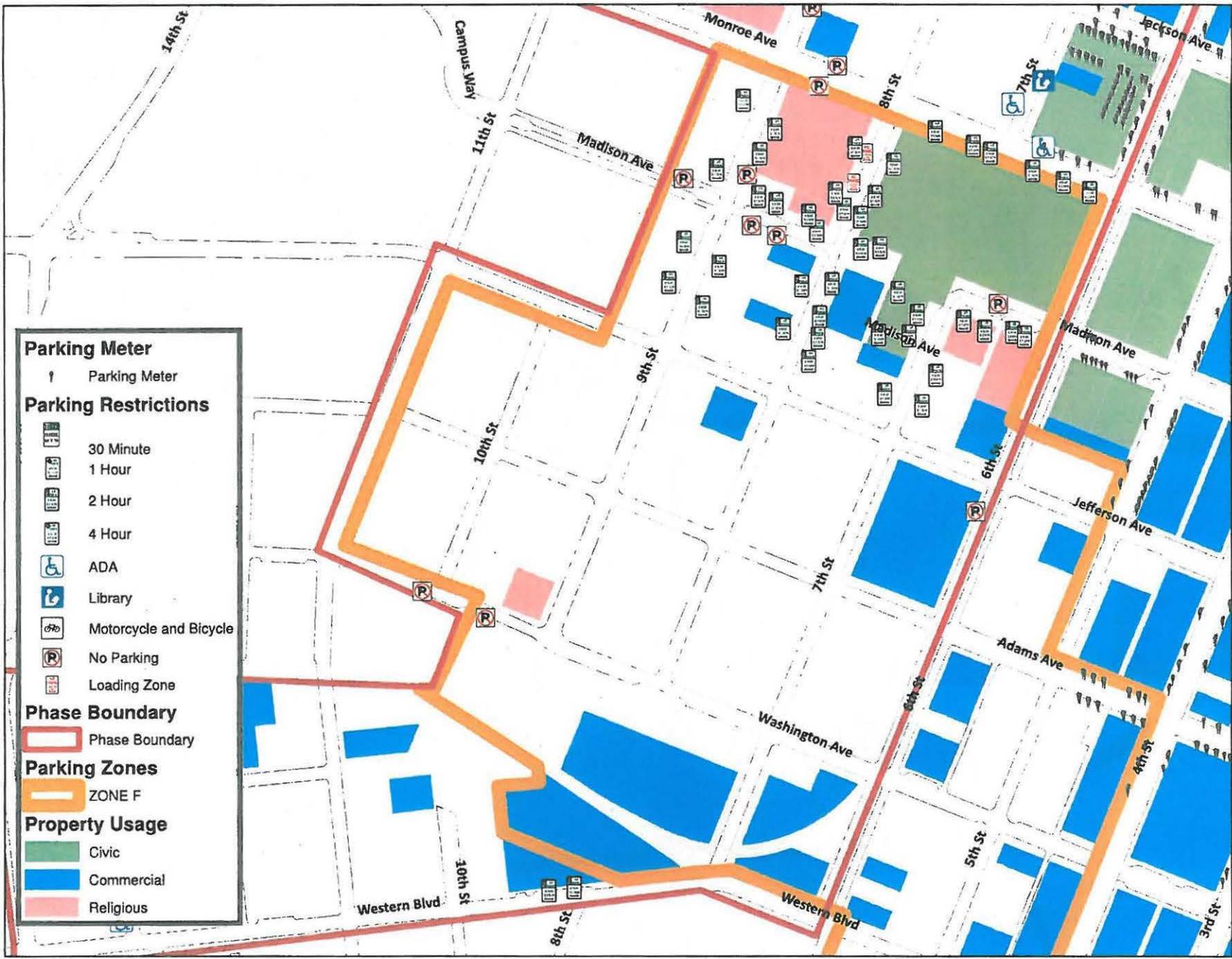
# Proposed Parking Districts - ZONE J Restrictions





# Proposed Parking Districts - ZONE E Restrictions





# Proposed Parking Districts - ZONE F Restrictions

# Number of Parking Districts - Zone F  
 © Order #1, 2024 Urban Center





# Proposed Parking Districts - ZONE G Restrictions

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To: Urban Services Committee  
From: Dan Brown

February 27, 2014

## **Subject: Enhancing the *Status Quo***

In every decision situation, maintaining the existing state of affairs is a valid option. In fact, the only rational for change is to improve progress toward the goals. Typically the analysis of any change involves weighing the costs and benefits.

### **The RPD *Status Quo***

At the end of the last USC meeting, we had a brief introduction to the topic of "*status quo*." What is the RPD *status quo*? The existing RPD state of affairs has two components. The first is outlined in the *Municipal Code*, including a list of three parking districts, a set of rules etc. Permit prices are set by the City Council as specified in Council Policy, and other details are determined administratively by Staff.

The second component is a prescribed process for adding additional parking districts. This process was instituted in 1982 and was last used in 2010 when District 'C' was created. A neighborhood can petition the City to become a parking district using the process after they evaluate the costs and benefits. This option remains available at any time a neighborhood conclude they will be better off in a parking district.

### **The USC Proposal for Change**

USC has been working for months on a proposal for a new RPD ordinance. We have heard distress from many categories of citizens. Some of those affected do not live within the boundaries of the proposed RPD area. There are also concerns expressed by those who do live in the proposed RPD. One of the complaints is that the City will impose a district on the residents without asking if the residents (as a whole) want it. The existing district formation process is more democratic.

Other complaints involve the details of the regulation. Some neighbors who live in existing districts and others who live in proposed districts do not want the proposed changes because they perceive that "livability," in their own terms, will actually decrease from what they have now. A common complaint involves the change is from 2-hour free parking to permit-only parking. The complete list of complaints is very long; it includes "paying to park in front one's own home," selling permits to non-residents to make money, lack of adequate visitor and customer parking opportunities, etc.

## **Improving the Status Quo - Hybrid Solutions**

At this juncture, USC could take advantage of the discussion we have had and make incremental improvements to the *status quo* under current regulations. These changes would make the RPD proposal more palatable for more residents

- Eliminate enforcement during OSU breaks. Most long-term residents of parking districts and their guests have experienced the pain of this regulation being enforced (\$50 fine) when there is no good reason for it to be enforced.
- Include a map of potential expansion zones based on underlying land-use zoning. The task force provided a rationale and map for this purpose. Even if the RPD is not filled out immediately, the wisdom of this policy will play out in the future.
- Allow each Zone a choice between 2hr and permit-only parking. For example, we have been told by property owners that the needs in 'A' (mostly residential) are different from those in 'C' (mostly commercial). Repeated studies have also documented that resident needs are greater in identified "red zones" than in surrounding areas.
- Leave the non-residential areas on the eastern boundary out of the so-called Residential Parking District. This would include the Public Library, Central Park, 6th Street, and the industrial/commercial area along Western. Parking meters and plain-vanilla, 2hr parking will continue to meet the needs of property owners in these areas.

## **Permit-Only Parking**

USC discussion has shown that permit-only parking has advantages, such as reducing unnecessary traffic in neighborhoods, reducing enforcement costs, and getting OSU more involved in providing a solution to the commuter parking problem. However, this aspect of the RPD plan is controversial, even among the residents it is supposed to help. Imposed by the City, permit-only will create continuing criticism. As a neighborhood choice, the criticism of the City will be reduced.

## **My Current Conclusion About Moving forward**

On-street parking is a problem in Corvallis, in the neighborhoods surrounding campus and elsewhere in Corvallis. These problems deserve solutions, and the causes/origins are numerous. Clearly, the solution is not simple. I think we should err on the side of caution when the cure may be worse than the problem, and I do not support change for the sake of change.

I have heard the suggestion from some of our constituents that we delay our decision - for a year, or until we have more information. After months of discussion and public input, I think we should move forward this year with an improved RPD program that will work and will be accepted by the citizens. After the City has more experience, we can fine tune the rules and the processes.

## MEMORANDUM

**Date:** February 27, 2014

**To:** Urban Services Committee

**From:** Downtown Commission

**Re:** Residential Parking District Implementation Recommendation

### **Background:**

Over the past several months, Community Development staff have provided the Downtown Commission with information and updates regarding the OSU-City Collaboration's work on proposed residential parking districts, including draft parking district boundary maps and proposed regulations. The Downtown Parking Committee has also met regarding the changes, and has provided recommendations to the Downtown Commission for their discussion of the proposal. After discussion at their February 12, 2014 meeting, the Downtown Commission concurred with the Parking Committee regarding their recommendations. This memo reflects the Commission's discussion, concerns, and recommendations for the Urban Services Committee's consideration as the Committee works for form a recommendation to the City Council on the matter.

### **Discussion:**

The Downtown Commission's discussion on the topic centered primarily on the proposed districts adjacent to Downtown, and particularly along 6<sup>th</sup> Street and surrounding community amenities near Downtown. The Commission was concerned about the impacts of districts on downtown employees, business patrons, and places such as Central Park, the Arts Center, and the Library. The Commission also expressed concerns about the effect of parking restrictions along 6<sup>th</sup> Street on the Free Customer Parking Area Downtown, specifically that there could be increased pressures on Downtown parking from patrons, and potentially from downtown employees, who could have increased difficulty finding parking without significant restrictions that is suitable for workdays.

### **Commission Recommendations**

- **Remove 6<sup>th</sup> Street from all residential parking districts** – The Commission recommends removing 6<sup>th</sup> Street from residential parking districts in order to provide parking opportunities for Downtown employees and patrons of businesses on the western edge of Downtown. This recommendation is based on a recognition that there are employees of businesses in the area, and City and County buildings, who will be significantly restricted in parking options in proximity to their place of work, and patrons of those establishments who should be able to find parking opportunities in proximity to the places they wish to visit. The Downtown Commission

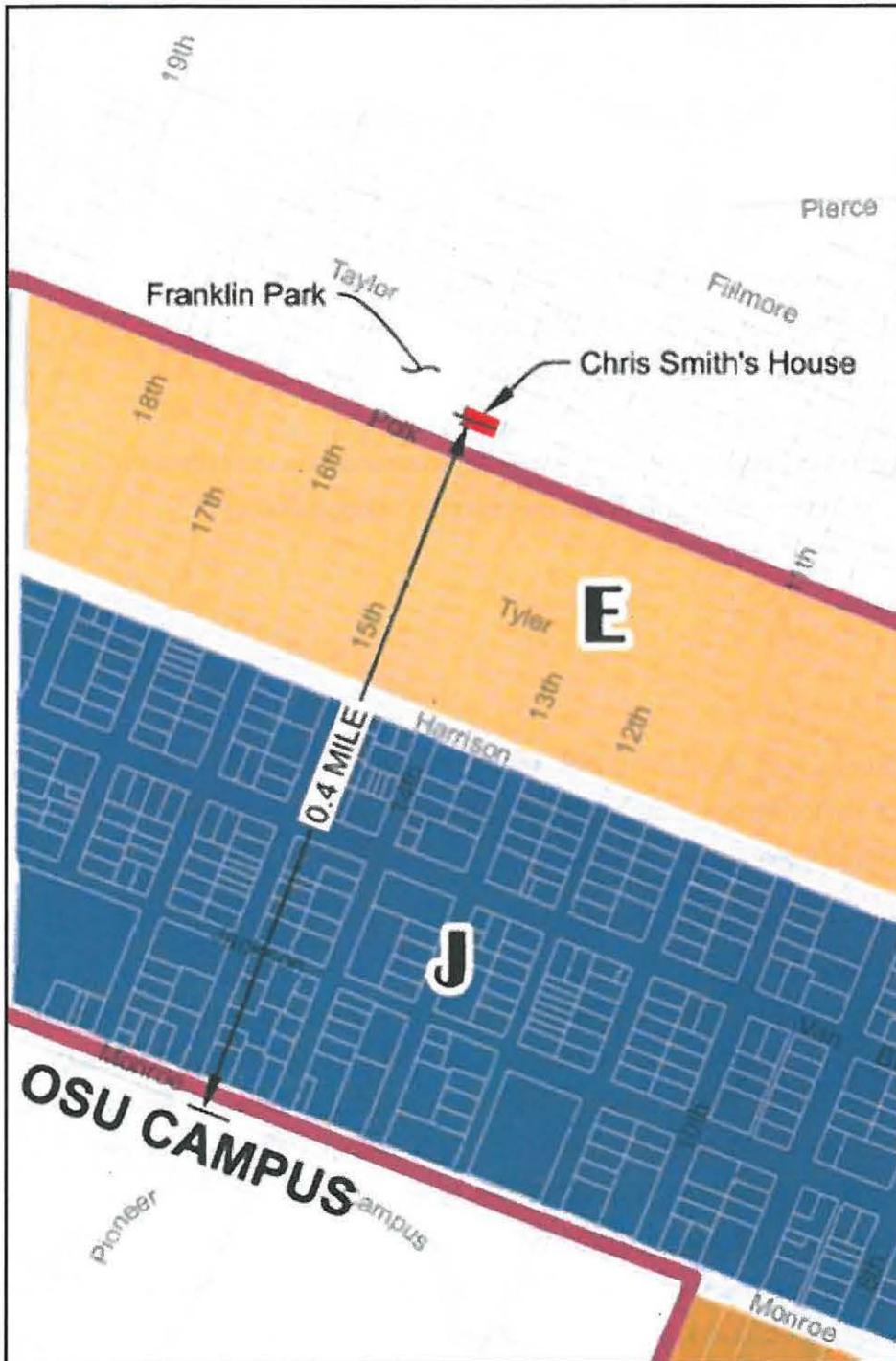
specifically recognizes that, without the removal of 6<sup>th</sup> Street from residential parking districts, the Free Customer Parking area Downtown could be significantly impacted.

- **Install 10-hour parking meters along currently unrestricted portions of 6<sup>th</sup> Street** – Consistent with the Commission’s desire to maintain parking options for employees along 6<sup>th</sup> Street, the Commission recommends the City consider installing 10-hour meters in areas of 6<sup>th</sup> Street that do not currently contain parking management controls. This recommendation would maintain availability of parking for employees and patrons in the area, while providing a measure of restriction to prevent longer-term parking on 6<sup>th</sup> Street. The Commission further recommends maintaining the current unrestricted parking abutting residential uses, and 30-minute, 1-hour, and 2-hour parking controls in place along portions of 6<sup>th</sup> Street that are primarily located adjacent to businesses and City and County buildings, to provide for shorter-term parking availability for patrons of those establishments. The Commission recognizes that this is a preliminary recommendation, and that further review and fine-tuning of these controls could be merited in the future.
- **Maintain current parking controls in the areas surrounding Central Park, the Arts Center, and the Library** – The Commission expressed a desire to provide free, time restricted parking for visitors to the park, Arts Center, and Library, in order to prevent barriers to use of these Downtown amenities. The Commission acknowledges that there are currently 2-hour non-residential, 2-hour residential, and metered parking options surrounding these amenities, and recommends maintaining those parking controls.

**Requested Action:**

The Urban Service Committee is asked to consider the Downtown Commission’s recommendations regarding the proposed residential parking districts, and decide whether to incorporate some or all of these recommendations in the proposal the Committee forwards to the City Council for consideration.





I am concerned with the proposed parking district because it ends at Polk Street, which is immediately south of my property. I am concerned that after the districts are implemented, parking will become more limited on my street because it is the closest street to the parking district boundary, and is less than a 10 minute walk to the OSU campus. Parking has not been an issue for me on my street, and I

am concerned that if the new districts are implemented it will encourage more people to park on my street.

I would like to encourage the City to include this street and the area around Franklin Park into the first phase of proposed parking districts. I would encourage the City to consider two issues related to the proposed parking district boundary. One consideration is the affect the proposed parking district boundary will have on adjacent streets bordering the district boundary. My residence is only 0.4 miles from the OSU campus and after implementing the parking district, it would be the closest unregulated parking to the OSU campus. I believe this will increase parking from OSU students and staff on my street. Secondly, this 15<sup>th</sup> Street borders Franklin Park, and many of the people parking on the street are using Franklin Park. It seems like most park patrons use Franklin Park for less than 2 hours at a time. If this street were included in the parking district, I believe more parking would be available for people using Franklin Park by allowing park patrons to park in a residential parking district using the 2 hour limit. Additionally, it is common for people living in their cars or vans to park on the street bordering Franklin Park. Inclusion of streets bordering the park into a residential parking zone would also address homeless vehicle camping along the park.

Thank you for the opportunity to comment on the proposed parking districts. If I can provide any more information for your consideration, please feel free to contact me at this e-mail, or by phone at 541-231-5217.

Respectfully,

Chris Smith

- Prev by Date:**The Koch brothers' newest attack**
- Next by Date:**Open Source government**

**MAYOR & COUNCIL EMAIL**

[Date Prev][Date Next][Thread Prev][Thread Next][Date Index][Thread Index]

**Attn: Urban Service committee**

- *To:* <mayorandcitycouncil@xxxxxxxxxxxxxxxxxxxx>
- *Subject:* Attn: Urban Service committee
- *From:* Cheryl Maze <cherylmaze@xxxxxxxxxxxx>
- *Date:* Mon, 24 Feb 2014 18:48:00 +0000

Dear Mayor, City Council and Urban Service Committee members,

I am writing to oppose including the Corvallis-Benton County Public Library and Central Park in the proposed permit parking district. As a current Library Board member and past president of the Friends of the Library, I am concerned that there will not be enough access to parking for our popular programs that often draw more than 100 people to them. These programs include Random Review, Summer Reading, Teddy Bear Picnic (held in Central Park), literary and children's events, other free programs, and book sales (to raise money for the Library) in the Meeting Room. One of our goals is to make the library a community cultural center, and that is difficult to achieve if there is no parking without permit around the library and park.

I urge you to leave parking at these blocks as is, but if this is not workable, please consider putting 2 hour metered parking along at least the south side of the park that faces the library.

Thank you for your consideration.

Cheryl Maze  
1825 NW Garfield Avenue  
Corvallis, Oregon 97330

- **Follow-Ups:**
  - **Re: Attn: Urban Service committee**
    - *From:* mayor
- Prev by Date:**When a Crisis Turns Into an Opportunity**
- Next by Date:**2014 Green Power Leadership Awards Application Period Now Open**
- Previous by thread:**When a Crisis Turns Into an Opportunity**

## MAYOR & COUNCIL EMAIL

[Date Prev][Date Next][Thread Prev][Thread Next][Date Index][Thread Index]

### unworkable parking proposal (RPD)

- *To:* <ward5@xxxxxxxxxxxxxxxxxxxxxxxxxxxxxx>
- *Subject:* unworkable parking proposal (RPD)
- *From:* "David A Hart" <davidhartmd@xxxxxxxxxxxxxx>
- *Date:* Fri, 21 Feb 2014 10:32:29 -0800

Hello Mike

I am a business owner and property owner at 1300 NW Harrison Blvd in Corvallis in proposed parking zone J. My office is on the corner of 13<sup>th</sup> and Harrison. In regard to the proposed expanded RPD program:

Where will business customers park?

This proposal has no consideration for business customer parking. The university area is not strictly residential – it is mixed residential and commercial. I am guessing there are 50 separate business in my proposed zone J alone. There are businesses of all types – mental health providers, attorneys, acupuncturist, restaurants, coffee shops, financial planners, dentists and more. The majority of these businesses have some onsite parking, but do not have adequate parking to run their businesses without use of street parking.

One possible solution would be to add 2 hour parking to the district permitted parking (as currently exists on Harrison around 15<sup>th</sup> street and Valley Eye Care). This would be adequate for my business which is mental health services. I cannot, of course, speak for the needs of other businesses, however.

Are you aware of how this proposal will adversely affect some property values?

This proposal will devastate property values of some commercial buildings including mine and some residences. About 9 years ago, I spent about \$200,000 renovating an old and run down office building making it a safe, attractive, modern and pleasant place for myself and 4 other business to work. My life savings are in my building. If the parking proposal goes through as suggested, I will end up owning a 3500 sq ft office building without adequate parking. Who would want to buy such a building? Sure, it could be converted into some type of high density student housing, but that would probably cost another \$200,000 and it is not clear if it would meet new parking requirements for residents either. Also, there are many historic older homes in this neighborhood that do not have driveways or garages. If those residences qualify for 2 parking spaces only, the value of those homes will plummet. Although the intention of the RPD is to improve quality of life for residences in that area by reducing congestion, I think it will also contribute to creating of a student ghetto around the university.

Could you please respond to this email just to confirm you have received it? Also, I would be happy to meet with you at my building and at your convenience. I can show you the property, the businesses working there, and the parking situation directly and in person.

Thank you

David Hart

David A Hart MD PC

1300 NW Harrison Blvd

Corvallis, OR 97330

[www.hartpsych.com](http://www.hartpsych.com)

cell #541-231-7736

- Prev by Date:**OEIB - Meeting Notice - Outcomes and Investments subcommittee - February 27, 2014**
- Next by Date:**Surveying Teaching & Learning Conditions**

## MAYOR & COUNCIL EMAIL

[Date Prev][Date Next][Thread Prev][Thread Next][Date Index][Thread Index]

### Attn: Urban Services

- *To:* <mayorandcitycouncil@xxxxxxxxxxxxxxxxxxxxxx>
- *Subject:* Attn: Urban Services
- *From:* Carol Mason <carol3568@xxxxxxxxxxxx>
- *Date:* Wed, 19 Feb 2014 20:39:17 -0800

I am very concerned about the possibility currently being discussed of requiring “resident” parking permits in order to park along the streets around our library, the Arts Center and Central Park (Monroe, Madison, Jackson, Campus Way, 6<sup>th</sup> St, 7<sup>th</sup> St, 8<sup>th</sup> St). These wonderful resources belong to all the citizens of our city and county (who all pay taxes to support them). They should be available not only to them, but to our many visitors, as well, who often find themselves being directed to these treasures in the center of our city.

If you must establish some “control” of the parking in this area to keep people from parking there all day, please consider installing parking meters on these streets. Although I usually walk or ride my bike from my house, there are times when I need to use my car. I would be happy to use a parking meter (as I do now, in the library lot). And because I can spend a couple of hours in the library without even realizing it, parking meters should be available for at least two hours at a time. The same situation would be true for people attending events in Central Park (the Teddy Bear gathering, for example), which often last longer than an hour (not to mention the time our children spend playing on the swings and in the sand!).

You’re welcome to quote my comments or forward them to others who are involved in dealing with this issue (please delete my email address if you do forward my email).

Thank you.

Carol Mason

## MAYOR & COUNCIL EMAIL

[Date Prev][Date Next][Thread Prev][Thread Next][Date Index][Thread Index]

### Estate Sales need parking

- *To:* <mayorandcitycouncil@xxxxxxxxxxxxxxxxxxxx>, <city.manager@xxxxxxxxxxxxxxxxxxxx>
- *Subject:* Estate Sales need parking
- *From:* Paul Cauthorn <paulcauthorn@xxxxxxxx>
- *Date:* Thu, 13 Feb 2014 12:13:24 -0800

Hello Mayor and Council,

I would like to alert you to a very busy estate sale happening on 13th between Harrison and Van Buren, today. As you know today is Thursday and if the permit parking district scheme were to pass, this kind of sale would no longer be possible.

Some of you may believe these community events are insignificant, but these activities provide jobs, provides low cost goods to fixed-income retired individuals, provide entertainment, and contribute to building community.

I encourage you to listen to the city manager's advise: take a pause and consider that the detrimental outcomes of expanding the parking restrictions could very well out-way any benefits.

Have a Nice Day,

Paul Cauthorn

- Prev by Date: **City of Corvallis, OR: City Manager's February Highlights**
- Next by Date: **This Week at BlueOregon**
- Previous by thread: **City of Corvallis, OR: City Manager's February Highlights**
- Next by thread: **Only a Few Seats Remain! - New Course: Marketing for Green Homes**
- Index(es):
  - **Date**
  - **Thread**

## MAYOR & COUNCIL EMAIL

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### Re: Parking permits

- *To:* ward4@xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx
- *Subject:* Re: Parking permits
- *From:* Elizabeth Orner <esorner@xxxxxxxxxxxx>
- *Date:* Mon, 10 Feb 2014 15:17:39 -0800

I know the University has not stepped up to the plate but we need to exert constant pressure on them to do so as they are the ones creating the problem and need to take responsibility for it. It seems to me that has been a pretty consistent issue with OSU. E. S. Orner

On Feb 7, 2014, at 8:13 PM, ward4@xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx wrote:

Hello -

Many people around the university feel that there is an on-street parking problem in their neighborhoods. To date, the university has not volunteered to solve the problem, so the City is exploring a proposal from an advisory committee to expand the existing parking districts. I understand you request for free permits and will keep in mind when considering the proposal..

The public record shows that I voted against the land use proposal you mention.

Dan Brown, Ward 4

----- Original Message -----

From: "Elizabeth Orner" <esorner@xxxxxxxxxxxx>

To: ward4@xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx

Sent: Thursday, February 6, 2014 4:52:25 PM

Subject: Parking permits

You should be putting the pressure where it belongs, on OSU, to step up to the plate and build a parking structure and charge reasonable rates to take the pressure off our streets

near the campus. They just raised over a billion dollars and it is the university and their desire to grow that has caused the problem. If parking is a problem on think what it will be when if Witham Oaks goes through and YOU HAVE 900 CARS DAILY GOING BACK AND FORTH ON HARRISON---IT WILL BE A NIGHTMARE! My house was built in the 20's and has been in the same family ever since. I really resent the fact I may have to pay to park in front of my own home.

I also think the city council should reconsider their vote on Witham Oaks. That piece of land was voted in on the premiss it would be for low density housing. It is a betrayal of trust to rezone it. There are already other student housing projects in the works.

furthermore if Campus Crest wants to build let them negotiate for a lease with Oregon State. If OSU has enough land to lease to the Hilton it has enough land to lease to ANY developer who wants to build apts. for students. That would keep the students on campus where they belong and reduce or eliminate many of the problems this growth has caused. This has worked on other campuses and it could work here also

If parking permits become necessary home owners should get at least one free permit and a free guest permit.AE>S> Orner

- **References:**

- **Re: Parking permits**

- *From:* ward4

- Prev by Date:**Webinar | How to Have a Mobile App at All Your Events | February 12th 10am PST/1pm EST**
- Next by Date:**Letter re: HB 4119**
- Previous by thread:**Re: Parking permits**
- Next by thread: **County, city offices close Friday due to weather**
- Index(es):
  - **Date**
  - **Thread**

Thomas E. Elliott  
Raymond M. Cihak  
Pamela S. Hediger  
Joel D. Howe  
Steven L. Adkins



ATTORNEYS AT LAW

James H. Jordan (ret.)  
Helen C. Nelson  
Laurie J. Hart  
Thomas B. Brookes

February 10, 2014

**SENT VIA EMAIL**

Councilor Dan Brown at: [ward4@council.corvallisoregon.gov](mailto:ward4@council.corvallisoregon.gov)  
Councilor Roen Hogg at: [ward2@council.corvallisoregon.gov](mailto:ward2@council.corvallisoregon.gov)  
Councilor Richard Hervey at: [ward3@council.corvallisoregon.gov](mailto:ward3@council.corvallisoregon.gov)

**Re: Proposed Residential Parking Program**

Dear Councilors Brown, Hogg, and Hervey:

Thank you for the opportunity to present testimony on this proposal. I will not be able to attend the Urban Services Committee meeting set for March 4, 2014, so I am writing this letter to summarize my thoughts.

I am one of the owners of the property located at 745 NW Van Buren, which is on the Northeast corner of 8<sup>th</sup> Street and Van Buren. Our property has been used as a law office for 30 years. Currently, seven attorneys and seven support staff work there. Our neighborhood is a mixed-used area with lots of small commercial businesses. I can tell you with some degree of certainty that people who park in the neighborhood are not OSU students commuting to campus. Instead, they are people who either live or work in the area or they are customers/clients of the businesses in the area. Part of the reason this is true is that, although we may be less than one-half mile from campus, we are more than one-half mile from the parts of campus that students go to. The closest part of campus to our neighborhood is the open grassy areas west of 11<sup>th</sup> Street.

The first point I want to stress is that, "One size does not fit all." Each parking district has a distinct character. Parking restrictions that may work well in a residential area will be a disaster in an area where commercial businesses are prominent. Our customers, clients, and employees need to have a place to park in these areas or our businesses will suffer, our property values will decline, and businesses will have to relocate. I am sure this is not what the Collaboration Corvallis Committee or anyone on the City Council wants to have happen, but these are the unintended consequences that will happen if the City Council adopts the parking district expansion as proposed.

Councilors Brown, Hogg, and Hervey

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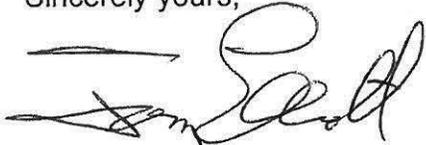
February 10, 2014

My recommendation is that the Council stick with the existing Residential Parking District Program. However, if the Urban Services Committee decides to recommend to the City Council that an expansion of the RPD is needed, then I urge you to consider the following changes to the current proposal:

1. In our area, the current boundaries of 6<sup>th</sup> Street and Harrison should be changed to 9<sup>th</sup> Street and Monroe or, at an absolute minimum, 9<sup>th</sup> Street and Van Buren. This change is necessary to reflect the fact that many of the properties in this area are commercial and historically there has not been a parking problem in this neighborhood.
2. Reinstate the two hours of free parking during weekday provisions of the current RPD program. This change is needed to accommodate the customers/clients, contractors, and vendors that need access to the businesses located in these areas.

I have reviewed this letter with George Heilig of the law firm of Heilig, Misfeldt, and Armstrong, LLP, who is my neighbor, and he concurs with my comments and suggestions. If you have any questions, or if I can provide you with any additional information to assist you in making your recommendations to the City Council, do not hesitate to contact me.

Sincerely yours,



Thomas E. Elliott  
TEE:akj

pc: Jim Patterson, City Manager (via email at: [jim.patterson@corvallisoregon.gov](mailto:jim.patterson@corvallisoregon.gov))  
Mary Steckel, Public Works Director (via email at: [mary.steckel@corvallisoregon.gov](mailto:mary.steckel@corvallisoregon.gov))

**MAYOR & COUNCIL EMAIL**

[Date Prev][Date Next][Thread Prev][Thread Next][Date Index][Thread Index]

**RE: Parking Districts**

- *To:* "ward4@xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx" <ward4@xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx>
- *Subject:* RE: Parking Districts
- *From:* SM Coakley <coakley.sm@xxxxxxxxxxxx>
- *Date:* Fri, 7 Feb 2014 22:05:50 -0700

Dan:

Thanks very much for this information; I will share with the Van Buren troops along further with our own neighbors. I understand the meeting (which I missed because I wrote down the wrong date) generated a great deal of controversy. Will be back in touch. I appreciate your efforts; even joining the existing "A" would be helpful to those at the east-end of the street.

Stella

> Date: Fri, 7 Feb 2014 20:52:41 -0800

> From: ward4@xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx

> To: coakley.sm@xxxxxxxxxxxx

> Subject: Re: Parking Districts

>

> Hello -

>

> I understand the problem on Jackson and the coming problem on Van Buren. Cedarhurst has been included in Phase 2 of the proposed plan - as a new zone called "I". Zone 'A' is zoned RS-5 and Cedarhurst is zoned RS-3.5. If Cedarhurst wants to be included in Phase 1, I will be glad to support their desire. I lived in District 'A' for 20 years and can see the benefits.

>

> I argued in Urban Services Committee that proposed Zone 'I' should be included in the mailing of postcards to no avail. Please help the City by getting input from the Cedarhurst Neighborhood Association to Urban services committee. Within the next month will be the best.

>

> The current price for a residential permit is \$15 per year. The proposal is to raise it to \$20 to cover the cost of administration. I don't think the City Council will vote for free permits, but I can try.

>

> Dan Brown, Ward 4

>

>

> ----- Original Message -----

> From: "SM Coakley" <coakley.sm@xxxxxxxxxxxx>

> To: ward4@xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx

> Sent: Saturday, February 1, 2014 8:32:56 PM

> Subject: Parking Districts

>

>

> Dan,

>

> I have just discovered that Jackson St. west of 35th has apparently now been excluded from the proposed parking districts. I request that it be added back into the conversation and included as part of the proposed District A. As you know, the east end of our three block street is already heavily impacted by those seeking to park free all day. There have been several near misses of collisions when departing drivers swing into drives or pull mid-street U-turns without caution. I understand that blocking of driveways is common as well.

>

> If our street (and that west of Van Buren end up being the only neighborhood streets close to campus which are outside a parking district, then I would anticipate heavy and continuous day use of Jackson and an extension of use into the VanBuren street.

>

> Please take action on this request; when I attended an earlier hearing on this matter and subsequently reviewed various maps of the proposed zones, Jackson and VanBuren west of 35th were included in the plans. To my knowledge, no contact has been made with our neighborhood about the change. I do understand that some of our neighbors object to the concept of paying for a street permit but the alternative is going to be far worse than the minimal charge. I, too, believe that the city should provide owner occupied residents with at least one free permit per year but if that is not an option, being included in a parking district is extremely important to the quality of life in this neighborhood.

>

> The irony of sending postcards only to those for whom districts are proposed means that one can easily miss that they are going to be impacted to an even greater degree.

>

> I would appreciate you doing whatever is needed to have Jackson west of 35th added into Parking district A. I note that this district extends out to 35th between 33rd and 35th on Van Buren so extending it west of 35th for Jackson (and Van Buren) should be a straight-forward addition.

>

> Thank you for your assistance with this matter.

- >
- > Stella
- >
- > Stella Coakley
- > 3839 NW Jackson
- > Corvallis, OR 97330
- >
- >

- **References:**

- **Re: Parking Districts**
  - *From:* ward4
- Prev by Date:**Re: Parking Districts**
- Next by Date:**Meet the Lenovo Olympians**
- Previous by thread:**Re: Parking Districts**
- Next by thread:**[SuperUpdate] Update Regarding Oregon Minority Educator Pipeline Models Grant and Oregon Minority Educator Retention Grant**
- Index(es):
  - **Date**
  - **Thread**

## MAYOR & COUNCIL EMAIL

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### Parking permits

- *To:* ward4@xxxxxxxxxxxxxxxxxxxxxxxxxxxxxx
- *Subject:* Parking permits
- *From:* Elizabeth Orner <esorner@xxxxxxxxxx>
- *Date:* Thu, 6 Feb 2014 16:52:25 -0800
- *Reply-to:* Elizabeth Orner <esorner@xxxxxxxxxx>

You should be putting the pressure where it belongs, on OSU, to step up to the plate and build a parking structure and charge reasonable rates to take the pressure off our streets near the campus. They just raised over a billion dollars and it is the university and their desire to grow that has caused the problem. If parking is a problem, think what it will be when Witham Oaks goes through and YOU HAVE 900 CARS DAILY GOING BACK AND FORTH ON HARRISON---IT WILL BE A NIGHTMARE! My house was built in the 20's and has been in the same family ever since. I really resent the fact I may have to pay to park in front of my own home.

I also think the city council should reconsider their vote on Witham Oaks. That piece of land was voted in on the premise it would be for low density housing. It is a betrayal of trust to rezone it. There are already other student housing projects in the works. Furthermore, if Campus Crest wants to build, let them negotiate for a lease with Oregon State. If OSU has enough land to lease to the Hilton, it has enough land to lease to ANY developer who wants to build apts. for students. That would keep the students on campus where they belong and reduce or eliminate many of the problems this growth has caused. This has worked on other campuses and it could work here also. If parking permits become necessary, home owners should get at least one free permit and a free guest permit. AE>S> Orner

- Prev by Date: **February Business After Hours - Audiology Associates**
- Next by Date: **RE: Downtown Commission meeting - February 12, , 2014**
- Previous by thread: **February Business After Hours - Audiology Associates**
- Next by thread: **Re: Parking permits**
- Index(es):
  - **Date**
  - **Thread**

**MAYOR & COUNCIL EMAIL**

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**Corvallis new parking plans**

- *To:* "ward4@xx" <ward4@xx>
- *Subject:* Corvallis new parking plans
- *From:* John Alberte <johna541@xxxxxxxx>
- *Date:* Wed, 5 Feb 2014 09:22:28 -0800 (PST)
- *Reply-to:* John Alberte <johna541@xxxxxxxx>

Dear Mr Brown,

I was surprised to read in the Wednesday Gazette Times that so many people spoke against the proposed changes to parking regulations around OSU. If I could have made it to last nights meeting I would have been one of the people speaking up for the proposed changes. My family and I live on Poplar Place, between Western Blvd and Philomath Blvd. As it stands now the parking regulations allow parking on both sides of our street. From 8:00am to 5:30pm our street becomes a congested one lane street. This situation becomes very frustrating when drivers who either work at or go to OSU are constantly coming down the street looking for a parking place.

Whatever changes are made please make sure to address parking problems like ours.

Thank You

John Alberte  
1150 SW Poplar Pl  
Corvallis, Or 97333

- Prev by Date:**2.5.2104 - "Hardest Hit" Federal Grants, Inspection Sharing Saves \$115k, Sharing Bike Sharing**
- Next by Date:[**SuperUpdate**] **Early Learning Kindergarten Readiness Partnership and Innovation Grants**
- Previous by thread: **2.5.2104 - "Hardest Hit" Federal Grants, Inspection Sharing Saves \$115k, Sharing Bike Sharing**
- Next by thread:[**SuperUpdate**] **Early Learning Kindergarten Readiness Partnership and Innovation Grants**

## MAYOR & COUNCIL EMAIL

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### Jackson Street West of 35th needs to be part of a parking district

- *To:* ward4@xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx
- *Subject:* Jackson Street West of 35th needs to be part of a parking district
- *From:* Donna Keim <donna@xxxxxxxxxxxx>
- *Date:* Tue, 4 Feb 2014 18:35:56 -0800

Hi Dan:

Even since we have filled out the questionnaire about parking on our street from OSU students, the parking traffic has increased tremendously on our street West of 35th Street.

It use to be just the first few houses that got OSU student cars parking in front of their houses during the day, and even at night, while students walked to classes.

Now I have noticed that the student parking goes down the street at least half and sometimes 3/4 of the way down and this is a long Dead End street.

I think we should be part of the zoned parking districts.

Thanks Dan!

Donna Keim  
 3850 NW Jackson Ave.  
 Corvallis, OR 97330  
 541-740-1309

- Prev by Date:**Fwd: parking districts -- support and added data**
- Next by Date:**Parking options**
- Previous by thread:**Fwd: parking districts -- support and added data**
- Next by thread:**Re: Jackson Street West of 35th needs to be part of a parking district**
- Index(es):
  - **Date**

## MAYOR & COUNCIL EMAIL

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### Parking Issues

- *To:* ward2@xx
- *Subject:* Parking Issues
- *From:* Herb Heublein <herbyh@xxxxxxx>
- *Date:* Fri, 28 Feb 2014 14:53:16 -0800

Hi Mr. Hogg,

My name is Herb Heublein and I am a resident of your Ward 2. I have been attending many if not most of the public meetings involving parking and parking districts as well as Collaboration Corvallis meetings regarding livability issues in the O.S.U. neighborhoods.

I have a big concern about where it seems the parking issue is moving. It seemed to be going quite smoothly until about a month ago and people who hadn't attended meetings or kept up with the progress showed up and started making hash of it. I can understand that residents of the Central Park Neighborhood Association would not want to be impacted with a parking district that might affect businesses. Perhaps that district needs a modified parking district, but they will need something to help mitigate non resident parking.

My big concern is where we live which is on N.W. 13th St. between N.W. Vanburen Ave. and N.W. Harrison Blvd. N.W. 14th St. is the last street on the east edge of a current parking district. Twelfth St., to our east, has only one side parking, but has at least 16 separate rentals in the two blocks between N.W. Harrison and N.W. Jackson with multiple residents in every unit. There is not nearly enough parking on 12th St. to met the needs of all the residents so guess what, they spill over onto our street. There is both sides parking on 13th St. (our street), but not nearly enough to supply the parking needs of our block, let alone any spillovers.

I know many people object to paying a parking fee when they already pay taxes and other fees related to streets. I have no objection to paying a modest fee as LONG AS IT GUARANTEES A PARKING SPOT FOR US WITHIN OUR BLOCK. I do not want to have to park in another block and requires walking across busy Vanburen or Harrison, especially when it is dark, wet, slippery, or all three.

I would like to see a parking district for our neighborhood as originally recommended in one of the later meetings that encompassed all the streets within a half mile radius of campus. Whether or not that is or isn't feasible for all streets, I would hope it would be so for ours.

I also have an issue with O.S.U. regarding parking and parking issues. They need to step up and provide parking services and parking facilities either free or at very reduced rates for students, staff, and faculty to take the pressure away from residential areas and streets in the neighborhoods surrounding campus. There is plenty of unused space on OSU property that could be used for building a parking lot or parking facility. A shuttle could provide continuous transport from parking to central campus if the facility is located in an outlying area.

Student parking needs are NOT being addressed by the university adequately. The pricing drives students (and staff) away from campus to park. Sure, walking several blocks can be a minor inconvenience, but when it is FREE PARKING the inconvenience is worth the walk.

My wife works at OSU in a facility over a half mile from central campus. Her building has a parking lot, but the cost is so expensive the parking lot is used only sparingly if at all. How cost effective is that? OSU NEEDS TO TAKE ACTION ON A PROBLEM IT HAS CREATED!

I know this is not new information for you, but the more you hear it from your Ward residents, the more you have a better case to make.

Thanks for letting me rant.

Herb Heublein  
318 N.W. 13th St.  
herbyh@xxxxxxxx

- **Follow-Ups:**
  - **Re: Parking Issues**
    - *From:* ward2
- Prev by Date:**The Partnership Evaluation Survey**
- Next by Date:**Transient Issues**
- Previous by thread:**The Partnership Evaluation Survey**
- Next by thread:**Re: Parking Issues**
- Index(es):
  - **Date**

## MAYOR & COUNCIL EMAIL

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### Parking Districts and upcoming Urban Services Committee meeting

- *To:* ward4@xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx, brown.dan@xxxxxxxxxxxx
- *Subject:* Parking Districts and upcoming Urban Services Committee meeting
- *From:* wondzell@xxxxxxxxxxxx
- *Date:* Thu, 27 Feb 2014 22:48:54 +0000 (UTC)

Please see the attached letter.

In short:

1. I am in favor of delaying the parking plan implementation until it can be tailored to meet the needs of different neighborhoods/parking zones.
2. Lacking a better parking plan, I am in favor of Option 3 - easiest to enforce, least net cost to the City, and biggest impact on solving the parking crisis.
3. INCLUDE CEDARHURST IN THE PHASE ONE IMPLEMENTATION!

Thank you for listening and representing our neighborhood,

Sincerely,

Steve Wondzell

**Attachment:**2014\_02\_27 to Dan Brown, re. Parking Districts.docx

*Description:* MS-Word 2007 document

- Prev by Date:**Witham Oaks land**
- Next by Date:**Campus Crest**
- Previous by thread:**Witham Oaks land**
- Next by thread: **Campus Crest**
- Index(es):
  - **Date**
  - **Thread**

27 February, 2014

Dan Brown  
Corvallis City Councilor, Ward 4  
Member, Urban Services Committee

Dan Brown:

First, thank you for holding the Ward 4 meeting at the Senior Center on Feb. 25. I enjoyed getting to meet you and enjoyed seeing so many of my neighbors at the meeting. Second, I missed the deadline to get my comments into the package for next week's Urban Services Committee meeting and ask that you relay my comments and sentiment to the committee at large.

I am writing to express both my interests and concerns about the impact of continued growth of OSU on our community. I first moved to Corvallis in 1988 and lived for over a decade at 623 NW Witham Dr. My job took me to Olympia WA, and in 2012 I had the opportunity to move back to Corvallis. I purchased a house at 3719 NW Jackson Ave. My wife and I spent a long time hunting for a house because we wanted a house in town so that neither of us would need to drive to access daily activities of work, shopping, and play.

I am deeply concerned that the continued growth of OSU is making it increasingly difficult for families to live in central locations in town, within easy walking distances to schools, churches, and other activities. Overall, I view OSU as an "irresponsible citizen" of our community - making decisions that directly benefits the long-term bottom line of the University and paying too little attention to the needs of the larger community in which they are located. Unfortunately, many of the University's decisions come with substantial external costs that are borne by the Corvallis community and tax payers. Even worse, OSU is a public institution to which the public has no effective means of providing oversight. How then do we respond to the pressures that continued growth of OSU is placing on our community? Do my wife and I flee the urban center, take up car commuting and become part of the problem? Or do we try to be actively involved and work to promote a high quality of life for citizens of our town?

Many issues have been in-front of the City Council recently (with rather unfortunate outcomes in my opinion, but that is another argument). Right now I need to focus on the more immediate question of the City's plans for parking districts in the near-OSU neighborhoods. I am dismayed at what I've read about the proposed Residential Parking District. It seems to me that the City is doing a poor job of thoroughly evaluating the issues and developing a parking plan with sufficient flexibility to meet the different needs of different neighborhoods arrayed around the University. The City is essentially promoting a "one-size-fits-all" plan. But the neighborhoods involved range from mixed business and high density residential to the lowest density residential zoning within the City limits. Is a "one-size-fits-all" plan really an effective response to the immediate and long-term needs of the community. I would suggest that the answer is a resounding NO! But worse, implementing this "one-size-fits-all" plan effectively squanders the current opportunity to address parking in these neighborhoods for a long time into the future.

The City needs to consider different parking options for different parking zones so that the parking regulations can be better tailored to meet the specific needs of different neighborhoods. At the moment that is not an option under consideration. In my opinion, any decision on the Parking Districts needs to be delayed until a plan can be developed that allows flexibility to meet differing needs. To do less is

simply poor government, one that imposes the least-common denominator when attempting to solve a problem. We can do better than that!

If the City insists on going forward with a "one-size-fits-all" plan in the near future (decision this spring; implementation of Phase One by Fall 2014), then I strongly support what I believe is called Option 3 - Permit parking only, residents at \$20/year; non-residents at 115% of the OSU faculty rate. There is no evidence that OSU will voluntarily step forward to provide sufficient parking in convenient locations at a sufficiently cheap price so as to solve the residential parking crisis. Given that, the only realistic solution is to make parking in our residential neighborhoods more inconvenient than parking on the OSU campus. Option 3 has many problems, but it is the only option that will have a significant impact on the "attractiveness" of using our residential streets as de-facto OSU parking lots, "parking lots" that the City has to pay to patrol and enforce. That responsibility rightly belongs to OSU, not to the City.

Option 3 does not appear to be well developed. I would strongly recommend that the parking district rules only be enforced during the Fall, Winter, and Spring quarter, when OSU classes are in session.

Finally, regardless which Parking District Option eventually goes forward and the timing of the implementation, I strongly ask that the Cedarhurst subdivision (NW Jackson and NW Van Buren Streets, west of 35th) be included in the first phase of the implementation of the new parking districts. Our street currently has unrestricted parking, and every day the street is lined with the cars of commuters to OSU campus avoiding the costly OSU parking permits and the 2-hour limitation of parking in adjacent blocks. My neighbors tell me that the parking problem has grown significantly worse in the last few years; the phased implementation of the new parking districts will put even more pressure on OSU commuters to park on the streets of our neighborhood.

I know that the City has to respond to many competing needs, issues and voices. I also know that my opinions about this issue would be the same whether I lived on the fringes of the City or in a near-OSU neighborhood. The difference is that, because I live close to OSU, I am motivated to speak up. At some point the City has to take control of ensuring the future quality of our lives here and not simply continue to adapt to, or even facilitate the decisions that OSU makes. Push OSU's problems back to OSU. Solving those problems is their responsibility.

Sincerely,

s/ *Steve Wondzell*

Steven Wondzell  
3719 NW Jackson Ave.,  
Corvallis OR 97330

## MAYOR & COUNCIL EMAIL

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### Proposed Parking Districts

- *To:* <mayorandcitycouncil@xxxxxxxxxxxxxxxxxxxx>
- *Subject:* Proposed Parking Districts
- *From:* Martin Stephenson <stevestp@xxxxxxx>
- *Date:* Thu, 27 Feb 2014 17:29:19 -0800

Dear Mayor and Council:

As a member of the Corvallis-Benton County Public Library Board and President of the Corvallis-Benton County Public Library Foundation I urge you to drop the proposed plan for new Parking Districts. As currently envisioned this plan is a solution which is far worse for the community as a whole and Library in particular than any problem it may seek to address. Attempting to make virtually all of the old neighborhoods of Corvallis into a complex parking district will do nothing but create problems for every citizen living within the district and every citizen entering the boundaries of it. Tinkering or adjusting this Plan will not help. This plan, in concept, is overly ambitious and actually addresses some problems that don't exist, but will if it is implemented.

As a 40 year resident of Corvallis and a 24 year Library employee I assure you there will be truly impossible burdens imposed upon everyone who works, volunteers, or uses the Public Library.

Remember, this is the most heavily used public facility in Benton County with hundreds of thousands of visits every year.

I respect the good intentions and efforts of all who worked on this project but it must be shelved for the good of the entire community.

Martin Steve Stephenson  
829 NW 34th

- **Follow-Ups:**
  - **Re: Proposed Parking Districts**
    - *From:* mayor

**MAYOR & COUNCIL EMAIL**

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**Parking districts ATTN: Urban Services**

- *To:* <mayorandcitycouncil@xxxxxxxxxxxxxxxxxxxx>
- *Subject:* Parking districts ATTN: Urban Services
- *From:* <fraundom@xxxxxxxxxxxx>
- *Date:* Thu, 27 Feb 2014 15:17:57 -0800

As a member of the Corvallis-Benton County Public Library board and as a tax-paying citizen, I am concerned about the effect of the proposed parking district on access to the library and to Central Park. I hope I am correct in assuming that the parking district would not affect the library's metered parking lot and garage. Even though these two facilities contain 71 parking spaces for the general public plus 4 handicapped spaces and one motorcycle spot, they are insufficient to meet the demands by the library users. In addition to users of the library collection and the volunteers who provide free labor to the city, people also come to programs such as story hour, Random Reviews, and a variety of other meetings held in the large meeting room. Many of these programs are during the day and may attract as many as 100 people. The library lot is insufficient during these times. Library counts show that the average number of in-person visits during fiscal year 2012-2013 equaled 82.41. Thus, the public must also use the metered spaces to the east and south of the library and the free parking on the south side of Monroe and around the park. The parking district would remove this option. It would also increase the demands on the library parking lot as those using Central Park, a tax-payer supported facility, by those who would have not be able to park on the surrounding streets.

Although some would argue that people should bike or ride the bus, not everyone can do so. In addition to the portions of Corvallis not well served by the bus, library users include those from areas outside of the city which have no public transportation. Yet they also support the library by paying taxes through the library service district.

I am also concerned about the effect of these restrictions on the library staff. Many of the shelves and library clerks work only part time at entry

wages. The projected cost of the parking permits for those who do not live in the area is relatively high compared to their earnings. Riding the bus is not an option for those whose shifts start before five but work until the library closes at 8, after the last bus has left. Volunteers who find it more difficult to park may quit or fail to show for their shifts when parking is unavailable. Library volunteers provide the city with thousands of hours of free labor per year.

For these reasons, I believe inclusion of the library and Central Park in the proposed parking district would make it more difficult for citizens of Corvallis to use these tax-payer supported facilities. It might also make it more difficult to retain experienced library workers and to maintain a facility which is one of the attractions of Corvallis as a place to live. If you feel you must include this area in parking district J, I hope you will retain the metered spaces along side the library and add metered spaces along side the park. Paying modest fees for parking is better than having no access whatsoever.

Thank you for your consideration.

Martha Fraundorf  
1750 NW Arbol Pl.  
Corvallis, OR 97330

- **Follow-Ups:**
  - **Re: Parking districts ATTN: Urban Services**
    - *From: mayor*
- Prev by Date:**Re: Campus Crest**
- Next by Date:**Re: Parking districts ATTN: Urban Services**
- Previous by thread:**Re: Campus Crest**
- Next by thread:**Re: Parking districts ATTN: Urban Services**
- Index(es):
  - **Date**
  - **Thread**

# MAYOR & COUNCIL EMAIL

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## Parking districts

- *To:* "ward3@xx" <ward3@xx>, "ward4@xx" <ward4@xx>, "ward2@xx" <ward2@xx>
- *Subject:* Parking districts
- *From:* SM Coakley <coakley.sm@xxxxxxxxxxxx>
- *Date:* Tue, 25 Feb 2014 22:12:36 -0700

Urban Services Committee,

I live on the west end of Jackson St. in the Cedarhurst neighborhood. Our dead-end street is being heavily impacted by OSU related individuals seeking free all-day parking. It is negatively impacting our neighborhood, endangering our residents, children, and pets as cars "cruise" and then must turn around before leaving the street.

In conversation with neighbors, it is evident that we must be included in a Parking District to limit the incursion of cars. While exactly which option will be offered remains to be determined, I ask that you ensure that Jackson from 35th-39th be offered the opportunity to be included in Phase I of any changes to Parking Districts. At the very least, we would like to see our street added to Parking District A; I am confident that more than 50% of our residents would sign on to that current parking district structure.

Please let us know what documentation you need to move us into the conversation.

Thank you.

Stella Coakley  
3839 NW Jackson  
Corvallis, OR 97330  
541-753-6215  
coakley.sm@xxxxxxxxxxxx

- Prev by Date: **Reinvention of da vinci days press**

## MAYOR & COUNCIL EMAIL

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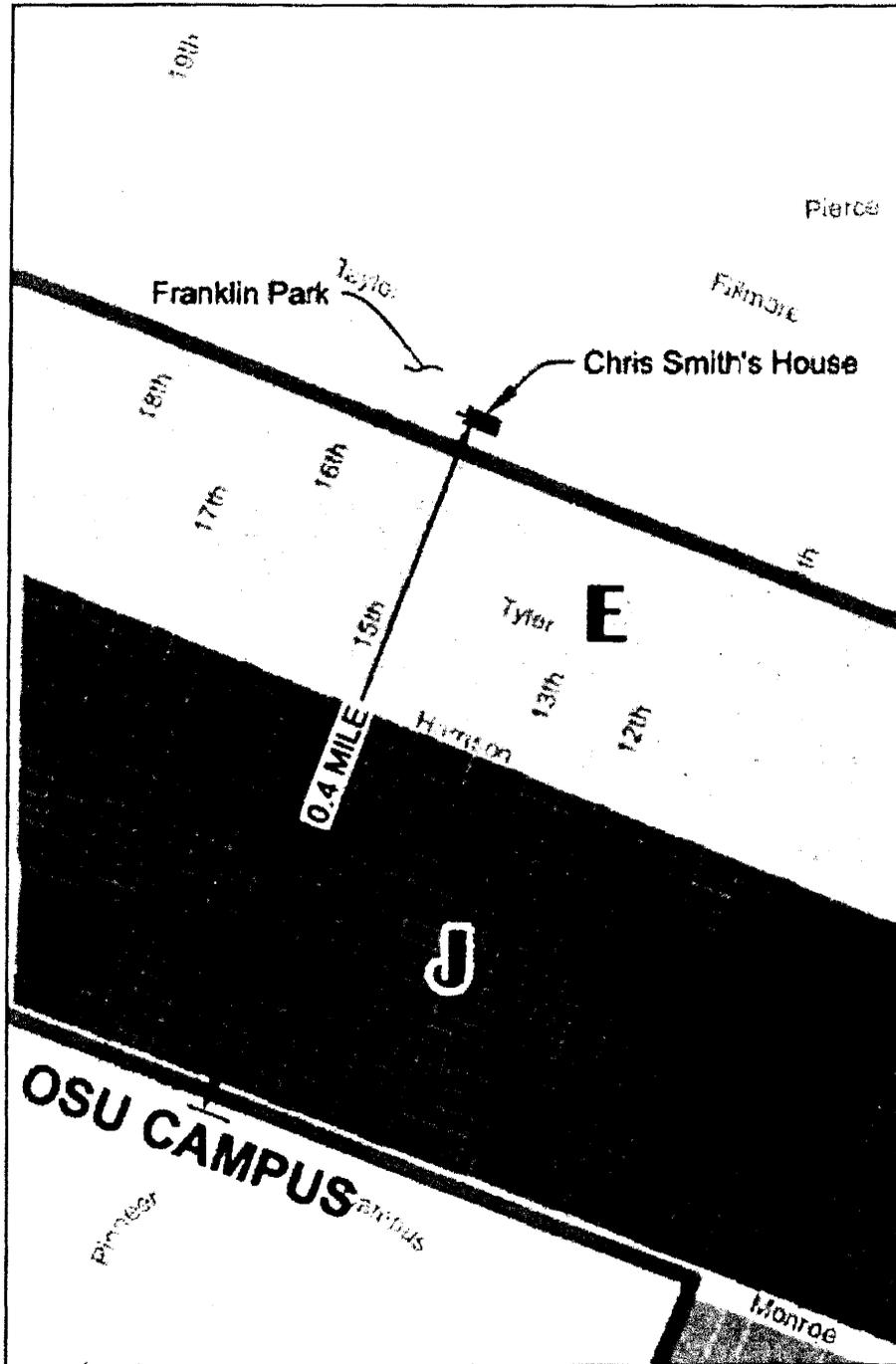
### comments regarding Residential Parking District expansion

- *To:* "ward5@xx" <ward5@xx>
- *Subject:* comments regarding Residential Parking District expansion
- *From:* "Chris M. Smith" <csmith@xx>
- *Date:* Tue, 25 Feb 2014 19:47:17 +0000
- *Cc:* "mayor@xx" <mayor@xx>, "public.works@xx" <public.works@xx>

Mr. Beilstein,

My name is Chris Smith, and I live in your ward at 611 NW 15<sup>th</sup> Street in Corvallis. My house is on 15<sup>th</sup> street north of Polk and south of Taylor Street. I am writing to provide feedback regarding the proposed residential parking district expansion.

I am familiar with on-street parking on 15<sup>th</sup> Street between Polk and Taylor dating back to May 2011, when I purchased my home. Based on my observations, I believe this block gets utilized for parking for several purposes: residents park on the street, people park on the street when using Franklin Park, staff and students and parents attending Corvallis High School events park along this street, and occasionally students and commuters to OSU will park along this street during the daytime. **In the 3 year period I have lived here, I have never had to park on another street to access my residence.** Occasionally, during special events such as OSU football games and events at Corvallis high school, parking does become more limited, but these events are episodic and do not last long. I have included a map showing my property in relation to the proposed districts and Oregon State University below.



I am concerned with the proposed parking district because it ends at Polk Street, which is immediately south of my property. I am concerned that after the districts are implemented, parking will become more limited on my street because it is the closest street to the parking district boundary, and is less than a 10 minute walk to the OSU campus. Parking has not been an issue for me on my street, and I

am concerned that if the new districts are implemented it will encourage more people to park on my street.

I would like to encourage the City to include this street and the area around Franklin Park into the first phase of proposed parking districts. I would encourage the City to consider two issues related to the proposed parking district boundary. One consideration is the affect the proposed parking district boundary will have on adjacent streets bordering the district boundary. My residence is only 0.4 miles from the OSU campus and after implementing the parking district, it would be the closest unregulated parking to the OSU campus. I believe this will increase parking from OSU students and staff on my street. Secondly, this 15<sup>th</sup> Street borders Franklin Park, and many of the people parking on the street are using Franklin Park. It seems like most park patrons use Franklin Park for less than 2 hours at a time. If this street were included in the parking district, I believe more parking would be available for people using Franklin Park by allowing park patrons to park in a residential parking district using the 2 hour limit. Additionally, it is common for people living in their cars or vans to park on the street bordering Franklin Park. Inclusion of streets bordering the park into a residential parking zone would also address homeless vehicle camping along the park.

Thank you for the opportunity to comment on the proposed parking districts. If I can provide any more information for your consideration, please feel free to contact me at this e-mail, or by phone at 541-231-5217.

Respectfully,

Chris Smith

- Prev by Date:**Last Chance for Ecological Risk Assessments - Webinar Series**
- Next by Date:**Open Source government**

## RESIDENTIAL PARKING DISTRICTS

### EMAIL RESPONSE TO PUBLIC OUTREACH POSTCARD (2/25 noon - 3/4 noon)

**From:** bomar31@XXXXXXXXXX  
**Sent:** Tuesday, February 25, 2014 3:13 PM  
**To:** Public Works  
**Subject:** Parking Districts

Urban Services Committee

I live at xxx NW 14th Street in Corvallis. I have owned , occupied and paid property taxes on this property since October, 1965. I am opposed to having a parking district established in this area and to being required to purchase a parking permit so I, my family, guests or anyone needing to be at my home, can parking in front of my house. **OWNER OCCUPIED** residences should not be required to purchase a permit but provided with one should a parking district be established. Any additional expense to the city for establishing the new parking district, i.e., added patrols, added signage, etc., should be absorbed by the University since it is the staff, yes staff, and students who are using the parking spaces.

If, indeed as has been reported, that the parking available on the campus is 20-25% unused, then it should be strongly recommended to the University that is is their responsibility solve the parking problem. **OWNER OCCUPIED** residences should not be required to solve the University parking problem. I strongly urge the Urban Services Committee to find a better solution to the neighborhood parking problems. Please do not continue to ask the long time residents to foot the bill for the University's problems.

Thank you.

Margaret J. Loper

---

**From:** John Wydronek  
**Sent:** Thursday, February 27, 2014 1:38 AM  
**To:** Public Works  
**Subject:** Feedback on Proposed RPD's

Hi Mary,

Please include this feedback in the next meeting packet for the proposed RPD's.

Thanks,

John Wydronek

---

DATE: February 26, 2014

TO: Urban Services Committee

FROM: John Wydronek

RE: Feedback on proposed parking districts

First, I'd like to commend the OSU/Corvallis Collaboration Committee, Urban Services Committee and city staff for the amount of time, effort and thought that has been put into the proposed residential parking districts. Unfortunately, I strongly disagree with the proposed solution. Corvallis currently has a significant parking problem (which is supported by data) in a few hot spots located near the campus. However, the proposed solution will create significant parking and livability issues in a much larger area of the City. A plan which takes a concentrated problem and spreads it around is not a viable solution. I recommend shelving the RPD idea and putting further efforts into working with OSU to create a parking structure on the north end of campus which is truly the best solution.

As for the currently proposed solution, I have the following specific feedback/comments:

*Non-resident owner parking*

I'm the owner of 3 rental properties which will fall within the proposed parking districts. Although I don't live at any of these properties I have a need to visit my properties on a regular basis. Reasons for these visits include yard maintenance, repairs, lockouts, cleaning apartments between tenants and showing apartments to potential tenants.

Based on my discussion with Mary Steckel I will not be entitled to a low cost (\$20) parking permit because I don't reside at the address. As the legal owner of these properties, and given the fact I pay significant taxes which support public infrastructure including streets and parking areas, I feel being denied the right to park on the street near my properties to be unacceptable.

Under the current proposal, I would be required to purchase a permit at a cost of 115% the going rate of OSU Faculty parking or use a visitor pass from one of my tenants. I understand the purpose for this cost structure is to encourage commuters (students and faculty) to park on campus rather than in the surrounding neighborhoods. Unfortunately this is not a practical

solution for rental property owners. We need to park near our properties in order to attend to needed business activities.

I was also told permits will be issued for specific parking districts. It turns out each of my properties is located in a different district. As currently proposed, I would need to purchase 3 separate \$300+ permits each year. Again, this is unacceptable. Any additional costs related to the running of my rentals will be passed onto the tenants via increased rental rates. Affordable housing is a key goal for Corvallis but this proposal clearly adds to housing costs through increased rents as a result of increased owner expenses.

I recommend the following:

- Rental property owners should be allowed to purchase up to two \$20 parking passes if they own and manage a property within a parking district.
- The parking pass provided to the rental property owners should apply to all parking districts in which they own and manage properties.
- These passes should be transferable to multiple vehicles (like a visitor pass).

#### Enforcement Period

Although the notes I have read indicate a decision has not been made on when the RPD's will be enforced, I was told by city staff that parking district compliance will be enforced year round. This doesn't make sense to me. This proposal came as a recommendation from the Corvallis/OSU collaboration project. The express purpose of this project was to address issues related to the increasing population of OSU students and how it impacts citizens and students. I understand there is a parking problem when school is in session. However, this is not the case during the summer months when the student population drops considerably. I believe any new programs that are spawned from the collaboration project should be tailored to address the specific problem to be solved. We do not see significant parking problems in the summer and therefore this program should not try to overreach by being enforced during this period of time.

Benefits of not enforcing parking districts during the summer include:

- It addresses the issue of current permit holders leaving town in June when school ends and not having permits available for new tenants that sign leases and move in before September 1.
- Allows for larger maintenance projects to be completed on rental properties that require tenants to park on the street – painting the outside of the building, seal-coating the off-street parking lots, reroofing, etc. NOTE: This is an issue that needs to be addressed.
- Allows potential tenants (new arrivals to OSU) to drive around and park in the OSU area while looking for properties to rent.
- Makes available a large portion of Corvallis for the enjoyment of the citizens.
- Makes it easier for citizens to visit businesses within the RPDs (business friendly).
- Reduces cost to enforce compliance.

### Contractor Parking Passes

The current proposal is to charge \$100 for contractor passes. The reasoning provided is that they are more valuable as they can be used in multiple districts. I feel the use of these passes is significantly different than a resident or non-resident pass as they will only be used on occasion when the contractor has work to do in the district. This work is at the request of the property owner/resident and is a normal requirement for the upkeep and function of the neighborhood. By charging more for these passes you are using them as a revenue generator as the price will not deter these people to park in the parking districts. I would like to see these passes sold at \$20 per pass, or slightly more if the cost to the program (in making and issuing the passes) can be documented. These passes should also be transferable so that businesses with multiple vehicles can use the pass for the vehicle to be used in the parking district.

### RPD Program Review

Although it has been discussed, I would like to see, as part of the RPD code, a requirement for a yearly review meeting. This meeting date should be communicated well in advance and through multiple means (post cards to owners and residents of parking districts, GT, City Web Site, Barometer, OSU Website, etc.) with the request for any feedback, good or bad, about the current parking districts. At a minimum, the meetings should be required for 2 years past any significant tweaks or modifications to the RPD rules.

### Resident and Guest Pass Requirements

Currently City staff is recommending that only those who purchase a resident pass will be allowed to purchase a guest pass. My recommendation is that any address, whether or not they have a resident pass, should be entitled to the purchase of a guest pass. There are several reasons for my recommendations.

- Many residents have the ability to meet their parking needs with off street parking and only need a permit for guests.
- For those that choose to purchase a guest pass and not a resident pass, this will reduce the total number of passes sold (a good thing).
- There are residents of the RPDs that do not own a car or have a drivers license (this is the case with 4 of my 33 tenants in the parking districts) so they do not meet the requirements necessary to purchase a resident permit. This is exactly the behavior OSU and the city is encouraging – come to OSU but don't bring a car – yet they aren't allowed to have visitors as a result. Seems like a slap in the face for doing a good thing.
- It is unreasonable to expect some tenants not to be allowed visitors just because someone got the last allocated resident pass before they arrived. It's not equitable.

### Approval of Final RPD Program

Even though a significant amount of work has been done on the recommendations for the RPD program, there are still a large number of decisions to be made. I would like to see the final

program recommendations completed, with plenty of time for public comment, before it is sent to City Council for consideration. Approving this program on a piecemeal basis is a disservice to the residents of Corvallis.

### Linn Benton Center

Although I've seen a lot of discussion on OSU, BCHS and the Senior Center, I have seen little discussion on the LBCC facility on 7<sup>th</sup> Street. The onsite parking available to users of this facility is nowhere near enough to handle the number of people being served. This needs to be addressed by requiring LBCC to add parking, find an alternative parking area, or reduce the number of users so it matches their available parking.

### Parking Permit Allocation

Basing number of permits on lot size is not a workable solution for larger multi-family properties. For my properties the total number of permits allowed under this proposal is enough but there is no equitable way to distribute the passes. For example: One of my properties is a 9-plex with 2 bedrooms per unit. Based on lot size there are 4 resident permits allowed and I have 13 off street parking places. This totals 17 spaces, which is enough as on average there are 16 or 17 cars. To date this has not been a problem as my tenant's park in the off street lot and if it's full they use a parking space in front of the property (there are 6 abutting my property). Although the total number of parking spaces available with current proposal is acceptable, how do you propose I enforce which tenants get the permits (remember it impacts whether they can have guests as well)? Because they prefer to use the off street lot (which is designated tenant parking only), even if all of them had resident permits they would fill the lot before parking on the street. So in reality, there is no impact to on-street parking whether all of them have permits or just 4. With only 4 permits available where do cars without permits park if a permitted car uses a space in the off street lot?

The solution I propose is to adjust the number of available permits based on whether the building is multi-level - this means the front door is on a different level, not a 2 or 3 story single apartment. If the property is two stories the number of permits would be based on area but doubled and tripled for 3 story properties. At first glance you may think this will be problematic but I urge the committee to actually look at a few of the districts and determine the actual impact. I suspect it won't be as bad as you think. If the result is acceptable, it will solve a real problem.

### Short Term Parking

Having read the meeting packets it's clear that a large number of people are not happy with not being able to have guests stop by for a short period of time. I understand you decided to drop this option because of the cost and difficulty to monitor short term parking. One idea I haven't seen discussed is the use of paper parking permits. It would work like this:

- You park your car.

- You walk to the end of the block and press a button on a machine which dispenses a paper which has the date and expiration time (two hours after you pressed the button) printed in large letters.
- You walk back to your car and place the paper on the dash or stick it to the driver's side window if you want to make the paper like a Post-It.
- Compliance staff looks for paper if no permit is found and checks date and time.

This is very similar to what is commonly used elsewhere and is basically a low cost paper parking meter. Although the printing machines would be costly they don't need to be on every block if placed at strategic locations. Just something to consider as 2 hour parking (or even 1 hour) would certainly make the vast majority of residents in the RPD's much more supportive of the effort.

My last comment is that I would like the committee to consider implementing options that they don't feel are the best solution but can be changed easily in the future. For example, is it really that important to pick the perfect solution for number of resident or guest permits if this can be easily tweaked the following September. My suggestion is to start loose and tighten as needed as there's always resistance to changing something that is working. This is the case even if you could be less restrictive. It could even be stated that we don't think this is right but based on feedback or knowing it will be less disruptive (improve Livability), we're willing to try it for a year.

Thank you in advance for your consideration of these recommendations.

Best Regards,

John Wydronek

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From: Karin and Tim  
Sent: Saturday, March 01, 2014 10:42 AM  
To: Public Works  
Subject: parking district issues

Some questions I have:

\*our neighborhood(Jana) has a home based business down the street, with quite a few people coming and going on a daily basis. Where would those people park?

\*City needs to encourage more landlords to come to their rentals regularly to take care of maintenance, lawn care, etc. Where does a landlord/property owner park if not a resident of the residence?

Expanding parking districts seems to raise more questions, problems than expansion would solve.

Thanks for hearing my concerns.

Karin Krakauer

## Residential Parking District

### Formation Process

April 2006

- Step 1      Petition to form a new district or expand an existing district
- A petition signed by at least 50% of the **property owners** abutting each block face in any area that is interested in forming a new district or expanding an existing district. The petition should clearly indicate the area (include a street map with the proposed district outlined). To assure effective districts, the minimum new district size is **10 block faces**.
- Step 2      City staff will complete a parking study that identifies the peak parking demand in relationship to supply. Generally, demand must be **85% of supply** to continue the process. This step may result in adjustments to the proposed district boundaries.
- Step 3      City staff will complete an enforcement impact report that discusses the ability to enforce parking controls within the proposed district and/or the need for additional enforcement staff.
- Step 4      Property owners within the proposed district will be asked, via ballot, to support the formation of the district. Information regarding the cost and process to acquire parking permits for those living in residential parking districts will be provided with the ballot.
- Step 5      Proposed districts within the area included in the 2002 Downtown Parking Plan will be reviewed by the Downtown Parking Commission with a recommendation to the City Council.
- Step 6      All the information developed through steps 1-5 above will be provided to the City Council through the Urban Services Committee for a decision regarding district formation or expansion
- Note        The current annual cost for a residential parking permit is \$15. There is no fee to petition to create a new residential parking district or to expand an existing district.

### **Residential Parking District Guidelines**

1. Municipal Code states the permit must be attached to the left rear bumper or the left rear corner of the of the back window of the vehicle.
2. If you park at a parking meter, you must put money in the meter.
3. Temporary Residential Permits are available for guests who will be visiting at your residence for more than two hours. Anyone can park in a residential district for up to two hours.
4. The two hour limit is intended as a once per day time only, i.e. a person can not park for two hours , leave and come back and park in the district for another two hours.
5. The residential parking permit allows parking during posted times in excess of the two hour limit. You may not park in any one location for more than 48 hours. This limit also applies to on-street parking outside of residential districts.
6. Parking violations are \$25.00 for each two hour period - from 8:00 AM to 5:00 PM Monday through Friday.
7. Each residential address is allowed a maximum of three permits only. The permit must be renewed annually. The current cost for a permit is \$15.
8. Permits are only valid in one district (there are currently two districts).
9. You cannot buy a permit for one car and put it on another car. If you replace a vehicle, the old permit must be surrendered. A new permit for the balance of the year will be issued at no cost.

To: Urban Services Committee  
From: Dan Brown

March 4, 2014

**SUBJECT: CATCHING UP**

**RPD Enforcement Period**

To the last USC meeting, I brought an email from John Wydronek. He enquired about the USC decision about whether RPD enforcement would be year round or during the academic year. When I reviewed the minutes of the Jan. 7, 2014 USC meeting (pp.11-12), I came to the conclusion that there was USC consensus that academic year only enforcement was the committee's preferred option. I assume this would be true for 2hour free or permit-only parking.

**Deletions of areas from the RPD**

To the last USC I brought a list of RPD boundary concerns and recommended deleting:

Central Park  
Public Library  
Chintimini Park  
The GEM  
Good Samaritan Church

Previously, I have also discussed deleting the commercial property south of Washington. We have received testimony from the Downtown Commission about 6th Street. Their idea finesses the commercial property south of Washington.

Staff report of Feb. 26 agrees with only Central Park and the Library. (We also have received affirmative testimony from the Downtown Commission and representatives of the Library Board about those.)

I would be interested in hearing Staff's reasoning about the the GEM, Chintimini, and Good Samaritan Church. In my opinion, the wisdom of including Chintimini Park and the Good Samaritan Church depends on the USC's decision about permit-only versus 2 hour free parking. Permit-only is wrong for these two properties.

**Hybrid - Enhanced Status Quo**

In this meeting's packet I provided a list of suggestions for improving the *status quo*:

Eliminate enforcement during OSU breaks - see above.  
Delete non-residential areas from the boundaries (and the GEM) - see above.  
Adopt the revised map for zone boundaries as part of MC 6.15.  
Allow choice between 2hr and resident-only parking in documented "red zones."

**Permit-Only Parking**

If we propose the 2 hour free parking option, many of the details about district administration will disappear. If we go ahead with the permit-only proposal have several concerns about determining parking capacity which I will bring up at the next USC meeting.

**ADMINISTRATIVE SERVICES COMMITTEE  
MINUTES  
February 25, 2014**

Present

Councilor Biff Traber, Chair  
Councilor Hal Brauner  
Councilor Joel Hirsch

Staff

Jim Patterson, City Manager  
Ken Gibb, Community Development  
Director  
Dan Carlson, Development Services  
Division Manager  
Kent Weiss, Housing Division Manager  
Chris Westfall, Code Enforcement  
Supervisor  
Bob Loewen, Housing Program Specialist  
Emely Day, City Manager's Office

Visitors

Ron Anderson  
Will Bowerman  
Celene Carillo  
Carl Carpenter  
M. J. Carpenter  
Loren Chavarria  
Bill Cohnstaedt  
Wolfgang Dilson  
J. L. Duerksen  
Stan Elliott  
Maria Hart  
Tom Jensen  
K. Brian Jones  
Tatyana Kolchugina  
Ross Leavitt  
Karen Levy Keon  
Isabela Mackey  
Dean McGregor  
Lexie Merrill  
Tom Powell  
Gary Smith  
B. Stansell  
Feliciana Torres  
Mike Wells

**SUMMARY OF DISCUSSION**

Agenda Item	Information Only	Held for Further Review	Recommendations
I. Neighborhood/Property Maintenance Code Program	Yes		
II. Other Business			

**CONTENT OF DISCUSSION**

Chair Traber called the meeting to order at 5:00 pm.

I. Neighborhood/Property Maintenance Code Program

Community Development Director Gibb referenced previous staff presentations to the Committee. He and Housing Division Manager Weiss provided background information on the topic via a PowerPoint presentation (Attachment A) and offered additional comments:

- The Oregon State University (OSU)/City Collaboration Project Neighborhood Livability Work Group (NLWG) included representatives of neighborhoods, OSU, and the Corvallis community.
- The NLWG conducted significant public outreach.
- The Property Maintenance Code Program Advisory Group (PMCPAG) met with staff during Summer and Fall 2013 regarding Program design.
- Complainants' privacy would be respected to the extent possible, but anonymous complaints would not be accepted.
- Tenants would be encouraged, but not required, to seek resolution with their landlords before filing complaints.
- While investigation of a complaint about a single issue would not prompt a comprehensive inspection of a property, staff would pursue obviously hazardous conditions.
- Initial modifications to the International Code Council's (ICC) International Property Maintenance Code (IPMC) were reviewed by the PMCPAG.
- The three full-time-equivalent (FTE) staff positions would be comprised of one new hire and two re-assignments of employees within the Community Development Department. Duties of other positions would relate to the Program, comprising almost one additional FTE staff position.
- Program complaints were expected to fluctuate during the calendar year, warranting hiring "casual" code compliance staffing to work only when needed.
- The Neighborhood Empowerment Program (NEP) would work with neighborhood associations on enhancement projects, newsletters, bus shelters, and other efforts neighborhood residents requested.
- The increased Rental Housing Fee rate would generate approximately \$210,000 additional revenue annually. Existing funding would cover the balance of PMCP costs.

Mr. Gibb said the staff report for today's meeting included additional information requested during the Committee's February 5 meeting. The information identified gaps in existing City codes, previous Rental Housing Program (RHP) complaint caseload levels, background information provided to the PMCPAG, and a list of a selection of communities with IPMC-based property maintenance codes.

Chair Traber asked that those testifying to the Committee limit their presentations to three minutes and allow preference to people who had not previously testified to the Committee on the topic. He invited submission of written testimony.

J. L. Duerksen was a member of the PMCPAG, which reviewed extensive information toward developing the draft PMCP. He opined that professional property managers met their obligations. He referenced a December 26, 2013, article from the *Corvallis Gazette-Times (G-T)* that cited Police responses to high-density residential neighborhoods near OSU's campus. He noted the various entities involved in improving neighborhood livability conditions, including Corvallis Fire and Police Departments, OSU Student Conduct and Community Standards and drug and alcohol services, Associated Students of OSU

(ASOSU) Student Legal Services, and *G-T*; and he emphasized that progress was made. He expressed concern about the City spending \$500,000 on a situation that was improving and suggested that more time be allowed for additional improvements before a PMCP was implemented.

Bill Stansell said he would like the City to demonstrate the need for the proposed PMCP, as the existing programs worked. He owned rental properties, worked with the existing programs, and resolved problems. He believed education about working within the programs was the greatest problem.

Isabela Mackey, Interim Executive Director of Casa Latinos Unidos de Benton County, read a prepared statement and a letter from a client (Attachment B). She confirmed that the writers of the two December letters had not received responses from their landlords.

Loren Chavarria, Assistant Director for Engagement at OSU's Center for Latino Studies and Engagement, read a letter from a client (Attachment C).

Gary Smith, a real estate broker, sold apartment buildings during the past 25 years and toured many apartments through that occupation. He believed the isolated instances of apartments in poor condition should not be "blown out of proportion," which he considered the case with the proposed PMCP. He believed the problem of rental housing condition was based upon supply and demand. Rental rates would continue increasing, and rental units would be upgraded to warrant higher rental rates. He said one-bedroom apartments were available in Corvallis for more than \$800 per month. He opposed the proposed PMCP because he believed it would add bureaucracy and "red tape" for isolated property owners. He acknowledged that property owners should be required to repair problems at their properties, but he believed the existing RHP was intended to address those situations. He observed overwhelming opposition to the proposed PMCP and believed attendance at tonight's meeting would be much greater if the PMCP was applicable to owner-occupied residences. Further, he believed the proposed PMCP would isolate a group of people and leave them no options because of the actions of a few people. He asked what was meant by the proposed PMCP intention to "close current code gaps." He noted that many properties near OSU's campus did not meet current Land Development Code (LDC) criteria and probably could be cited. He expressed concern about properties that complied with previous LDC criteria but, despite no changes, did not comply with current LDC criteria.

Councilor Brauner said the existing RHP required tenants to seek resolution through their landlords before seeking City assistance. However, tenants were often afraid of retribution for doing so. The proposed PMCP would allow tenants to go to the City first.

Mr. Smith said he would not object to that change. Most property owners wanted to maintain their properties so they could charge higher rental rates.

Chair Traber referenced rental unit complaints not being addressed, despite the existing RHP.

Mr. Smith said the same concerns were expressed when the RHP was developed and were a major reason for its development. He opined that the RHP must not be working, if staff believed it was necessary to add bureaucracy and \$500,000 in program costs. He expected that the PMCP costs would be passed to tenants in higher rental rates.

Feliciano Torres spoke through a Spanish/English translator. She previously rented an apartment that was in very bad condition when she moved in and had missing equipment. She reported appliance problems to the rental company, and appliances were repaired but at her expense. She lost deposits with each apartment she rented. One apartment had numerous cockroaches, and she submitted many complaints about the bugs. She believed the apartment was uninhabitable because of the cockroaches, and she wanted to move from the apartment but could not break her lease without paying the remaining months' rents. She moved one month before her lease expired and paid the remaining month's rent, but she had to leave all of her possessions because they were infested with cockroaches.

In response to Councilor Hirsch's inquiry, Ms. Torres said she did not seek City assistance with the problem because she did not know enough about available City services.

Wolfgang Dilson built a sub-division on NW Hummingbird Drive, which was far from the properties that seemed to be the subjects of many of the complaints expressed tonight. He was a member of the Hummingbird Meadows Homeowners Association Board of Directors, which controlled all activities in the sub-division, according to stringent Association covenants, conditions, and restrictions. Most of the sub-division residents were OSU professors and their families. He considered the City's involvement in management of the sub-division to be insulting, patronizing, unnecessary, and expensive. He believed it was unfair for his sub-division's property owners and tenants to pay for the City to supervise incapable or irresponsible property owners and tenants in other areas of Corvallis. A fair and easy method of maintaining and controlling properties would involve enacting stringent rules and enforcing them with high fines to property owners and tenants who broke the rules. The cost for code enforcement inspectors could be recovered through fines. He asked the Committee to rescind the fees that were unfairly imposed on law-abiding property owners.

Celene Carillo, Director of Communications for OSU's College of Liberal Arts, read a letter from a client and submitted photographs (Attachment D).

Lexie Merrill was a member of the OSU/City Collaboration Project Steering Committee and worked on the draft PMCP, representing OSU students and low-income tenants. Seeking housing as an OSU student was very discouraging. Many of the units with lower rental rates had mold, electrical problems, broken floors, or chronic moisture problems. One of her friends spent time in the hospital as a result of health issues caused by mold and single-pane windows that allowed high moisture levels in his apartment. She observed that the issue seemed to put landlords against tenants. She urged that the proposed PMCP be fair and equitable for landlords and tenants, but tenants should not have to pay for the

Program. She believed tenants were not at fault and should be able to live in units that met codes and were healthy environments. The current complaint-based RHP was intimidating and caused repercussions for tenants. With high rental occupancy rates, tenants could complain for better living conditions or be homeless; therefore, she contended that the tenants were the suffering parties. She asserted that the extent of the problem of sub-standard rental units in Corvallis was unknown, as probably no one had been in every rental unit in the community. Without complaints, City staff did not visit rental units. Interior living conditions could not be gauged by the exterior appearance of a rental unit. Even if landlords met their responsibilities, the tenants were the vulnerable parties. She believed the City should address the issue of rental housing conditions through the proposed PMCP. She did not believe the complaint-based system was best because of the fear of repercussions on complainants.

Councilor Hirsch expressed sympathy to tenants but cautioned that landlords often must deal with difficult tenants. He acknowledged the existence of problems.

Ms. Merrill concurred that problems were not always caused by tenants, but some tenants did not take care of their properties. She believed property owners and managers were responsible for maintaining their properties and could evict problem tenants.

Councilor Brauner clarified that the cited \$500,000 cost for the proposed PMCP would include the existing RHP. Approximately \$210,000 would be added to the budget for the PMCP.

Stan Elliott, a Certified Property Manager, sympathized with tenants who testified. He believed that the City failed to provide affordable housing, but he did not know how such housing would be funded. He did not believe the City could enact a law to prohibit property owners from mortgaging properties and then defaulting on the mortgages. He suggested that the City institute a fining situation with a reward for those who submitted tips. He did not believe the proposed PMCP would remove owners who did not properly maintain their properties.

Maria Hart, of Casa Latinos Unidos of Benton County, reviewed a letter from a client (Attachment E). She said the letter was from one of many tenants who were afraid of being evicted if they complained publicly.

Tom Jensen, a tenant, opposed the proposed PMCP. He said most of the conflicts presented in Exhibit 1 of the staff report were addressed in the ICC's Building Code that the City followed. He believed the issue involved changes to properties since they initially complied with the Code. He was concerned about home owners benefiting from the proposed PMCP and tenants paying for the Program. While a portion of the Program's costs would be paid from property tax revenue, he noted that tenants paid property taxes as part of their rental rates. He expected that the additional Program costs would be passed to tenants in higher rental rates. He believed the major problem involved the reporting process. The proposed PMCP would not protect tenants from repercussions.

While City staff may initially attempt to protect complainants' privacy, property owners and/or managers would know the complainants' identities when they responded to the complaints. He believed education and courage on the part of tenants was the greatest need. The existing RHP resulted in Housing Program Specialist Loewen seeking solutions to sub-standard housing conditions. The proposed PMCP would disclose the identity of the problem property owners and managers. Some time ago it was asserted that 30 percent of the 13,000 rental units in Corvallis were faulty. He noted that the Corvalla Apartments were being refurbished, and rental rates would be increased more than 25 percent. He said many tenants lived in sub-standard conditions because they were affordable. Enacting the PMCP and requiring upgrades to rental housing could leave many displaced tenants who could not afford the resulting higher rental rates. He urged that the existing RHP be operated thoroughly and efficiently and that the proposed PMCP not be enacted.

Tatyana Kolchugina, a Corvallis resident since 1991, appreciated being able to rent good living units and obtain prompt responses from her landlords. She submitted a list of questions and concerns about the proposed PMCP (Attachment F).

Chair Traber clarified that the additional PMCP costs would be paid by increasing the RHP fees assessed on rental units. Fees would not be added to City utility fees.

Brian Jones, a real estate broker, noted City staff's estimate that 60 percent of residential units were occupied by tenants and the remaining 40 percent were occupied by property owners. He did not believe it had been emphasized enough that the proposed PMCP would apply to all structures. He acknowledged that tenants had legitimate complaints; however, the City, by establishing a complaint-based Program, could end up in the middle of landlord-tenant disputes. He said City staff's discretion in handling complaints would not codify anything, and that concerned him.

Dean McGregor represented Ryder Properties, LLC, and owned two Corvallis apartment buildings marketed toward OSU students. He asked several questions:

- How many complaints that would be subject to the proposed PMCP were received by City staff during 2012 and 2013?
  - How many of the complaints were successfully adjudicated with fault found by the complainant and remedied by the City?
  - What was the annual budget for 2012 and 2013 when the complaints were received?
- Who were the primary clients of the education and outreach program?
- Would Municipal Court citations primarily be issued to landlords for improperly maintaining properties or also issued to tenants for improperly maintaining the rental units they occupied?
- How would access to the re-instated NEP funds be determined?
- Why did City staff believe it was property owners' responsibility to pay for the misbehavior of a few property owners who did not maintain their properties?
- Would the rental fees be applicable to single-family houses?

- What mechanism did City staff have to determine the number of houses actually rented and assess the rental fees against the owners?

Mr. McGregor liked the proposal to review the PMCP in two years but suggested that the review be a "sunset" review – if the PMCP did not achieve set metrics for success, it would be sunsetted.

Chair Traber said some of the information Mr. McGregor sought was included in information presented at the Committee's February 5 meeting and was included in the packet for tonight's meeting.

Mr. McGregor asked if a City staff member would respond to questions from property owners submitted via the City's Web site.

Chair Traber clarified that the education and outreach effort would be targeted to landlords and tenants and would be conducted by Community Development Department staff.

Tom Powell owned rental properties. He said Corvallis land prices, systems development charges, and development permits resulted in very expensive developments. He suggested that any single-family house built after a specific date should be exempt from the proposed PMCP. Complaints expressed tonight involved a mobile home park in South Corvallis and older houses and apartment buildings. He questioned why newer housing units should be assessed the higher RHP fee, when older units tended to have structural problems.

Karen Levy Keon served on the NLWG and PMCPAG. She commended community members for working together to resolve problems. She noted that the proposed PMCP provisions were not based upon the people's intentions and efforts now. City staff had identified gaps in existing codes; despite everyone's best intentions, no codes would cover some issues. The IPMC would provide City staff and property owners with better guidance for better-quality housing. She believed this concern warranted the proposed PMCP. Further, she noted that policies and codes were not dependent upon hard work and good intentions. A policy change meant to protect people would remain in effect if property ownership changed to someone less inclined to maintain the property. She read two client letters included with Ms. Mackey's letter (Attachment B). She opined that everyone deserved a safe home; sub-standard living conditions made it difficult for people to have the quality of life they deserved. The proposed PMCP would improve housing conditions.

M. J. Carpenter noted that older appliances worked if maintained. She referenced many anonymously submitted letters read tonight but noted that the same anonymity was not granted to the property owners and/or managers about which the letters were written. She believed public forums should have provided anonymity to both tenants and landlords. She acknowledged that tenants were concerned about retribution for their complaints; however, she believed it was unfair for property owners and managers to be named in the testimony and potentially named in news coverage of the public forum.

Ron Anderson owned a duplex built during the 1960s. He acknowledged that the complaints expressed tonight were valid. He endeavored to maintain his rental property. Referencing the issue of mold, he noted that tenants from warmer, southern climates may not realize that they would need to use more heat and run bathroom and cooking fans more to remove moisture from the air to avoid condensation on older, single-pane windows. He expressed concern that education include tenants' responsibilities in preventing issues and property owners' responsibilities in maintaining properties. He was concerned that the proposed PMCP could prompt property owners to feel compelled to install double-pane windows, which would justify higher rental rates. He questioned whether the proposed PMCP would make lower-rent units obsolete.

Carl Carpenter expressed concern about proceeding with the significant change represented by the proposed PMCP and possible unintended consequences. He would support an incremental change to the existing RHP. He shared Mr. Anderson's concern that the proposed PMCP would eliminate lower-rent housing because of the requirement that rental properties meet specific criteria. He noted a backlog of 7,022 violations and issues under the City's Code Enforcement Program (CEP) and RHP; almost 4,000 of the unresolved violations involved habitability issues. Based upon staff's data, he calculated 449 unresolved violations each year. He urged that the Committee consider the unintended consequences of the proposed PMCP on City staff, as the number of unresolved violations would likely increase. He expressed concern regarding the PMCP budget, particularly in light of the number of unresolved issues. He opined that City staff should focus on resolving existing cases before implementing a property maintenance code. He noted that the RHP did not include a progressive enforcement strategy, and the IPMC was needed to implement such a strategy; he suggested that this be an incremental solution before implementing the proposed PMCP on all properties in the city. He opined that the proposed PMCP should apply to all structures. He believed the City would do a disservice if the PMCP was not applicable to the interior of owner-occupied residences. He questioned why the proposed PMCP would include a process for verifying correction of conditions in rental housing units but not in owner-occupied housing units. He believed the proposed PMCP should apply equally to tenant- and owner-occupied housing. He was concerned whether the proposed budget would be sufficient for actual PMCP costs; he would like a clear, actual cost for the Program.

Will Bowerman owned his home and rental properties. He was concerned about the proposed PMCP and opined that City staff should be able to address the backlog of CEP and RHP violations without needing to add another layer of regulations. He believed the Oregon Revised Statutes (ORS) concerning landlords and tenants addressed many of the code gaps City staff cited. He expected that tenants could use the referenced State landlord-tenant laws for their protection. Tenant education would be beneficial. OSU students had access to legal services. Based upon the number of RHP complaints submitted to date, some tenants apparently were not concerned about potential retaliation from landlords.

Mike Wells owned his home and managed rental property. He noted that many of the issues presented by tenants were addressed by the State's landlord-tenant law. He asked about the percentage of complaints not addressed by the current landlord-tenant law and whether that issue should be addressed. He was concerned that the current RHP would cause property owners to replace older, single-pane windows to meet current codes, impacting the aesthetics of older homes. He noted that, despite a requirement in the RHP, some tenants sought assistance from City staff before approaching their landlords. He suggested that the RHP include allowance for tenants to contact their landlords before contacting City staff, as that seemed a logical process and could alleviate retaliation issues. He considered the RHP fee increase substantial and expected that it would be passed to tenants in higher rental rates. He did not think the RHP fee increase was the best option for funding the proposed PMCP.

Chair Traber clarified that the Committee would continue working on the proposed PMCP, and each Committee meeting would include opportunity for public input.

Bill Cohnstaedt submitted written testimony (Attachment G). He offered to provide the Committee with copies of ORS 90.380 regarding renting condemned and unsafe properties. He explained that City staff had a difficult challenge in that the vacancy rate for low-rent housing was extremely low. ORS 90.380 allowed City staff to condemn a property while negotiating to bring it to minimum State legal standards, in which case the tenant was required to vacate the property. In such cases, the landlords would not be retaliating against the tenants; State law would require the tenants to vacate an unsafe building. If the community had a four- to seven-percent vacancy factor, the rental housing system would function. Without that vacancy factor, State laws and the City's RHP could not function because evicted tenants would have no housing options. He suggested that the Council accommodate more housing in Corvallis so rental rates decreased. He said the last few issues of the *OSU Daily Barometer* included articles that the rental unit vacancy rate was 3.7 percent, yet advertisements offered move-in specials and reduced rental rates.

Councilor Hirsch noted that not all PMCP complaints would involve building condemnation and forced eviction, and most landlords were responsible. The City was attempting to resolve situations of properties that did not meet existing codes.

Mr. Cohnstaedt responded that complaints involving health hazards, such as excessive mold, could result in tenants being evicted from a rental unit. He was concerned about unintended consequences from the proposed PMCP.

Ross Leavitt, a landlord, broached the issue of the PMCP's impact and requirements on homeowners. He believed existing regulatory mechanisms addressed rental properties in terms of standards of condition. The RHP provided a means of addressing safety issues. He acknowledged tenants' legitimate concerns of retribution for complaining about housing conditions. He noted that landlords could give tenants 30 or 60 days' notice to vacate a unit. He believed adding the proposed PMCP to existing codes would not resolve the retribution concern. Under the proposed PMCP, tenants might still be fearful of retribution,

as landlords would still be able to issue eviction notices. He referenced Ms. Torres' testimony that she did not know about available City services. He said the issues presented tonight indicated that more promotion of existing services was needed, rather than additional regulations. If more tenants knew about available City services, fewer housing condition issues would exist. He added that, if landlords were required to upgrade their properties, they may realize that they could justify charging higher rental rates. In that case, many of the tenants currently experiencing problems in lower-rent units would be forced out of the rental market because of the shortage of housing in the local market. He did not believe the proposed PMCP would directly address the issues presented.

Chair Traber referenced additional material provided to the Committee by staff: an e-mail from Andrea Myhre (Attachment H), a memorandum from Kent Daniels (Attachment I), a letter from "Mr. C." (Attachment J), and a letter from Corvallis Chamber of Commerce Executive Director Kevin Dwyer (Attachment K).

Chair Traber asked Committee members if they had questions or concerns for staff to address for the next Committee meeting. Mr. Gibb said staff would provide the IPMC and code gap information and determine which questions or issues presented tonight could be addressed in time for the Committee's March 5 meeting.

Chair Traber requested information about State laws regarding landlords and tenants and protection from retaliation.

Committee members and staff discussed when materials would be available for public review. Chair Traber emphasized that the proposed PMCP would be discussed during the next several Committee meetings.

## II. Other Business

- A. The next regular Administrative Services Committee meeting is scheduled for March 5, 2014, at 3:30 pm, in the Madison Avenue Meeting Room.

Chair Traber adjourned the meeting at 6:57 pm.

Respectfully submitted,

Biff Traber, Chair



**BRIEFING:**  
**Corvallis Neighborhood  
 Outreach/Property Maintenance  
 Code Program**

*Corvallis Administration Services Committee  
 February 25, 2014*

**Background**

- Program concept developed during the Collaboration Corvallis/Neighborhood Livability Work Group process in late 2012/2013
- Livability Work Group’s conclusion was that current codes are not sufficient to address property maintenance, housing conditions and livability concerns

**Options Considered**

- Three options considered by the Neighborhood Livability Work Group:
  - Implement a property maintenance code with rental licensing and proactive rental housing inspections, with commensurate staffing
  - Implement a complaint-based property maintenance code approach, also with commensurate staffing
  - Maintain existing City codes and staffing

**Work Group/Steering Committee  
 Recommended Approach**

- Neighborhood Livability Work Group and Collaboration Steering Committee recommendations to City Council:
  - Implement a property maintenance code to apply to all Corvallis properties in order to close current code gaps
  - Create an equitable funding structure to support a complaint-based system
  - Provide staffing commensurate to program need

**Work Group/Steering Committee  
 Recommended Approach (cont.)**

- Recommendations to City Council (continued):
  - Use culturally and linguistically appropriate education and outreach strategies
  - Develop a progressive enforcement strategy
  - Engage stakeholders in a review of future options for additional programs/policies (within two years of property maintenance code implementation)

**Basis for Work Group/Steering  
 Committee Recommendations**

- Health, safety and neighborhood livability concerns
- Property maintenance code a key first step to addressing them
- A more comprehensive outreach and education program is needed
- Progressive enforcement with increasing penalties will be effective
- Additional measures may be necessary following evaluation of initial effectiveness

### City Council Consideration and Direction to Staff

- Council received the Work Group/Steering Committee recommendation in May 2013 and directed staff to initiate development of an expanded outreach/property maintenance code program
- Staff proposed the formation of an advisory group with broad stakeholder representation to assist with program design

### Model International Property Maintenance Code

- Developed by the International Code Council as part of a family of codes (e.g., building, plumbing, etc.)
- Intended to establish minimum maintenance standards for equipment, light, ventilation, sanitation and fire safety
- Used as a base document for property maintenance codes by hundreds of local jurisdictions around the U.S.



### BRIEFING: Corvallis Neighborhood Outreach/Property Maintenance Code Program

### Expanded Neighborhood and Community Outreach and Education

- Maintain information and referral services for landlords and tenants
- Implement a more proactive program for neighborhood and community outreach
- Become a point of contact and information for neighborhood associations
- Create a PMC-related outreach and education program element
- Improve integration of City outreach services with expanding OSU student-focused services

### PMC Operating Protocols

- Complaint-based rather than inspection-based approach to compliance
- Anonymous complaints will not be accepted
- Interior and exterior conditions will be addressed for residential rental properties
- Only exterior and dangerous building conditions for owner residential and non-residential properties

### PMC Operating Protocols (cont.)

- Unlike current Rental Housing Code protocol, tenants will be encouraged but not required to communicate with their landlord before filing a complaint
- Response approach and time frames will be tied to the severity of compliance issues
- Investigation of a single complaint issue will not be intended to become the basis for a comprehensive property inspection

### PMC Operating Protocols (cont.)

- Municipal Court citation process to be utilized for failure/refusal to achieve compliance
- City's current Board of Appeals will hear appeals related to the Property Maintenance Code
- Anticipate annual program reviews by a City Council subcommittee

### Corvallis Property Maintenance Code Standards

- The International Code Council's International Property Maintenance Code is being used as the starting point for local Code development
- Initial modifications have been identified/proposed as a result of the Advisory Group process
- These and any additional modifications to Code language will be detailed if/when City Council direction is provided to staff, after completion of the review by Administrative Services Committee

### Draft Operating Budget – Expenditures

- Annual program operating expenditures approximately \$530,000
- Staffing includes three FTE for outreach and code compliance, with portions of other positions combining into a fourth FTE
- Funding for casual code compliance staff
- Initiate a reserve fund for abatement of dangerous buildings
- Reinitiate the Neighborhood Empowerment Program (funding request to be forwarded to City Council separately)

### Draft Operating Budget – Revenues

- \$130,000 in ongoing General Fund support
- \$37,000 from recently passed property tax levy
- \$10,000 to be requested separately for the Neighborhood Empowerment Program
- Balance needed (~\$350,000) to be generated through an increase in the rental housing fee from the current \$12/unit/year to ~\$30/unit/year

### Draft Operating Budget – Revenues (cont.)

- General Fund/property tax support equates to about 34% of budget; rental unit fees represent about 66%
- Funding balance approximates the current and anticipated focus of program resources between residential rental and other property types

### Next Steps

- February 25 ASC meeting: public comment opportunity
- March 5 and future ASC meetings as needed: detailed program review, further discussion and program recommendations
- Future: City Council consideration of ASC recommendation
- Future: Development of final program design/code language for City Council action



Corvallis City Council  
Administrative Services Committee

Housing Testimonial Meeting: Tuesday February 25, 2014 at 5 pm

BOARD OF  
DIRECTORS

Daniel López-Cevallos

Chair

My name is Isabela Mackey. I am the Interim Executive Director working for Casa Latinos Unidos de Benton County (CLUBC), a nonprofit organization that serves the Latino Community and promotes family well-being in Benton County.

Doris Cancel-Tirado

Through the last three months, some CLUBC clients and associates have come to me to express their needs of improvement regarding the suboptimal housing conditions in which they live. Due to the fact that they are not confident in their English skills and do not know how to further proceed, they requested assistance from me in formalizing their repeated efforts to communicate these issues to their housing managers.

Maria Ortiz

Maria Hart

I asked each client to provide me with a list of the issues they were experiencing in their apartments and, assisted by the City of Corvallis personnel, prepared a bilingual letter for each client addressing the issues that needed attention in their living premises.

EXECUTIVE

Once the client confirmed that the letter was accurate, I provided it to each of them so that they would inform their landlord/manager via letter of the inadequate conditions, and request that changes be made.

DIRECTOR

These would be reading the letters here tonight, but they are afraid of retaliation and have asked me to read them here for all of you. I am providing copies of the individual letters to the Council.

Isabela Mackey

As of the week of February 17, I asked each of them if they had received answer from their apartment's manager. One person indicated the manager responded by telling her what to do to clean the mold, and expressed her frustration with the manager's response. Two indicated they had no received response and nothing had been done regarding their complaints.

EDUCATION AND  
ADMINISTRATIVE  
ASSISTANT

Sincerely,

Isabela Mackey

Vacant

November 27, 2013

Manager  
Seals Mobile Home Court  
2010 SW 3<sup>rd</sup> St  
Corvallis, OR 97333

Dear Manager:

Please help me with the mold issue I am having with the windows of my home. I clean the mold from the windows often, but it grows back within one week. I have tried bleach to keep the mold away, but the mold grows back. It would be great to have newer windows. I am concerned for the health of my family.

I appreciate any help you can provide.

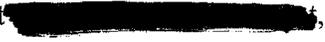
Respectfully,

[Client's name]

December 2, 2013

Chinaberry, LLC  
2919 NW Spurry Pl  
Corvallis, OR 97330

Dear Landlord:

There are several issues that need attention in our apartment at  client's address

- There is no weatherstripping around the door. Cold air is getting inside.
- The windows are old and cold air is getting inside.
- The refrigerator is old and has mold growing on the inside.
- The carpet is so old it is worn through in several places.
- The inside mechanism of the toilet does not work so it will not flush properly.
- The bathtub leaks.

We would appreciate it if you would schedule a time to come and take a look.

Thank you.

Sincerely,

[Client's Name]

December 5, 2013

Duerksen & Associates

913 NW Grant Ave

Corvallis, OR 97330

To Whom It May Concern:

There are several items in my apartment, <sup>Client's address</sup> [REDACTED], that need attention:

- The carpet is too worn to properly clean
- The vinyl in the bathroom is torn
- The bathroom sink is worn down so that there are black spots
- The towel bar in the bathroom is loose
- Some of the boards on the balcony are cracked

I have lived in the apartment for ten years.

Sincerely,

[Client's name]  
[REDACTED]

Loren Chavarría

Corvallis, Or. 97330

My name is Loren Chavarría. I am the Assistant Director for Engagement at the Center for Latin@ Studies and Engagement at Oregon State University. What follows is a translation of the testimony offered in Spanish by a community member who wants to remain anonymous because of fear of retaliation from his/her landlord.

My family lives in a unit managed by Chinaberry LLC. We have lived in the same place for the past 6 years. There are several problems with our apartment

1. The doors to the outside have no bottom sweeps to stop the cold drafts; as a result we have high electricity bills during the winter months.
2. Water leaks onto the floor every time we take a shower, even though we always use the shower curtain.
3. The refrigerator is worn and it is rusted on the outside.
4. The carpet is threadbare
5. The window's seals are broken. There is condensation and mold around the frames.
6. The window screens are old and some of them are broken.

We have talked to our landlord about these problems numerous times, but no maintenance or repairs have been done for six years.

Celene Carillo

Corvallis, Or. 97330

My name is Celene Carillo. I am the Director of Communications for the College of Liberal Arts at Oregon State University. What follows is a translation of the testimony offered in Spanish by a community member who wants to remain anonymous because of fear of retaliation from his/her landlord.

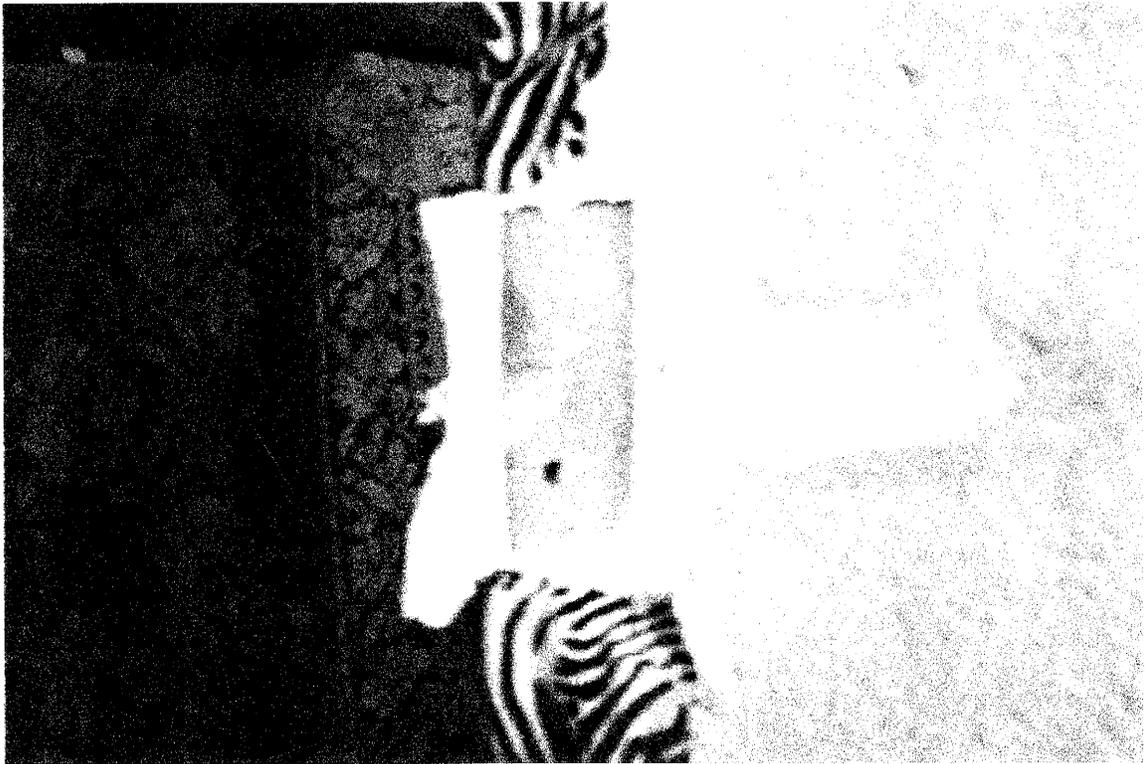
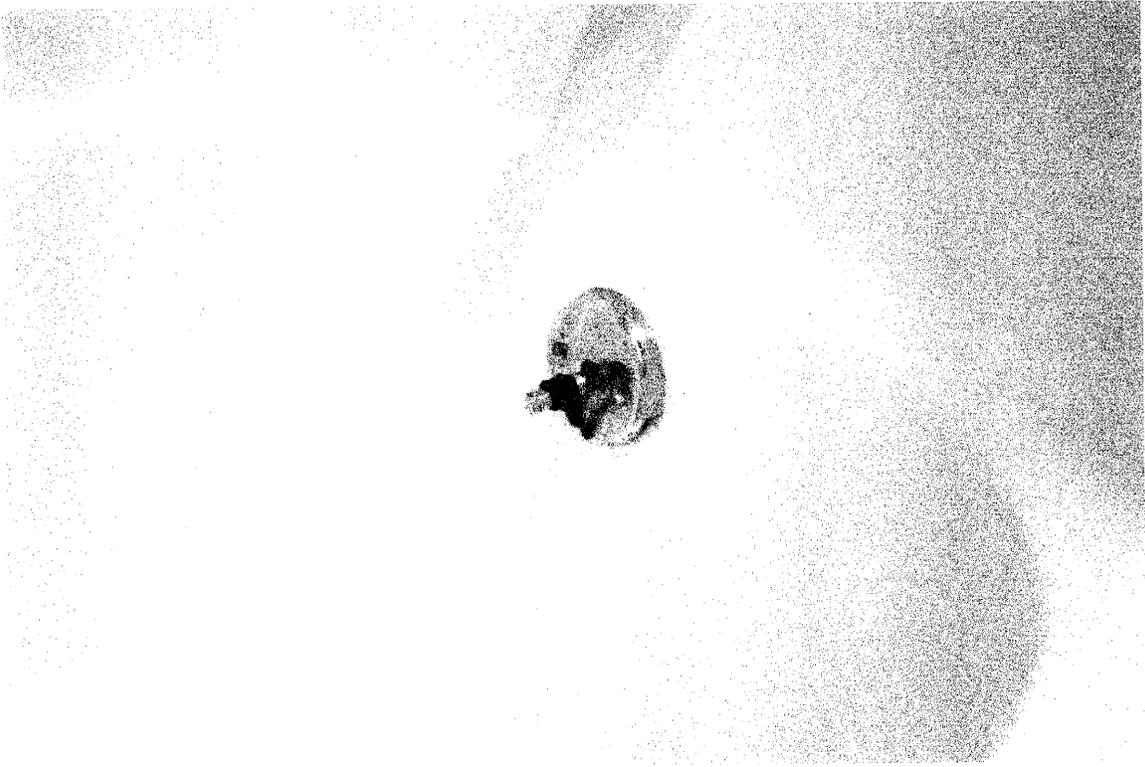
My family lives in the Cinnamon apartment complex managed by Duerksen & Associates, Inc. We have lived in the same place since 2003. When we first moved into this apartment the fridge and stove were already old, and the carpet was frayed and spotted with chlorine stains. After multiple requests to have the appliances updated, the fridge was changed three years ago. We still have the same old stove we had when we moved in more that 10 years ago.

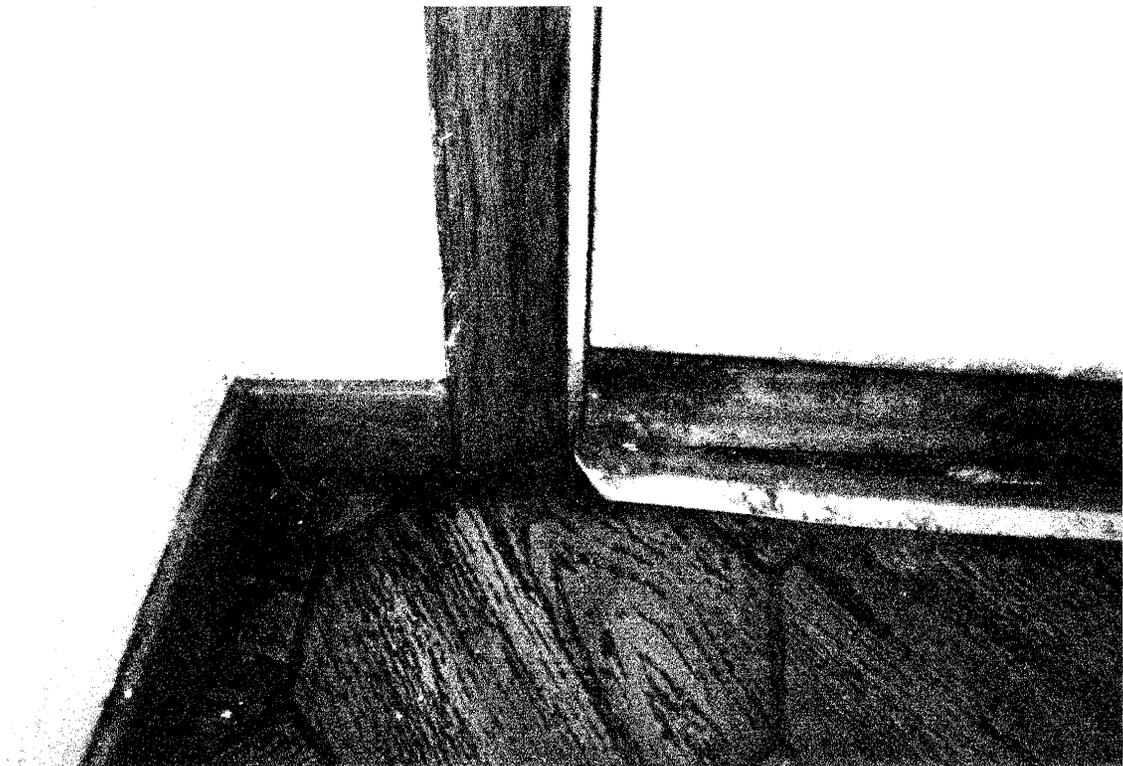
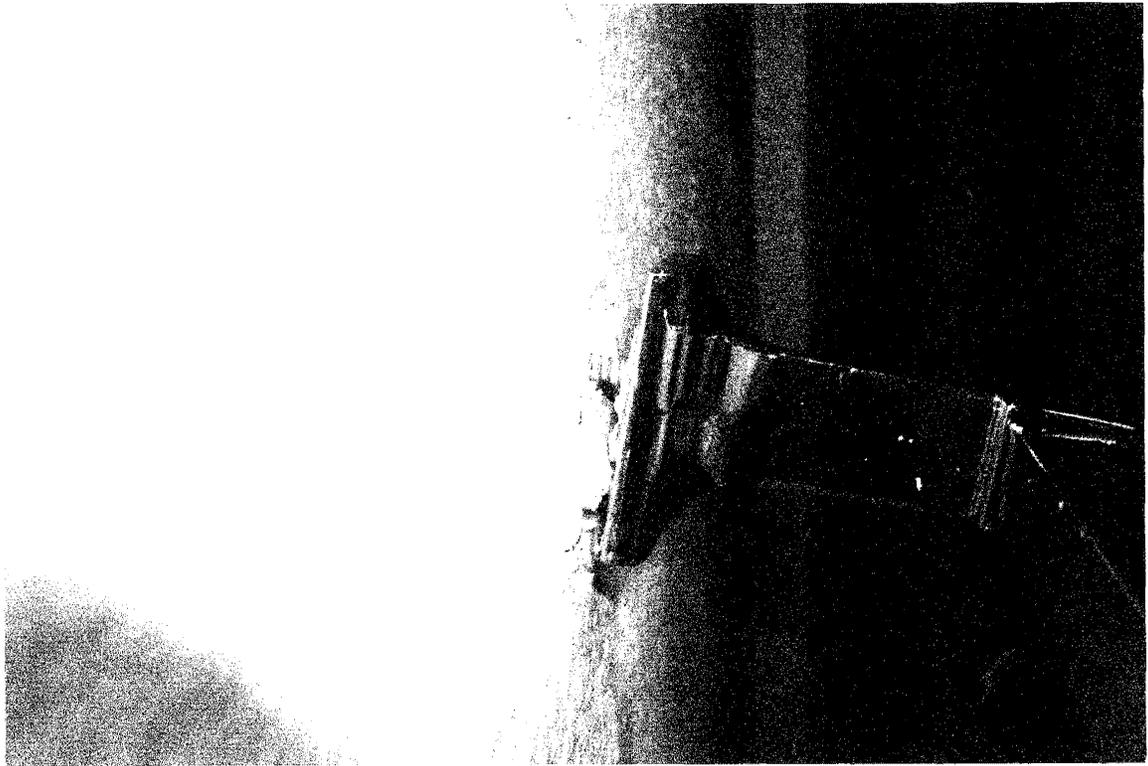
Two years ago, our hot water boiler overheated and all the hot water soaked the carpet around it. The person who came to repair it saw how threadbare it was and recommended Duerksen to replace the carpet in the entire unit. It did not happen. Only the carpet in the living-room area was changed. The rest of the apartment has had the same carpet for more than 10 years.

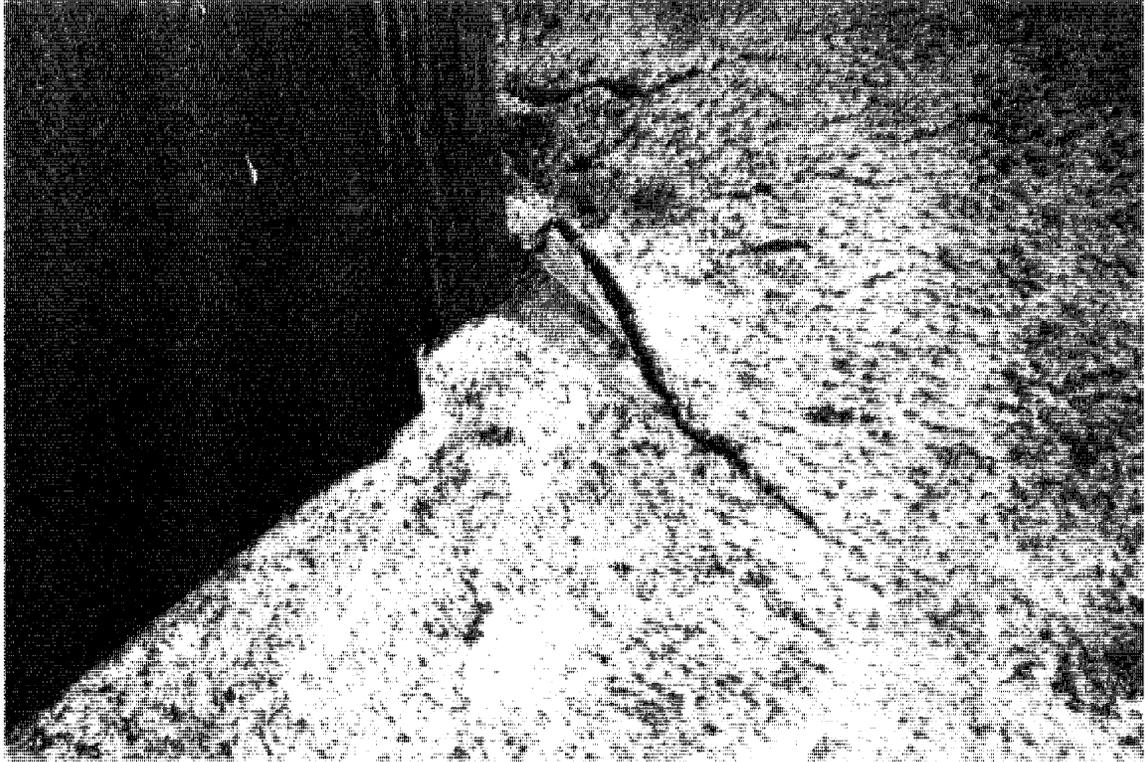
In addition to these problems we have complained in writing about the following:

1. The kitchen and bedroom floors creaks when we walk on them
2. The linoleum floor in the bathroom is broken and the towel-hanger has fallen off the wall
3. The bathroom sink is rusted
4. The carpet has mold, and it is ripped in one corner
5. The carpet covering the first step in the interior stairs is unattached.
6. Some roods in the second floor balcony are broken
7. There have been cockroaches and mice in other apartments in the same complex rented by people I know

Every year the management inspects the unit and takes notes, but the problems mentioned have not been fixed.







Maria R. Hart

Corvallis, OR 97333

My name is Maria Hart, from Casa Latinos Unidos of Benton County. What follows is a translation of the testimony offered in Spanish by a community member who wants to remain anonymous because of fear of retaliation from his/her landlord.

My family lives in a manufactured home in the Sunrise complex located in south Corvallis. We have lived in the same place for the past four years. There are numerous problems with our home.

1. The electricity bills are very high during the winter months because the windows do not have a latch and don't seal well.
2. The stove is old and tattered
3. The refrigerator is too small for a family of six people
4. Water leaks onto the floor every time we take a shower, even though we always use the shower curtain.
5. I have had rats inside my house and these have damaged my kitchen and bathroom
6. The carpet is threadbare
7. The window's seals are broken. There is condensation and mold around the frames

I have talked to our landlady, Dennie Lorensen from Re/Max, about these problems numerous times. Her last response was to give me a written list of tips on how to clean my home. We have been responsible tenants and we have always paid our rent in full and on time, however there has been neither maintenance nor repairs done to this home since we moved in.

Tatyana Kolchugina

Corvallis OR 97330

Questions/Comments on Neighborhood/Property Maintenance Code Program

- In the document dated February 20 2014 posted on the City of Corvallis website, does PMC program mean Proposed "Property Maintenance Code Program"? *- yes*
- In the PMC, the issues related to Rental vs Owner-Occupied residential buildings should be more clearly separated and identified. *- yes*
- For Owner-Occupied buildings (existing), some of the issues in the proposed PMC are not necessary, specifically, interior items, including, light in basement/garage areas, ventilation, weatherized - airtight windows and roofs, deadbolts, etc. Though these are all important items, they should be the sole interest, liability, responsibility, and discretion of the owners-occupants.
- The situations that constitute violations of the PMC exterior maintenance should be clearly stated: which situation specifically triggers inspection? How it will be enforced? *addressed some of at the meeting on 02/25/14*
- How the proposed PMC will be enforced in general and specifically? Is it going to be active enforcement or complaint based? Will it require additional inspectors? How it will be financed? Will additional funds be requested from the citizens? If so, will it be levied through a vote or billed through fees? *- how owner-occupied properties will be affected?*

*all of these  
500 rentals?*

*some of the issues have been addressed  
any new taxes are anticipated?*

*no unreasonable search of properties*

*maybe, \$500K should be directed to sidewalk maintenance.*

*additional paper \$250K -  
- is this correct?*

*rentals -*

**WILLIAM COHNSTAEDT**

LAWYER  
561 NW JACKSON AVENUE  
CORVALLIS, OREGON 97330

Telephone (541) 757-9944  
Fax (541) 757-9950  
[bill@williamcohnstaedt.com](mailto:bill@williamcohnstaedt.com)

February 25, 2014

Administrative Service Committee  
Councilor Biff Traber, Chair  
Councilor Hal Brauner  
Councilor Joel Hirsch

Re: Regulating Residential Rental Property in Corvallis

Dear Committee Members:

My presentation will be followed by a written report to you. I have read the two (2) staff reports and all attachments. My unanswered questions follow.

I do not understand why staff proposed spending over half a million dollars to reorganize the Community Development Department.

What is the purpose of this reorganization? Secondly, "how" will it be more effective than present regulations of residential rentals, as set forth in the state statutes? State statutes are enforced by the state judicial system. The apparent answers include, but are not limited to the following:

First, to address "livability issues" arising from the advisory group created to work on the collaboration project with OSU.

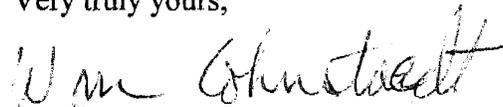
Second, to fill the "Gaps" in the current Municipal Code.

Third, to use the IMPC to address complaints and discrepancies in Corvallis' premises that do not presently meet the proposed new code.

Fourth, other more specific questions will be addressed to the Administrative Services Committee when the "why" questions and the follow-up "how" questions are clearer.

For today, I suggest the attached ORS Title 10 covers most of the gaps identified in the Staff responses.

Very truly yours,



William Cohnstaedt  
WC/st

Enclosures

TITLE 10  
PROPERTY RIGHTS AND TRANSACTIONS

- Chapter 90. Residential Landlord and Tenant  
91. Tenancy  
92. Subdivisions and Partitions  
93. Conveyancing and Recording  
94. Real Property Development  
95. Fraudulent Transfers and Conveyances  
96. Line and Partition Fences  
97. Rights and Duties Relating to Cemeteries, Human Bodies and Anatomical Gifts  
98. Lost, Unclaimed or Abandoned Property; Vehicle Towing  
99. Property Removed by High Water  
100. Condominiums  
101. Continuing Care Retirement Communities  
105. Property Rights

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Chapter 90 — Residential Landlord and Tenant

2013 EDITION

RESIDENTIAL LANDLORD AND TENANT

PROPERTY RIGHTS AND TRANSACTIONS

GENERAL PROVISIONS

- 90.100 Definitions
- 90.105 Short title
- 90.110 Exclusions from application of this chapter
- 90.113 Additional exclusion from application of chapter
- 90.115 Territorial application *all over state*
- 90.120 Applicability of other statutory lien, tenancy and rent provisions; applicability of ORS 90.100 to 90.465 and 90.505 to 90.840
- 90.125 Administration of remedies; enforcement *state court system - monetary damages + legal fees + costs*
- 90.130 Obligation of good faith
- 90.135 Unconscionability
- 90.140 Types of payments landlord may require or accept; written evidence of payment

- 90.145 Tenant or applicant who conducts repairs, routine maintenance or cleaning services not employee of landlord; restrictions
- 90.147 Delivery of possession
- 90.148 Landlord acts that imply acceptance of tenant abandonment or relinquishment of right to occupy

#### SERVICE OR DELIVERY OF NOTICES

- 90.150 Service or delivery of actual notice
- 90.155 Service or delivery of written notice
- 90.160 Calculation of notice periods

#### CONTENT OF AGREEMENTS

- 90.220 Terms and conditions of rental agreement; smoking policy; rent obligation and payment
- 90.222 Renter's liability insurance
- 90.228 Notice of location in 100-year flood plain
- 90.230 Rental agreements for occupancy of recreational vehicle in park; remedy for noncompliance; exception
- 90.243 Qualifications for drug and alcohol free housing; "program of recovery" defined
- 90.245 Prohibited provisions in rental agreements; remedy
- 90.250 Receipt of rent without obligation to maintain premises prohibited
- 90.255 Attorney fees
- 90.260 Late rent payment charge or fee; restrictions; calculation
- 90.262 Use and occupancy rules and regulations; adoption; enforceability; restrictions
- 90.263 Vehicle tags
- 90.265 Interest in alternative energy device installed by tenant

#### TEMPORARY OCCUPANCY AGREEMENT

- 90.275 Temporary occupancy agreement; terms and conditions

#### FEES AND DEPOSITS

- 90.295 Applicant screening charge; limitations; notice upon denial of tenancy; refund; remedy
- 90.297 Prohibition on charging deposit or fee to enter rental agreement; exceptions; deposit allowed for securing execution of rental agreement; remedy
- 90.300 Security deposits; prepaid rent
- 90.302 Fees allowed for certain landlord expenses; accounting not required; fees for noncompliance with written rules

#### LANDLORD RIGHTS AND OBLIGATIONS

- 90.303 Evaluation of applicant
- 90.304 Statement of reasons for denial; remedy for noncompliance
- 90.305 Disclosure of certain matters; retention of rental agreement; inspection of agreement
- 90.310 Disclosure of legal proceedings; tenant remedies for failure to disclose; liability of manager
- 90.315 Utility or service payments; additional charges; responsibility for utility or service; remedies
- 90.316 Carbon monoxide alarm
- 90.317 Repair or replacement of carbon monoxide alarm
- 90.318 Criteria for landlord provision of certain recycling services
- 90.320 Landlord to maintain premises in habitable condition; agreement with tenant to maintain premises *List of subjects that cover the GAPS identified by staff in the Municipal Code*
- 90.322 Landlord or agent access to premises; remedies

#### TENANT OBLIGATIONS

- 90.325 Tenant duties
- 90.340 Occupancy of premises as dwelling unit only; notice of tenant absence

#### TENANT REMEDIES

- 90.360 Effect of landlord noncompliance with rental agreement or obligation to maintain premises; generally
- 90.365 Failure of landlord to supply essential services; remedies

- 90.367 Application of security deposit or prepaid rent after notice of foreclosure; termination of fixed term tenancy after notice
- 90.368 Repair of minor habitability defect
- 90.370 Tenant counterclaims in action by landlord for possession or rent
- 90.375 Effect of unlawful ouster or exclusion; willful diminution of services
- 90.380 Effect of rental of dwelling in violation of building or housing codes; remedy
- 90.385 Retaliatory conduct by landlord; tenant remedies and defenses; action for possession in certain cases
- 90.390 Discrimination against tenant or applicant; tenant defense

#### LANDLORD REMEDIES

- 90.392 Termination of rental agreement by landlord for cause; tenant right to cure violation
- 90.394 Termination of rental agreement for failure to pay rent
- 90.396 Acts or omissions justifying termination 24 hours after notice
- 90.398 Termination of rental agreement for drug or alcohol violations
- 90.401 Remedies available to landlord
- 90.403 Taking possession of premises from unauthorized possessor
- 90.405 Effect of tenant keeping unpermitted pet
- 90.410 Effect of tenant failure to give notice of absence; absence; abandonment
- 90.412 Waiver of termination of tenancy
- 90.414 Acts not constituting waiver of termination of tenancy; delivery of rent refund
- 90.417 Duty to pay rent; effect of acceptance of partial rent
- 90.420 Enforceability of landlord liens; distraint for rent abolished
- 90.425 Disposition of personal property abandoned by tenant; notice; sale; limitation on landlord liability; tax cancellation; storage agreements; hazardous property
- 90.427 Termination of periodic tenancies; landlord remedies for tenant holdover
- 90.429 Termination of tenancy for certain rented spaces not covered by ORS 90.505 to 90.840

- 90.430 Claims for possession, rent, damages after termination of rental agreement
- 90.435 Limitation on recovery of possession of premises
- 90.440 Termination of tenancy in group recovery home; recovery of possession; damages

#### DOMESTIC VIOLENCE, SEXUAL ASSAULT OR STALKING

- 90.445 Termination of tenant committing criminal act of physical violence
- 90.449 Landlord discrimination against victim; exception; tenant defenses and remedies
- 90.453 Termination by tenant who is victim of domestic violence, sexual assault or stalking; verification statement
- 90.456 Other tenants remaining in dwelling unit following tenant termination or exclusion due to domestic violence, sexual assault or stalking
- 90.459 Change of locks at request of tenant who is victim of domestic violence, sexual assault or stalking

#### MISCELLANEOUS

- 90.465 Right of city to recover from owner for costs of relocating tenant due to condemnation; defense
- 90.472 Termination by tenant called into active state service by Governor
- 90.475 Termination by tenant due to service with Armed Forces or commissioned corps of National Oceanic and Atmospheric Administration
- 90.485 Restrictions on landlord removal of vehicle; exceptions
- 90.490 Prohibited acts in anticipation of notice of conversion to condominium; damages
- 90.493 Prohibited acts following notice of conversion to condominium; damages

#### MANUFACTURED DWELLING AND FLOATING HOME SPACES

##### (General Provisions)

- 90.505 Definition for ORS 90.505 to 90.840; application of statutes
- 90.510 Statement of policy; rental agreement; rules and regulations; remedies
- 90.512 Definitions for ORS 90.514 and 90.518
- 90.514 Disclosure to prospective tenant of improvements required under rental agreement

- 90.516 Model statement for disclosure of improvements required under rental agreement; rules
  - 90.518 Provider statement of estimated cost of improvements
  - 90.525 Unreasonable conditions of rental or occupancy prohibited
  - 90.528 Use of common areas or facilities
  - 90.530 Pets in facilities; rental agreements; violations
  - 90.531 Definitions for ORS 90.531 to 90.539
  - 90.532 Billing methods for utility or service charges; system maintenance; restriction on charging for water
  - 90.533 Conversion of billing method for garbage collection and disposal
  - 90.534 Allocated charges for utility or service provided directly to space or common area
  - 90.535 Additional charge for cable, satellite or Internet services
  - 90.536 Charges for utilities or services measured by submeter
  - 90.537 Conversion of billing method for utility or service charges
  - 90.538 Tenant inspection of utility billing records
  - 90.539 Entry to read submeter
  - 90.541 Legislative findings
  - 90.543 Utility or service charge billing for large manufactured dwelling parks; water conservation; tenant remedy
  - 90.545 Fixed term tenancy expiration; renewal or extension; new rental agreements; tenant refusal of new rental agreement; written storage agreement upon termination of tenancy
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- 90.600 Increases in rent; notice; meeting with tenants; effect of failure to meet
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90.630 Termination by landlord; causes; notice; cure; repeated nonpayment of rent

90.632 Termination of tenancy due to physical condition of manufactured dwelling or floating home; correction of condition by tenant

90.634 Prohibition against lien for rent; action for possession; disposition of dwelling or home; disposition of goods

90.643 Conversion of manufactured dwelling park to planned community subdivision of manufactured dwellings

90.645 Closure of manufactured dwelling park; notices; payments to tenants

90.650 Notice of tax provisions to tenants of closing manufactured dwelling park; rules

90.655 Park closure notice to nontenants; report of tenant reactions

90.660 Local regulation of park closures

90.671 Closure of marina; notices; payments to tenants; rules

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90.675 Disposition of manufactured dwelling or floating home left in facility; notice; sale; limitation on landlord liability; tax cancellation; storage agreements; hazardous property

90.680 Sale of dwelling or home on rented space; duties and rights of seller, prospective purchaser and landlord

(Actions)

90.710 Causes of action; limit on cause of action of tenant; attorney fees

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(Landlord Rights and Obligations)

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- 90.732 Landlord registration; registration fee
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(Tenant Rights and Obligations)

- 90.740 Tenant obligations
- 90.750 Right to assemble or canvass in facility; limitations
- 90.755 Right to speak on political issues; limitations; placement of political signs
- 90.760 Notice to tenants' association when park becomes subject to listing agreement
- 90.765 Prohibitions on retaliatory conduct by landlord
- 90.771 Confidentiality of information regarding disputes
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- 90.800 Policy
- 90.810 Association notification of possible sale of facility
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- 90.860 Definitions for ORS 90.865 to 90.875
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GENERAL PROVISIONS

ATTACHMENT H

## MAYOR & COUNCIL EMAIL

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### Testimony for administrative services committee - rental property codes

- *To:* ward8@xx
- *Subject:* Testimony for administrative services committee - rental property codes
- *From:* Andrea Myhre <andrea.myhre@xxxxxxxx>
- *Date:* Tue, 25 Feb 2014 15:35:10 -0800

Hi Biff -

I am submitting my testimony I was planning to give at tonight's meeting. If you would like to contact me to discuss this in more detail, please contact me at:

or via [andrea.myhre@xxxxxxxx](mailto:andrea.myhre@xxxxxxxx)

Thank you!

Andrea Myhre

I would like to express my support of strengthening the city's rental housing code and complaint response program. As someone who has experienced both being a renter and now a rental property owner, I believe ensuring livable, healthy homes for all contribute to the health and productivity of residents in our community. Too often, the consequences associated with poor housing falls on people who already face many obstacles. Making sure that my property is well maintained and that my renters are happy with their living conditions is also just plain good business.

When I first moved into the duplex (that I now own) as a renter, there were significant issues with the condition of the outside and interior of the unit. The yard was overgrown with weeds, the outside of the unit was clearly in distress, as evident later by the results of the inspection that was done before we purchased the house. At one point, in the middle of winter, the main heating mechanism in our unit failed and we bought space heaters to compensate. Luckily, the company that had been hired to manage our rental unit replaced the heating source in a timely fashion. However, the burden was still on us to maintain heat in the house. The other issues with the house were left unaddressed – such as the sewer pipe being disconnected with the tub and shower and draining directly into the ground under the house - and I spent many hours cleaning up the yard and making my house a presentable place to live without

the reward of increasing my equity in the property.

Once we bought the property (thanks to the property management company owner who offered us the first opportunity to purchase the duplex), we made great efforts to improve conditions as it was now our home. This is an important fact – no matter if you own or rent, your home is your home and can be a great determiner of your health, but also of your feelings of self-worth and pride. As a young mother, I wanted to make sure that our home was clean, comfortable, safe, and something to be proud of. We immediately replaced the single-paned, aluminum windows that tended to grow sheets of mold in the winter and we fixed the leaky plumbing in the bathrooms that also caused mold growth. We upgraded the outdoor lighting to include motion lights to ensure safety. We spent a great deal of time and money improving the property – we spend many hot, sweaty days spent scraping old asphalt from the leaky roof and clearing out yards and yards of rotten wood and trimmings from overgrown trees and shrubs. We not only thought of our own living situation, but also of that of our future renters who would be living under the same roof. As a mother, I would not allow my child to live in a house that was unsafe or unsanitary and I certainly wouldn't allow any other child to live in a house that I owned if it weren't safe. However, not all property owners are alike and some property owners don't always do the right thing to maintain healthy housing for their tenants.

Fortunately, for my situation as a rental property owner, responsible for making a living and providing housing for my two children, rent rates have gone up in Corvallis have gone up significantly in the last several years. I have sunk much of this profit back into my property to make improvements. No doubt I have seen tax benefits from doing this so I win both ways. However, I have also noticed that as I have improved the property, my tenants are more interested in maintaining their unit accordingly. I think that the idea that offering renters a poor living environment results in renters who don't care about the property is true. As a business, why would you encourage renters to not respect your property or standards?

Encouraging empowerment on the part of renters I believe would actually benefit me in that my tenants would be more likely to contact me first with problems instead of being afraid. Stronger codes, more efforts to respond to complaints, and more efforts to educate the community about their rights would not only help protect our most vulnerable citizens but it would make my job as a landlord easier. I have had the advantage of living in my duplex for the most part as my primary residence while renting the next door unit to others. During this time, I have made an effort to respond quickly to issues in the rental unit and have worked with my residents to ensure that problems are resolved. As with many other property owners, I emphasize that my residents should contact me before taking any further action on

maintenance and livability issues. Also, I want them to contact me if there are any repairs that need to be made, especially anything involving plumbing. However, I still find that they are still fearful of contacting me and don't know what's acceptable and what is not.

As a responsible property owner, I would encourage the city to adopt a collaborative and cooperative approach with property owners instead of first being punitive. I don't mind paying a small increase in the current fee if I can also receive assistance from inspectors about how to address issues. As with many rental property owners in our community who maybe only have one or a handful of units, I don't always have the resources or knowledge to address situations that arise at my rental. Having the help of city staff to resolve issues is valuable to me as I don't have paid staff to fix things. Also, I can't compete with the new apartment and condo developments being built in our town, but I can still provide a comfortable home for someone in need.

An additional important point; as someone who regularly monitors our city's economic statistics as a part of my job, and someone who lives in one of the two areas of significant poverty in our community, maintaining standards for rental property is important to maintaining equity for all of our residents. Our town is a difficult place to live if you make low or even middle class wages. I have seen this in my neighborhood where the reality of disparity is evident every day.

Thank you for listening to my perspective on establishing a strong rental property enforcement program in our community. As a former renter, a current rental property owner, and a mother, and a Corvallis resident, I appreciate and encourage these efforts.

- Prev by Date: **Lunch & Learn- Grow your Business! LAST CHANCE!**
- Previous by thread: **Lunch & Learn- Grow your Business! LAST CHANCE!**
- Index(es):
  - **Date**
  - **Thread**

Feb. 24, 2014

To: Corvallis City Council Administrative Services Committee

From: Kent Daniels

CC: Jim Moorefield, Karen Levy Keon, Ken Gibb, Jim Patterson, Roen Hogg

RE: Written Testimony for the Feb. 25, 2014 Administrative Services Committee Public Meeting

I am out of state until March 10th and am unable to attend the public meeting being held tomorrow afternoon regarding the proposed Property Management Code (PMC). As someone who has been a longtime advocate for the protection of tenant rights and assuring that renters are provided with functional, clean and safe housing, I am very concerned that the real estate and property management industries have advocated, and continue to advocate, for minimal standards for rental property quality and safety. Given that context, I would very much appreciate your consideration of the following points:

1. Your competent and hard-working city staff have done a huge amount of work to develop a new PMC that is supported by many community members and is a result of recommendations and input from the OSU Corvallis Collaboration Neighborhood Livability Workgroup and voted positively on by the Collaboration's Steering Committee.
2. Staff spent most of the fall working with a staff-appointed work group made up of 1/2 industry representatives and 1/2 rental or neighborhood representatives in developing the PMC recommendations you are now reviewing. Given that renters make up 57 % of the population of Corvallis, and that industry representatives make up a very small percentage of our population, in my opinion this working group should have had only had 1 or 2 representatives from the industry. I attended most of the meetings of this working group, and observed that almost all of the negative comments about the proposed PMC came from the industry representatives.
3. Industry representatives have made it a point to see that many people working in the industry testified negatively about any new PMC changes. It is of course their right to advocate in this fashion. I believe, however, that it is also the public's right, and in the public's interest, that there be clear awareness of industry representatives' vested financial interest in seeing that a stronger, better PMC NOT be implemented. This PMC will give our staff stronger tools and regulations to do a better job of assuring that rental property be safer, cleaner, and of a quality that the great majority of our community members expects and would like to see.
4. Some of the strongest negative testimony received to date has been from paid industry lobbyists, such as the Director of the Corvallis Chamber of Commerce or the representative from Willamette Valley Realtors.
5. Traditional public hearings such as those held to date and the one being held tomorrow are not forums at which most renters will be comfortable testifying or at which they will be able to attend because of family, work or school demands or responsibilities. Many renters will be very reluctant to say anything at a forum being attended by representatives of the people from whom they rent. If members of the City Council desire to know what the renter community in Corvallis has to say, they will need to go out individually and meet directly with

renters or with organizations and staff at the City and OSU who try to represent their interests.

6. I have been a rental property purchaser, owner and manager for the last 25 years, and have had first-hand experience with the conditions of rental properties when I procured them. I have in every case been shocked at the conditions of houses/apartments I have purchased. They were unsafe, poorly cared for and often infested with insects, vermin and mold. While I as a buyer was aware of these conditions before I purchased the properties, renters are not always aware of them before they sign a lease or rental agreement, and are often feel reluctant if not powerless to seek remediation, particularly in a tight rental market. I know I am not the only conscientious landlord to have spent huge amounts of my own funds to bring my rentals up to or beyond code requirements—conditions that should not have been allowed to occur in our community.

I urge you in the strongest terms possible to support the recommendations for the reasonable, new PMC that staff and many involved community members have developed and agree with. Our City Government and the University need to do their best to support the 57% of our population that rents and to see that they are provided with the safest rental property possible that meets the eminently reasonable standards proposed in the new Property Management Code.

Sincerely,

Kent Daniels

Corvallis, OR 97333

An open letter to the Corvallis City Council.

This is to address the concerns that “some” persons seem to not understand that their Landlord / Housing Management company, do not or will not take or accept their verbal or written concerns about maintenance issues.

Having rented a unit first for Brown, Itzen & Williams (now no longer in business) (9+ years), and now having been renting a different unit from Kampfer Ent. (12+ years), I can assure you that both of these companies have done an excellent job of keeping the unit in good working order.

All minor issues have been addressed within a reasonable time frame, and with courtesy. As for the more major issues such as when a pipe was leaking... On the two occasions that this has occurred, the first was fixed within 4 hours of the report being taken. The second took a while longer (4-5 hours) due to the need to replace a larger amount of pipes. As to when the ceiling (where the leaking pipes were located) was restored to a “less objectionable look”, that may have taken a while longer, but you have to allow the ceiling drywall material the time to completely dry out from the water saturation. You don’t want to seal it all back up too soon or you will end up with mold.

Anyone who thinks that their “complaint(s)” will fall on deaf ears, or will result in the Management / Landlord taking a “retaliatory” action against them , has not been a renter for very long, or has managed to find a Landlord of ill repute in the past (the “Red Door Agency” comes to mind).

To which the City of Corvallis already has venues to remedy the issue. The raising of rates to accommodate more bureaucracy to accomplish the same, is unnecessary. As these increases will only be passed on to the consumers, even when the Management Company is already doing the “right” thing. Affordable housing in Corvallis is already at a premium, and will only get worse as more O.S.U. students take units away from those who have to live & work in Corvallis. And those students rarely remain in town during the summer.

Mr C.

(Full name withheld, due to past experience with the City Council bringing their wrath back down the “food” chain for having been working for a city contractor, and having the “nerve” to speak against the “will” of the counsel).



We're all for business.

Feb. 25, 2014

Thank you to our Platinum  
Leading Investors  
supporting advocacy

The Ball Studio/Photography  
CH2M HILL  
Citizens Bank  
Horsepower Productions  
Oregon State University  
Samaritan Health Services  
Starker Forests, Inc.  
Stover Neyhart & Co., PC  
T. Gerding Construction Co.

Thank you to our Gold  
Leading Investors  
supporting advocacy

Blackledge Furniture  
The Corvallis Clinic  
DEVCO Engineering  
Jeanne Smith & Associates, PC  
Pacific Power  
PEAK Internet  
Trimble

To: Corvallis Administrative Services Committee:

I'm Kevin Dwyer, Executive Director of the Corvallis Chamber of Commerce. I represent an organization that has about 520 member businesses and individuals.

While the Chamber does not represent all business interest in our community, the proposal before you will affect many, many businesses – owners and manager of rental property, store owners, tenants of retail outlets, offices and commercial buildings, as well as owners of residential properties.

From what I can gather from conversations with business people, and what I've read, the International Property Maintenance Code Standards you are proposing to adopt essentially are an overlay over the City's existing Municipal Code.

It's acknowledged by Corvallis property managers and owners that there are gaps in the Municipal Code that might need to be addressed. But the larger question looms, what problems will be addressed and solved by imposing the new code that can't be resolved by updating and course-correcting the existing code?

Simply put, businesses need, want and desire a comfortable level of "certainty" when they decide to locate and/or invest in Corvallis, or any city for that matter.

The proposed changes appear to provide a lot of leivity and discretion on the part of city Code Enforcement officers, and this scares business people because there is no predictability in



We're all for business.

what they can expect. One officer may have a totally different interpretation of a code compared with another officer.

The lack of certainty and the proposed discretion on the part of the officers could potential jack up the cost of doing business in Corvallis and make it a less desirable place to start a business, expand a business or invest in a business.

Finally, we urge the City Council to review this proposal very carefully, and consider doing a cost-benefit-analysis that would consider, among other variables, the economic impact on Corvallis businesses and consumers if this new initiative is indeed adopted.

Kevin Dwyer  
Executive Director  
Corvallis Chamber of Commerce

## MEMORANDUM

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February 20, 2014

**TO:** Administrative Services Committee  
**FROM:** Ken Gibb, Community Development Director   
**RE:** Neighborhood Outreach/Property Maintenance Code program follow-up information

### I. Issue

During the Administrative Services Committee's (ASC) discussion of a proposed Corvallis Neighborhood Outreach and Education/Property Maintenance Code program on February 5, 2014, several items of additional information were requested of staff.

### II. Background

On February 5, Community Development staff provided ASC with an overview of a conceptual package for a combined Neighborhood Outreach and Education/Property Maintenance Code program. That overview included background and introductory information related to the origin of the program concept; outreach efforts that have been conducted to aid in program development work; a brief introduction to the International Property Maintenance Code, which has been identified as the base document from which a local Property Maintenance Code (PMC) will be built; and a review of the organizational structure, protocols and budget that would support delivery of the Neighborhood Outreach/PMC program. ASC discussion subsequent to staff's presentation resulted in requests for clarification, data, and follow-up information.

### III. Discussion

Additional information requested by the ASC falls into three primary areas:

1. Gaps in coverage under current City codes, and examples of the types of issues that cannot currently be addressed because of those gaps;
2. Statistics related to past complaint and enforcement activity under the City's current Code Enforcement Program and Rental Housing Program;
3. A copy of the responses provided by staff to questions about the PMC that arose during its discussion by the City's Property Maintenance Code Advisory Group.

A discussion of each of these items follows, and information related to each is attached.

*Gaps in coverage under current City codes, and examples of the types of issues that cannot currently be addressed because of these gaps:*

Given that current building codes regulate and apply standards for new construction and building alterations, there is a significant difference between the condition of a code-compliant new or altered structure and the condition of a building that has been allowed to deteriorate to the point that it has become and must be declared dangerous. The existing Rental Housing Code provides certain standards for the maintenance of livability in rental units, but this coverage is limited. A property maintenance code addresses this gap by establishing comprehensive, minimum maintenance standards for all properties to keep them safe and habitable for their occupants, to maintain the community's existing building stock, and to address conditions that have negative impacts on livability.

A matrix entitled "Property Maintenance Code Coverage/Gaps by General Category" is attached to this packet as Exhibit 1. It was also included in the packet for the February 5 ASC meeting. In response to an ASC request, the information that follows the matrix in Exhibit 2 provides additional detail and examples of the types of issues staff encounters in the community that are either not covered, or are inadequately addressed under existing City codes. The items listed as examples in Exhibit 2 follow the sequence of the gap areas listed in the matrix. Many of the noted gap examples represent issues encountered by staff such as over-occupancy; interior and exterior site and building safety and security; plumbing, electrical and heating issues; sanitation/solid waste issues; and general building and site exterior issues. For each gap issue type, a citation of the section of the Property Maintenance Code that would serve as a basis to address that issue is noted. Staff will plan to provide a more detailed overview of these examples during the March 5 ASC meeting.

*Statistics related to past complaint and enforcement activity under the City's current Code Enforcement Program and Rental Housing Program:*

Exhibit 3 provides two tables containing statistical detail related to code enforcement activity from calendar year 2006 through 2013. The upper table contains data from the Development Services Division's Code Enforcement program including the numbers of case initiated and closed, as well as the numbers of unresolved cases on both an annual and a cumulative basis.

The lower table in Exhibit 3 presents numbers of Rental Housing Code-related issues reported to the City's Housing Division over the same 2006-2013 time period. It also provides the number of issues reported that were not subject to the Rental Housing Code and that thus could not be addressed through this program. It should be noted that some of the issues not subject to the Rental Housing Code were referred to and likely became cases of the Development Services Code Enforcement program, but because these issues would in most cases be re-reported by the original caller/complainant, the number of such referred cases is not known. Finally, the lower table in Exhibit 3 also includes the number of non-habitability issues addressed through the City's Rental Housing Program on an annual basis. These include things such as lease issues, deposits, evictions, fair housing, and general neighborhood livability.

*Responses provided by staff to questions about the PMC that arose during its discussion by the City's Property Maintenance Code Advisory Group:*

Exhibit 4 provides information drawn from the packet prepared for the October 29, 2013 meeting of the City's Property Maintenance Code Advisory Group. During the first set of meetings in that process, staff compiled PMC-related questions within the notes prepared for each meeting and then later in the process, asked Advisory Group members to prioritize the questions for further discussion. Exhibit 4 includes the questions raised and staff responses; notes of the October 29 meeting, attached as Exhibit 5, document the Advisory Group's discussion of its prioritized questions/issues.

During the ASC meeting of February 5, staff commented that hundreds of cities in the U.S. have implemented property maintenance codes based on the International Code Council's International Property Maintenance Code (IPMC). Exhibit 6 provides a brief list with three subset listings of some of those cities. The first subset includes comparator cities that were identified during research associated with the Corvallis-OSU Collaboration/Neighborhood Livability Work Group's initial consideration of a PMC; the second subset lists university and other comparably-sized cities; the third subset lists cities in the Pacific Northwest that currently utilize a IPMC-based property maintenance code. It should be noted that while the listing provided by the International Code Council includes over 800 jurisdictions, they are only the jurisdictions that worked directly with that agency to develop their property maintenance codes. The ICC acknowledges that many jurisdictions around the country have utilized the IPMC, but have done so without consultation or a license to do so.

#### **IV. Requested Action**

No specific action is requested or required as a result of the February 25 Administrative Services Committee meeting. Rather, the meeting is intended to serve primarily as an opportunity for the Committee to hear testimony about the proposed Neighborhood Outreach and Education/Property Maintenance Code program. Staff will plan to provide a brief overview of this report at the beginning of the meeting, and would anticipate that ASC will have additional questions following that briefing and/or the public comment session. Staff will plan to provide a more detailed overview of the IPMC-based Corvallis Property Maintenance Code document during the ASC's March 5 meeting.

Review and Concur:



James A. Patterson, City Manager

**Property Maintenance Code Coverage/Gaps by General Category**

Code Coverage *	IPMC	Exist Rental Housing Code	Municipal Codes	Fire Code	Building Code	
Occupancy Limits	Area Basis		LDC Flat Number			
Fire Safety	All Occupancies; all Systems	Smoke Detectors		Triplex +		
Building Alteration	Complaint Based			Occasional Inspection, Triplex+	Complaint Basis	
<b>Interior Maintenance</b>		All Occupancies; safe, sound, good repair	Plumbing, Heat, Security; Structurally Sound	Sanitation	Limited to Fire Hazard Conditions	**
	Light	All Occupancies; all spaces				
	Ventilation	All Occupancies; all habitable space				
	Electrical System	All elements safe; dwellings 3-wire service only			Limited to Fire Hazard Conditions	**
	Plumbing System	All Elements; to approved systems; no leaks or obstructions; H & C	Installed and maintained; no leaks or obstructions	Connected to approved discharge		
	Heating	68 F. @ center/ 2' in from exterior all habitable, work spaces, bath & toilet rooms	68 F. @ center all habitable rooms			
	Sanitation	All Spaces; clean, sanitary & good repair		No Public Nuisance		**
	Security	Egress-type Deadbolt, windows, basement hatch	Door Locks, window latches			
<b>Exterior Maintenance</b>		Structurally Sound & Good Repair; sanitary; vacant lots		Solid Waste Removal	Limited to Fire Hazard Conditions	**
	Weather & Water Proofing	Weather proof from wind, water, snow	Only water infiltration			
	Exterior Sanitation	All Areas; clean & sanitary		Rat Harborage Abatement		
	Solid Waste Removal	Required for All Occupancies		Removal Required, but not Service	Limited to Fire Hazard Conditions	
	Accessory Bldg Maintenance	All				**

\* Coverage under general categories; not intended as an all-inclusive summary  
 \*\* Enforcement under the Dangerous Building Code is applicable to buildings already in failure mode, beyond routine maintenance

## City of Corvallis Current Code Gap Examples

### Occupancy Limits

- **GAP:** Land Development Code applies a limit of not more than five unrelated adults in a dwelling unit without considering numbers or sizes of bedrooms/other living areas.
- The Property Maintenance Code (PMC) would tie occupancy limitations directly to quantifiable space provisions (areas of bedrooms, living room, egress, etc).

### Fire Safety

- **GAP:** Common example, occupants of 1-2 Family dwellings have accumulations of personal possessions that obstruct or negate egress from a building in the event of a fire.
- **GAP:** Current provisions of International Fire Code only pertain to tri-plex and larger dwelling units.
- **GAP:** Current Rental Housing Code provisions only pertain to providing and maintaining smoke detectors
- PMC requires “a safe, continuous and unobstructed path of travel... from any point in a building to the public way” in all building types.

### Building Alteration

- **GAP:** Not anticipated assuming building permits are obtained and licensed contractors perform the work.

## INTERIOR MAINTENANCE

### Light

- **GAP:** Common complaint that hall, stairway, or basement lights in 1-2 Family dwellings are not functional (due to something more than just a burned bulb). Often occurs in conjunction with water intrusion complaints. Also occurs in commercial rental spaces.
- PMC requires provision and maintenance of lighting in these spaces at all times.

### Ventilation

- **GAP:** Clothes drier not ducted to the exterior resulting in a fire hazard, most frequently regarding 1-2 Family dwellings.
- **GAP:** Bath or kitchen fan present but very poorly functioning due to age or damage, allowing damp conditions and promoting mold growth.
- PMC provides standard for condition, and could be augmented with performance criteria.

### Electrical System

- **GAP:** Common concern in residential and commercial properties when a roof leaks or a basement floods and submerges or otherwise affects electrical system components.
- PMC calls out these conditions for replacement of components exposed to water, with some exceptions.

### Plumbing System

- **GAP:** Bathroom floors have torn or badly patched vinyl, or soft/spongy subfloors.
- **GAP:** Hot water is cold or is not “hot.”
- PMC requires that walking surfaces be maintained in sound condition and good repair, and provides a measureable standard for hot water.

### Heating

- **GAP:** Current Rental Housing Code applicable only to habitable spaces (bedrooms, living/dining rooms, kitchens) – no requirement for heat in bathrooms/toilet rooms.
- PMC sets minimum heat requirements for habitable rooms, bathrooms and toilet rooms

### Sanitation

- **GAP:** Interior hallways, foyers, laundry rooms in apartment buildings cluttered and unsanitary; single family owner- and renter-occupied dwellings with unsanitary conditions. Only addressed currently through application of the dangerous building code.
- PMC requires and assigns responsibility to keep clean and sanitary.

### Security

- **GAP:** Entrance doors with “working locks” provided in form of door knob lock, but for which the latch does not engage the strike with sufficient overlap to keep the door closed; and, with no deadbolt.
- **GAP:** Current Rental Housing Code calls for working locks with no provisions for the achievement of a level of security.
- PMC requires doors and hardware be maintained sufficient to provide security for the occupants and possession, and specifically call out deadbolts.

## **EXTERIOR MAINTENANCE**

### Weather & Water Proofing

- **GAP:** Large gap under exterior doors for air intrusion.
- **GAP:** No weather stripping on door jamb.
- **GAP:** Drafty windows/windows with gaps.
- **GAP:** Basement exterior doors or windows that allow water to leak into non-living areas.
- **GAP:** Current Rental Housing Code requires prevention of water leakage, but only applicable to habitable spaces/living areas; not applicable to unoccupied basements, attics, storage areas, etc.
- PMC requires building exteriors and openings to be sound, in good repair, and weather tight.

### Exterior Sanitation

- **GAP:** Property in outdoor areas that appears to be trash but turns out to be stored personal possessions.
- PMC requires all exterior property and premises to be clean and sanitary.

Solid Waste Removal

- **GAP:** Owner tells tenant trash on property is not their problem; tenant maintains that trash was present when they took possession, so is not their problem.
- PMC identifies and assigns responsible party.

Accessory Bldg Maintenance

- **GAP:** Detached garages, storage sheds deteriorating, fences falling down.
- PMC requires all accessory structures to be maintained sound and in good repair.

General Topics

- **GAP:** Owner occupied roofs, walls, windows not weatherproof.
- **GAP:** Deteriorated decks, stairs and handrails at 1-2 Family or owner occupied structures.
- **GAP:** Site lighting failed or inadequate to light exterior premises such as parking lots and walkways.
- PMC requires prevention of water intrusion through exterior surfaces, maintenance of stairs, decks and railings, and maintenance of hazard-free conditions.

**Corvallis Development Services Division Code Enforcement:  
Violation Cases Created and Closed per Calendar Year**

Year	Cases Received	Cases Closed	Annual Difference	Cumulative Difference
2006	229	199	30	30
2007	401	285	116	146
2008	375	377	(2)	144
2009	501	520	(19)	125
2010	442	301	141	266
2011	355	263	92	358
2012	594	266	328	686
2013	550	217	333	1,019
Total	3,447	2,428	1,019	

*The totals above represent all code enforcement case types. Approximately two-thirds of these cases represent livability and building code/permitting-related cases.*

**Corvallis Housing Division Rental Housing Program:  
Rental Housing Code/Program Issues Reported per Calendar Year**

Year	Habitability Code-related	Habitability Non-Code	Total Habitability	Non-Habitability
2006	173	125	298	619
2007	118	88	206	496
2008	184	135	319	574
2009	226	156	382	722
2010	200	144	344	951
2011	233	126	359	1,049
2012	170	118	288	734
2013	233	149	382	858
Total	1,537	1,041	2,578	6,003

**Questions/Issues Raised by Property Maintenance Code Advisory Group through 9/30/2013**

***From the September 10 PMCAG meeting:***

How will responsibility for the condition and repairs required for fences be determined and enforced?

- Staff will utilize GIS and aerial photo information as a beginning step of research into any complaint regarding deteriorated fences.
- Since the matter will require a complaint tied to one address but might well involve other property owners, the initial contact will be to simply issue a courtesy notice to all affected parties to a presumed boundary fence. The courtesy notice will advise the parties of the stated concern and will request an opportunity to meet onsite within an established period to collaboratively resolve any ambiguity.
- Staff anticipates that an established time period for initial onsite meeting will be within 30 days.

What standards will be used to evaluate the condition of and need to address a building's exterior paint?

- According to Section 304.2, all exterior surfaces shall be maintained "in good condition...peeling, flaking and chipped paint shall be eliminated and surfaces repainted".
- Section 304.6 stipulates that all exterior walls shall be "maintained weatherproof and properly surface coated."
- Staff anticipates responding to complaints regarding the exterior paint of a building by issuing a courtesy notice to the owner (responsible party, per Section 301.2). The courtesy notice will advise of the stated concern, will include an explanation of the codified standard and requirements, and will request an opportunity to meet onsite within an established period to confirm compliance.
- Staff anticipates that an established time period for inspection of such matters will be within 12 months.
- It is not anticipated that the City will receive large numbers of complaints about minor compromises of painted surfaces, but in such instances staff would anticipate using a measured approach and give priority to addressing the most serious issues.

What assurances are there that current interpretations of Property Maintenance Code standards, and staff's explanations of its intended approaches to enforcement, will be continued into the future as new staff take over implementation and enforcement responsibilities?

- Current Development Services and Housing staff will be charged with the responsibility to implement the future IPMC.
- Any new staff hired will be provided with extensive PMC training.
- Development Services currently operates with approximately 180 documented processes, procedures, and interpretations covering a wide variety of topics which help provide consistent guidance, particularly in cases of staff turnover. Housing also has a set of program policies and procedures which provide day-to-day guidance for programmatic interpretations. The new Housing and Neighborhood Services Division will continue these practices.
- Topics that are not specifically defined in the adopted Property Maintenance Code (such as is noted in IPMC Chapter 2) will have interpretations drafted.

Why should the City and its Property Maintenance Code be concerned about the condition of interior, non-load bearing walls (paint, plaster) in owner-occupied homes?

- Both interior and exterior conditions of buildings, regardless of occupancy, impact their habitability and the impacts of those buildings on the neighborhoods that surround them. A Property

Maintenance Code is intended to prevent the deterioration of buildings and in turn, the livability of the community.

Should indoor furniture being used and left outdoors be considered rubbish, and treated as such under the City's Property Maintenance Code?

- The City Council considered this matter in 2009 and then requested an update again in 2011. Each time it was determined that the current response approach should be continued.
- Staff evaluate whether the furniture items left outdoors have been discarded or are useless to determine whether they constitute Solid Waste, as that term is defined under CMC 4.01.010.
- If it is determined that an item is solid waste then it must be disposed of in a timely manner; however, if it is determined to not be solid waste then no action is taken.
- Under current City code there is no prohibition against allowing personal possessions to remain outdoors.

Will the Code have provisions to allow residents to compost?

- The model PMC does not explicitly address composting; however, Sections 308.2/308.3 require only that rubbish and garbage be placed in *approved* containers so the City could promulgate a standard for composting containers. The standards could include commercially produced composting containers, as well as design criteria for a do-it-yourself construction.
- CMC 4.02.040 RAT ERADICATION provisions specifically exempt residential composting of waste vegetable matter collected on private property from requirement for containment.
- Communities do specifically include language to support active composting of vegetable material (Portland is an example).

Should the owner/landlord of a rental property be required to contract for garbage/rubbish removal? Can't that be required of a tenant through a property lease?

- The rationale for assigning the responsibility to the owner is to eliminate confusion about whether the owner, the agent, or the tenant is responsible for providing the necessary storage containers and for ensuring removal of all solid waste.
- By assigning this responsibility to the owner (301.2, 308.1, 308.2.1/308.3.1), the continuity of containment and removal service is ensured, rather than introducing the potential for gaps or lapses in service coverage.

Will the Code stipulate a required frequency of garbage/rubbish removal?

- The model code does not state a specific frequency. The City's current intention is to align the requirements with CMC 4.01, or replace one with the other, and to include specific timeframes.

If a tenant causes a pest infestation but does not address it before moving out, what redress does the property owner/landlord have?

- Under state landlord/tenant law, the owner can address/correct the problem and charge the tenant's deposit for any associated costs.

Is it practical/realistic to expect that there will be no pests (e.g., fleas) in outdoor areas of a property?

- It is not realistic to expect that there will be no pests in outdoor areas of a property. What this provision of the PMC will accomplish is to provide a means to relief for someone who has an infestation.

Why should the Code be concerned with whether bathrooms/water closets have doors that lock?

- The intention of the provision of Section 503.1 is to ensure a meaningful measure of privacy for persons utilizing a common or shared toilet room or bathroom.
- The City has received complaints about rental living situations in which bathroom doors did not lock, and tenants felt their privacy/safety was being violated.

***From the September 24 PMCAG meeting***

How will the PMC address non-operational fireplaces?

- The requirement of Section 304.11 is specific to maintaining a chimney as structurally sound, safe, and in good repair. There is no requirement to maintain a fireplace as operational, simply that as an element of a chimney it (a fireplace that is operational, or not) must be maintained as structurally sound, safe and in good repair. Where a chimney is structurally sound but not effectively exhausting smoke from a fireplace, the fireplace could be decommissioned.
- Chimneys often provide the exhaust passage for fuel gas appliances, such as water heaters and furnaces.
- Even when a chimney is not utilized for any exhaust purpose, failure to maintain one will eventually result in deterioration and the danger of its collapse.

Should an electrical outlet in each bathroom be required? What if the current electrical system cannot accommodate an outlet in a bathroom – would the unit need to be rewired?

- The provisions of Section 605.2 are intended to minimize or eliminate the use of extension cords, as they are a safety concern. Household extension cords are designed for light duty use and the amount of electrical current that one may safely conduct is limited by the size of its conductors; they are easily overloaded and susceptible to causing fires. Extension cords are more susceptible to damage (cut, compression, pinch) than is permanent wiring, and they present a trip/slip and a shock hazard in wet locations.
- Contemporary and properly functioning electrical systems can accommodate a new electrical outlet in a bathroom; although a new single circuit may need to be installed or a nearby one altered it is not likely that a unit would need to be completely rewired for this purpose.
- Materials and methods are available that allow for proper protection of surface mounting of wires and outlets so that destructive measures to expose interiors of walls or ceilings are typically not even necessary.

Should smoke detectors be required both inside and outside of bedrooms?

- Westfall explained during the September 24 meeting that this requirement aligns with current building and fire codes.

Is it necessary to be so specific with PMC standards, for example, the requirement that rooms have glazing equivalent to 8% of their floor space?

- Westfall explained during the September 24 meeting that alternative, mechanical means to achieve this lighting requirement could be utilized.

What if a room has a dimension of less than 7 feet? Would that mean the room could not be used for sleeping?

- Westfall noted during the September 24 meeting that this conclusion is correct, the room could not be used for sleeping.

Are there bases for the IPMC's floor space requirements for sleeping rooms and living/dining rooms?

- Westfall explained during the September 24 meeting that sleeping room requirements are based on what is needed to accommodate furniture and safe egress; living/dining room requirements are based on resident needs for usable space outside of their sleeping rooms.

Should the IPMC be applied to non-residential properties? (Reiterated in Amy's 10/24 e-mail)

- Providing minimums across all types and uses of properties is intended to ensure the ongoing maintenance of the whole built environment to:
  1. ensure consistent sanitation (garbage, rubbish, plumbing)
  2. minimize blighting impacts throughout the community
  3. protect the habitability and livability of both buildings and neighborhoods
  4. provide code authority under which to address safety concerns
  5. provide a dangerous building code standard

How will a code inspector handle a situation in which they inspect for one complaint issue but find other issues that do not comply with the PMC?

- As explained during the October 23 discussion of operating protocols, the City intends to inspect/address only issues raised within the scope of a complaint, and will not seek to inspect on a more comprehensive basis when the complaint is of a limited nature. If during the course of inspection a hazardous situation is in plain sight of an inspector, that situation will need to be remedied.

Who can grant access to a property for purposes of inspection?

- Westfall explained on September 24 that the party in control of the space would need to grant access for a City inspection.

Could complaints by non-residents (e.g., neighbors) be limited to exterior conditions only?

- As described during the October 23 discussion of operating protocols, complaints would be taken for any violation covered by the Property Maintenance Code. Anonymous complaints would not be accepted. In non-renter-occupied properties, in-person staff responses to complaints would be limited to dangerous/serious issues and issues of illegal or over-occupancy.

How will the prosecution of violations be handled? Would an owner who refuses to paint the exterior of their home be guilty of a misdemeanor?

- It is not the City's intent to criminalize non-compliance with all of the Property Maintenance Code standards. Staff will continue to review alternative approaches to achieving compliance and establishing a flexible schedule of responses in cases where compliance is not achieved.

***From the October 23 PMCAG meeting, and from Amy Harding's 10/24 e-mail***

Should a tenant be required to contact their landlord to request repairs before they may file a complaint with the City?

- The City Housing Division's Rental Housing Program requires such contact; the Development Services Division's code enforcement program does not.
- Tenants have expressed fear (founded or unfounded) that complaining to their landlord will lead to retribution.
- Landlords have expressed concern that they should be given an opportunity to address issues directly, without the involvement of the City.

The combined larger scope of city involvement in property maintenance issues and the possibility of the city serving as the "first responder" role regarding property maintenance issues will result in a huge work-load increase for city staff and continued inability to keep up (even with additional funds from fees to landlords).

- Approaches to limit the expansion of violations beyond the immediate scope of complaints were outlined on October 23. Information about anticipated budget and staffing issues will be provided during the Advisory Group's November 12 meeting.

If this code is to apply to all property in Corvallis, why does it fall on rental property owners to pay for its implementation and enforcement?

- Both rental unit-based fees and City General Fund resources will be used to support implementation of the Property Maintenance Code. Additional information will be provided during the discussion of the program's budget on November 12.

**City of Corvallis**

**Property Maintenance Code Advisory Group**

**Notes for the meeting of October 29, 2013**

Meeting time: 4:00 p.m. Location: Corvallis Library Main Meeting Room, 645 NW Monroe Avenue

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Members present: Allie Bircher, Amy Harding, Charlyn Ellis, Jerry Duerksen, Karen Levy Keon, Kari King, Ken Gibb, Rachel Ulrich

Staff present: Bob Loewen, Dan Carlson, Chris Westfall, Kent Weiss

- I. Visitor comments – Don Barstaad stated that many homes in Corvallis are in need of repair, adding that if repairs are going to be carried out a licensed, bonded and insured contractor should be hired.

Stanley Rich noted that he believes current City codes cover all necessary building standards. He added that OSU students have access to legal services when needed. He suggested that any additional code enforcement staffing resulting from the upcoming levy be focused on ensuring buildings meet current codes.

Kenny Davidson stated that he feels a rental inspection program should be put in place, and opined that property owners with nothing to hide would have no reason to fear it. He called for transparency about housing conditions so the community will have better awareness.

- II. Chair Gibb thanked visitors for comments. He asked for comments or corrections regarding the October 23, 2013 Advisory Group meeting notes. None were offered.
- III. Gibb introduced Housing Program Specialist Loewen to provide an outline of staff's thoughts on an approach to outreach and education efforts related to the Property Maintenance Code (PMC). Loewen provided an outline of current outreach efforts he undertakes in conjunction with delivery of the City's Rental Housing Program, noting the many organizations and entities he works with to deliver or coordinate the delivery of information. He then listed several groups that the City could reach out to in order to expand on current efforts, including neighborhood associations, tenant groups, advocates for underrepresented groups, OSU through Corvallis Collaboration-driven enhancements to student services, and housing providers.

Loewen noted that new materials will be prepared to inform people about the PMC, and that to ensure cultural sensitivity they will be translated into languages other than English. An increased Web presence will also be implemented, but will not be the only tool used given that some who will seek assistance will not have access to that technology. Loewen noted his anticipation that creating awareness of the PMC's existence will be a major early challenge.

Kari expressed a desire for educational tools to help tenants from other cultures understand how to be a good renter, and also to give them a basic understanding of appliances and how to use them. Loewen stated that OSU's INTO program for international students does some of this already, and he sees potential for the City to help enhance this effort once OSU's expanded student services programs are in place.

Amy suggested that the City work with the Corvallis School District to offer family education and outreach about how to be a good renter, and about assistance programs that exist in the

community. Jerry added that much of this type of information, targeted to students, will be coming from OSU.

Karen suggested that a key to engaging certain subpopulations will be to build trust, which requires that the outreach and education program be both consistent and sustainable. If not enough time or financial resources are invested, the program will not be sustainable and trust will be lost.

Charlyn expressed a desire for OSU to provide a direct point of contact for neighbors having issues with student renters. Kari suggested that neighbor-to-neighbor contact can also be an effective way to deal with students who may be causing problems, and that perhaps neighborhood associations could facilitate this approach. Amy agreed this could be helpful, but also noted that neighbors who feel intimidated should not have to try to resolve situations themselves. Charlyn agreed, stating that neighbors should only try a direct contact approach once if they are comfortable, and that if the situation is not resolved they should contact the police.

Code Enforcement Supervisor Westfall noted that in his code enforcement work in Oxford, Ohio he had been involved with an organized, annual outreach effort for students conducted jointly by Miami University and local government representatives. The program was intended to enhance civility by sharing information about how to be a good neighbor.

General discussion about the Corvallis Police Department's Special Response Notice program followed, with agreement that more outreach to landlords as problem rentals are identified would be helpful and appreciated.

Kari suggested that a household manual describing how to be a good renter could be created, and could stay with a unit over time to help tenants on an ongoing basis.

- IV. Before beginning a discussion about prioritized, PMC-related issues that have been raised to date by the Advisory Group, Gibb offered a reminder that the Group was formed following City Council direction to staff to carry out PMC program design work with input from stakeholders. The question of whether or not to implement a PMC is not under consideration at this point; rather, the question being considered is what that PMC should or should not contain.

Gibb then asked Housing Division Manager Weiss to provide an overview of prioritized PMC issues. Weiss began by reiterating a discussion that began on October 23 related to whether the PMC should require that a tenant contact their landlord with a request to address a PMC-related issue prior to contacting the City to seek assistance. He reminded the Advisory Group that some had felt this should be required because many leases require such contact, as well as to give landlords an opportunity to do what is needed without the City becoming involved. Others had suggested that some tenants feel too intimidated to contact their landlord because of fear of retribution, and that going to the City directly would be a better option for them.

Gibb asked Loewen about his experience with this issue in delivery of the City's Rental Housing Program. Loewen stated that he does hear from tenants who fear retribution and do not want to contact their landlord. Amy restated her earlier position that tenants should go first to their landlord to have a repair made, but also understands why some tenants may fear doing so. Kari pointed out that a tenant would be in violation of the lease she uses if they did not contact her prior to complaining to the City. She feels that most property managers use a lease with similar provisions. Amy questioned whether such a lease provision could legally prevent a tenant from contacting the City.

Jerry suggested that perhaps property managers should not be concerned if the City is the first point of contact. He recalled that both Loewen and Westfall had contacted him in the past to relay complaints about City code issues in units he manages, and that he was appreciative of this approach. He does not feel that it should be a problem for the City to be contacted.

Amy suggested that the City's outreach and education efforts should communicate that tenants should first attempt to get resolution of PMC issues by contacting their landlord, and then if that does not work they should contact the City. Weiss suggested that the City's PMC operating procedures could have code compliance staff ask if the tenant has communicated with their landlord about a complaint issue when first contact with the City is made, and if they haven't, recommend that they do. If the tenant has already contacted the landlord with no resolution of the issue, or is not comfortable making contact, the City would move forward with the complaint process. Allie asked if the same approach could be used when a landlord has been given a list of complaint items but has only responded to a few; Weiss agreed that this seems to fit within the model he was outlining. Gibb noted that it appears there is an Advisory Group consensus that this approach would be acceptable.

Moving to the next priority issue for additional Advisory Group consideration, Weiss reviewed an earlier discussion about the PMC requirement that all Corvallis properties contract for garbage/rubbish removal, and in the case of residential rental properties, that the landlord contract for this service. Westfall clarified that in these cases the landlord is responsible for contracting for services and providing an appropriate container, and the tenant is responsible for depositing their garbage/rubbish in the container(s). In response to a question regarding the scope of the problem, Westfall explained that the City currently receives about 100 garbage-related complaints each year.

Kari stated her opposition to requiring landlords to contract for services on behalf of their tenants. She suggested that the City put the charge for services on each property's utility bill. Gibb stated that these services are billed directly by Republic Services, which operates independently of the City. Amy asked what the required time frame for waste collection would be. Westfall explained that Republic Services provides weekly pickup but that on-call service is also available for customers using large containers (dumpsters).

Charlyn stated that it seems some residences do not currently have waste removal services, as garbage at some properties continues to pile up. Westfall stated that the PMC would address this issue. Jerry suggested that leases for rental properties should require tenants to contract for waste removal services, and if the City receives a complaint the landlord should be contacted, and it will get resolved. Amy noted that code complaint data provided by staff at the last meeting shows garbage complaints accounting for a large proportion. Amy agreed that all properties should be required to have garbage service, as it is part of living in the community. Requiring service would help with the perception that the City doesn't address this problem when it arises.

Amy asked who would be responsible for getting waste containers to the curb on collection day. Westfall explained that the tenant is responsible for getting waste into the containers, and the expectation is that they will take the container to the curb. If they do not, however, it would be the landlord's responsibility under the PMC. Jerry suggested that leases could require tenants to take the container to the curb, and include a financial penalty for the tenant if it is not done.

As discussion of this item wrapped up there was consensus that all properties should be required to contract for garbage/rubbish removal services. However, there was no consensus regarding who should be required to contract for the services for residential rental properties. Gibb noted that staff will poll other cities to see how they have handled this issue.

Weiss introduced the Advisory Group's third priority discussion item, regarding whether there should be a minimum space requirement for bedrooms. He directed the group's attention to an area taped out on the meeting room floor representing a 7'x10' room – the minimum space that would meet the PMC requirement for the room to be used for sleeping. Westfall explained that this space requirement is considered the minimum suitable to handle a bed and furnishings and still allow safe movement through the space for safe use and egress. In response to questions from the group, Westfall responded that he has seen very few spaces that were originally built as bedrooms that are smaller than 7'x10', but that he does see rooms that have been created by modifying larger spaces, or by repurposing smaller ones, that are smaller than 7'x10'.

Kari suggested that if someone agrees to sleep in a room that is smaller than 7'x10' it should be allowed. Charlyn stated that people may not be agreeing to live in those conditions, but instead may feel they have no choice. Kari pointed out that if the Benton County Assessor says a home has three bedrooms and one of them is smaller than the minimum, it should be considered acceptable for sleeping. Westfall stated that the Assessor considers only how a room is used, and does not apply any standards when they classify it for assessment purposes.

Kari and Jerry both stated they had seen a few bedrooms smaller than 7'x10'. Kari suggested that historic homes may have been built with bedrooms smaller than this standard. Westfall reiterated that in most cases these are probably conversions of other spaces, but that the Code Official would have the latitude to render an interpretation that could find a space smaller than 7'x10' acceptable. Rachel stated that she feels strongly that 7'x10' is the minimum space that should be allowed for a bedroom. It was suggested again that if a tenant agrees to a bedroom that is smaller than 7'x10' it should not be considered a violation. Allie stated her support for the 7'x10' minimum, and pointed out that she and others she knows have lived in rentals with bedrooms smaller than the standard, but that they were unaware of the size because they were not given an opportunity to inspect the unit before signing a lease and moving in. She stated that this is a common practice; Loewen agreed that he has heard from tenants who were not given an opportunity to see a unit prior to signing a lease.

Wrapping up discussion on this issue, Gibb noted that it sounds like there is general consensus among Advisory Group members that a 7'x10' minimum space requirement for bedrooms is acceptable as long as there is an exception process built into the PMC and its implementation procedures that would allow smaller spaces if they were originally built that way, and are otherwise safe and suitable for use as a bedroom.

- V. Adjournment. The meeting was adjourned at 6:32 p.m.

*Comparator cities with IPMC-based property maintenance codes and rental licensing/inspection programs identified during the Livability Work Group meeting process:*

	<u>2010 Population</u>
Bloomsburg, Pennsylvania (Bloomsburg Univ.)	14,855
Charlottesville, Virginia (Univ. of Virginia)	43,475
East Lansing, Michigan (Michigan State Univ.)	48,557
Gresham, Oregon	105,594
Mansfield, Connecticut (Univ. of Connecticut)	26,543
Newark, Delaware (Univ. of Delaware)	31,454
Oxford, Ohio (Miami Univ.)	21,371

*Selected comparator and other cities included in list of 800+ jurisdictions that have adopted an IPMC-based code, provided by ICC:*

	<u>2010 Population</u>
Lawrence, Kansas (Univ. of Kansas)	87,643
Lexington, Kentucky (Univ. of Kentucky)	295,803
Delaware, Ohio (Ohio Wesleyan)	34,753
Norman, Oklahoma (Univ. of Oklahoma)	110,925
Columbia, South Carolina (Univ. of South Carolina)	129,272
Rapid City, South Dakota	67,956
Waco, Texas (Baylor Univ.)	124,805
Morgantown, West Virginia (West Virginia Univ.)	29,660
Cheyenne, Wyoming	59,466
Riverton, Wyoming	10,615
Normal, Illinois (Illinois State Univ.)	52,497
Idaho Falls, Idaho	56,813
College Station, Texas (Texas A&M)	93,857
Columbia, Missouri (Univ. of Missouri)	108,500
Annapolis, Maryland (U.S. Naval Academy)	38,394
Fort Collins, Colorado (Colorado State Univ.)	143,986
Stillwater, Oklahoma (Oklahoma State Univ.)	45,688
Manhattan, Kansas (Kansas State Univ.)	52,279
Fargo, North Dakota (North Dakota State Univ.)	105,549
Tuscaloosa, Alabama (Univ. of Alabama)	90,468
Dover, Delaware (Delaware State Univ.)	36,041
Valdosta, Georgia (Valdosta State Univ.)	54,518
Bangor, Maine	33,039

*Selected Pacific Northwest cities with IPMC-based codes:*

	<u>2010 Population</u>
Albany, Oregon	50,158
Portland, Oregon	583,776
Gresham, Oregon	105,594
Arlington, Washington	17,926
Auburn, Washington	70,180
Battle Ground, Washington	17,571
Bellingham, Washington (Western Washington Univ.)	80,885
Cheney, Washington (Eastern Washington Univ.)	10,590
Federal Way, Washington	89,306
Lacey, Washington	42,393
Oak Harbor, Washington	22,075
Olympia, Washington	46,478
Richland, Washington	48,058
Idaho Falls, Idaho	56,813

**ADMINISTRATIVE SERVICES COMMITTEE  
MINUTES  
March 5, 2014**

Present

Councilor Biff Traber, Chair  
Councilor Hal Brauner  
Councilor Joel Hirsch

Staff

Jim Patterson, City Manager  
Ken Gibb, Community Development Director  
Kent Weiss, Housing Division Manager  
Dan Carlson, Development Services Manager  
Chris Westfall, Code Enforcement Supervisor  
Bob Loewen, Housing Program Specialist  
Carrie Mullens, City Manager's Office

Visitors

Bill Cohnstaedt	John Wydronek
Richard Berger	Will Bowerman
Karen Levy Keon	Carl Carpenter

**SUMMARY OF DISCUSSION**

	<u>Agenda Item</u>	<u>Information Only</u>	<u>Held for Further Review</u>	<u>Recommendations</u>
I.	Neighborhood/Property Maintenance Code Program		Yes	
II.	Other Business	Yes		

Chair Traber called the meeting to order at 3:30 pm.

**CONTENT OF DISCUSSION**

I. Neighborhood/Property Maintenance Code Program

Chair Traber reviewed meeting procedures. Councilor Brauner announced that he has another meeting commitment and will leave early.

Mr. Gibb reported that the meeting materials distributed on February 27 included information previously provided to the Committee (model code, recommended additions/deletions/changes, and existing gaps). Information responding to questions and issues raised during the February 25 meeting were recently provided in a supplemental packet (Attachment A).

Mr. Westfall reviewed his handout identifying key sections of the model code (Attachment B). He noted that Chapters 1 (Administrative) and 2 (Definitions) will be reviewed if requested by the Committee at a later time. The handout highlights areas previously discussed with the Property Maintenance Code Advisory Group (PMCAG) to address gaps between current code and issues consistently raised through the Code Enforcement or Rental Housing Programs.

Code gaps relate to landlord/tenant and building maintenance issues. He clarified that building maintenance refers to the time after a building is constructed until it reaches a point that it constitutes a dangerous building.

Chapter 3 of the model code provides standards for installation and maintenance of building components, maintenance of exterior structure and premises, and interior sanitation. He clarified that exterior provisions would apply toward all properties and interior provisions would apply to tenant occupied residential properties. Section 301 identifies responsible parties for each specific standard.

Mr. Westfall reviewed specific Chapter 3 Sections as noted in his handout:

- **Exterior Areas** – Assigns responsibility for sanitation, rodent harborage, accessory structures, and graffiti removal; addresses sanitation issues other than solid waste; and notes expectations for clean, sanitary, and safe premises. Existing code addresses only the removal of solid waste, prohibitions related to rodents and placement of graffiti, and motor vehicles.

Chair Traber opined that the motivation is to provide safe, healthy housing for tenants. He inquired about the use of the word "clean," and whether the goal is to have spotless housing stock or a safe and sanitary exterior of structures. Mr. Westfall said staff will refine language throughout the process to clarify ambiguity. The current focus of the proposed code is to address community-wide issues, not only landlord/tenant issues. The provisions of the model property maintenance code (PMC) look at the maintenance of the built environment, eliminate or reduce blighting, and clarify responsibilities between landlords and tenants.

Chair Traber said there is a big difference between clean and not blighted.

In response to Councilor Hirsch's inquiry about code related to unsafe interiors of owner-occupied dwellings, Mr. Westfall said Chapter 3 provides provisions for interior conditions and Chapter 1 addresses dangerous buildings. Mr. Gibb clarified that the recommendation is to not apply interior standards to non-rental units, unless it becomes a dangerous building issue. Mr. Weiss added that the current model code is written to apply to all properties. The proposed local PMC would limit the applicability of interior conditions to rental units.

- **Exterior Structure** – Requires structural elements to be sound and secure, and repaired or replaced in accordance with building code standards. Includes maintaining surfaces, foundations plumb and free of open cracks, weather-tight windows and doors (enhances current code), and requires deadbolts on exterior doors and lockable windows (rental units only).

Chair Traber inquired about buildings constructed under older building codes that may have substandard foundations (in relation to current codes). Mr. Westfall

said Chapter 1 includes an exemption for existing and historical buildings (staff defined as more than 50 years old). Mr. Westfall clarified that repairs to buildings deemed unsafe and dangerous would be required to meet current building code standards.

- **Interior Structure** (non owner-occupied) – Requires interior structures to be sound, sanitary, and maintained in good repair; and assigns landlord/tenant responsibilities. Surface maintenance includes clean and sanitary conditions; and addresses peeling and/or damaged paint, flooring, and plaster/wallboard. Interior doors would be required to fit and function properly, and provide safe exiting and privacy.
- **Component Serviceability** – Relates to maintenance of building components (wood concrete, steel) and fills code gaps.
- **Rubbish and Garbage** – Assigns landlord/tenant responsibilities (existing code prohibits accumulation only).
- **Pest Elimination** – Enhances current code to assign landlord/tenant responsibilities.

Mr. Westfall said Chapter 4 relates to light, ventilation, and occupancy limitations as fundamental human needs; provides provisions for emergency escape; and protection from overcrowding to maintain neighborhood livability. He noted that structure owners are responsible to provide light, ventilation, and space; and that artificial light and/or ventilation is acceptable.

- **Light** – Includes requirements for habitable spaces, common halls, and stairways.
- **Ventilation** – Relates to habitable spaces, bath/toilet areas, and cooking appliances. Staff consistently receives complaints about humidity resulting in mold.
- **Occupancy Limitations** – Identifies minimal room dimensions, kitchen interior clearances, ceiling heights, living and bedroom square footage requirements per occupant, and accessibility to bathroom facilities.

In response to Chair Traber's inquiry about the health and safety aspect of living/dining room space requirements, Mr. Westfall explained that within the current code and the proposed PMC there are provisions for studio efficiency apartments (kitchen and bedroom in one room). The minimum proposed space requirements are related to fire prevention. Other minimum area provisions are to prevent overcrowding that could create unsanitary conditions and/or the spread of communicable diseases. Ventilation provisions prevent airborne contaminants from remaining in an enclosed space. Mr. Gibb added that neighborhood livability is also a factor. Through the Collaboration Project, there was discussion about how overcrowding impacts neighborhoods. LDC provisions limit occupancy to five unrelated individuals in each dwelling unit; however, the current code does not address unit size. Those five individuals

could be living in less than 400 square feet. The proposed code calibrates the size of a dwelling unit to the number of residents.

Mr. Westfall said Chapter 5 addresses plumbing fixture requirements and maintenance, and places the responsibility for maintaining these elements with the building owner. He explained that tenants have filed complaints about being made responsible to repair plumbing issues at their own expense.

- **Required Facilities** – Identifies minimum facilities maintained in sanitary, safe working conditions (enhances current code).
- **Toilet Rooms** – Addresses privacy and egress issues.
- **Plumbing Systems/Fixtures** – Requires fixtures to be in working order and free from leaks (enhances current code).
- **Water System** – Requires adequate water supply and a minimum temperature for heated water.

Mr. Westfall noted that Chapter 6 addresses mechanical and electrical requirements that deal with life-safety issues, such as detecting/abating fire hazards, electrical shock, and risk of physical injury; and assigns responsibilities.

- **Heating Facilities** – Heating systems must be capable of maintaining 68 degrees; bathrooms and toilet rooms must be heated (enhances current code). Assigns responsibility for maintaining a permanent heat source to owner. Temporary heat sources can be used when a permanent heat source fails, but only until the permanent source is repaired or replaced (not indefinitely).
- **Mechanical Equipment** – Relates to the installation and maintenance of appliances, fireplaces, cooking appliances, and water heaters. Refers to safe working conditions, intended function, proper ventilation, and clearances. The Rental Housing Program frequently receives complaints about these types of items not working.
- **Electrical Facilities** – Assigns minimum requirements from power company conductors to distribution panel; includes voltage, amps, wiring. Addresses system demand, correction of hazards, and exposure to water and fire.
- **Electrical Equipment** – Identifies the minimum number of separate outlets required in habitable space, including number and type in bathrooms and laundry areas. Addresses requirements for permanently wired light fixtures.

Mr. Gibb emphasized that the proposed program is initiated by complaints, not through a proactive inspection program. The proposed language provides staff with the tools needed to respond to complaints.

Mr. Weiss said meeting materials include a list of items that staff is proposing be added, deleted, or changed, based on discussions with PMCAG (original meeting materials, attachment 2). Mr. Weiss referred to the list and reiterated that the code will apply to residential rental properties in their entirety, and exteriors only of non-residential properties and owner-occupied residential properties, unless

health hazards or situations arise that constitute a dangerous building. Applicability will be expanded to include buildings fifty years or older. Violations will be modified to be considered infractions, except for dangerous building violations and repeat offenders. Language related to rubbish and garbage will clarify responsibilities of landlords/tenants. Mr. Weiss explained that owners are ultimately responsible for trash removal; however, owners can transfer that responsibility to tenants through lease agreements. If the tenant does not follow-through, the owner remains responsible.

In response to Councilor Hirsch's comments about holding tenants responsible for intentional vandalism, damage, or accumulated garbage, Mr. Weiss said rental deposits are typically held by landlords for those circumstances.

Councilor Hirsch noted that the proposed language provides many opportunities to hold property owners responsible, but there may be times when the City wants to provide protection from malicious tenants. Mr. Westfall responded that the model code identifies appropriate landlord/tenant responsibilities throughout. Chapter 1 identifies items that are not in control of a landlord. Mr. Weiss added that Chapter 1 also includes an appeals process; however, staff recommends the City utilize the current appeals process.

Mr. Weiss reviewed suggested code additions including allowing composting and using a temporary heat source when a permanent source fails (not on a permanent basis). Mr. Gibb explained that temporary heating source language is addressed in the RHC, but not the model code.

Mr. Weiss said motor vehicle references are thoroughly covered by current code and can be stricken from the model code. Language related to access from bedrooms under Occupancy Limitations is adequately covered in applicable building codes and can be deleted from the model code.

Mr. Weiss noted that PMCAG did not reach consensus about the elimination of pest infestations from the premises of all properties, including exterior areas. Staff recommends retaining the pest management provisions of the model code due to complaints received about pests infesting adjacent properties.

PMCAG also discussed shared bathrooms in rental units and whether they should have locking doors. Staff has received complaints from renters about this issue and recommends retaining that provision for rental properties.

Chair Traber inquired whether staff will provide a list of additional deletions from existing codes. Mr. Weiss confirmed that adopting this code will require concurrent deletions and/or amendments to existing codes. Mr. Gibb noted that information will be included in the final package of materials.

Chair Traber said identifying the number of codes that will be deleted would help him understand the need for the PMC. Mr. Gibb responded that the goal is to consolidate and not overlap with other codes. Staff can provide an initial list of codes that may be deleted or modified.

Mr. Weiss reviewed a PowerPoint presentation (Attachment C) that included pictures taken by Mr. Loewen and Mr. Westfall. The pictures are in the sequence of issues identified in the gap matrix, and include issues related to large cracks in walls and foundations; water damaged walls, floors, and ceilings; failed and dangerous electrical systems; failed plumbing systems; rodent harborage; lack of interior and exterior security; failed/failing roofs, siding, and accessory buildings; broken windows; graffiti; rubbish; and overgrown vegetation. Mr. Gibb noted that the pictures are real-life examples of complaints received with frequency by the City.

The Committee and staff discussed the pictures:

- **Foundations** – Current code does not require the repair of failing foundations to prevent further deterioration and can only be utilized when the foundation's failure constitutes a dangerous building. The proposed code would require repair and maintenance.
- **Plumbing leak or misuse of facilities** – If a leaking toilet deteriorated an adjacent wall, the owner would be responsible to repair the leak and wall. The model code does not address the tenant's responsibility if the wall deterioration was due to the tenant's misuse of the adjacent shower. A tenant's damage deposit could cover this; language could be included to address this issue.
- **Damaged electric outlet** – Current code does not include a provision for maintenance.
- **Damaged walls** – Current code does not require patching a wall that has been compromised to include adding electrical, plumbing, or other mechanical facilities.
- **Failed plumbing** – The RHC addresses leaks, but not proper installation. The model code would require a properly functioning system.
- **Building deterioration** – Current code allows buildings to deteriorate without maintenance until the building is deemed dangerous. The proposed code will require the owner to maintain the building. This is a neighborhood livability issue that impacts surrounding areas.
- **Graffiti** – The current code does not address removal of graffiti. The model code addresses the property owner's responsibility for removal.
- **Exterior rubbish/weeds/personal property** – Current code addresses solid waste and weeds. Personal property can be stored outside in a clean and sanitary manner that will not attract pests. The proposed code clarifies these issues.

- **Indoor furniture stored outdoors** – Current code and the proposed code do not address this except as discarded furniture. PMCAG suggested further consideration.

*Councilor Brauner left the meeting at 4:43 pm.*

In response to Chair Traber's inquiry about notice and City options, Mr. Westfall explained that the model code outlines notice to include the identification of deficient conditions, City expectations, and an anticipated time line to remedy. If the owner does not respond, the City could move to abatement. He noted that as part of this program, staff recommends an abatement fund.

Mr. Gibb referred to the supplemental materials (Attachment A) that provide staff responses to questions and issues that arose during the February 25 meeting. The information includes reasons to consider a PMC versus amending current codes, and applicability of a PMC.

Mr. Loewen said Oregon Revised Statutes (ORS) related to landlord/tenant issues address habitability and include a provision for tenants to request that landlords make repairs. The challenge is when the landlord refuses to make repairs, requiring the tenant to go through a legal process that can include hiring an attorney and going to court to force the landlord to make needed repairs. Mr. Loewen noted that when the RHC was developed in 2002, some questioned why the City would need a RHC when the ORS covered landlord/tenant law. Adopting the RHC provided a way to locally enforce the habitability provisions of landlord/tenant law without forcing tenants to traverse the legal process. Legal processes can be time consuming and, often times, it is difficult for a tenant to find an attorney who will represent them, especially if funds are an issue. A landlord can get around retaliation protections. The PMC will help protect a tenant from retaliation. The ORS talks about retaliation after complaining to a government agency. The penalty for retaliation in those cases is higher, and if the property has been posted for being dangerous, or there is an active enforcement action, it serves as evidence to support a retaliation claim.

Mr. Westfall added that under current code, posting would only occur with determination of an unsafe condition under the dangerous building provision.

Mr. Gibb said there have been legitimate issues raised about retaliation; however, the primary focus of the proposed code is about maintaining property and housing stock. Staff has heard public concerns that led to the recommendation that speaking to the landlord first is not required, although encouraged.

In response to Councilor Hirsch's inquiries, Mr. Weiss explained that when a tenant contacts the City to file a complaint, staff will follow a "script" that inquires

whether the tenant has informed the landlord about the issue and requested repair. If not, staff will encourage the tenant to contact their landlord and caution them that their lease may include this requirement. If the tenant is not comfortable contacting the landlord, staff will accept the complaint. The severity of an issue or complaint will determine how quickly staff will move toward resolution.

Councilor Hirsch said it is important that the landlord is given the opportunity to do the right thing.

Bill Cohnstaedt opined that if the addresses of the properties shown in the pictures were made known, the ownership of those properties would quickly change and be dealt with. He said ORS Chapter 90 requires landlords to give up possession to the tenant, making the tenant responsible under the terms of the rental agreement. The ORS includes many requirements and assigns landlord/tenant responsibilities. ORS Chapter 90, Section 380, states that when a government entity files a complaint about unsafe buildings, the tenant is required to immediately move out and the landlord is required to make all repairs before re-renting. If the City posts an unsafe condition and the tenant is forced to vacate, there is no place for the tenant to go in this community due to low vacancy rates. Under ORS, the landlord does not have any responsibility for the interior and/or leased premises unless the tenant notifies the landlord of an issue. Under the Corvallis Municipal Code (CMC), this is a gray area. Leases define landlord/tenant maintenance responsibilities. The proposed PMC puts additional code layers over the ORS and CMC. This issue needs more discussion before the PMC is adopted. State law includes many rules about retaliation and the consequences of retaliation. The State has determined the most effective remedy is monetary damages. Mr. Cohnstaedt opined that in cases of a responsible tenant versus an irresponsible landlord, the tenant will win substantial monetary damages. Overlaying additional laws does not change or impact State law.

Richard Berger requested time for the Willamette Association of Realtors to draft a response to the supplemental information (Attachment A). Mr. Berger opined that a PMC will not force a neglectful property owner living in another country to return to Corvallis.

Chair Traber clarified that PMC discussions will continue and comments can be provided at any time. He intends to inquire about properties that appear to be abandoned.

Karen Keon said the PMC is a good first-step and will reduce friction between tenants and landlords. Initially, the proposal included an increase in funding and staffing for education and outreach, and she hopes that continues to be part of the proposal.

Chair Traber confirmed that the original proposal includes reassignment of staff. Councilor Hirsch added that the emphasis is for prevention and education.

John Wydronek submitted a handout listing the number and subject of Rental Housing Program contacts per year and information about RHC coverage gaps (Attachment D). He said he supports the effort, but would prefer staff consider a thorough review of existing code to determine effectiveness and propose modifications to address gaps. He reviewed his handout and explained that the data was pulled from information previously provided to this Committee. He noted that the vast majority of RHC contacts were non-habitability issues and opined that including a few more provisions in the RHC may respond to the issues identified through the current complaint-based system. He noted that the City presented the idea of a PMC to the Collaboration's work group and asked that it be forward to the Collaboration Steering Committee. He requested that, before recommendations are made to Council, staff thoroughly review existing code to determine if modifications could solve the issues.

Chair Traber said the supplemental materials (Attachment A) include information about why a PMC is proposed versus updating current code. Councilor Hirsch added that a broad, comprehensive code to address many issues makes more sense than utilizing pieces of different and existing codes. Chair Traber agreed.

Mr. Wydronek said he objects to tenants being allowed to contact the City without contacting their landlord first. He suggested that if the tenant does not want to contact the landlord, City staff relay the information to the landlord so the issue can be resolved instead of it becoming an official complaint.

Will Bowerman submitted written testimony (Attachment E) and said it appears this proposal will remove sections of the existing RHC without removing the entire code, and that staff is discussing two other codes that may be included in the proposed PMC. He encouraged the Committee to not layer too many codes.

Carl Carpenter said the current complaint, appeals, and penalty process for those people who cause problems is not working. Before the PMC is implemented, he would prefer the process to address irresponsible landlords be improved. The appeals process needs to be revised to eliminate the ability for landlords to extend the process. He inquired why there are so many outstanding cases and what the City is doing about the issues that were identified in the photos (Attachment C).

Chair Traber explained that the pictures identified issues that are not addressed by any current code provisions. Earlier discussions included staffing and funding to augment the enforcement team to deal with violations.

Mr. Carpenter responded that he would prefer the City deal with staffing first and noted that adopting the proposed PMC will increase the number of cases.

Mr. Patterson thanked staff for the presentation. He said it is obvious that Mr. Westfall has experience and understands the various codes. Having one or two additional staff members who also understand the codes will reduce outstanding cases. Mr. Patterson added that Mr. Westfall is very capable and the City is fortunate to have him on staff.

Mr. Patterson said this discussion and process is not pleasant for staff, landlords, or property managers. Anything that can be done to remove gray areas is preferable. It is important that staff responsible for enforcing these rules receive the tools and support they need to allow the City to accomplish the work the community desires. He recognized commenters' reactions to the conditions shown in the slides, and opined that no one observing the pictures presented by staff would consider the conditions acceptable. He noted that for the first time, there may be a point of common ground that can be utilized to resolve this issue.

Mr. Gibb noted that the Committee will not be discussing the PMC during their meeting scheduled for March 19. Chair Traber announced that the Committee will accept PMC testimony at the March 19 meeting. He clarified that written comments can be forwarded to Mr. Gibb to be included in the next packet of materials.

Staff responded to inquiries:

Councilor Hirsch: What is the Neighborhood Empowerment Program?

*Mr. Gibb: The proposed program includes Neighborhood Association support, landlord/ tenant outreach, and working with issues surrounding OSU. This program was eliminated due to budget reductions several years ago. The Neighborhood Livability Work Group recommended the program be re-instituted. Staff has recommended a separate funding source for this program to help augment the education/outreach neighborhood connection. In the past, the funds were used for communication tools, physical improvements to neighborhoods, and small City grants. The annual funding for the program was \$10,000. The recommendation is that the funding be included through the budget process and not as a part of the PMC or RHC programs.*

*Mr. Weiss: Individual grants ranged from \$1,500 to \$3,000. An example of use was the construction of a neighborhood bus shelter. Grant funds paid for materials and the neighborhood members performed the work.*

Chair Traber: The proposed PMC provides an avenue to address abandoned buildings. Are there legal steps available when an owner is absent?

*Mr. Gibb: Staff has proposed a small budget (\$10,000) annually for abatement funds. If utilized, the City would place a lien on the property to recover those funds.*

*Mr. Westfall: If the owner is absent or does not respond to notice from the City for maintenance requirements, the proposed code allows the City to maintain the property instead of waiting until the building has to be demolished. The City would place a lien on the property or, if it is apparent that the City is maintaining a building indefinitely, the City could foreclose on the owner. The due process requirements are identified in Chapter 1 of the model code.*

*Mr. Gibb: These provisions would only be utilized if the City cannot resolve the issue in any other manner. The goal is to be proactive without waiting until a building is deemed dangerous.*

Chair Traber said the point is that this will help maintain housing stock and the process will prevent absentee landlords from allowing the City to maintain their properties and then reap the benefit of the City's investment. Financial liens and foreclosures eliminate that.

Councilor Hirsch: Are property taxes being paid on the property owned by the individual residing out of the country?

*Mr. Westfall: Taxes are being paid by an individual every five to seven years when the County Assessor sends notice of impending foreclosure. That person lives in Louisiana.*

Mr. Patterson: The person paying the taxes might respond to a foreclosure notice.

*Mr. Westfall: They might. At the least, it would remove the City from property maintenance on that specific property and provide an avenue to recover costs.*

*Mr. Gibb: There is no current code to deal with the property and staff cannot determine from the outside whether it meets the dangerous building code provisions.*

Mr. Patterson: Has the City received complaints about this property?

*Mr. Westfall: Multiple complaints have been received every year for the last 15 years.*

Chair Traber: Is the analysis received by Mr. Wydronek accurate?

*Mr. Gibb: Staff will review the information and respond in the next set of materials.*

*Mr. Weiss: The data only includes contacts made through the Rental Housing Program, not Code Enforcement, so it is not a full representation.*

*Mr. Westfall: One of the current challenges of not having one code is that there are many people administering different parts of different codes. The Rental Housing Program deals primarily with landlord/tenant issues and those contacts primarily go to Mr. Loewen. Concerns about safety and deterioration of structures are handled through the Code Enforcement Program.*

Chair Traber: If the PMC is adopted, would the RHC be eliminated?

*Mr. Gibb: Yes, the RHC issues would be covered by the PMC.*

Chair Traber: Is there a two-stage process that the Committee may want to consider? Should action be recommended to Council to deal with complaints and new procedures prior to working out the details of the modified PMC, or other tools to respond to issues not currently covered? Would it be better to make a recommendation once all of the details have been decided?

*Mr. Gibb: A strategy to move forward can be discussed. Staff has a transition plan and the levy funded a half-time code enforcement position to help address the backlog.*

Chair Traber requested the strategy and transition plan be addressed when the Committee next discusses the proposed PMC. He acknowledged that it may be a lengthy process to determine what needs to be removed or added to the proposed PMC, or whether existing code needs to be updated, and without imposing unintended consequences.

Mr. Gibb encouraged Committee members to send additional questions or concerns to staff for inclusion in the next packet of materials. He noted that staff will also provide information related to addressing the outstanding caseload.

## II. Other Business

The next Administrative Services Committee meeting is scheduled for 3:30 pm on Wednesday, March 19 in the Madison Avenue Meeting Room.

The meeting adjourned at 5:32 pm.

Respectfully submitted,

Biff Traber, Chair

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**Memorandum**

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March 4, 2014

**To:** Administrative Services Committee

**From:** Ken Gibb, Community Development Director

**Re:** Follow-up information related to the Corvallis Neighborhood Outreach & Education/  
Property Maintenance Code program

As discussed at the conclusion of the February 25 Administrative Services Committee meeting, Staff are providing follow-up information regarding several of the questions and issues raised during that session.

**Why consider adopting a new property maintenance code rather than just amending existing codes?**

The International Code Council's (ICC) Model Property Maintenance Code (PMC) is part of a family of codes, and is intended to mesh with those other ICC codes. The State of Oregon and the City of Corvallis have adopted many other ICC codes (e.g., building, fire, plumbing, electrical).

The PMC is intended to establish and apply basic maintenance requirements to be met after the completion of construction and/or site development. When a property is maintained to the minimum standards of the PMC its condition does not decline to the point that it must be declared dangerous, which would typically necessitate that its occupants be vacated from the property.

Staff believe that adopting a local property maintenance code is preferable to augmenting existing codes because:

- It provides for a comprehensive approach that ties in with other building-related codes.
- Without a PMC, multiple sections of the Municipal Code and other City codes would need to be amended to address various gaps. Consolidating these standards in one place avoids a piecemeal approach, and supports a coordinated City response to these issues.
- It provides ease of access to the public by having standards in one place versus having to search through multiple sections of the municipal code to find applicable standards.

The use of a model code does not preclude making alterations to fit local needs. From the outset of the PMC discussion, it has been emphasized that changes to the model code will likely need to be made, and that conflicts and overlaps with existing codes would be addressed in this process. Additions, deletions and modifications to the model code have been recommended by staff as a result of the PMC Advisory Group process, and ASC and the City Council will have the option to determine other adjustments.

**Why adopt additional regulations on rental properties and increase fees when it is just a few irresponsible landlords that create issues? Why can't fines be used to fund the program?**

It is generally recognized that any regulation applies across the board by necessity, but that not everyone to whom it applies is a violator. For example, traffic law enforcement is funded by the community at large through support from the City's General Fund rather than by fine revenue, but not every driver breaks traffic laws.

Regarding the profile of parties responsible for rental housing code compliance, staff provided information to the Neighborhood Livability Work Group indicating that only 20% of the issues reported have been associated with owners who had multiple issues. Experience with the general code enforcement program also indicates that cases are not concentrated within just a few property owners. It was also noted that less than 40% of the rental units in Corvallis are managed by property management companies and based on calls received through the current rental housing program, properties managed by property management companies are not immune to compliance issues.

The existing rental housing program provides information and referral services to all landlords and tenants, not just to those who are linked to code compliance cases. The proposed program will expand this effort especially in the education and outreach area, and a substantial share of the revenues raised by rental housing fees will support these non-code related activities.

Finally, a progressive enforcement strategy will be designed to impose increasing penalties based on the severity and frequency of violations. This strategy will yield some revenue over time, but cannot be relied upon as a stand-alone source to fund an ongoing basic program.

**The property maintenance conditions that are being discussed for coverage under a Property Maintenance Code are already addressed adequately under state landlord/tenant law; the PMC program proposal provides a tenant with the opportunity to file a code complaint without first contacting the landlord, but does not deal with landlord retaliation.**

Staff will provide an overview of landlord/tenant law coverage during the March 5 meeting.

**Why not apply the Property Maintenance Code to the interiors of non-rental properties?**

The approach to PMC applicability that is being proposed is based on feedback provided to staff during discussions of the Property Maintenance Code Advisory Group. During those discussions it was suggested that while renter occupants have little control over maintenance of the interior structure and systems of the building or dwelling unit they occupy, owner occupants do have control, and should be allowed to decide what conditions they want to tolerate. For this reason only conditions that threaten health or create dangerous building situations will be addressed by the PMC in non-renter occupied properties. However, given that the exterior condition of both owner- and renter-occupied properties may directly affect the livability of neighbors and the surrounding area, the PMC is currently intended to apply equally to building exteriors regardless of those buildings' use or occupancy.

**Why not apply the program fees and PMC standards only to older rental properties, and exempt newer properties?**

The Neighborhood Outreach/Education and PMC program fees will support the provision of information and referral services to landlords and tenants regardless of the age of the property they manage or occupy. In addition, experience suggests that new/newer construction may also encounter maintenance issues for which other current codes do not apply, as was the case for a newly-completed multifamily rental property in which several units did not have hot water.

**How many complaints that would be subject to the proposed PMC were received by staff during 2012 and 2013? How many were successfully adjudicated? What was the annual budget for 2012 and 2013?**

Staff cannot provide a number for complaints received but not covered by the PMC, as those issues are not tracked or pursued. Thus there were no attempts at adjudication related to such complaints. Staff have tracked reports of issues received through the Rental Housing Code Program that are not subject to the Code but involve habitability (included in the staff report for the February 25 ASC meeting). Some of these issues would likely be subject to the PMC. The FY 2013-14 budget for the Rental Housing Program is approximately \$155,000; the budget for the general Code Enforcement Program is approximately \$130,000.

**Who were the primary clients of the education and outreach program?**

Landlords, tenants and other community members utilize the Rental Housing Program's information and referral services. Approximately 25% of Program contacts are received from landlords, about 60% from tenants, and about 15% from others such as neighbors, realtors and parents. The City's Code Enforcement Program provides outreach to these groups as well as home owners and business owners.

**Would municipal court citations primarily be issued to landlords for improperly maintaining properties, or also issued to tenants for improperly maintaining the rental units they occupied?**

The Property Maintenance Code assigns responsibility for specific aspects of property maintenance to landlords, tenants and owner occupants. A citation would be issued to the party with maintenance responsibility who, after being given notice by the City that a violation exists and having the opportunity to correct it, refuses or fails to correct the violation.

**How would access to the re-instated Neighborhood Empowerment Program be determined?**

When the program was operated in the past, funds were distributed through a Request for Proposals process. The City Council would review and if desired, adjust this process before program reinstatement. It should be noted that the Neighborhood Empowerment Program would be funded through a separate action of the City Council, and is not being proposed for funding from the rental housing fee.

**Why did City staff believe it was property owners' responsibility to pay for the misbehavior of a few property owners who did not maintain their properties?**

The current Rental Housing Program, adopted in 2002, utilizes a rental unit fee (currently \$12 per unit per year) to provide funding support. The recommendation of the Collaboration Project's Neighborhood Livability Work Group was to increase this fee and combine it with other City resources in order to equitably fund the Neighborhood Outreach/Education and Property Maintenance Code program. The response narrative at the top of page two of this memorandum provides additional background on this issue.

**Would the rental fees be applicable to single family houses?**

Yes, if those houses are renter-occupied.

**What mechanism did City staff have to determine the number of houses actually rented and assess the rental fees against the owners?**

Since beginning the Rental Housing Code Program in 2002 the City has maintained a database of rental properties. Information from the County Assessor's database, the City's Utility Billing database, owner-provided information, and other sources have been utilized over time to build and maintain the rental housing database.

**Final comments relative to issues raised during the February 25 Administrative Services Committee meeting.**

A few final points of clarification are offered in response to issues raised during the most recent ASC meeting. The first is that the current mix of time spent by City staff on education and outreach vs. code enforcement activity is nearly equal. With the expansion of the program to include the addition of PMC-based standards and Code Compliance staff, it is anticipated that the amount of time spent on outreach, education and information and referral will remain at least steady, and will likely increase somewhat, accounting for one-third or more of the time spent in the future by staff in the delivery of the overall Neighborhood Outreach/Education and Property Maintenance Code program.

Another point of clarification relates to testimony received February 25 from several tenants regarding the maintenance of their rental units. Many of the issues cited as examples of maintenance conditions, including air and water infiltration, a lack of ventilation, infestations of rats and cockroaches, windows that do not latch, plumbing leaks and other plumbing deficiencies, would be addressed under the PMC. Other conditions such as worn carpet and vinyl flooring, mold caused by condensation around otherwise sound windows, missing towel bars and rusty refrigerator interiors would not be subject to the PMC. There would be no blanket requirement for the owners of a rental property to replace properly functioning single pane windows with double pane windows, the potential for which was suggested during the testimony provided on February 25.

Finally, some of the questions that have been or may be asked during the ASC review process have already been raised during earlier reviews of the Neighborhood Outreach/Property Maintenance Code program concept by the Livability Work Group and PMC Advisory Group. Responses to questions raised by the Advisory Group were provided in the February 25 ASC meeting packet; responses to questions raised at the Livability Work Group's well-attended January 29, 2013 community forum on the topic of the PMC are included with this memo as Exhibit 1. One point of clarification related to these responses is that they were provided to the Work Group members while they were still contemplating a PMC program that would include licensing of all rental units, and would be based on required, periodic inspections of all rental units. As noted earlier in the ASC process, the current program approach would initiate a complaint-based approach to code compliance.

Attachment: Exhibit 1 – Responses to questions raised during the 1/29/2013 Livability Work Group forum

## Response to Questions from 1/29/13 Neighborhood Livability Forum

### Current Conditions and Enforcement Activity Levels

**Q: Is there really a problem in one of every three rental units in the City?**

A: It is City staff's professional estimate that approximately 30% of the community's residential rental units have one or more physical conditions that would not meet the standards of the International Code Council's model International Property Maintenance Code (ICC IPMC). This estimate is based in part on staff's knowledge that roughly 42% of the dwellings in Corvallis were built before 1960, and the conclusion that given the age of these dwellings, many can be anticipated to have conditions that do not align with ICC IPMC. City code enforcement and inspection experience also suggests that both older and newer units will also have conditions that would not meet the ICC IPMC, particularly in situations where illegal alterations have been performed.

There are existing conditions in the rental housing inventory that do not comply with the ICC IPMC standards and which constitute significant and in some cases, dangerous or unhealthy living situations. Other non-compliant conditions such as degraded exterior paint, accumulation of solid waste, spaces not meeting minimum room sizes, or a lack of adequate floor coverings may be somewhat less significant from a health or safety standpoint, but are still important for the well-being of tenants. And where the ICC IPMC's exterior building and property standards are applied, the well being of those who live in the community that surround non-compliant units also merits consideration.

**Q: Why were only five complaints acted on last year?**

A: The information in the question above is incorrect. Many more than five complaints were acted on last year. Through September of 2012, 473 Code Enforcement Program cases had been received and 266 of those cases had been closed (which means they were determined not to be actual violations or the case was brought to resolution). Preliminary year-end data indicates there were a total of 595 cases in 2012. These numbers represent significant increases relative to 2011, when 355 cases were received and 263 were closed.

The City's Rental Housing Program and its companion Rental Housing Code received contacts reporting a total of 288 habitability issues during 2012. Of those, 170 reported issues were covered by the Code. Three of those issues were addressed through the formal Code compliance process. Although there is no way to determine the exact number of the remaining Code issues that were resolved, it is safe to assume that many were successfully resolved following City staff guidance to complainants through which they were instructed to write a formal letter of complaint/request for repairs to their landlord with notice that the City had been contacted on the matter.

**Q: Why are fines being waived under the current code enforcement program?**

**Q: Why does the City issue so few fines to code violators?**

A: No fines have been waived under the City's code enforcement programs. The current programs operate (1) on a complaint basis, and (2) with an educational focus and voluntary compliance emphasis. Under this approach most cases are resolved cooperatively, without the need for fines or criminal citations. Since the inception of the current Code Enforcement Program in late 2007, five criminal citations for solid waste violations have been issued and three civil penalties have been levied. On one occasion the City's Rental Housing Code enforcement process has resulted in a property owner being cited into Municipal Court and fined for refusal to comply.

The City's long standing policy has been to achieve code compliance on a cooperative basis rather than taking a punitive approach. As a practical matter, this is much more timely and cost effective especially in light of limited staffing. For example, taking a single case through a criminal process can consume dozens to hundreds of hours of staff and city attorney's office time depending on the complexity and number of appeals.

There have been suggestions that the property maintenance code/rental inspection and licensing program be primarily funded through penalties, fines etc. Concerns about this strategy include:

- Stability of program funding – the goal of code enforcement is to achieve compliance, which doesn't necessarily result in fine revenue to support an ongoing program.
- The perception about a "quota" system i.e., inspection results being based on the need to generate revenue to support the program.

### **Current vs. Proposed Code Coverage**

**Q: What would not be covered if the City's current code enforcement efforts were fully funded?**

A: Some of the gaps that cannot be addressed under current City codes include:

- Conducting unit condition/maintenance inspections
- Enforcing minimum living space areas for occupants and a standard for occupancy levels
- Ensuring compliance with fire safety standards for one- and two-family dwelling units
- Requiring solid waste service/facilities by owners of rental properties
- Requiring electrical system upgrades for rental units to 3-wire systems
- Requiring minimum levels of exterior property maintenance

**Q: Under the new program, why would the City only be looking for work without permits in rental units and not also in owner-occupied units?**

A: Rental properties make up nearly 60% of Corvallis' housing stock. Experience indicates that more than 75% of the contacts related to the existing codes involve rental properties. Owner-occupied properties would also be covered by the Property Maintenance Code and problems with those properties, such as work without permits or failing exterior conditions, would be addressed on a complaint basis. However, based on the predominance of issues occurring in rental units, it would not be cost effective to inspect owner units on a routine basis.

**Q: How will this program affect historic properties?****Q: How would older homes be treated under the property maintenance code in order to maintain their historic integrity?**

A: The model Property Maintenance Code provides exemptions for identified historic resources. In addition, the code and program could provide flexibility in dealing with alterations to older properties that are not currently listed as historic resources. Under ICC IPMC Section 102.6, the provisions of the code are not mandatory for existing buildings or structures designated as historic or when designated by the code official to be safe and in the public interest.

**Q: Would hotels and vacation homes also be inspected and licensed?**

A: The definition of a “rental dwelling unit” under a Property Maintenance Code/Rental Licensing Program has not yet been determined, but as hotels are commercial uses they would not be subject to rental licensing and inspection requirements. Vacation home rentals typically represent very short-term, transient habitation; it is unlikely that they would be included in the licensing and inspection requirements although that could depend on the length of occupancy.

**Q: How will an owner’s costs for repairs be covered?**

A: The program could provide some flexibility relative to the timing necessary to complete improvements necessary to meet the minimum standards of the Property Maintenance Code. The most serious health and safety related repairs would need to be completed immediately while less serious items could be accomplished within a defined timetable. Regardless, the repair costs would be the owner’s responsibly and the owner would then decide whether to pass those costs (and/or how much) on to tenants.

**New Program Fees****Q: Why is a 500% increase in per unit fees needed to address problems in 1% of the units in the City? How will that improve living conditions for the community?**

A: The statement that problems exist in only 1% of units in the City is incorrect; both the known and the anticipated extent of problems have been described in responses to questions above.

In order to put a proactive and comprehensive program in place, additional staff and other resources would be required. A preliminary budget projection based on a straight-forward implementation model suggests there would be an estimated increase from next year’s \$1 per month per rental unit charge to a charge of approximately \$5 per month per unit in order to implement a Property Maintenance Code/Rental Licensing Program. The projected staffing level is consistent with other communities that have instituted similar programs.

As a program is implemented over time, there would be opportunities to provide more focus on the rental units where problems are more significant. For example, inspections could be less frequent for properties with a history of compliance and fees could be adjusted accordingly. It is suggested that

these types of strategies are most appropriate for consideration in the future, at the program design stage. Should the program concept move forward, it will be recommended that a stakeholder's group to include property managers, rental owners, tenants, and other interested parties be formed to assist with program design.

The ICC IPMC would improve living conditions in the areas around campus and throughout the City by providing for a more efficient, effective and comprehensive approach to responding to neighborhood livability concerns. In doing so and especially where exterior property conditions will be addressed, it should result in the mitigation of nuisance conditions and as a result, the protection of property values throughout the community.

**Q: Would the fees collected by the inspection and licensing program go to the City's General Fund?**

A: No, such a fee would be tied to a program budget that directly relates to applicable staffing, equipment, supplies and overhead costs. This would not be a "profit center" for the general fund or any other city fund or program.

**Q: How much funding would OSU contribute toward the cost of the program?**

A: It is not anticipated that OSU would contribute direct funding to this particular potential recommendation from the Collaboration project. However, there are other Collaboration Project recommendations that would be solely funded by OSU. It should be noted that this program would be city-wide rather than exclusively targeting the Collaboration project area, or just addressing OSU student/student housing interests.

**Q: Why not charge the fee directly to tenants?**

A: The fee would be charged to rental property owners rather than to renters because that structure is both equitable and practical. Owners have the responsibility of maintaining their properties in part by affect of existing statute and in part due to their retained possession of the real property. Although tenants obtain temporary, limited possession of the premises for use under the terms of a lease or rental agreement they do not accrue direct or long term rights or obligations to alter or maintain the systems of the buildings and premises. Property ownership records are comparatively easy to compile and track, and changes in property ownership occur much less frequently than tenant turnover. In practice it is likely that fees charged to the owners of rental properties would, at least in some cases, be added to the rents they charge their tenants.

**Other Questions**

**Q: Why are City inspectors doing inspections in the county?**

A: The City has an agreement with Benton County related to building inspections. The agreement is reciprocal in that each entity can request assistance from the other on an "as needed and available" basis with full reimbursement of costs. The most frequent service provided to Benton County by the City is for electrical inspections.

It is important to note that the city's inspection staff is funded through fees for building and development projects. Therefore, any inspection services provided by existing city staff to a future property maintenance code and rental licensing program would need to be charged to that program and not paid for by building fees. Finally, to be clear, this program would only apply within the Corvallis city limits.

**Q: What protections would there be for tenants who complain to keep them from being evicted?**

A: This question touches on a key and challenging issue in that City staff continue to hear from tenants and community advocates that fear of eviction is preventing more renters from coming forward with complaints under the current code enforcement system. Oregon landlord tenant law and a tenant's lease stipulate the circumstances under which evictions may occur. The City currently offers and participates in education efforts focused on tenant rights, and would foresee increasing these efforts if a Property Maintenance Code/Rental Licensing Program is implemented. In addition, the landlord/tenant information and referral services currently offered by the City's Housing Division would continue to connect tenants who feel they are at risk of being wrongly evicted with resources that may be able to help them.

**IPMC 2012 Content Review  
Administrative Services Committee  
March 5, 2014**

### **Chapter 3 General Requirements**

- Provide standards for installation and maintenance of building components
- Provide standards for maintenance of exterior structure and interior sanitation
- Provide standards for the maintenance of exterior premises

#### **Section 301 GENERAL**

- Owner responsible for maintenance of structure and exterior property
- Occupant responsible to keep clean, sanitary and safe the dwelling and areas under control
- Vacant structures and land must be clean, sanitary and safe (by owner)

#### **Section 302 EXTERIOR AREAS**

- Sanitation minimum standard is clean, sanitary and safe
  - Occupant for exterior areas under their control
- Rodent harborage prohibited
  - Exterminate when rodents found—Assigns responsible party if landlord/tenant
- Accessory structures must be maintained as structurally sound and in good repair
  - Owner responsible
- ~~• *Motor vehicles must be licensed & operative*
  - *More specific than current LDC 4.1.20(f)*
  - *Code overlap that may be excluded*~~
- Graffiti and defacement of property prohibited
  - NO CURRENT CODE REQUIRING REMOVAL
  - Owner responsible to restore

#### **Section 304 EXTERIOR STRUCTURE**

- Exterior of structures must be maintained in good repair, structurally sound, and sanitary
  - (1) No deterioration, damage, or loose elements
  - (2) No loose or collapsed structural elements; stairways, porches, balconies, etc
  - (3) No accumulations of litter, solid waste or debris on porches, balconies, etc
  - (4) Must be capable of preventing intrusion by natural elements and rodents
- Unsafe conditions must be repaired or replaced in accordance with building code standards
  - Consistent with IPMC 108 Unsafe structures and conditions (Dangerous Building)
- Protective treatment for exterior surfaces to be maintained
- Foundation walls maintained plumb and free from open cracks
  - Repair for issues not under IPMC 108
- Exterior walls, structural members and roofs must be maintained and weatherproof

- Windows and doors weather tight (prevent wind, rain) 304.13
- Locks and building security
  - Rented or leased units must have deadbolt
  - Building able to be secured; windows < 6 feet above grade must have locking device

**Section 305 INTERIOR STRUCTURE**

- Must be maintained good repair, structurally sound and sanitary
  - Occupant responsible for areas occupied or under their control
  - Owner responsible for shared and public areas of 2+ residential and all non-res
- Structural members must be maintained structurally sound
  - Correct deferred maintenance, deterioration, improper initial work
- Interior surfaces in good, clean and sanitary condition
  - Peeling or damaged paint, plaster or wallboard, flooring
  - Lead paint mitigation
- Interior doors must fit and function properly
  - Safe exiting and privacy/security

**Section 306 COMPONENT SERVICEABILITY**

- Identifies building components (wood, concrete, steel), as opposed to systems (plumbing, electrical, structural) and specifies that these must be maintained as viable and capable of performing to a safe standard. Fills code gap under current provisions.

**Section 308 RUBBISH AND GARBAGE --Assigns Responsibility**

- Accumulation prohibited--Consistent with CMC 4.01.050 and CMC 4.02
- Owners of all occupied premises must supply approved containers
  - May provide alternative for disposal of garbage (food processing or waste)
- Occupants must place rubbish and garbage in approved containers
- Owners of all occupied premises are responsible for removal of rubbish

**Section 309 PEST ELIMINATION --Assigns Responsibility**

- Owner responsible for pest elimination prior to renting
  - Occupant responsible to maintain
- Single family or single tenant non-res occupants responsible for pest elimination
- Owner responsible for pest elimination in 2+ family and other multiple occupancies
  - Owner and occupant responsible if tenant fails to prevent infestation

## Chapter 4 Light, Ventilation & Occupancy Limitations

- Fundamental human needs
- Protection from accident :: Adequate emergency escape facilities
- Protection from overcrowding and maintain neighborhood density

### Section 401 GENERAL

- Owner of structure responsible to provide and maintain light, ventilation, and space
- Artificial light or ventilation consistent with Building Code acceptable alternative

### Section 402 LIGHT

- Habitable spaces at least one window @ 8% glazing of floor area of room-or-artificial
- Common halls & stairways for residential occupancies above 1-2 family

### Section 403 VENTILATION

- Habitable spaces and bath/toilet rooms one openable window @ 45% of min. glazing area
  - Volume may be mechanical, or, if unobstructed opening to adjoining room
  - Exhaust from bath/toilet room must discharge to outdoors
- Cooking activity or appliances prohibited in rooming/dormitory units
  - Exception: Counter-top devices are not cooking appliances

### Section 404 OCCUPANCY LIMITATIONS

- Habitable rooms min. 7 feet in any plan dimension (length or width)
  - Kitchens min. 3 feet interior clearances
  - Ceiling height min. 7 feet
- Living room min. 120 square feet
  - \*\*Table 404.5 sets living & dining minimums per occupant load
- Bedrooms min. 70 square feet; 50 square feet/each if more than 1 occupant
  - 1 occupant = 70 square feet
  - 2 occupants = 100 square feet
  - 3 occupants = 150 square feet
- Bedrooms must have access to min. one toilet/lav w/o passing through another bedroom
  - Toilet/lav must be on same or adjacent floor
- Kitchens and nonhabitable space not to be used for sleeping purposes
- Living/dining rooms may be used for sleeping purposes if sufficient area for combined uses
- Combined living/dining rooms must total area equal to each as though separate, Table 404.5

## **Chapter 5 Plumbing Facilities and Fixture Requirements**

### **Section 501 GENERAL**

- Owner responsible to provide and maintain

### **Section 502 REQUIRED FACILITIES**

- Every dwelling unit must contain: bath/shower, lavatory, WC, kitchen sink
  - Must be maintained sanitary, safe and working condition
  - Lavatory must be in same room as WC or close to door to WC

### **Section 503 TOILET ROOMS**

- Toilet room privacy
  - May not be the only access to a hall, other space, or the exterior
    - (Safety consideration for egress hazard reduction)

### **Section 504 PLUMBING SYSTEMS AND FIXTURES**

- All plumbing fixtures must be maintained in working order, leak free

### **Section 505 WATER SYSTEM**

- Water supply must be adequate volume and pressure for fixtures to function properly
  - Code official must use good judgment, along with manufacture design standards
- Water heating minimum of 110 degrees Fahrenheit at all fixtures in adequate amounts

## Chapter 6 Mechanical and Electrical Requirements

- Focus to detect/abate potential fire or explosion hazards
- Focus to detect/abate conditions contributive to asphyxiation or CO poisoning
- Focus to detect/abate conditions that pose risk of physical injury
- Focus to detect/abate conditions that pose electrical shock hazard

### Section 601 GENERAL

- Owner responsible to provide and maintain mechanical & electrical systems

### Section 602 HEATING FACILITIES

- Dwelling units must have heating facilities capable of maintaining 68 degrees Fahrenheit
  - In all habitable rooms, *bathrooms and toilet rooms (not in CMC 9.02)*
  - Owner responsible to provide and maintain permanent source for heating

### Section 603 MECHANICAL EQUIPMENT

- All mechanical appliances, fireplaces, cooking appliances, and water heaters:
  - Must be properly installed and maintained safe working condition
  - Capable of performing the intended function
  - Proper combustion air and removal of products of combustion
  - Proper clearances maintained (Mechanical Code and manufacturer's spec's)

### Section 604 ELECTRICAL FACILITIES

- Service (the electrical conductors from power company to distribution panel)
  - Minimum for dwelling units is 3-wire, 120/240 V, single phase @ 60 amps
  - 3-wire system allows for 240 V to power ranges, clothes dryers, AC
- Demand on the system (use of appliances or equipment) may trigger greater service load
- Electrical system hazards to be corrected (consistent with ORS and OAR)
- Electrical equipment exposed to water to be replaced (exceptions)
- Electrical equipment exposed to fire to be replaced (exceptions)

### Section 605 ELECTRICAL EQUIPMENT

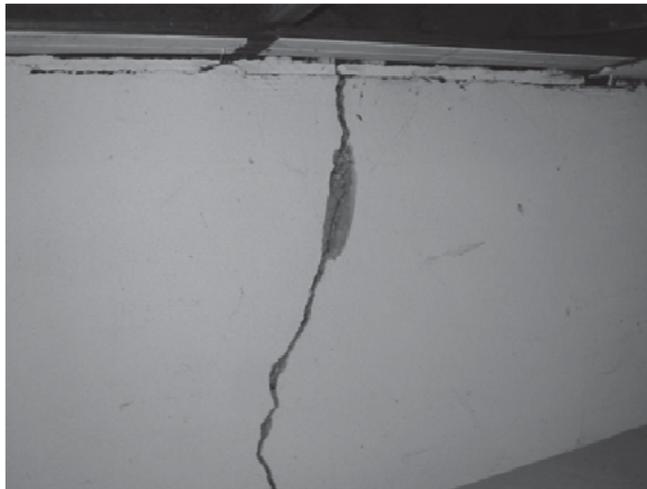
- Install and maintain in approved manner (OESC, NFPA)
- Receptacles
  - All habitable space must have 2 separate outlets remote from each other
    - Intent to minimize/eliminate extension cords
  - All laundry areas must have grounded-type (3-wire) or GFCI outlet (per NFPA 70)
  - All bathrooms must have at least one outlet
    - Any new outlet in bathroom must be GFCI protected
- Luminaries=permanent wired light fixtures
  - Pertains to common areas and passages
  - Lighting in other areas may be by natural or by portable lighting (lamps)



**BRIEFING:**  
**Examples of Gap Coverage by the  
Proposed Corvallis Property  
Maintenance Code**

*Corvallis Administrative Services Committee  
March 5, 2014*

*Interior Maintenance Gaps: General Maintenance*



*Interior Maintenance Gaps: General Maintenance*



3

*Interior Maintenance Gaps: General Maintenance*



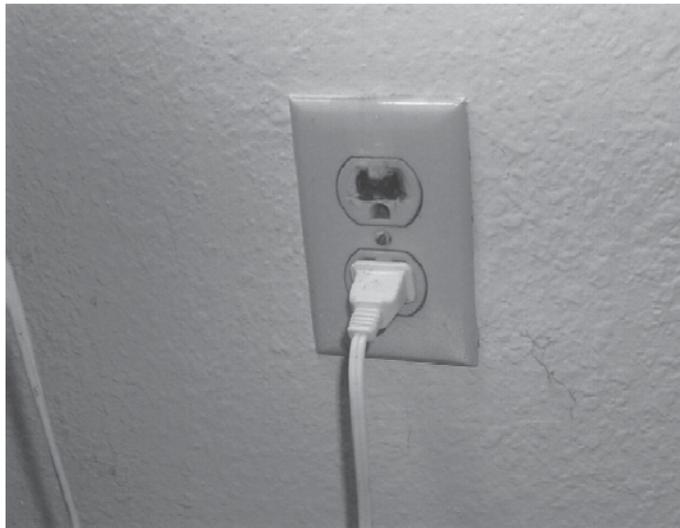
4

*Interior Maintenance Gaps: General Maintenance  
(and exterior weatherproofing)*



5

*Interior Maintenance Gaps: Electrical System*



6

*Interior Maintenance Gaps: Electrical System*



7

*Interior Maintenance Gaps: Plumbing System*



8

*Interior Maintenance Gaps: Plumbing System*



9

*Interior Maintenance Gaps: Plumbing System*



10

*Interior Maintenance Gaps: Sanitation  
(Rodent Harborage)*



11

*Interior Maintenance Gaps: Security  
No deadbolt on left; no lockset/handle on right*



12

*Interior Maintenance Gaps: Security*



13

*Interior Maintenance Gaps: Security*  
*No lockset or deadbolt (same door interior/exterior)*



14

*Exterior Maintenance Gaps: General Maintenance*



15

*Exterior Maintenance Gaps: General Maintenance*



16

*Exterior Maintenance Gaps: General Maintenance*



17

*Exterior Maintenance Gaps: General Maintenance*



18

*Exterior Maintenance Gaps: General Maintenance*



19

*Exterior Maintenance Gaps: General Maintenance*



20

*Exterior Maintenance Gaps: General Maintenance*



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*Exterior Maintenance Gaps: General Maintenance*



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*Exterior Maintenance Gaps: General Maintenance*



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*Exterior Maintenance Gaps: General Maintenance*



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*Exterior Maintenance Gaps: General Maintenance*



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*Exterior Maintenance Gaps: General Maintenance*



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*Exterior Maintenance Gaps: General Maintenance*



27

*Exterior Maintenance Gaps: General Maintenance*



28

*Exterior Maintenance Gaps: Weatherproofing*



29

*Exterior Maintenance Gaps: Weatherproofing*



30

*Exterior Maintenance Gaps: Solid Waste*



31

*Exterior Maintenance Gaps: Solid Waste*



32

*Exterior Maintenance Gaps: Solid Waste*



33

*Exterior Maintenance Gaps: Solid Waste*



34

*Exterior Maintenance Gaps: Accessory Buildings*



35

*Exterior Maintenance Gaps: Accessory Buildings*



36

*Exterior Maintenance Gaps: Accessory Buildings*



37

*Exterior Maintenance Gaps: Multiple Issues*



38

*Exterior Maintenance Gaps: Multiple Issues*



## Total Calls to Current Rental Housing Program

	FY 2010-11	FY 2011-12	FY 2012-13
Number of Phone Calls	845	707	577
Total Issues (some calls have multiple issues)	1454	1163	982
Non-Habitability Issues (leases, fair housing, eviction, neighborhood livability)	1068	852	712
Habitability Issues	386	311	270
Habitability Issues Addressed by Rental Housing Code	236	197	152
Habitability Issues Not Addressed by Rental Housing Code	150	114	118

## Deficiencies with Current Rental Housing Code

Breakdown of Habitability Issues Not Addressed by Current Rental Housing Code	150	114	118
Garbage/Vermin - cockroaches, rats, mice	82	66	76
Electrical Hazards	27	15	18
Appliance Repairs	19	19	11
Fire/Life Safety - Egress	22	14	13

**From:** Will Bowerman [w\_bowerman@██████████]  
**Sent:** Wednesday, March 05, 2014 7:38 AM  
**To:** Gibb, Ken  
**Subject:** Property Maintenance Code Concerns

Will Bowerman

██████████  
Corvallis, Oregon 97333  
██████████

March 5, 2014

Ken Gibb  
Community Development Department Director Administration City Hall Corvallis, Oregon 97339  
Ken.Gibb@CorvallisOregon.gov

Dear Mr. Gibb,

As you may be aware I attended the Administrative Services Committee meeting on February 25, 2014 regarding the potential adoption of a citywide property maintenance code. At the meeting I spoke in opposition of this being enacted. I would like to touch on a few more points.

The largest concern for me is just the sheer cost of doing this, which have, in my opinion, easily identifiable ramifications, and the likely potential of unforeseen unintended consequences. First of all we would be adding, at the low end (fixed costs), a quarter of a million dollars to the needed expenditure of the city. Granted increased rental program fees and levy money will cover these fixed costs. However the fixed costs do not address the unforeseen costs, or costs not mentioned in the budgetary breakdown, one example is the compensation of the appeal board. These costs will increase the management and/or ownership costs for rental properties, which then will be passed on to the tenants. This will further inflate what already seem to be very high rental rates in this community, making housing even less affordable. It would seem to be the best to let the market work on taking care of some of these issues. Vacancy rates have already

increased in the last year and more units are slated to come in the not too distant future (Campus Crest among others). Tight housing means that even the bottom of the barrel rentals will rent, if there is vacancy, then the tenants can choose what they would like to live in, instead of being forced.

I am fully aware that there are some pretty low quality rentals in this community, but I am not fully convinced many of the issues complained about, are, or, should be on the radar. In the favorable testimony of the property maintenance code at the 2/25/14 meeting it seemed as though many of the issues, and the most pressed issues, brought forth were not of the property being, unsafe, unlivable, these issues are not even solely related to low-end places. I heard appliances mentioned more than once in the favorable testimony. I however never heard that they didn't work. Only that they were old and cosmetically blemished. In my own home I use appliances that are less than visually perfect, they get the job done and safely.

Also I heard a lot of issue pertaining to condensation on single pain window, which can if unattended, lead to mold. This is not just related to single pain windows. The most recent house I remodeled was a 1400 sq. ft., which was very well sealed, had over code required insulation, and received new double pain glazing throughout. I lived in that one for a year after completion and there were condensate issues, even with bath fans, a range hood, and an air-to-air heat exchanger (air exchanging ventilator) in regular use. Thus fully rebuilt, and I am assuming new, buildings in this climate will have moisture issues. How to solve it? Use a dehumidifier. I use one often in my own home and provide one to each of my tenants. However I get feed back from tenants that they don't want to pay the power bill for these units. So sometimes I get moisture complaints and this is not good for my houses (mold, rot, deterioration), I tell them to use the

dehumidifier and often that doesn't happen. Moisture issues should be a responsibility shared by the tenant. If a property maintenance code is adopted it appears that this will push full responsibility on the property owner/manager. What is management supposed to do if someone is not taking care of their moisture issues, evict them? Maybe this would be a good outcome on the whole, that way one can cycle through until they find tenants with good housekeeping practices. But I feel that providing legislation on this is a poor idea.

What seems more practical than a sweeping legislation on the property itself is to provide requirements for the property managers. I don't know how many property managers/owners are licensed in this town, but I know all are not. Currently there is much existing legislation already in place, City and State (ORS esp. Landlord Tenant Law), which often seems to be forgotten about by both property managers and the City. Personally I think it would be better to require professionalism of property management rather than going after the property itself. If you want to own property and let it, either you would have to have a license or hire a management company that is. This way the management would be versed in existing City codes and ORS's pertaining to rentals. Maybe it would also be a beneficial requirement to have an addendum to all rental agreements that provides the tenants with contacts or electronic links to all the rental resources that are present in the current law. I could stand behind licensure, even though I am currently not, way before I will support a property maintenance code.

Sincerely,

Will Bowerman

## Memorandum

**Date:** February 26, 2014  
**To:** Administrative Services Committee  
**From:** Ken Gibb, Community Development Director   
**Re:** March 5 ASC meeting – Neighborhood / PMC program

As discussed at the February 25 ASC meeting, we recommend that the upcoming ASC meeting focus on specifics of the ICC model property maintenance code, the previously presented staff recommended changes to that code and a fuller discussion on the identified gaps in existing city codes as related to PMC coverage areas.

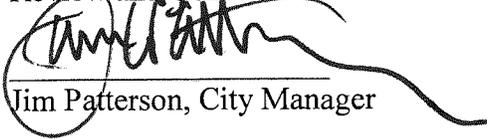
With that in mind, Staff will be prepared to:

1. Provide a more detailed review of the main chapters of the model code (Attachment 1)
2. Review the areas that have been recommended for additions/deletions/changes (Attachment 2)
3. Discuss the previously presented information related to gaps in existing codes (Attachment 3)

Attachments 1-3 above have been provided to ASC in previous meeting packets but are included here for easier reference.

At the conclusion of the February 25 ASC meeting, staff indicated that questions raised during public testimony would be reviewed and where possible, responses provided at the March 5 meeting. We will plan to provide responses at the meeting and supplement the on-line agenda packet should that information be available prior to the meeting.

Review and Concur:

  
Jim Patterson, City Manager



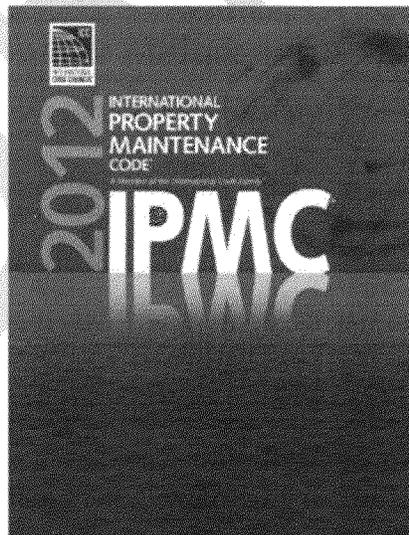
## City of Corvallis, Oregon Property Maintenance Code

*Draft Version 2 – February 27, 2014*

**PLEASE NOTE THAT THIS DRAFT DOCUMENT REFLECTS THE EXCERPTED BUT OTHERWISE UNALTERED BASE CODE STANDARDS AND LANGUAGE CONTAINED IN THE 2012 INTERNATIONAL PROPERTY MAINTENANCE CODE. THOSE STANDARDS HAVE NOT YET BEEN ADAPTED FOR CORVALLIS. ADAPTATION OF LANGUAGE AND STANDARDS WILL OCCUR COMPREHENSIVELY FOLLOWING CONSIDERATION OF THIS DOCUMENT BY THE CITY'S ADMINISTRATIVE SERVICES COMMITTEE AND CITY COUNCIL.**

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# CHAPTER 1

## SCOPE AND ADMINISTRATION

### PART 1 — SCOPE AND APPLICATION

#### SECTION 101 GENERAL

**[A] 101.1 Title.**

These regulations shall be known as the *International Property Maintenance Code* of **THE CITY OF CORVALLIS, OREGON**, hereinafter referred to as “this code.”

**[A] 101.2 Scope.**

The provisions of this code shall apply to all existing residential and nonresidential structures and all existing *premises* and constitute minimum requirements and standards for *premises*, structures, equipment and facilities for light, *ventilation*, space, heating, sanitation, protection from the elements, life safety, safety from fire and other hazards, and for safe and sanitary maintenance; the responsibility of *owners*, *operators* and *occupants*; the *occupancy* of existing structures and *premises*, and for administration, enforcement and penalties.

**[A] 101.3 Intent.**

This code shall be construed to secure its expressed intent, which is to ensure public health, safety and welfare insofar as they are affected by the continued *occupancy* and maintenance of structures and *premises*. Existing structures and *premises* that do not comply with these provisions shall be altered or repaired to provide a minimum level of health and safety as required herein.

**[A] 101.4 Severability.**

If a section, subsection, sentence, clause or phrase of this code is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this code.

#### SECTION 102 APPLICABILITY

**[A] 102.1 General.**

Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall govern. Where differences occur between provisions of this code and the referenced standards, the provisions of this code shall apply. Where, in a specific case, different sections of this code specify different requirements, the most restrictive shall govern.

**[A] 102.2 Maintenance.**

Equipment, systems, devices and safeguards required by this code or a previous regulation or code under which the structure or *premises* was constructed, altered or repaired shall be maintained in good working order. No *owner*, *operator* or *occupant* shall cause any service, facility, equipment or utility which is required under this section to be removed from or shut off from or discontinued for any occupied dwelling, except for such temporary interruption as

necessary while repairs or alterations are in progress. The requirements of this code are not intended to provide the basis for removal or abrogation of fire protection and safety systems and devices in existing structures. Except as otherwise specified herein, the *owner* or the *owner's* designated agent shall be responsible for the maintenance of buildings, structures and *premises*.

**[A] 102.3 Application of other codes.**

Repairs, additions or alterations to a structure, or changes of *occupancy*, shall be done in accordance with the procedures and provisions of the *International Building Code*, *International Energy Conservation Code*, *International Fire Code*, *International Fuel Gas Code*, *International Mechanical Code*, *International Residential Code*, *International Plumbing Code* and NFPA 70. Nothing in this code shall be construed to cancel, modify or set aside any provision of the *International Zoning Code*.

**[A] 102.4 Existing remedies.**

The provisions in this code shall not be construed to abolish or impair existing remedies of the jurisdiction or its officers or agencies relating to the removal or demolition of any structure which is dangerous, unsafe and insanitary.

**[A] 102.5 Workmanship.**

Repairs, maintenance work, alterations or installations which are caused directly or indirectly by the enforcement of this code shall be executed and installed in a *workmanlike* manner and installed in accordance with the manufacturer's instructions.

**[A] 102.6 Historic buildings.**

The provisions of this code shall not be mandatory for existing buildings or structures designated as historic buildings when such buildings or structures are judged by the *code official* to be safe and in the public interest of health, safety and welfare.

**[A] 102.7 Referenced codes and standards.**

The codes and standards referenced in this code shall be those that are listed in Chapter 8 and considered part of the requirements of this code to the prescribed extent of each such reference and as further regulated in Sections 102.7.1 and 102.7.2.

**Exception:** Where enforcement of a code provision would violate the conditions of the listing of the equipment or appliance, the conditions of the listing shall apply.

**[A] 102.7.1 Conflicts.**

Where conflicts occur between provisions of this code and the referenced standards, the provisions of this code shall apply.

**[A] 102.7.2 Provisions in referenced codes and standards.**

Where the extent of the reference to a referenced code or standard includes subject matter that is within the scope of this code, the provisions of this code, as applicable, shall take precedence over the provisions in the referenced code or standard.

**[A] 102.8 Requirements not covered by code.**

Requirements necessary for the strength, stability or proper operation of an existing fixture, structure or equipment, or for the public safety, health and general welfare, not specifically covered by this code, shall be determined by the *code official*.

**[A] 102.9 Application of references.**

References to chapter or section numbers, or to provisions not specifically identified by number, shall be construed to refer to such chapter, section or provision of this code.

**[A] 102.10 Other laws.**

The provisions of this code shall not be deemed to nullify any provisions of local, state or federal law.

**PART 2 — ADMINISTRATION AND ENFORCEMENT**

**SECTION 103  
DEPARTMENT OF PROPERTY MAINTENANCE  
INSPECTION**

**[A] 103.1 General.**

The department of property maintenance inspection is hereby created and the executive official in charge thereof shall be known as the *code official*.

**[A] 103.2 Appointment.**

The *code official* shall be appointed by the chief appointing authority of the jurisdiction.

**[A] 103.3 Deputies.**

In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the appointing authority, the *code official* shall have the authority to appoint a deputy(s). Such employees shall have powers as delegated by the *code official*.

**[A] 103.4 Liability.**

The *code official*, member of the board of appeals or employee charged with the enforcement of this code, while acting for the jurisdiction, in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered liable personally, and is hereby relieved from all personal liability for any damage accruing to persons or property as a result of an act or by reason of an act or omission in the discharge of official duties. Any suit instituted against any officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by the legal representative of the jurisdiction until the final termination of the proceedings. The *code official* or any subordinate shall not be liable for costs in an action, suit or proceeding that is instituted in pursuance of the provisions of this code.

**[A] 103.5 Fees.**

The fees for activities and services performed by the department in carrying out its responsibilities under this code shall be as indicated in the following schedule.

[JURISDICTION TO INSERT APPROPRIATE SCHEDULE.]

## SECTION 104 DUTIES AND POWERS OF THE CODE OFFICIAL

### **[A] 104.1 General.**

The *code official* is hereby authorized and directed to enforce the provisions of this code. The *code official* shall have the authority to render interpretations of this code and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall be in compliance with the intent and purpose of this code. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in this code.

### **[A] 104.2 Inspections.**

The *code official* shall make all of the required inspections, or shall accept reports of inspection by *approved* agencies or individuals. All reports of such inspections shall be in writing and be certified by a responsible officer of such *approved* agency or by the responsible individual. The *code official* is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise, subject to the approval of the appointing authority.

### **[A] 104.3 Right of entry.**

Where it is necessary to make an inspection to enforce the provisions of this code, or whenever the *code official* has reasonable cause to believe that there exists in a *structure* or upon a *premises* a condition in violation of this code, the *code official* is authorized to enter the structure or *premises* at reasonable times to inspect or perform the duties imposed by this code, provided that if such *structure* or *premises* is occupied the *code official* shall present credentials to the *occupant* and request entry. If such structure or *premises* is unoccupied, the *code official* shall first make a reasonable effort to locate the *owner* or other person having charge or control of the *structure* or *premises* and request entry. If entry is refused, the *code official* shall have recourse to the remedies provided by law to secure entry.

### **[A] 104.4 Identification.**

The *code official* shall carry proper identification when inspecting *structures* or *premises* in the performance of duties under this code.

### **[A] 104.5 Notices and orders.**

The *code official* shall issue all necessary notices or orders to ensure compliance with this code.

### **[A] 104.6 Department records.**

The *code official* shall keep official records of all business and activities of the department specified in the provisions of this code. Such records shall be retained in the official records for the period required for retention of public records.

## SECTION 105 APPROVAL

### **[A] 105.1 Modifications.**

Whenever there are practical difficulties involved in carrying out the provisions of this code, the *code official* shall have the authority to grant modifications for individual cases upon application of the *owner* or *owner's* representative, provided the *code official* shall first find that special individual reason makes the strict letter of this code impractical and the modification is in compliance with the intent and purpose of this code and that such modification does not lessen

health, life and fire safety requirements. The details of action granting modifications shall be recorded and entered in the department files.

**[A] 105.2 Alternative materials, methods and equipment.**

The provisions of this code are not intended to prevent the installation of any material or to prohibit any method of construction not specifically prescribed by this code, provided that any such alternative has been *approved*. An alternative material or method of construction shall be *approved* where the *code official* finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance, durability and safety.

**[A] 105.3 Required testing.**

Whenever there is insufficient evidence of compliance with the provisions of this code, or evidence that a material or method does not conform to the requirements of this code, or in order to substantiate claims for alternative materials or methods, the *code official* shall have the authority to require tests to be made as evidence of compliance at no expense to the jurisdiction.

**[A] 105.3.1 Test methods.**

Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized and accepted test methods, the *code official* shall be permitted to approve appropriate testing procedures performed by an *approved* agency.

**[A] 105.3.2 Test reports.**

Reports of tests shall be retained by the *code official* for the period required for retention of public records.

**[A] 105.4 Used material and equipment.**

The use of used materials which meet the requirements of this code for new materials is permitted. Materials, equipment and devices shall not be reused unless such elements are in good repair or have been reconditioned and tested when necessary, placed in good and proper working condition and *approved* by the *code official*.

**[A] 105.5 Approved materials and equipment.**

Materials, equipment and devices *approved* by the *code official* shall be constructed and installed in accordance with such approval.

**[A] 105.6 Research reports.**

Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in this code, shall consist of valid research reports from *approved* sources.

## SECTION 106 VIOLATIONS

**[A] 106.1 Unlawful acts.**

It shall be unlawful for a person, firm or corporation to be in conflict with or in violation of any of the provisions of this code.

**[A] 106.2 Notice of violation.**

The *code official* shall serve a notice of violation or order in accordance with Section 107.

**[A] 106.3 Prosecution of violation.**

Any person failing to comply with a notice of violation or order served in accordance with Section 107 shall be deemed guilty of a misdemeanor or civil infraction as determined by the local municipality, and the violation shall be deemed a *strict liability offense*. If the notice of violation is not complied with, the *code official* shall institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful *occupancy* of the structure in violation of the provisions of this code or of the order or direction made pursuant thereto. Any action taken by the authority having jurisdiction on such *premises* shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

**[A] 106.4 Violation penalties.**

Any person who shall violate a provision of this code, or fail to comply therewith, or with any of the requirements thereof, shall be prosecuted within the limits provided by state or local laws. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

**[A] 106.5 Abatement of violation.**

The imposition of the penalties herein prescribed shall not preclude the legal officer of the jurisdiction from instituting appropriate action to restrain, correct or abate a violation, or to prevent illegal *occupancy* of a building, structure or *premises*, or to stop an illegal act, conduct, business or utilization of the building, structure or *premises*.

**SECTION 107  
NOTICES AND ORDERS**

**[A] 107.1 Notice to person responsible.**

Whenever the *code official* determines that there has been a violation of this code or has grounds to believe that a violation has occurred, notice shall be given in the manner prescribed in Sections 107.2 and 107.3 to the person responsible for the violation as specified in this code. Notices for condemnation procedures shall also comply with Section 108.3.

**[A] 107.2 Form.**

Such notice prescribed in Section 107.1 shall be in accordance with all of the following:

1. Be in writing.
2. Include a description of the real estate sufficient for identification.
3. Include a statement of the violation or violations and why the notice is being issued.
4. Include a correction order allowing a reasonable time to make the repairs and improvements required to bring the *dwelling unit* or structure into compliance with the provisions of this code.
5. Inform the property *owner* of the right to appeal.

6. Include a statement of the right to file a lien in accordance with Section 106.3.

**[A] 107.3 Method of service.**

Such notice shall be deemed to be properly served if a copy thereof is:

1. Delivered personally;
2. Sent by certified or first-class mail addressed to the last known address; or
3. If the notice is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice.

**[A] 107.4 Unauthorized tampering.**

Signs, tags or seals posted or affixed by the *code official* shall not be mutilated, destroyed or tampered with, or removed without authorization from the *code official*.

**[A] 107.5 Penalties.**

Penalties for noncompliance with orders and notices shall be as set forth in Section 106.4.

**[A] 107.6 Transfer of ownership.**

It shall be unlawful for the *owner* of any *dwelling unit* or structure who has received a compliance order or upon whom a notice of violation has been served to sell, transfer, mortgage, lease or otherwise dispose of such *dwelling unit* or structure to another until the provisions of the compliance order or notice of violation have been complied with, or until such *owner* shall first furnish the grantee, transferee, mortgagee or lessee a true copy of any compliance order or notice of violation issued by the *code official* and shall furnish to the *code official* a signed and notarized statement from the grantee, transferee, mortgagee or lessee, acknowledging the receipt of such compliance order or notice of violation and fully accepting the responsibility without condition for making the corrections or repairs required by such compliance order or notice of violation.

## SECTION 108 UNSAFE STRUCTURES AND EQUIPMENT

**[A] 108.1 General.**

When a structure or equipment is found by the *code official* to be unsafe, or when a structure is found unfit for human *occupancy*, or is found unlawful, such structure shall be *condemned* pursuant to the provisions of this code.

**[A] 108.1.1 Unsafe structures.**

An unsafe structure is one that is found to be dangerous to the life, health, property or safety of the public or the *occupants* of the structure by not providing minimum safeguards to protect or warn *occupants* in the event of fire, or because such structure contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation, that partial or complete collapse is possible.

**[A] 108.1.2 Unsafe equipment.**

Unsafe equipment includes any boiler, heating equipment, elevator, moving stairway, electrical wiring or device, flammable liquid containers or other equipment on the *premises* or within the structure which is in such disrepair or condition that such equipment is a hazard to life, health, property or safety of the public or *occupants* of the *premises* or structure.

**[A] 108.1.3 Structure unfit for human occupancy.**

A structure is unfit for human *occupancy* whenever the *code official* finds that such structure is unsafe, unlawful or, because of the degree to which the structure is in disrepair or lacks maintenance, is insanitary, vermin or rat infested, contains filth and contamination, or lacks *ventilation*, illumination, sanitary or heating facilities or other essential equipment required by this code, or because the location of the structure constitutes a hazard to the *occupants* of the structure or to the public.

**[A] 108.1.4 Unlawful structure.**

An unlawful structure is one found in whole or in part to be occupied by more persons than permitted under this code, or was erected, altered or occupied contrary to law.

**[A] 108.1.5 Dangerous structure or premises.**

For the purpose of this code, any structure or *premises* that has any or all of the conditions or defects described below shall be considered dangerous:

1. Any door, aisle, passageway, stairway, exit or other means of egress that does not conform to the *approved* building or fire code of the jurisdiction as related to the requirements for existing buildings.
2. The walking surface of any aisle, passageway, stairway, exit or other means of egress is so warped, worn loose, torn or otherwise unsafe as to not provide safe and adequate means of egress.
3. Any portion of a building, structure or appurtenance that has been damaged by fire, earthquake, wind, flood, *deterioration*, *neglect*, abandonment, vandalism or by any other cause to such an extent that it is likely to partially or completely collapse, or to become *detached* or dislodged.
4. Any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof that is not of sufficient strength or stability, or is not so *anchored*, attached or fastened in place so as to be capable of resisting natural or artificial loads of one and one-half the original designed value.
5. The building or structure, or part of the building or structure, because of dilapidation, *deterioration*, decay, faulty construction, the removal or movement of some portion of the ground necessary for the support, or for any other reason, is likely to partially or completely collapse, or some portion of the foundation or underpinning of the building or structure is likely to fail or give way.
6. The building or structure, or any portion thereof, is clearly unsafe for its use and *occupancy*.
7. The building or structure is *neglected*, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children who might play in the building or structure to their danger, becomes a harbor for vagrants, criminals or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or an unlawful act.

8. Any building or structure has been constructed, exists or is maintained in violation of any specific requirement or prohibition applicable to such building or structure provided by the *approved* building or fire code of the jurisdiction, or of any law or ordinance to such an extent as to present either a substantial risk of fire, building collapse or any other threat to life and safety.
9. A building or structure, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, *ventilation*, mechanical or plumbing system, or otherwise, is determined by the *code official* to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease.
10. Any building or structure, because of a lack of sufficient or proper fire-resistance-rated construction, fire protection systems, electrical system, fuel connections, mechanical system, plumbing system or other cause, is determined by the *code official* to be a threat to life or health.
11. Any portion of a building remains on a site after the demolition or destruction of the building or structure or whenever any building or structure is abandoned so as to constitute such building or portion thereof as an attractive nuisance or hazard to the public.

**[A] 108.2 Closing of vacant structures.**

If the structure is vacant and unfit for human habitation and *occupancy*, and is not in danger of structural collapse, the *code official* is authorized to post a placard of condemnation on the *premises* and order the structure closed up so as not to be an attractive nuisance. Upon failure of the *owner* to close up the *premises* within the time specified in the order, the *code official* shall cause the *premises* to be closed and secured through any available public agency or by contract or arrangement by private persons and the cost thereof shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate and may be collected by any other legal resource.

**[A] 108.2.1 Authority to disconnect service utilities.**

The *code official* shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this code and the referenced codes and standards set forth in Section 102.7 in case of emergency where necessary to eliminate an immediate hazard to life or property or when such utility connection has been made without approval. The *code official* shall notify the serving utility and, whenever possible, the *owner* and *occupant* of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnection the *owner* or *occupant* of the building structure or service system shall be notified in writing as soon as practical thereafter.

**[A] 108.3 Notice.**

Whenever the *code official* has *condemned* a structure or equipment under the provisions of this section, notice shall be posted in a conspicuous place in or about the structure affected by such notice and served on the *owner* or the person or persons responsible for the structure or equipment in accordance with Section 107.3. If the notice pertains to equipment, it shall also be placed on the *condemned* equipment. The notice shall be in the form prescribed in Section 107.2.

**[A] 108.4 Placarding.**

Upon failure of the *owner* or person responsible to comply with the notice provisions within the

time given, the *code official* shall post on the *premises* or on defective equipment a placard bearing the word “Condemned” and a statement of the penalties provided for occupying the *premises*, operating the equipment or removing the placard.

**[A] 108.4.1 Placard removal.**

The *code official* shall remove the condemnation placard whenever the defect or defects upon which the condemnation and placarding action were based have been eliminated. Any person who defaces or removes a condemnation placard without the approval of the *code official* shall be subject to the penalties provided by this code.

**[A] 108.5 Prohibited occupancy.**

Any occupied structure *condemned* and placarded by the *code official* shall be vacated as ordered by the *code official*. Any person who shall occupy a placarded *premises* or shall operate placarded equipment, and any *owner* or any person responsible for the *premises* who shall let anyone occupy a placarded *premises* or operate placarded equipment shall be liable for the penalties provided by this code.

**[A] 108.6 Abatement methods.**

The *owner*, *operator* or *occupant* of a building, *premises* or equipment deemed unsafe by the *code official* shall abate or cause to be abated or corrected such unsafe conditions either by repair, rehabilitation, demolition or other *approved* corrective action.

**[A] 108.7 Record.**

The *code official* shall cause a report to be filed on an unsafe condition. The report shall state the *occupancy* of the structure and the nature of the unsafe condition.

## SECTION 109 EMERGENCY MEASURES

**[A] 109.1 Imminent danger.**

When, in the opinion of the *code official*, there is *imminent danger* of failure or collapse of a building or structure which endangers life, or when any structure or part of a structure has fallen and life is endangered by the occupation of the structure, or when there is actual or potential danger to the building *occupants* or those in the proximity of any structure because of explosives, explosive fumes or vapors or the presence of toxic fumes, gases or materials, or operation of defective or dangerous equipment, the *code official* is hereby authorized and empowered to order and require the *occupants* to vacate the *premises* forthwith. The *code official* shall cause to be posted at each entrance to such structure a notice reading as follows: “This *Structure* Is Unsafe and Its *Occupancy* Has Been Prohibited by the *Code Official*.” It shall be unlawful for any person to enter such structure except for the purpose of securing the structure, making the required repairs, removing the hazardous condition or of demolishing the same.

**[A] 109.2 Temporary safeguards.**

Notwithstanding other provisions of this code, whenever, in the opinion of the *code official*, there is *imminent danger* due to an unsafe condition, the *code official* shall order the necessary work to be done, including the boarding up of openings, to render such structure temporarily safe whether or not the legal procedure herein described has been instituted; and shall cause such other action to be taken as the *code official* deems necessary to meet such emergency.

**[A] 109.3 Closing streets.**

When necessary for public safety, the *code official* shall temporarily close structures and close, or order the authority having jurisdiction to close, sidewalks, streets, *public ways* and places adjacent to unsafe structures, and prohibit the same from being utilized.

**[A] 109.4 Emergency repairs.**

For the purposes of this section, the *code official* shall employ the necessary labor and materials to perform the required work as expeditiously as possible.

**[A] 109.5 Costs of emergency repairs.**

Costs incurred in the performance of emergency work shall be paid by the jurisdiction. The legal counsel of the jurisdiction shall institute appropriate action against the *owner* of the *premises* where the unsafe structure is or was located for the recovery of such costs.

**[A] 109.6 Hearing.**

Any person ordered to take emergency measures shall comply with such order forthwith. Any affected person shall thereafter, upon petition directed to the appeals board, be afforded a hearing as described in this code.

## SECTION 110 DEMOLITION

**[A] 110.1 General.**

The *code official* shall order the *owner* of any *premises* upon which is located any structure, which in the *code official* judgment after review is so deteriorated or dilapidated or has become so out of repair as to be dangerous, unsafe, insanitary or otherwise unfit for human habitation or occupancy, and such that it is unreasonable to repair the structure, to demolish and remove such structure; or if such structure is capable of being made safe by repairs, to repair and make safe and sanitary, or to board up and hold for future repair or to demolish and remove at the *owner's* option; or where there has been a cessation of normal construction of any structure for a period of more than two years, the *code official* shall order the *owner* to demolish and remove such structure, or board up until future repair. Boarding the building up for future repair shall not extend beyond one year, unless *approved* by the building official.

**[A] 110.2 Notices and orders.**

All notices and orders shall comply with Section 107.

**[A] 110.3 Failure to comply.**

If the *owner* of a *premises* fails to comply with a demolition order within the time prescribed, the *code official* shall cause the structure to be demolished and removed, either through an available public agency or by contract or arrangement with private persons, and the cost of such demolition and removal shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

**[A] 110.4 Salvage materials.**

When any structure has been ordered demolished and removed, the governing body or other designated officer under said contract or arrangement aforesaid shall have the right to sell the salvage and valuable materials at the highest price obtainable. The net proceeds of such sale, after deducting the expenses of such demolition and removal, shall be promptly remitted with a report of such sale or transaction, including the items of expense and the amounts deducted, for

the person who is entitled thereto, subject to any order of a court. If such a surplus does not remain to be turned over, the report shall so state.

## SECTION 111 MEANS OF APPEAL

### **[A] 111.1 Application for appeal.**

Any person directly affected by a decision of the *code official* or a notice or order issued under this code shall have the right to appeal to the board of appeals, provided that a written application for appeal is filed within 20 days after the day the decision, notice or order was served. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or the requirements of this code are adequately satisfied by other means.

### **[A] 111.2 Membership of board.**

The board of appeals shall consist of a minimum of three members who are qualified by experience and training to pass on matters pertaining to property maintenance and who are not employees of the jurisdiction. The *code official* shall be an ex-officio member but shall have no vote on any matter before the board. The board shall be appointed by the chief appointing authority, and shall serve staggered and overlapping terms.

#### **[A] 111.2.1 Alternate members.**

The chief appointing authority shall appoint a minimum of two alternate members who shall be called by the board chairman to hear appeals during the absence or disqualification of a member. Alternate members shall possess the qualifications required for board membership.

#### **[A] 111.2.2 Chairman.**

The board shall annually select one of its members to serve as chairman.

#### **[A] 111.2.3 Disqualification of member.**

A member shall not hear an appeal in which that member has a personal, professional or financial interest.

#### **[A] 111.2.4 Secretary.**

The chief administrative officer shall designate a qualified person to serve as secretary to the board. The secretary shall file a detailed record of all proceedings in the office of the chief administrative officer.

#### **[A] 111.2.5 Compensation of members.**

Compensation of members shall be determined by law.

### **[A] 111.3 Notice of meeting.**

The board shall meet upon notice from the chairman, within 20 days of the filing of an appeal, or at stated periodic meetings.

### **[A] 111.4 Open hearing.**

All hearings before the board shall be open to the public. The appellant, the appellant's representative, the *code official* and any person whose interests are affected shall be given an opportunity to be heard. A quorum shall consist of a minimum of two-thirds of the board membership.

**[A] 111.4.1 Procedure.**

The board shall adopt and make available to the public through the secretary procedures under which a hearing will be conducted. The procedures shall not require compliance with strict rules of evidence, but shall mandate that only relevant information be received.

**[A] 111.5 Postponed hearing.**

When the full board is not present to hear an appeal, either the appellant or the appellant's representative shall have the right to request a postponement of the hearing.

**[A] 111.6 Board decision.**

The board shall modify or reverse the decision of the *code official* only by a concurring vote of a majority of the total number of appointed board members.

**[A] 111.6.1 Records and copies.**

The decision of the board shall be recorded. Copies shall be furnished to the appellant and to the *code official*.

**[A] 111.6.2 Administration.**

The *code official* shall take immediate action in accordance with the decision of the board.

**[A] 111.7 Court review.**

Any person, whether or not a previous party of the appeal, shall have the right to apply to the appropriate court for a writ of certiorari to correct errors of law. Application for review shall be made in the manner and time required by law following the filing of the decision in the office of the chief administrative officer.

**[A] 111.8 Stays of enforcement.**

Appeals of notice and orders (other than *Imminent Danger* notices) shall stay the enforcement of the notice and order until the appeal is heard by the appeals board.

**SECTION 112  
STOP WORK ORDER**

**[A] 112.1 Authority.**

Whenever the *code official* finds any work regulated by this code being performed in a manner contrary to the provisions of this code or in a dangerous or unsafe manner, the *code official* is authorized to issue a stop work order.

**[A] 112.2 Issuance.**

A stop work order shall be in writing and shall be given to the *owner* of the property, to the *owner's* agent, or to the person doing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order and the conditions under which the cited work is authorized to resume.

**[A] 112.3 Emergencies.**

Where an emergency exists, the *code official* shall not be required to give a written notice prior to stopping the work.

**[A] 112.4 Failure to comply.**

Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than [AMOUNT] dollars or more than [AMOUNT] dollars.

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## CHAPTER 2 DEFINITIONS

### SECTION 201 GENERAL

#### 201.1 Scope.

Unless otherwise expressly stated, the following terms shall, for the purposes of this code, have the meanings shown in this chapter.

#### 201.2 Interchangeability.

Words stated in the present tense include the future; words stated in the masculine gender include the feminine and neuter; the singular number includes the plural and the plural, the singular.

#### 201.3 Terms defined in other codes.

Where terms are not defined in this code and are defined in the *International Building Code*, *International Existing Building Code*, *International Fire Code*, *International Fuel Gas Code*, *International Mechanical Code*, *International Plumbing Code*, *International Residential Code*, *International Zoning Code* or NFPA 70, such terms shall have the meanings ascribed to them as stated in those codes.

#### 201.4 Terms not defined.

Where terms are not defined through the methods authorized by this section, such terms shall have ordinarily accepted meanings such as the context implies.

#### 201.5 Parts.

Whenever the words “*dwelling unit*,” “*dwelling*,” “*premises*,” “*building*,” “*rooming house*,” “*rooming unit*,” “*housekeeping unit*” or “*story*” are stated in this code, they shall be construed as though they were followed by the words “or any part thereof.”

### SECTION 202 GENERAL DEFINITIONS

**ANCHORED.** Secured in a manner that provides positive connection.

**[A] APPROVED.** *Approved by the code official.*

**BASEMENT.** That portion of a building which is partly or completely below grade.

**BATHROOM.** A room containing plumbing fixtures including a bathtub or shower.

**BEDROOM.** Any room or space used or intended to be used for sleeping purposes in either a dwelling or *sleeping unit*.

**[A] CODE OFFICIAL.** The official who is charged with the administration and enforcement of this code, or any duly authorized representative.

**CONDEMN.** To adjudge unfit for *occupancy*.

**DETACHED.** When a structural element is physically disconnected from another and that connection is necessary to provide a positive connection.

**DETERIORATION.** To weaken, disintegrate, corrode, rust or decay and lose effectiveness.

**[B] DWELLING UNIT.** A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

**[Z] EASEMENT.** That portion of land or property reserved for present or future use by a person or agency other than the legal fee *owner(s)* of the property. The *easement* shall be permitted to be for use under, on or above a said lot or lots.

**EQUIPMENT SUPPORT.** Those structural members or assemblies of members or manufactured elements, including braces, frames, lugs, snuggers, hangers or saddles, that transmit gravity load, lateral load and operating load between the equipment and the structure.

**EXTERIOR PROPERTY.** The open space on the *premises* and on adjoining property under the control of *owners* or *operators* of such *premises*.

**GARBAGE.** The animal or vegetable waste resulting from the handling, preparation, cooking and consumption of food.

**[B] GUARD.** A building component or a system of building components located at or near the open sides of elevated walking surfaces that minimizes the possibility of a fall from the walking surface to a lower level.

**[B] HABITABLE SPACE.** Space in a structure for living, sleeping, eating or cooking. *Bathrooms, toilet rooms, closets, halls, storage or utility spaces, and similar areas* are not considered *habitable spaces*.

**HOUSEKEEPING UNIT.** A room or group of rooms forming a single *habitable space* equipped and intended to be used for living, sleeping, cooking and eating which does not contain, within such a unit, a toilet, lavatory and bathtub or shower.

**IMMINENT DANGER.** A condition which could cause serious or life-threatening injury or death at any time.

**INFESTATION.** The presence, within or contiguous to, a structure or *premises* of insects, rats, vermin or other pests.

**INOPERABLE MOTOR VEHICLE.** A vehicle which cannot be driven upon the public streets for reason including but not limited to being unlicensed, wrecked, abandoned, in a state of disrepair, or incapable of being moved under its own power.

**[A] LABELED.** Equipment, materials or products to which have been affixed a label, seal, symbol or other identifying mark of a nationally recognized testing laboratory, inspection agency or other organization concerned with product evaluation that maintains periodic inspection of the

production of the above-*labeled* items and whose labeling indicates either that the equipment, material or product meets identified standards or has been tested and found suitable for a specified purpose.

**LET FOR OCCUPANCY or LET.** To permit, provide or offer possession or *occupancy* of a dwelling, *dwelling unit*, *rooming unit*, building, premise or structure by a person who is or is not the legal *owner* of record thereof, pursuant to a written or unwritten lease, agreement or license, or pursuant to a recorded or unrecorded agreement of contract for the sale of land.

**NEGLECT.** The lack of proper maintenance for a building or *structure*.

**[A] OCCUPANCY.** The purpose for which a building or portion thereof is utilized or occupied.

**OCCUPANT.** Any individual living or sleeping in a building, or having possession of a space within a building.

**OPENABLE AREA.** That part of a window, skylight or door which is available for unobstructed *ventilation* and which opens directly to the outdoors.

**OPERATOR.** Any person who has charge, care or control of a structure or *premises* which is let or offered for *occupancy*.

**[A] OWNER.** Any person, agent, *operator*, firm or corporation having a legal or equitable interest in the property; or recorded in the official records of the state, county or municipality as holding title to the property; or otherwise having control of the property, including the guardian of the estate of any such person, and the executor or administrator of the estate of such person if ordered to take possession of real property by a court.

**PERSON.** An individual, corporation, partnership or any other group acting as a unit.

**PEST ELIMINATION.** The control and elimination of insects, rodents or other pests by eliminating their harborage places; by removing or making inaccessible materials that serve as their food or water; by other *approved pest elimination* methods.

**[A] PREMISES.** A lot, plot or parcel of land, *easement* or *public way*, including any structures thereon.

**[A] PUBLIC WAY.** Any street, alley or similar parcel of land essentially unobstructed from the ground to the sky, which is deeded, dedicated or otherwise permanently appropriated to the public for public use.

**ROOMING HOUSE.** A building arranged or occupied for lodging, with or without meals, for compensation and not occupied as a one- or two-family dwelling.

**ROOMING UNIT.** Any room or group of rooms forming a single habitable unit occupied or intended to be occupied for sleeping or living, but not for cooking purposes.

**RUBBISH.** Combustible and noncombustible waste materials, except garbage; the term shall include the residue from the burning of wood, coal, coke and other combustible materials, paper,

rag, cartons, boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings, tin cans, metals, mineral matter, glass, crockery and dust and other similar materials.

**[B] SLEEPING UNIT.** A room or space in which people sleep, which can also include permanent provisions for living, eating and either sanitation or kitchen facilities, but not both. Such rooms and spaces that are also part of a *dwelling unit* are not *sleeping units*.

**STRICT LIABILITY OFFENSE.** An offense in which the prosecution in a legal proceeding is not required to prove criminal intent as a part of its case. It is enough to prove that the defendant either did an act which was prohibited, or failed to do an act which the defendant was legally required to do.

**[A] STRUCTURE.** That which is built or constructed or a portion thereof.

**TENANT.** A person, corporation, partnership or group, whether or not the legal *owner* of record, occupying a building or portion thereof as a unit.

**TOILET ROOM.** A room containing a water closet or urinal but not a bathtub or shower.

**ULTIMATE DEFORMATION.** The deformation at which failure occurs and which shall be deemed to occur if the sustainable load reduces to 80 percent or less of the maximum strength.

**[M] VENTILATION.** The natural or mechanical process of supplying conditioned or unconditioned air to, or removing such air from, any space.

**WORKMANLIKE.** Executed in a skilled manner; e.g., generally plumb, level, square, in line, undamaged and without marring adjacent work.

**[Z] YARD.** An open space on the same lot with a structure.

## CHAPTER 3 GENERAL REQUIREMENTS

### SECTION 301 GENERAL

#### 301.1 Scope.

The provisions of this chapter shall govern the minimum conditions and the responsibilities of persons for maintenance of structures, equipment and *exterior property*.

#### 301.2 Responsibility.

The *owner* of the *premises* shall maintain the structures and *exterior property* in compliance with these requirements, except as otherwise provided for in this code. A person shall not occupy as owner-occupant or permit another person to occupy *premises* which are not in a sanitary and safe condition and which do not comply with the requirements of this chapter. *Occupants* of a *dwelling unit*, *rooming unit* or *housekeeping unit* are responsible for keeping in a clean, sanitary and safe condition that part of the *dwelling unit*, *rooming unit*, *housekeeping unit* or *premises* which they occupy and control.

#### 301.3 Vacant structures and land.

All vacant structures and *premises* thereof or vacant land shall be maintained in a clean, safe, secure and sanitary condition as provided herein so as not to cause a blighting problem or adversely affect the public health or safety.

### SECTION 302 EXTERIOR PROPERTY AREAS

#### 302.1 Sanitation.

All *exterior property* and *premises* shall be maintained in a clean, safe and sanitary condition. The *occupant* shall keep that part of the *exterior property* which such *occupant* occupies or controls in a clean and sanitary condition.

#### 302.2 Grading and drainage.

All *premises* shall be graded and maintained to prevent the erosion of soil and to prevent the accumulation of stagnant water thereon, or within any structure located thereon.

**Exception:** *Approved* retention areas and reservoirs.

#### 302.3 Sidewalks and driveways.

All sidewalks, walkways, stairs, driveways, parking spaces and similar areas shall be kept in a proper state of repair, and maintained free from hazardous conditions.

#### 302.4 Weeds.

All *premises* and *exterior property* shall be maintained free from weeds or plant growth in excess of [JURISDICTION TO INSERT HEIGHT IN INCHES]. All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens.

Upon failure of the *owner* or agent having charge of a property to cut and destroy weeds after service of a notice of violation, they shall be subject to prosecution in accordance with Section 106.3 and as prescribed by the authority having jurisdiction. Upon failure to comply with the notice of violation, any duly authorized employee of the jurisdiction or contractor hired by the jurisdiction shall be authorized to enter upon the property in violation and cut and destroy the weeds growing thereon, and the costs of such removal shall be paid by the *owner* or agent responsible for the property.

### **302.5 Rodent harborage.**

All structures and *exterior property* shall be kept free from rodent harborage and *infestation*. Where rodents are found, they shall be promptly exterminated by *approved* processes which will not be injurious to human health. After pest elimination, proper precautions shall be taken to eliminate rodent harborage and prevent reinfestation.

### **302.6 Exhaust vents.**

Pipes, ducts, conductors, fans or blowers shall not discharge gases, steam, vapor, hot air, grease, smoke, odors or other gaseous or particulate wastes directly upon abutting or adjacent public or private property or that of another *tenant*.

### **302.7 Accessory structures.**

All accessory structures, including *detached* garages, fences and walls, shall be maintained structurally sound and in good repair.

### **302.8 Motor vehicles.**

Except as provided for in other regulations, no inoperative or unlicensed motor vehicle shall be parked, kept or stored on any *premises*, and no vehicle shall at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled. Painting of vehicles is prohibited unless conducted inside an *approved* spray booth.

**Exception:** A vehicle of any type is permitted to undergo major overhaul, including body work, provided that such work is performed inside a structure or similarly enclosed area designed and *approved* for such purposes.

### **302.9 Defacement of property.**

No person shall willfully or wantonly damage, mutilate or deface any exterior surface of any structure or building on any private or public property by placing thereon any marking, carving or graffiti.

It shall be the responsibility of the *owner* to restore said surface to an *approved* state of maintenance and repair.

## **SECTION 303 SWIMMING POOLS, SPAS AND HOT TUBS**

### **303.1 Swimming pools.**

Swimming pools shall be maintained in a clean and sanitary condition, and in good repair.

### **303.2 Enclosures.**

Private swimming pools, hot tubs and spas, containing water more than 24 inches (610 mm) in depth shall be completely surrounded by a fence or barrier at least 48 inches (1219 mm) in height

above the finished ground level measured on the side of the barrier away from the pool. Gates and doors in such barriers shall be self-closing and self-latching. Where the self-latching device is a minimum of 54 inches (1372 mm) above the bottom of the gate, the release mechanism shall be located on the pool side of the gate. Self-closing and self-latching gates shall be maintained such that the gate will positively close and latch when released from an open position of 6 inches (152 mm) from the gatepost. No existing pool enclosure shall be removed, replaced or changed in a manner that reduces its effectiveness as a safety barrier.

**Exception:** Spas or hot tubs with a safety cover that complies with ASTM F 1346 shall be exempt from the provisions of this section.

## SECTION 304 EXTERIOR STRUCTURE

### 304.1 General.

The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare.

#### 304.1.1 Unsafe conditions.

The following conditions shall be determined as unsafe and shall be repaired or replaced to comply with the *International Building Code* or the *International Existing Building Code* as required for existing buildings:

1. The nominal strength of any structural member is exceeded by nominal loads, the load effects or the required strength;
2. The *anchorage* of the floor or roof to walls or columns, and of walls and columns to foundations is not capable of resisting all nominal loads or load effects;
3. Structures or components thereof that have reached their limit state;
4. Siding and masonry joints including joints between the building envelope and the perimeter of windows, doors and skylights are not maintained, weather resistant or water tight;
5. Structural members that have evidence of *deterioration* or that are not capable of safely supporting all nominal loads and load effects;
6. Foundation systems that are not firmly supported by footings, are not plumb and free from open cracks and breaks, are not properly *anchored* or are not capable of supporting all nominal loads and resisting all load effects;
7. Exterior walls that are not *anchored* to supporting and supported elements or are not plumb and free of holes, cracks or breaks and loose or rotting materials, are not properly *anchored* or are not capable of supporting all nominal loads and resisting all load effects;
8. Roofing or roofing components that have defects that admit rain, roof surfaces with inadequate drainage, or any portion of the roof framing that is not in good repair with

signs of *deterioration*, fatigue or without proper anchorage and incapable of supporting all nominal loads and resisting all load effects;

9. Flooring and flooring components with defects that affect serviceability or flooring components that show signs of *deterioration* or fatigue, are not properly *anchored* or are incapable of supporting all nominal loads and resisting all load effects;
10. Veneer, cornices, belt courses, corbels, trim, wall facings and similar decorative features not properly anchored or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects;
11. Overhang extensions or projections including, but not limited to, trash chutes, canopies, marquees, signs, awnings, fire escapes, standpipes and exhaust ducts not properly *anchored* or that are *anchored* with connections not capable of supporting all nominal loads and resisting all load effects;
12. Exterior stairs, decks, porches, balconies and all similar appurtenances attached thereto, including *guards* and handrails, are not structurally sound, not properly *anchored* or that are *anchored* with connections not capable of supporting all nominal loads and resisting all load effects; or
13. Chimneys, cooling towers, smokestacks and similar appurtenances not structurally sound or not properly *anchored*, or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects.

**Exceptions:**

1. When substantiated otherwise by an *approved* method.
2. Demolition of unsafe conditions shall be permitted when *approved* by the *code official*.

**304.2 Protective treatment.**

All exterior surfaces, including but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks and fences, shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted. All siding and masonry joints, as well as those between the building envelope and the perimeter of windows, doors and skylights, shall be maintained weather resistant and water tight. All metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion, and all surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. Surfaces designed for stabilization by oxidation are exempt from this requirement.

**[F] 304.3 Premises identification.**

Buildings shall have *approved* address numbers placed in a position to be plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be a minimum of 4 inches (102 mm) in height with a minimum stroke width of 0.5 inch (12.7 mm).

**304.4 Structural members.**

All structural members shall be maintained free from *deterioration*, and shall be capable of safely supporting the imposed dead and live loads.

**304.5 Foundation walls.**

All foundation walls shall be maintained plumb and free from open cracks and breaks and shall be kept in such condition so as to prevent the entry of rodents and other pests.

**304.6 Exterior walls.**

All exterior walls shall be free from holes, breaks, and loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent *deterioration*.

**304.7 Roofs and drainage.**

The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or *deterioration* in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance.

**304.8 Decorative features.**

All cornices, belt courses, corbels, terra cotta trim, wall facings and similar decorative features shall be maintained in good repair with proper anchorage and in a safe condition.

**304.9 Overhang extensions.**

All overhang extensions including, but not limited to canopies, marquees, signs, metal awnings, fire escapes, standpipes and exhaust ducts shall be maintained in good repair and be properly *anchored* so as to be kept in a sound condition. When required, all exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.

**304.10 Stairways, decks, porches and balconies.**

Every exterior stairway, deck, porch and balcony, and all appurtenances attached thereto, shall be maintained structurally sound, in good repair, with proper anchorage and capable of supporting the imposed loads.

**304.11 Chimneys and towers.**

All chimneys, cooling towers, smoke stacks, and similar appurtenances shall be maintained structurally safe and sound, and in good repair. All exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.

**304.12 Handrails and guards.**

Every handrail and *guard* shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.

**304.13 Window, skylight and door frames.**

Every window, skylight, door and frame shall be kept in sound condition, good repair and weather tight.

**304.13.1 Glazing.**

All glazing materials shall be maintained free from cracks and holes.

**304.13.2 Openable windows.**

Every window, other than a fixed window, shall be easily openable and capable of being held in position by window hardware.

**304.14 Insect screens.**

During the period from [DATE] to [DATE], every door, window and other outside opening required for *ventilation* of habitable rooms, food preparation areas, food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored shall be supplied with *approved* tightly fitting screens of minimum 16 mesh per inch (16 mesh per 25 mm), and every screen door used for insect control shall have a self-closing device in good working condition.

**Exception:** Screens shall not be required where other *approved* means, such as air curtains or insect repellent fans, are employed.

**304.15 Doors.**

All exterior doors, door assemblies, operator systems if provided, and hardware shall be maintained in good condition. Locks at all entrances to dwelling units and sleeping units shall tightly secure the door. Locks on means of egress doors shall be in accordance with Section 702.3.

**304.16 Basement hatchways.**

Every *basement* hatchway shall be maintained to prevent the entrance of rodents, rain and surface drainage water.

**304.17 Guards for basement windows.**

Every *basement* window that is openable shall be supplied with rodent shields, storm windows or other *approved* protection against the entry of rodents.

**304.18 Building security.**

Doors, windows or hatchways for *dwelling units*, room units or *housekeeping units* shall be provided with devices designed to provide security for the *occupants* and property within.

**304.18.1 Doors.**

Doors providing access to a *dwelling unit*, *rooming unit* or *housekeeping unit* that is rented, leased or let shall be equipped with a deadbolt lock designed to be readily openable from the side from which egress is to be made without the need for keys, special knowledge or effort and shall have a minimum lock throw of 1 inch (25 mm). Such deadbolt locks shall be installed according to the manufacturer's specifications and maintained in good working order. For the purpose of this section, a sliding bolt shall not be considered an acceptable deadbolt lock.

**304.18.2 Windows.**

Operable windows located in whole or in part within 6 feet (1828 mm) above ground level or a walking surface below that provide access to a *dwelling unit*, *rooming unit* or *housekeeping unit* that is rented, leased or let shall be equipped with a window sash locking device.

**304.18.3 Basement hatchways.**

*Basement* hatchways that provide access to a *dwelling unit*, *rooming unit* or *housekeeping unit* that is rented, leased or let shall be equipped with devices that secure the units from unauthorized entry.

**304.19 Gates.**

All exterior gates, gate assemblies, operator systems if provided, and hardware shall be maintained in good condition. Latches at all entrances shall tightly secure the gates.

## SECTION 305 INTERIOR STRUCTURE

**305.1 General.**

The interior of a structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition. *Occupants* shall keep that part of the structure which they occupy or control in a clean and sanitary condition. Every *owner* of a structure containing a *rooming house, housekeeping units, a hotel, a dormitory, two or more dwelling units* or two or more nonresidential occupancies, shall maintain, in a clean and sanitary condition, the shared or public areas of the structure and *exterior property*.

**305.1.1 Unsafe conditions.**

The following conditions shall be determined as unsafe and shall be repaired or replaced to comply with the *International Building Code* or the *International Existing Building Code* as required for existing buildings:

1. The nominal strength of any structural member is exceeded by nominal loads, the load effects or the required strength;
2. The anchorage of the floor or roof to walls or columns, and of walls and columns to foundations is not capable of resisting all nominal loads or load effects;
3. Structures or components thereof that have reached their limit state;
4. Structural members are incapable of supporting nominal loads and load effects;
5. Stairs, landings, balconies and all similar walking surfaces, including *guards* and *handrails*, are not structurally sound, not properly *anchored* or are *anchored* with connections not capable of supporting all nominal loads and resisting all load effects;
6. Foundation systems that are not firmly supported by footings are not plumb and free from open cracks and breaks, are not properly *anchored* or are not capable of supporting all nominal loads and resisting all load effects.

**Exceptions:**

1. When substantiated otherwise by an *approved* method.
2. Demolition of unsafe conditions shall be permitted when *approved* by the *code official*.

**305.2 Structural members.**

All structural members shall be maintained structurally sound, and be capable of supporting the imposed loads.

**305.3 Interior surfaces.**

All interior surfaces, including windows and doors, shall be maintained in good, clean and sanitary condition. Peeling, chipping, flaking or abraded paint shall be repaired, removed or covered. Cracked or loose plaster, decayed wood and other defective surface conditions shall be corrected.

**305.4 Stairs and walking surfaces.**

Every stair, ramp, landing, balcony, porch, deck or other walking surface shall be maintained in sound condition and good repair.

**305.5 Handrails and guards.**

Every handrail and *guard* shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.

**305.6 Interior doors.**

Every interior door shall fit reasonably well within its frame and shall be capable of being opened and closed by being properly and securely attached to jambs, headers or tracks as intended by the manufacturer of the attachment hardware.

## SECTION 306 COMPONENT SERVICEABILITY

**306.1 General.**

The components of a structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition.

**306.1.1 Unsafe conditions.**

Where any of the following conditions cause the component or system to be beyond its limit state, the component or system shall be determined as unsafe and shall be repaired or replaced to comply with the *International Building Code* or the *International Existing Building Code* as required for existing buildings:

1. Soils that have been subjected to any of the following conditions:
  - 1.1. Collapse of footing or foundation system;
  - 1.2. Damage to footing, foundation, concrete or other structural element due to soil expansion;
  - 1.3. Adverse effects to the design strength of footing, foundation, concrete or other structural element due to a chemical reaction from the soil;
  - 1.4. Inadequate soil as determined by a geotechnical investigation;
  - 1.5. Where the allowable bearing capacity of the soil is in doubt; or
  - 1.6. Adverse effects to the footing, foundation, concrete or other structural element due to the ground water table.

2. Concrete that has been subjected to any of the following conditions:

- 2.1. *Deterioration*;
- 2.2. *Ultimate deformation*;
- 2.3. Fractures;
- 2.4. Fissures;
- 2.5. Spalling;
- 2.6. Exposed reinforcement; or
- 2.7. *Detached*, dislodged or failing connections.

3. Aluminum that has been subjected to any of the following conditions:

- 3.1. *Deterioration*;
- 3.2. Corrosion;
- 3.3. Elastic deformation;
- 3.4. *Ultimate deformation*;
- 3.5. Stress or strain cracks;
- 3.6. Joint fatigue; or
- 3.7. *Detached*, dislodged or failing connections.

4. Masonry that has been subjected to any of the following conditions:

- 4.1. *Deterioration*;
- 4.2. *Ultimate deformation*;
- 4.3. Fractures in masonry or mortar joints;
- 4.4. Fissures in masonry or mortar joints;
- 4.5. Spalling;
- 4.6. Exposed reinforcement; or
- 4.7. *Detached*, dislodged or failing connections.

5. Steel that has been subjected to any of the following conditions:

- 5.1. *Deterioration;*
  - 5.2. Elastic deformation;
  - 5.3. *Ultimate deformation;*
  - 5.4. Metal fatigue; or
  - 5.5. *Detached, dislodged or failing connections.*
6. Wood that has been subjected to any of the following conditions:
- 6.1. *Ultimate deformation;*
  - 6.2. *Deterioration;*
  - 6.3. Damage from insects, rodents and other vermin;
  - 6.4. Fire damage beyond charring;
  - 6.5. Significant splits and checks;
  - 6.6. Horizontal shear cracks;
  - 6.7. Vertical shear cracks;
  - 6.8. Inadequate support;
  - 6.9. *Detached, dislodged or failing connections; or*
  - 6.10. Excessive cutting and notching.

**Exceptions:**

1. When substantiated otherwise by an *approved* method.
2. Demolition of unsafe conditions shall be permitted when *approved* by the *code official*.

**SECTION 307  
HANDRAILS AND GUARDRAILS**

**307.1 General.**

Every exterior and interior flight of stairs having more than four risers shall have a handrail on one

side of the stair and every open portion of a stair, landing, balcony, porch, deck, ramp or other walking surface which is more than 30 inches (762 mm) above the floor or grade below shall have *guards*. Handrails shall not be less than 30 inches (762 mm) in height or more than 42 inches (1067 mm) in height measured vertically above the nosing of the tread or above the finished floor of the landing or walking surfaces. *Guards* shall not be less than 30 inches (762 mm) in height above the floor of the landing, balcony, porch, deck, or ramp or other walking surface.

**Exception:** *Guards* shall not be required where exempted by the adopted building code.

## SECTION 308 RUBBISH AND GARBAGE

### 308.1 Accumulation of rubbish or garbage.

All *exterior property* and *premises*, and the interior of every structure, shall be free from any accumulation of *rubbish* or garbage.

### 308.2 Disposal of rubbish.

Every *occupant* of a structure shall dispose of all *rubbish* in a clean and sanitary manner by placing such *rubbish* in *approved* containers.

#### 308.2.1 Rubbish storage facilities.

The *owner* of every occupied *premises* shall supply *approved* covered containers for *rubbish*, and the *owner* of the *premises* shall be responsible for the removal of *rubbish*.

#### 308.2.2 Refrigerators.

Refrigerators and similar equipment not in operation shall not be discarded, abandoned or stored on *premises* without first removing the doors.

### 308.3 Disposal of garbage.

Every *occupant* of a structure shall dispose of garbage in a clean and sanitary manner by placing such garbage in an *approved* garbage disposal facility or *approved* garbage containers.

#### 308.3.1 Garbage facilities.

The *owner* of every dwelling shall supply one of the following: an *approved* mechanical food waste grinder in each *dwelling unit*; an *approved* incinerator unit in the structure available to the *occupants* in each *dwelling unit*; or an *approved* leakproof, covered, outside garbage container.

#### 308.3.2 Containers.

The *operator* of every establishment producing garbage shall provide, and at all times cause to be utilized, *approved* leakproof containers provided with close-fitting covers for the storage of such materials until removed from the *premises* for disposal.

## SECTION 309 PEST ELIMINATION

### 309.1 Infestation.

All structures shall be kept free from insect and rodent *infestation*. All structures in which insects

or rodents are found shall be promptly exterminated by *approved* processes that will not be injurious to human health. After pest elimination, proper precautions shall be taken to prevent reinfestation.

**309.2 Owner.**

The *owner* of any structure shall be responsible for pest elimination within the structure prior to renting or leasing the structure.

**309.3 Single occupant.**

The *occupant* of a one-family dwelling or of a single-*tenant* nonresidential structure shall be responsible for pest elimination on the *premises*.

**309.4 Multiple occupancy.**

The *owner* of a structure containing two or more *dwelling units*, a multiple *occupancy*, a *rooming house* or a nonresidential structure shall be responsible for pest elimination in the public or shared areas of the structure and *exterior property*. If *infestation* is caused by failure of an *occupant* to prevent such *infestation* in the area occupied, the *occupant* and *owner* shall be responsible for pest elimination.

**309.5 Occupant.**

The *occupant* of any structure shall be responsible for the continued rodent and pest-free condition of the structure.

**Exception:** Where the *infestations* are caused by defects in the structure, the *owner* shall be responsible for pest elimination.

## CHAPTER 4

# LIGHT, VENTILATION AND OCCUPANCY LIMITATIONS

### SECTION 401 GENERAL

#### 401.1 Scope.

The provisions of this chapter shall govern the minimum conditions and standards for light, *ventilation* and space for occupying a structure.

#### 401.2 Responsibility.

The *owner* of the structure shall provide and maintain light, *ventilation* and space conditions in compliance with these requirements. A person shall not occupy as *owner-occupant*, or permit another person to occupy, any *premises* that do not comply with the requirements of this chapter.

#### 401.3 Alternative devices.

In lieu of the means for natural light and *ventilation* herein prescribed, artificial light or mechanical *ventilation* complying with the *International Building Code* shall be permitted.

### SECTION 402 LIGHT

#### 402.1 Habitable spaces.

Every *habitable space* shall have at least one window of *approved* size facing directly to the outdoors or to a court. The minimum total glazed area for every *habitable space* shall be 8 percent of the floor area of such room. Wherever walls or other portions of a structure face a window of any room and such obstructions are located less than 3 feet (914 mm) from the window and extend to a level above that of the ceiling of the room, such window shall not be deemed to face directly to the outdoors nor to a court and shall not be included as contributing to the required minimum total window area for the room.

**Exception:** Where natural light for rooms or spaces without exterior glazing areas is provided through an adjoining room, the unobstructed opening to the adjoining room shall be at least 8 percent of the floor area of the interior room or space, but a minimum of 25 square feet (2.33 m<sup>2</sup>). The exterior glazing area shall be based on the total floor area being served.

#### 402.2 Common halls and stairways.

Every common hall and stairway in residential occupancies, other than in one- and two-family dwellings, shall be lighted at all times with at least a 60-watt standard incandescent light bulb for each 200 square feet (19 m<sup>2</sup>) of floor area or equivalent illumination, provided that the spacing between lights shall not be greater than 30 feet (9144 mm). In other than residential occupancies, means of egress, including exterior means of egress, stairways shall be illuminated at all times the building space served by the means of egress is occupied with a minimum of 1 footcandle (11 lux) at floors, landings and treads.

#### 402.3 Other spaces.

All other spaces shall be provided with natural or artificial light sufficient to permit the maintenance

of sanitary conditions, and the safe *occupancy* of the space and utilization of the appliances, equipment and fixtures.

## SECTION 403 VENTILATION

### 403.1 Habitable spaces.

Every *habitable space* shall have at least one openable window. The total openable area of the window in every room shall be equal to at least 45 percent of the minimum glazed area required in Section 402.1.

**Exception:** Where rooms and spaces without openings to the outdoors are ventilated through an adjoining room, the unobstructed opening to the adjoining room shall be at least 8 percent of the floor area of the interior room or space, but a minimum of 25 square feet (2.33 m<sup>2</sup>). The *ventilation* openings to the outdoors shall be based on a total floor area being ventilated.

### 403.2 Bathrooms and toilet rooms.

Every *bathroom* and *toilet room* shall comply with the *ventilation* requirements for *habitable spaces* as required by Section 403.1, except that a window shall not be required in such spaces equipped with a mechanical *ventilation* system. Air exhausted by a mechanical *ventilation* system from a *bathroom* or *toilet room* shall discharge to the outdoors and shall not be recirculated.

### 403.3 Cooking facilities.

Unless *approved* through the certificate of *occupancy*, cooking shall not be permitted in any *rooming unit* or dormitory unit, and a cooking facility or appliance shall not be permitted to be present in the *rooming unit* or dormitory unit.

#### Exceptions:

1. Where specifically *approved* in writing by the *code official*.
2. Devices such as coffee pots and microwave ovens shall not be considered cooking appliances.

### 403.4 Process ventilation.

Where injurious, toxic, irritating or noxious fumes, gases, dusts or mists are generated, a local exhaust *ventilation* system shall be provided to remove the contaminating agent at the source. Air shall be exhausted to the exterior and not be recirculated to any space.

### 403.5 Clothes dryer exhaust.

Clothes dryer exhaust systems shall be independent of all other systems and shall be exhausted outside the structure in accordance with the manufacturer's instructions.

**Exception:** Listed and *labeled* condensing (ductless) clothes dryers.

## SECTION 404 OCCUPANCY LIMITATIONS

**404.1 Privacy.**

*Dwelling units, hotel units, housekeeping units, rooming units and dormitory units shall be arranged to provide privacy and be separate from other adjoining spaces.*

**404.2 Minimum room widths.**

A habitable room, other than a kitchen, shall be a minimum of 7 feet (2134 mm) in any plan dimension. Kitchens shall have a minimum clear passageway of 3 feet (914 mm) between counterfronts and appliances or counterfronts and walls.

**404.3 Minimum ceiling heights.**

*Habitable spaces, hallways, corridors, laundry areas, bathrooms, toilet rooms and habitable basement areas shall have a minimum clear ceiling height of 7 feet (2134 mm).*

**Exceptions:**

1. In one- and two-family dwellings, beams or girders spaced a minimum of 4 feet (1219 mm) on center and projecting a maximum of 6 inches (152 mm) below the required ceiling height.
2. *Basement* rooms in one- and two-family dwellings occupied exclusively for laundry, study or recreation purposes, having a minimum ceiling height of 6 feet 8 inches (2033 mm) with a minimum clear height of 6 feet 4 inches (1932 mm) under beams, girders, ducts and similar obstructions.
3. Rooms occupied exclusively for sleeping, study or similar purposes and having a sloped ceiling over all or part of the room, with a minimum clear ceiling height of 7 feet (2134 mm) over a minimum of one-third of the required minimum floor area. In calculating the floor area of such rooms, only those portions of the floor area with a minimum clear ceiling height of 5 feet (1524 mm) shall be included.

**404.4 Bedroom and living room requirements.**

Every *bedroom* and living room shall comply with the requirements of Sections 404.4.1 through 404.4.5.

**404.4.1 Room area.**

Every living room shall contain at least 120 square feet (11.2 m<sup>2</sup>) and every bedroom shall contain a minimum of 70 square feet (6.5 m<sup>2</sup>) and every bedroom occupied by more than one person shall contain a minimum of 50 square feet (4.6 m<sup>2</sup>) of floor area for each occupant thereof.

**404.4.2 Access from bedrooms.**

*Bedrooms shall not constitute the only means of access to other bedrooms or habitable spaces and shall not serve as the only means of egress from other habitable spaces.*

**Exception:** Units that contain fewer than two *bedrooms*.

**404.4.3 Water closet accessibility.**

Every *bedroom* shall have access to at least one water closet and one lavatory without passing through another *bedroom*. Every *bedroom* in a *dwelling unit* shall have access to at

least one water closet and lavatory located in the same story as the *bedroom* or an adjacent story.

#### 404.4.4 Prohibited occupancy.

Kitchens and nonhabitable spaces shall not be used for sleeping purposes.

#### 404.4.5 Other requirements.

*Bedrooms* shall comply with the applicable provisions of this code including, but not limited to, the light, *ventilation*, room area, ceiling height and room width requirements of this chapter; the plumbing facilities and water-heating facilities requirements of Chapter 5; the heating facilities and electrical receptacle requirements of Chapter 6; and the smoke detector and emergency escape requirements of Chapter 7.

#### 404.5 Overcrowding.

Dwelling units shall not be occupied by more occupants than permitted by the minimum area requirements of Table 404.5.

**TABLE 404.5  
MINIMUM AREA REQUIREMENTS**

SPACE	MINIMUM AREA IN SQUARE FEET		
	1-2 occupants	3-5 occupants	6 or more occupants
Living room <sup>a,b</sup>	120	120	150
Dining room <sup>a,b</sup>	No requirement	80	100
Bedrooms	Shall comply with Section 404.4.1		

For SI: 1 square foot = 0.093 m<sup>2</sup>.

- See Section 404.5.2 for combined living room/dining room spaces.
- See Section 404.5.1 for limitations on determining the minimum occupancy area for sleeping purposes.

#### 404.5.1 Sleeping area.

The minimum occupancy area required by Table 404.5 shall not be included as a sleeping area in determining the minimum occupancy area for sleeping purposes. All sleeping areas shall comply with Section 404.4.

#### 404.5.2 Combined spaces.

Combined living room and dining room spaces shall comply with the requirements of Table 404.5 if the total area is equal to that required for separate rooms and if the space is located so as to function as a combination living room/dining room.

#### 404.6 Efficiency unit.

Nothing in this section shall prohibit an efficiency living unit from meeting the following requirements:

- A unit occupied by not more than one occupant shall have a minimum clear floor area of 120 square feet (11.2 m<sup>2</sup>). A unit occupied by not more than two *occupants* shall have a

minimum clear floor area of 220 square feet (20.4 m<sup>2</sup>). A unit occupied by three *occupants* shall have a minimum clear floor area of 320 square feet (29.7 m<sup>2</sup>). These required areas shall be exclusive of the areas required by Items 2 and 3.

2. The unit shall be provided with a kitchen sink, cooking appliance and refrigeration facilities, each having a minimum clear working space of 30 inches (762 mm) in front. Light and *ventilation* conforming to this code shall be provided.
3. The unit shall be provided with a separate *bathroom* containing a water closet, lavatory and bathtub or shower.
4. The maximum number of *occupants* shall be three.

**404.7 Food preparation.**

All spaces to be occupied for food preparation purposes shall contain suitable space and equipment to store, prepare and serve foods in a sanitary manner. There shall be adequate facilities and services for the sanitary disposal of food wastes and refuse, including facilities for temporary storage.

## CHAPTER 5 PLUMBING FACILITIES AND FIXTURE REQUIREMENTS

### SECTION 501 GENERAL

#### **501.1 Scope.**

The provisions of this chapter shall govern the minimum plumbing systems, facilities and plumbing fixtures to be provided.

#### **501.2 Responsibility.**

The *owner* of the structure shall provide and maintain such plumbing facilities and plumbing fixtures in compliance with these requirements. A person shall not occupy as *owner-occupant* or permit another person to occupy any structure or *premises* which does not comply with the requirements of this chapter.

### SECTION 502 REQUIRED FACILITIES

#### **[P] 502.1 Dwelling units.**

Every *dwelling unit* shall contain its own bathtub or shower, lavatory, water closet and kitchen sink which shall be maintained in a sanitary, safe working condition. The lavatory shall be placed in the same room as the water closet or located in close proximity to the door leading directly into the room in which such water closet is located. A kitchen sink shall not be used as a substitute for the required lavatory.

#### **[P] 502.2 Rooming houses.**

At least one water closet, lavatory and bathtub or shower shall be supplied for each four *rooming units*.

#### **[P] 502.3 Hotels.**

Where private water closets, lavatories and baths are not provided, one water closet, one lavatory and one bathtub or shower having access from a public hallway shall be provided for each ten *occupants*.

#### **[P] 502.4 Employees' facilities.**

A minimum of one water closet, one lavatory and one drinking facility shall be available to employees.

##### **[P] 502.4.1 Drinking facilities.**

Drinking facilities shall be a drinking fountain, water cooler, bottled water cooler or disposable cups next to a sink or water dispenser. Drinking facilities shall not be located in *toilet rooms* or *bathrooms*.

#### **[P] 502.5 Public toilet facilities.**

Public toilet facilities shall be maintained in a safe sanitary and working condition in accordance

with the *International Plumbing Code*. Except for periodic maintenance or cleaning, public access and use shall be provided to the toilet facilities at all times during *occupancy* of the *premises*.

## SECTION 503 TOILET ROOMS

### **[P] 503.1 Privacy.**

*Toilet rooms* and *bathrooms* shall provide privacy and shall not constitute the only passageway to a hall or other space, or to the exterior. A door and interior locking device shall be provided for all common or shared *bathrooms* and *toilet rooms* in a multiple dwelling.

### **[P] 503.2 Location.**

*Toilet rooms* and *bathrooms* serving hotel units, *rooming units* or dormitory units or *housekeeping units*, shall have access by traversing a maximum of one flight of stairs and shall have access from a common hall or passageway.

### **[P] 503.3 Location of employee toilet facilities.**

Toilet facilities shall have access from within the employees' working area. The required toilet facilities shall be located a maximum of one story above or below the employees' working area and the path of travel to such facilities shall not exceed a distance of 500 feet (152 m). Employee facilities shall either be separate facilities or combined employee and public facilities.

**Exception:** Facilities that are required for employees in storage structures or kiosks, which are located in adjacent structures under the same ownership, lease or control, shall not exceed a travel distance of 500 feet (152 m) from the employees' regular working area to the facilities.

### **[P] 503.4 Floor surface.**

In other than *dwelling units*, every *toilet room* floor shall be maintained to be a smooth, hard, nonabsorbent surface to permit such floor to be easily kept in a clean and sanitary condition.

## SECTION 504 PLUMBING SYSTEMS AND FIXTURES

### **[P] 504.1 General.**

All plumbing fixtures shall be properly installed and maintained in working order, and shall be kept free from obstructions, leaks and defects and be capable of performing the function for which such plumbing fixtures are designed. All plumbing fixtures shall be maintained in a safe, sanitary and functional condition.

### **[P] 504.2 Fixture clearances.**

Plumbing fixtures shall have adequate clearances for usage and cleaning.

### **[P] 504.3 Plumbing system hazards.**

Where it is found that a plumbing system in a structure constitutes a hazard to the *occupants* or the structure by reason of inadequate service, inadequate venting, cross connection, backsiphonage, improper installation, *deterioration* or damage or for similar reasons, the *code official* shall require the defects to be corrected to eliminate the hazard.

## SECTION 505 WATER SYSTEM

### 505.1 General.

Every sink, lavatory, bathtub or shower, drinking fountain, water closet or other plumbing fixture shall be properly connected to either a public water system or to an *approved* private water system. All kitchen sinks, lavatories, laundry facilities, bathtubs and showers shall be supplied with hot or tempered and cold running water in accordance with the *International Plumbing Code*.

### [P] 505.2 Contamination.

The water supply shall be maintained free from contamination, and all water inlets for plumbing fixtures shall be located above the flood-level rim of the fixture. Shampoo basin faucets, janitor sink faucets and other hose bibs or faucets to which hoses are attached and left in place, shall be protected by an approved atmospheric-type vacuum breaker or an approved permanently attached hose connection vacuum breaker.

### 505.3 Supply.

The water supply system shall be installed and maintained to provide a supply of water to plumbing fixtures, devices and appurtenances in sufficient volume and at pressures adequate to enable the fixtures to function properly, safely, and free from defects and leaks.

### 505.4 Water heating facilities.

Water heating facilities shall be properly installed, maintained and capable of providing an adequate amount of water to be drawn at every required sink, lavatory, bathtub, shower and laundry facility at a minimum temperature of 110°F (43°C). A gas-burning water heater shall not be located in any *bathroom, toilet room, bedroom* or other occupied room normally kept closed, unless adequate combustion air is provided. An *approved* combination temperature and pressure-relief valve and relief valve discharge pipe shall be properly installed and maintained on water heaters.

## SECTION 506 SANITARY DRAINAGE SYSTEM

### [P] 506.1 General.

All plumbing fixtures shall be properly connected to either a public sewer system or to an *approved* private sewage disposal system.

### [P] 506.2 Maintenance.

Every plumbing stack, vent, waste and sewer line shall function properly and be kept free from obstructions, leaks and defects.

### [P] 506.3 Grease interceptors.

Grease interceptors and automatic grease removal devices shall be maintained in accordance with this code and the manufacturer's installation instructions. Grease interceptors and automatic grease removal devices shall be regularly serviced and cleaned to prevent the discharge of oil, grease, and other substances harmful or hazardous to the building drainage system, the public sewer, the private sewage disposal system or the sewage treatment plant or processes. All records of maintenance, cleaning and repairs shall be available for inspection by the code official.

**SECTION 507  
STORM DRAINAGE**

**[P] 507.1 General.**

Drainage of roofs and paved areas, *yards* and courts, and other open areas on the *premises* shall not be discharged in a manner that creates a public nuisance.

DRAFT

## CHAPTER 6 MECHANICAL AND ELECTRICAL REQUIREMENTS

### SECTION 601 GENERAL

#### 601.1 Scope.

The provisions of this chapter shall govern the minimum mechanical and electrical facilities and equipment to be provided.

#### 601.2 Responsibility.

The *owner* of the structure shall provide and maintain mechanical and electrical facilities and equipment in compliance with these requirements. A person shall not occupy as *owner-occupant* or permit another person to occupy any *premises* which does not comply with the requirements of this chapter.

### SECTION 602 HEATING FACILITIES

#### 602.1 Facilities required.

Heating facilities shall be provided in structures as required by this section.

#### 602.2 Residential occupancies.

Dwellings shall be provided with heating facilities capable of maintaining a room temperature of 68°F (20°C) in all habitable rooms, *bathrooms* and *toilet rooms* based on the winter outdoor design temperature for the locality indicated in Appendix D of the *International Plumbing Code*. Cooking appliances shall not be used, nor shall portable unvented fuel-burning space heaters be used, as a means to provide required heating.

**Exception:** In areas where the average monthly temperature is above 30°F (-1°C), a minimum temperature of 65°F (18°C) shall be maintained.

#### 602.3 Heat supply.

Every *owner* and *operator* of any building who rents, leases or lets one or more *dwelling units* or *sleeping units* on terms, either expressed or implied, to furnish heat to the *occupants* thereof shall supply heat during the period from [DATE] to [DATE] to maintain a minimum temperature of 68°F (20°C) in all habitable rooms, *bathrooms* and *toilet rooms*.

#### Exceptions:

1. When the outdoor temperature is below the winter outdoor design temperature for the locality, maintenance of the minimum room temperature shall not be required provided that the heating system is operating at its full design capacity. The winter outdoor design temperature for the locality shall be as indicated in Appendix D of the *International Plumbing Code*.

2. In areas where the average monthly temperature is above 30°F (-1°C) a minimum temperature of 65°F (18°C) shall be maintained.

#### **602.4 Occupiable work spaces.**

Indoor occupiable work spaces shall be supplied with heat during the period from [DATE] to [DATE] to maintain a minimum temperature of 65°F (18°C) during the period the spaces are occupied.

#### **Exceptions:**

1. Processing, storage and operation areas that require cooling or special temperature conditions.
2. Areas in which persons are primarily engaged in vigorous physical activities.

#### **602.5 Room temperature measurement.**

The required room temperatures shall be measured 3 feet (914 mm) above the floor near the center of the room and 2 feet (610 mm) inward from the center of each exterior wall.

## **SECTION 603 MECHANICAL EQUIPMENT**

#### **603.1 Mechanical appliances.**

All mechanical appliances, fireplaces, solid fuel-burning appliances, cooking appliances and water heating appliances shall be properly installed and maintained in a safe working condition, and shall be capable of performing the intended function.

#### **603.2 Removal of combustion products.**

All fuel-burning equipment and appliances shall be connected to an *approved* chimney or vent.

**Exception:** Fuel-burning equipment and appliances which are *labeled* for unvented operation.

#### **603.3 Clearances.**

All required clearances to combustible materials shall be maintained.

#### **603.4 Safety controls.**

All safety controls for fuel-burning equipment shall be maintained in effective operation.

#### **603.5 Combustion air.**

A supply of air for complete combustion of the fuel and for *ventilation* of the space containing the fuel-burning equipment shall be provided for the fuel-burning equipment.

#### **603.6 Energy conservation devices.**

Devices intended to reduce fuel consumption by attachment to a fuel-burning appliance, to the fuel supply line thereto, or to the vent outlet or vent piping therefrom, shall not be installed unless *labeled* for such purpose and the installation is specifically *approved*.

## SECTION 604 ELECTRICAL FACILITIES

### 604.1 Facilities required.

Every occupied building shall be provided with an electrical system in compliance with the requirements of this section and Section 605.

### 604.2 Service.

The size and usage of appliances and equipment shall serve as a basis for determining the need for additional facilities in accordance with NFPA 70. *Dwelling units* shall be served by a three-wire, 120/240 volt, single-phase electrical service having a minimum rating of 60 amperes.

### 604.3 Electrical system hazards.

Where it is found that the electrical system in a structure constitutes a hazard to the *occupants* or the structure by reason of inadequate service, improper fusing, insufficient receptacle and lighting outlets, improper wiring or installation, *deterioration* or damage, or for similar reasons, the *code official* shall require the defects to be corrected to eliminate the hazard.

#### 604.3.1 Abatement of electrical hazards associated with water exposure.

The provisions of this section shall govern the repair and replacement of electrical systems and equipment that have been exposed to water.

##### 604.3.1.1 Electrical equipment.

Electrical distribution equipment, motor circuits, power equipment, transformers, wire, cable, flexible cords, wiring devices, ground fault circuit interrupters, surge protectors, molded case circuit breakers, low-voltage fuses, luminaires, ballasts, motors and electronic control, signaling and communication equipment that have been exposed to water shall be replaced in accordance with the provisions of the *International Building Code*.

**Exception:** The following equipment shall be allowed to be repaired where an inspection report from the equipment manufacturer or *approved* manufacturer's representative indicates that the equipment has not sustained damage that requires replacement:

1. Enclosed switches, rated a maximum of 600 volts or less;
2. Busway, rated a maximum of 600 volts;
3. Panelboards, rated a maximum of 600 volts;
4. Switchboards, rated a maximum of 600 volts;
5. Fire pump controllers, rated a maximum of 600 volts;
6. Manual and magnetic motor controllers;
7. Motor control centers;
8. Alternating current high-voltage circuit breakers;

9. Low-voltage power circuit breakers;
10. Protective relays, meters and current transformers;
11. Low- and medium-voltage switchgear;
12. Liquid-filled transformers;
13. Cast-resin transformers;
14. Wire or cable that is suitable for wet locations and whose ends have not been exposed to water;
15. Wire or cable, not containing fillers, that is suitable for wet locations and whose ends have not been exposed to water;
16. Luminaires that are listed as submersible;
17. Motors;
18. Electronic control, signaling and communication equipment.

#### **604.3.2 Abatement of electrical hazards associated with fire exposure.**

The provisions of this section shall govern the repair and replacement of electrical systems and equipment that have been exposed to fire.

##### **604.3.2.1 Electrical equipment.**

Electrical switches, receptacles and fixtures, including furnace, water heating, security system and power distribution circuits, that have been exposed to fire, shall be replaced in accordance with the provisions of the *International Building Code*.

**Exception:** Electrical switches, receptacles and fixtures that shall be allowed to be repaired where an inspection report from the equipment manufacturer or *approved* manufacturer's representative indicates that the equipment has not sustained damage that requires replacement.

## **SECTION 605 ELECTRICAL EQUIPMENT**

### **605.1 Installation.**

All electrical equipment, wiring and appliances shall be properly installed and maintained in a safe and *approved* manner.

### **605.2 Receptacles.**

Every *habitable space* in a dwelling shall contain at least two separate and remote receptacle outlets. Every laundry area shall contain at least one grounding-type receptacle or a receptacle with a ground fault circuit interrupter. Every *bathroom* shall contain at least one receptacle. Any new *bathroom* receptacle outlet shall have ground fault circuit interrupter protection. All

receptacle outlets shall have the appropriate faceplate cover for the location.

**605.3 Luminaires.**

Every public hall, interior stairway, *toilet room*, kitchen, *bathroom*, laundry room, boiler room and furnace room shall contain at least one electric luminaire. Pool and spa luminaires over 15 V shall have ground fault circuit interrupter protection.

**605.4 Wiring.**

Flexible cords shall not be used for permanent wiring, or for running through doors, windows, or cabinets, or concealed within walls, floors, or ceilings.

**SECTION 606  
ELEVATORS, ESCALATORS AND DUMBWAITERS**

**606.1 General.**

Elevators, dumbwaiters and escalators shall be maintained in compliance with ASME A 17.1. The most current certificate of inspection shall be on display at all times within the elevator or attached to the escalator or dumbwaiter, be available for public inspection in the office of the building operator or be posted in a publicly conspicuous location *approved* by the *code official*. The inspection and tests shall be performed at not less than the periodic intervals listed in ASME A 17.1, Appendix N, except where otherwise specified by the authority having jurisdiction.

**606.2 Elevators.**

In buildings equipped with passenger elevators, at least one elevator shall be maintained in operation at all times when the building is occupied.

**Exception:** Buildings equipped with only one elevator shall be permitted to have the elevator temporarily out of service for testing or servicing.

**SECTION 607  
DUCT SYSTEMS**

**607.1 General.**

Duct systems shall be maintained free of obstructions and shall be capable of performing the required function.

# CHAPTER 7

## FIRE SAFETY REQUIREMENTS

### SECTION 701 GENERAL

#### 701.1 Scope.

The provisions of this chapter shall govern the minimum conditions and standards for fire safety relating to structures and exterior *premises*, including fire safety facilities and equipment to be provided.

#### 701.2 Responsibility.

The *owner* of the *premises* shall provide and maintain such fire safety facilities and equipment in compliance with these requirements. A person shall not occupy as *owner-occupant* or permit another person to occupy any *premises* that do not comply with the requirements of this chapter.

### SECTION 702 MEANS OF EGRESS

#### [F] 702.1 General.

A safe, continuous and unobstructed path of travel shall be provided from any point in a building or structure to the *public way*. Means of egress shall comply with the *International Fire Code*.

#### [F] 702.2 Aisles.

The required width of aisles in accordance with the *International Fire Code* shall be unobstructed.

#### [F] 702.3 Locked doors.

All means of egress doors shall be readily openable from the side from which egress is to be made without the need for keys, special knowledge or effort, except where the door hardware conforms to that permitted by the *International Building Code*.

#### [F] 702.4 Emergency escape openings.

Required emergency escape openings shall be maintained in accordance with the code in effect at the time of construction, and the following. Required emergency escape and rescue openings shall be operational from the inside of the room without the use of keys or tools. Bars, grilles, grates or similar devices are permitted to be placed over emergency escape and rescue openings provided the minimum net clear opening size complies with the code that was in effect at the time of construction and such devices shall be releasable or removable from the inside without the use of a key, tool or force greater than that which is required for normal operation of the escape and rescue opening.

## SECTION 703 FIRE-RESISTANCE RATINGS

### [F] 703.1 Fire-resistance-rated assemblies.

The required fire-resistance rating of fire-resistance-rated walls, fire stops, shaft enclosures, partitions and floors shall be maintained.

### [F] 703.2 Opening protectives.

Required opening protectives shall be maintained in an operative condition. All fire and smokestop doors shall be maintained in operable condition. Fire doors and smoke barrier doors shall not be blocked or obstructed or otherwise made inoperable.

## SECTION 704 FIRE PROTECTION SYSTEMS

### [F] 704.1 General.

All systems, devices and equipment to detect a fire, actuate an alarm, or suppress or control a fire or any combination thereof shall be maintained in an operable condition at all times in accordance with the *International Fire Code*.

#### [F] 704.1.1 Automatic sprinkler systems.

Inspection, testing and maintenance of automatic sprinkler systems shall be in accordance with NFPA 25.

### [F] 704.2 Smoke alarms.

Single- or multiple-station smoke alarms shall be installed and maintained in Group R or I-1 occupancies, regardless of occupant load at all of the following locations:

1. On the ceiling or wall outside of each separate sleeping area in the immediate vicinity of *bedrooms*.
2. In each room used for sleeping purposes.
3. In each story within a *dwelling unit*, including *basements* and cellars but not including crawl spaces and uninhabitable attics. In dwellings or *dwelling units* with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level.

### [F] 704.3 Power source.

In Group R or I-1 occupancies, single-station smoke alarms shall receive their primary power from the building wiring provided that such wiring is served from a commercial source and shall be equipped with a battery backup. Smoke alarms shall emit a signal when the batteries are low. Wiring shall be permanent and without a disconnecting switch other than as required for overcurrent protection.

**Exception:** Smoke alarms are permitted to be solely battery operated in buildings where no construction is taking place, buildings that are not served from a commercial power source and in existing areas of buildings undergoing alterations or repairs that do not result in the

removal of interior wall or ceiling finishes exposing the structure, unless there is an attic, crawl space or *basement* available which could provide access for building wiring without the removal of interior finishes.

**[F] 704.4 Interconnection.**

Where more than one smoke alarm is required to be installed within an individual *dwelling unit* in Group R or I-1 occupancies, the smoke alarms shall be interconnected in such a manner that the activation of one alarm will activate all of the alarms in the individual unit. Physical interconnection of smoke alarms shall not be required where listed wireless alarms are installed and all alarms sound upon activation of one alarm. The alarm shall be clearly audible in all *bedrooms* over background noise levels with all intervening doors closed.

**Exceptions:**

1. Interconnection is not required in buildings which are not undergoing alterations, repairs or construction of any kind.
2. Smoke alarms in existing areas are not required to be interconnected where alterations or repairs do not result in the removal of interior wall or ceiling finishes exposing the structure, unless there is an attic, crawl space or *basement* available which could provide access for interconnection without the removal of interior finishes.

## CHAPTER 8 REFERENCED STANDARDS

This chapter lists the standards that are referenced in various sections of this document. The standards are listed herein by the promulgating agency of the standard, the standard identification, the effective date and title and the section or sections of this document that reference the standard. The application of the referenced standards shall be as specified in Section 102.7.

### ASME

American Society of Mechanical Engineers  
Three Park Avenue  
New York, NY 10016-5990

Standard reference number	Title	Referenced in code section number
A 17.1/CSA B44—2007	Safety Code for Elevators and Escalators	606.1

### ASTM

ASTM International  
100 Barr Harbor Drive  
West Conshohocken, PA 19428-2959

Standard reference number	Title	Referenced in code Section number
F 1346—91 (2003)	Performance Specifications for Safety Covers and Labeling Requirements for All Covers for Swimming Pools, Spas and Hot Tubs	303.2

### ICC

International Code Council  
500 New Jersey Avenue, NW  
6th Floor  
Washington, DC 20001

Standard reference number	Title	Referenced in code section number
IBC-12	International Building Code <sup>®</sup>	102.3, 201.3, 401.3, 702.3
IEBC—12	International Existing Building Code <sup>®</sup>	305.1.1, 306.1.1
IFC—12	International Fire Code <sup>®</sup>	201.3, 604.3.1.1, 604.3.2.1, 702.1, 702.2, 704.1, 704.2
IFGC-12	International Fuel Gas Code <sup>®</sup>	102.3
IMC-12	International Mechanical Code <sup>®</sup>	102.3, 201.3

IPC-12	International Plumbing Code®	201.3, 505.1, 602.2, 602.3
IRC-12	International Residential Code®	201.3
IZC-12	International Zoning Code®	102.3, 201.3

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## NFPA

National Fire Protection Association  
1 Batterymarch Park  
Quincy, MA 02269

Standard reference number	Title	Referenced in code section number
25-11	Inspection, Testing and Maintenance of Water-based Fire Protection Systems	704.1.1
70-11	National Electrical Code	102.4, 201.3, 604.2

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***Suggested Changes/Additions/Deletions to a Corvallis Property Maintenance Code relative to the International Code Council's model International Property Maintenance Code***

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December 12, 2013

At the request of the Corvallis City Council, the Corvallis Property Maintenance Code Advisory Group began discussing detailed elements of the International Code Council's model International Property Maintenance Code (IPMC) in August 2013. Those discussions considered various sections and standards of the IPMC with the intent of evaluating the Code's overall "fit" for Corvallis. Through the course of these discussions the Advisory Group has made several suggestions about particular Code elements and whether they should be changed, if not deleted from the Property Maintenance Code recommendation that will go forward to the City Council for its consideration following the conclusion of the Advisory Group's work.

The lists of items that follow represent Code elements staff would recommend changing, adding or deleting relative to the IPMC's standards, based on the Advisory Group's discussions and suggestions, and are presented in that order.

***Changes/Clarifications:***

Section 101, Scope and Application. Paragraph 1.102 of this section (and others as may be appropriate) will be modified to state that residential rental properties will be subject to all applicable provisions of the Property Maintenance Code, but that all other property types, including owner-occupied residential properties, will only be subject to the Code's exterior provisions, and to provisions that address life safety, or dangerous building issues. The Corvallis City Attorney has confirmed the legality and feasibility of this approach.

Section 102, Applicability. Paragraph 102.6, which discusses applicability of the PMC to designated historic buildings or structures, will be expanded to apply to "older buildings and structures," which will include legally conforming buildings or structures fifty years of age or older, as well as those that are designated historic under the Land Development Code.

Section 106, Violations. Paragraph 106.3 will be modified to reflect that violations, other than those that would be considered serious offenses, e.g., violations of dangerous building code provisions and/or repeat offenses by one or more responsible parties, will be considered infractions rather than misdemeanors.

Section 308, Rubbish and Garbage. Staff have clarified in prior discussions with the Advisory Group that this section does not require property owners to contract for the removal of rubbish and garbage, but that owners are responsible for providing for the containment of rubbish and garbage in approved

containers, and for removing those materials from their premises. Thus, owners of rental properties will be able to require that their tenants contract for the removal of rubbish and garbage; in such cases the owners will remain responsible for the removal of rubbish and garbage in the event their tenants fail to do so. A definition of “approved containers” will be provided in order to allow containers other than/in addition to those provided by Republic Services.

Section 111, Appeals. This section will be changed to provide for the alignment of the Property Maintenance Code appeals process with the existing provisions of the Municipal Code, consistent with current Building and Rental Housing code processes.

***Additions:***

Section 308, Rubbish and Garbage. Provisions that will allow for active composting of appropriate materials will be added to this section.

Section 602, Heating Facilities. Provisions will be added such that in the event a permanent source of heat fails, temporary heat sources such as space heaters may not serve to replace them other than on a temporary basis while the permanent heat source is being repaired or replaced.

New language relative to exterior property areas, in a section/paragraph to be identified. Provisions will be added to define indoor furniture, and to prohibit the storage of indoor furniture outdoors.

***Deletions:***

Section 302, Exterior Property Areas. Paragraph 302.8, Motor Vehicles, will be deleted. The Land Development Code and Corvallis Municipal Code provide the City with the ability to compel the removal or screening of inoperative vehicles.

Section 404, Occupancy Limitations. Paragraph 404.4.2, Access from bedrooms, will be deleted. This paragraph prohibits having one bedroom as the only means of access to another bedroom. Provisions for access to habitable spaces are adequately covered in applicable building codes.

***Other:***

Other IPMC provisions were discussed by the Advisory Group during the course of its meetings, but are not being recommended for deletion or modification:

Section 309, Pest Elimination. Paragraphs 309.3 and 309.4 require that pest infestations be eliminated from the premises of all properties, which includes exterior areas. This is being retained based on complaints having been received about pests from one property infesting those surrounding it.

Section 503, Toilet Rooms. Paragraph 503.1 requires that shared bathrooms and toilet rooms in multiple dwellings (dwellings larger than single family) have doors with interior locks. Because the PMC's interior standards will not apply to owner-occupied or non-residential structures, this standard will apply only to residential rental properties. The City has received complaints from renters about this issue in the past, so staff will propose that this requirement be retained.

**Property Maintenance Code Coverage/Gaps by General Category**

Code Coverage *	IPMC	Exist Rental Housing Code	Municipal Codes	Fire Code	Building Code	
<b>Occupancy Limits</b>	Area Basis		LDC Flat Number			
<b>Fire Safety</b>	All Occupancies; all Systems	Smoke Detectors		Triplex +		
<b>Building Alteration</b>	Complaint Based			Occasional Inspection, Triplex+	Complaint Basis	
<b>Interior Maintenance</b>		All Occupancies; safe, sound, good repair	Plumbing, Heat, Security; Structurally Sound	Sanitation	Limited to Fire Hazard Conditions	**
	<b>Light</b>	All Occupancies; all spaces				
	<b>Ventilation</b>	All Occupancies; all habitable space				
	<b>Electrical System</b>	All elements safe; dwellings 3-wire service only			Limited to Fire Hazard Conditions	**
	<b>Plumbing System</b>	All Elements; to approved systems; no leaks or obstructions; H & C	Installed and maintained; no leaks or obstructions	Connected to approved discharge		
	<b>Heating</b>	68 F. @ center/ 2' in from exterior all habitable, work spaces, bath & toilet rooms	68 F. @ center all habitable rooms			
	<b>Sanitation</b>	All Spaces; clean, sanitary & good repair		No Public Nuisance		**
	<b>Security</b>	Egress-type Deadbolt, windows, basement hatch	Door Locks, window latches			
<b>Exterior Maintenance</b>		Structurally Sound & Good Repair; sanitary; vacant lots		Solid Waste Removal	Limited to Fire Hazard Conditions	**
	<b>Weather &amp; Water Proofing</b>	Weather proof from wind, water, snow	Only water infiltration			
	<b>Exterior Sanitation</b>	All Areas; clean & sanitary		Rat Harborage Abatement		
	<b>Solid Waste Removal</b>	Required for All Occupancies		Removal Required, but not Service	Limited to Fire Hazard Conditions	
	<b>Accessory Bldg Maintenance</b>	All				**

\* Coverage under general categories; not intended as an all-inclusive summary  
 \*\* Enforcement under the Dangerous Building Code is applicable to buildings already in failure mode, beyond routine maintenance

## City of Corvallis Current Code Gap Examples

### Occupancy Limits

- **GAP:** Land Development Code applies a limit of not more than five unrelated adults in a dwelling unit without considering numbers or sizes of bedrooms/other living areas.
- The Property Maintenance Code (PMC) would tie occupancy limitations directly to quantifiable space provisions (areas of bedrooms, living room, egress, etc).

### Fire Safety

- **GAP:** Common example, occupants of 1-2 Family dwellings have accumulations of personal possessions that obstruct or negate egress from a building in the event of a fire.
- **GAP:** Current provisions of International Fire Code only pertain to tri-plex and larger dwelling units.
- **GAP:** Current Rental Housing Code provisions only pertain to providing and maintaining smoke detectors
- PMC requires “a safe, continuous and unobstructed path of travel... from any point in a building to the public way” in all building types.

### Building Alteration

- **GAP:** Not anticipated assuming building permits are obtained and licensed contractors perform the work.

## INTERIOR MAINTENANCE

### Light

- **GAP:** Common complaint that hall, stairway, or basement lights in 1-2 Family dwellings are not functional (due to something more than just a burned bulb). Often occurs in conjunction with water intrusion complaints. Also occurs in commercial rental spaces.
- PMC requires provision and maintenance of lighting in these spaces at all times.

### Ventilation

- **GAP:** Clothes drier not ducted to the exterior resulting in a fire hazard, most frequently regarding 1-2 Family dwellings.
- **GAP:** Bath or kitchen fan present but very poorly functioning due to age or damage, allowing damp conditions and promoting mold growth.
- PMC provides standard for condition, and could be augmented with performance criteria.

### Electrical System

- **GAP:** Common concern in residential and commercial properties when a roof leaks or a basement floods and submerges or otherwise affects electrical system components.
- PMC calls out these conditions for replacement of components exposed to water, with some exceptions.

Plumbing System

- **GAP:** Bathroom floors have torn or badly patched vinyl, or soft/spongy subfloors.
- **GAP:** Hot water is cold or is not “hot.”
- PMC requires that walking surfaces be maintained in sound condition and good repair, and provides a measureable standard for hot water.

Heating

- **GAP:** Current Rental Housing Code applicable only to habitable spaces (bedrooms, living/dining rooms, kitchens) – no requirement for heat in bathrooms/toilet rooms.
- PMC sets minimum heat requirements for habitable rooms, bathrooms and toilet rooms

Sanitation

- **GAP:** Interior hallways, foyers, laundry rooms in apartment buildings cluttered and unsanitary; single family owner- and renter-occupied dwellings with unsanitary conditions. Only addressed currently through application of the dangerous building code.
- PMC requires and assigns responsibility to keep clean and sanitary.

Security

- **GAP:** Entrance doors with “working locks” provided in form of door knob lock, but for which the latch does not engage the strike with sufficient overlap to keep the door closed; and, with no deadbolt.
- **GAP:** Current Rental Housing Code calls for working locks with no provisions for the achievement of a level of security.
- PMC requires doors and hardware be maintained sufficient to provide security for the occupants and possession, and specifically call out deadbolts.

**EXTERIOR MAINTENANCE**Weather & Water Proofing

- **GAP:** Large gap under exterior doors for air intrusion.
- **GAP:** No weather stripping on door jamb.
- **GAP:** Drafty windows/windows with gaps.
- **GAP:** Basement exterior doors or windows that allow water to leak into non-living areas.
- **GAP:** Current Rental Housing Code requires prevention of water leakage, but only applicable to habitable spaces/living areas; not applicable to unoccupied basements, attics, storage areas, etc.
- PMC requires building exteriors and openings to be sound, in good repair, and weather tight.

Exterior Sanitation

- **GAP:** Property in outdoor areas that appears to be trash but turns out to be stored personal possessions.
- PMC requires all exterior property and premises to be clean and sanitary.

Solid Waste Removal

- **GAP:** Owner tells tenant trash on property is not their problem; tenant maintains that trash was present when they took possession, so is not their problem.
- PMC identifies and assigns responsible party.

Accessory Bldg Maintenance

- **GAP:** Detached garages, storage sheds deteriorating, fences falling down.
- PMC requires all accessory structures to be maintained sound and in good repair.

General Topics

- **GAP:** Owner occupied roofs, walls, windows not weatherproof.
- **GAP:** Deteriorated decks, stairs and handrails at 1-2 Family or owner occupied structures.
- **GAP:** Site lighting failed or inadequate to light exterior premises such as parking lots and walkways.
- PMC requires prevention of water intrusion through exterior surfaces, maintenance of stairs, decks and railings, and maintenance of hazard-free conditions.



## City Manager Monthly March 2014

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### Learning lessons from history.....Spring ahead! – A message from Jim Patterson

March ushers in spring and another hour of daylight! Does that mean we become more “enlightened?” Spring also signals the beginning of the work of the City’s Budget Commission and proposing a balanced and sustainable budget per the City Council’s goal. I’ve shared in previous messages the complexity of issues our city faces, the depth of the financial challenges we face, and that those challenges are real. As a community, we need to address those realities head on. Another important step is learning lessons from history.

In my presentation last month at a Chamber of Commerce luncheon on the City budget development process, I reminded the audience that in Fiscal Year 2009-10, the City had total operating revenues of \$39,666,990 and total operating expenses of \$46,527,890. That represented deficit spending of reserves in one year of \$6,860,900. The reality today is our City cannot repeat that history.....period. It is great to celebrate our successes, but it is more important that we heed the lessons from history.

Did you know that per the current Council financial policy, the City is on track to build back a reserve of over \$6 million dollars as a solid first step in regaining our financial health?

So what is my take away from that history lesson of 2009-10? The City cannot spend more than it takes in. In other words, revenues must equal expenses. We are on track to reach the City Council’s reserve fund balance in the next two years. The new budget process includes firm expenditure limits for City departments which are based on a five year historical average beginning with 2008. As a result, the proposed 2014-15 budget will achieve the Council goal of sustainability for the next five years. Additionally, this year’s budget development process has included integrating elements of priority-based budgeting, managing the size and compensation of the City workforce, improving budget development transparency, examining real property assets for possible sale or repurposing, and continuing the commitment to build a healthy reserve to protect against future financial downturns or unanticipated expenses like the Hewlett-Packard property tax appeal this past year that required the City to refund over \$2 million in tax revenue.

The budget development changes we are making to stabilize our financial trajectory are transformational and you are encouraged to be a part of that work. The Budget Commission, which includes nine citizen- appointed members and our nine City Councilors, will receive my Budget Message and a proposed balanced budget on April 10. On April 17, April 22, April 24 and April 29, the Budget Commission will hear from and engage City Department Directors and Advisory Board representatives about how they set priorities and what is included in their proposed budget. Finally, on May 1 the Budget Commission will hold a mandatory public hearing. All of these meetings are at 7:00 pm in the Downtown Fire Station at 400 NW Harrison Blvd. Residents are encouraged to attend these public meetings. If you are not able to attend, you may still provide comments about the City’s proposed budget by contacting Finance Director Nancy Brewer at [nancy.brewer@corvallisoregon.gov](mailto:nancy.brewer@corvallisoregon.gov) or 541-766-6990.

As a final step in the process, the City Council will hold a public hearing on the Budget Commission’s recommended budget, deliberate, and then adopt a balanced General Fund Budget for FY 2014-15. This is also an open meeting and you are invited to attend. The public hearing will begin at 7:30 pm on Monday, June 2 in the Downtown Fire Station at 400 NW Harrison Blvd.

Transforming City government and resetting the City budget involves on-going review and adaptation. It is vital that citizens from across the community help identify the enduring values and priorities for our City that will allow policy makers to preserve services and activities that our taxpayers consider essential. The public must be an active participant. I’ve stated this before - an informed, engaged public can play a critical role in assessing and shaping priorities and supporting elected officials as they make difficult decisions.

Enjoy your spring in Corvallis....Heart of the Willamette Valley!



\*\*\*\*\*  
**CITY MANAGER'S REPORT**

**MARCH 13, 2014**

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**# 2014-02**

**REPORTING PERIOD: FEBRUARY 2014**

**I. ORGANIZATIONAL HIGHLIGHTS**

- The City completed purchase of the Fenner property on the block occupied by the Library's Main Branch. Ownership of the property will enable future expansion of the Main Branch.
- The Corvallis community experienced another significant snow event during February, with areas receiving 18 inches over a three-day period. Some park trees were damaged, along with a canopy and gutters at Osborn Aquatic Center; otherwise, the City did not suffer any significant impacts from the storm. Staff worked to ensure clear access to public facilities when non-essential offices were open. After a few days of freezing temperatures, weather improved, and snow began slowly melting.

**II. MAYOR'S DIARY**

I have engaged in the following activities, in addition to meeting and corresponding with constituents and presiding at the twice-monthly City Council meetings and meetings with Council leadership:

Speaking engagements

- "State of the City" speech at forum sponsored by Corvallis Chamber of Commerce
- Public Forum and progress report on Benton County's Ten-Year Plan to End Homelessness
- Rotary Club of Corvallis Morning
- Central Park Neighborhood Association to discuss plans for the new homeless shelter on SW Fourth Street and the County's Ten-Year Plan to End Homelessness
- "Friends of Scouting" membership event
- PULSE conference concerning the local economy and real estate

#### Special meetings

- Participated in ribbon cutting for Republic Services' new natural gas fueling station in Corvallis
- Met with Benton County Commissioner Jay Dixon to discuss topics of mutual interest
- Concerning RAIN (Regional Accelerator and Innovation Network) – Participated in a meeting of the Legislature's Ways and Means sub-committee to provide a program update, attended a meeting of the Communications Committee, and participated in a planning meeting and two facilitated sessions designed to refine the program's action plan
- Led a second planning meeting with local agencies serving individuals with disabilities concerning the development of a photograph exhibit featuring their clients, as well as photographs of clients served by a similar agency in Uzhhorod, Ukraine. Also attending the meeting were representatives from the Corvallis-Uzhhorod Sister Cities Association and a local professional photographer. The photography exhibit is scheduled for June at the Corvallis-Benton County Public Library, with an opening reception June 3 at the Library.
- Attended League of Oregon Cities strategic planning session and Board of Directors meeting
- Participated in a conference call to begin planning the League of Oregon Cities' annual conference
- Co-chaired oversight committee meeting of Benton County's Ten-Year Plan to End Homelessness

#### Appointments

- Board of Appeals
- Commission for Martin Luther King, Jr.
- Downtown Commission

### III. **FINANCE**

#### A. Department Highlights

- Budget staff assisted with costing of management and American Federation of State, County, and Municipal Employees (AFSCME) proposals for contract culmination.
- MIS entered into a contract for an electronic parking citation solution.
- Budget staff reviewed department budget transmittals and finalized input to the financial system.
- Financial planning staff finalized contract addendum to extend Investment Advisor relationship with Davidson Fixed Income Management, then

worked with new personnel out of Seattle, after Portland office closed, on new reports, and related relationship issues.

- Utility Billing staff completed work with Wells Fargo to initiate electronic remote deposit for utility billing.
- MIS staff is continuing work with OneSolution Financial module.
- Utility Billing staff began discussions with vendor to provide payment solution for ambulance billing.
- MIS staff is upgrading Police Department Records Management System and Computer-Aided Dispatch software.
- MIS staff is working with Finance Administration staff to develop more user-friendly, Web-based transient room tax forms.

#### IV. **FIRE**

##### A. Department Highlights

###### *Operational*

<b>Response Activity – February 2014</b>	<b>City</b>	<b>Non-City</b>	<b>Total</b>
Fires	7	1	8
Overpressure/Rupture	0	0	0
Requests for Ambulance	306	93	399
Rescue (Quick Response Team)	124	22	146
Hazardous Condition	26	1	27
Service Requests	50	10	60
Good Intent	52	22	74
False Calls	32	1	33
Other	0	0	0
<b>TOTAL RESPONSES OVERALL</b>	<b>597</b>	<b>150</b>	<b>747</b>

- Two Occupational Safety and Health Administration (OSHA) consultations were recently completed at our request; OSHA identified very few issues.
- Division Chief Hunt and the Oregon State University (OSU) Safety Intern worked on a revision of our departmental safety manual, which includes Material Safety Data Sheets (MSDS). Staff has been reducing the number of chemicals at the stations and ensuring that stations have current, accurate MSDSs.
- A Burn-to-Lean scheduled in the Rural District (Linn County) was cancelled because of the configuration of power lines in the area.

## **V. LIBRARY**

### **A. Department Highlights**

- January and February were extremely busy months at the Corvallis Library. January was our third-busiest month since July for items circulated. However, February had about 400 more items circulated per open day than in January. January also had our biggest door count this fiscal year. February, on a per-open-day basis, averaged only 18 fewer people through the doors per day. We handled more than 1,300 financial transactions at our desks during January and created 409 new library accounts. More than 3,100 Corvallis patrons had their accounts updated in some way during January, and we processed more than 24,000 holds.
- Continued planning on moving several collections in the media area and in Youth Services. Some items will be moved to shelving units donated by the OSU Bookstore.
- The OSU Crossroads group for international students and their spouses came to the Library for a tour.
- Librarian Ruth Rose Hennessey provided a family storytime in celebration of Valentine's Day at the Old Mill Center for Children and Families to an excited audience of 43 children and parents.
- Also on Valentine's Day, the READ teams visited the Corvallis Library; and 35 children read to one of the dogs. Each child received a new paperback book as a gift from the Welcome Waggers.
- The old bookmobile was sold to the North Mankato Taylor Library in Minnesota. Their mechanic drove it all the way across the country, and it arrived safely on February 13.
- Staff with our current Bookmobile attended the Books and Breakfast event at Garfield Elementary School, which was very successful.

### **B. Other**

- All the paperwork was completed, and the City now officially owns the Fenner property adjacent to the Library.
- The Friends of the Library board approved the 2014 Needs List. The list of services and purchases to be funded totals \$90,000 for the year. Thank you, Friends!

## **VI. PARKS AND RECREATION**

### **A. Department Highlights**

#### *Administration/Planning*

- Prepared the Activity Guide for Spring/Summer.
- The Sunnyside School roof and foundation were completed.
- Prepared selection of consultant for Owens Farm homestead assessment.

#### *Aquatic Center*

- Snow accumulation of 15 inches or more, combined with the additional weight of absorbed rain water, caused a 10-foot-by-17-foot canopy structure to collapse.
- Snow sliding down and off the North roof caused some damage to the rain gutters on that side of the building.
- Hosted High School Mid-Willamette Valley District Swim Meet February 14 and 15, with seven teams and approximately 350 participants.
- Hosted Parents' Night Out on Valentine's Day, with 28 participants.
- Hosted Family Movie Night February 21, with approximately 105 participants.
- 108 school-age children took swimming lessons as part of the 21st Century Grant awarded to Corvallis School District 509J.

#### *Parks and Natural Areas*

- Responded to snow and ice storm impacts to damaged and hazard trees in the right-of-way and in parks. Parks crews identified and secured hazards, cleaned up downed branches and trees, and utilized private contractors to provide much of the tree removal and cleanup in the right-of-way.
- Some additional freeze damage from the December cold weather was identified, as water was turned on to facilities in preparation for spring. Repairs have begun and will continue into March.
- Supported volunteer projects including planting street trees on NW Hayes Avenue and pruning roses at Chintimini Park and Avery Park Rose Garden.
- Seasonal Parks staff returned for the season.

#### *Recreation*

- A Lacrosse Clinic was held February 22, with 26 third through seventh graders attending

### *Senior Center*

- The Sweetheart Fashion Show and Dessert Bar event was re-scheduled to February 15 because of weather. Ten volunteers modeled fashions provided by Christopher and Banks and Sibling Revelry. A full dessert bar was served and enjoyed by all.
- A beginner lesson for Latin Ballroom Dance was held to encourage attendance at the monthly dance class at the Chintimini Senior Center.
- Offered a class on "Exercise and the Brain." This class offered new, compelling research on the effect of exercise on enhancing cognitive function. Participants learned how aerobic exercise triggers the hormones that enhance feelings of alertness and creativity and how there is a right type and amount of exercise needed for better brain function. This program was co-sponsored by Timberhill Athletic Club.

## **VII. POLICE**

### **A. Department Highlights**

Officers investigated 2,154 incidents this month. Following are the highlights:

- Detectives were assigned to follow up on an investigation of a theft from an ATM machine where over \$10,000 was stolen. An ex-employee was interviewed and arrested for Theft.
- Officers arrested a local man after fighting with employees of a local bar. The suspect was released the next day, got into his car, and drove recklessly. He struck a woman's arm while she was walking in the crosswalk. He fled the area to an underground parking lot where he drove into a concrete wall. CPD officers located him near the heavily damaged vehicle. The suspect was charged with Failure to Perform Duties of a Driver (felony), Failure to Perform Duties of a Driver (misdemeanor), Reckless Driving, and Escape.
- A woman reported to officers she was a victim of an attempted kidnapping. The woman gave a description of the suspect vehicle which was later located. The suspect was subsequently arrested for Disorderly Conduct and interviewed by Detectives.
- An officer found a large party and contacted several minors who were intoxicated and carrying open containers of alcohol. The residents were uncooperative, so officers applied for, and were granted a telephonic search warrant for the residence. Once inside, officers cited two of the five residents for Hosting a Party for Minors and Furnishing Alcohol to Minors. Five citations for Minor in Possession (MIP) were issued during the search warrant execution, and numerous MIP warnings were given prior to the search warrant service. All five residents were later charged with numerous counts of Furnishing and Hosting a Party for Minors.

- Records staff processed 1,114 police reports, entered 484 traffic citations, and performed 148 background checks. Staff generated 92 incident reports – 17 percent of the total reports taken during this reporting period.
- Evidence staff received 569 items during February. An additional 492 items were returned, purged, or permanently transferred.
- Received 53 reports via the Coplogic on-line reporting system.

*9-1-1 Center Calls for Service*

- The Corvallis Regional Communications Center dispatched 3,460 calls for police, fire, and medical assistance this month as follows:

POLICE		FIRE AND MEDICAL	
Corvallis Police	2,154	Corvallis Fire/Ambulance	607
Benton County Sheriff	541	Other Fire/Medical	72
Philomath Police	86		
<b>TOTAL</b>	<b>2,781</b>	<b>TOTAL</b>	<b>679</b>

**B. Other**

- Officers Hurley, Sapp, and Dodge were selected to be Police Training Officers (PTO).
- Recruit Officer Trevor Anderson was assigned to day shift with Officer Dunn for the first phase of his PTO field training.
- Officer Anderson conducted a safety presentation at the Boys and Girls Club.
- Sergeant J. Harvey and K-9 Xar conducted a canine demonstration and presentation for the Girl Scouts.
- Officer Seney gave a presentation at Callahan Hall as part of an OSU "Adulthood 101" presentation aimed at students who may be moving into housing off OSU's campus.
- Captain Henslee gave a keynote address about the power of service at the 2014 All Services Club Luncheon at the Boys and Girls Club of Corvallis.
- Captain Henslee provided information regarding Chronic Nuisance Properties, Second Response Notices, and automating Computer Aided Dispatch information to property owners/managers to the Corvallis Property Owners/Manager Group.
- Officer Hackstedt attended the Basic Instructor Development course at Department of Public Safety Standards and Training (DPSST).
- Sergeant Duncan attended the Supervisory Leadership Academy at DPSST.

- Captain Henslee and Lieutenant Zessin attended Executive Leadership Training in Seaside, Oregon.

## VIII. PUBLIC WORKS

### A. Department Highlights

#### *Engineering Division*

- Received bids for the cooperative project with OSU to re-construct and signalize the intersection at SW 15th Street and Washington Way. All bids were within budget.

#### *Transportation Division*

- Responded to the largest snowfall event in recent history over a five-day period beginning February 6. Staff worked around the clock to plow and sand City streets according to the City's Snow and Ice policy. Linn County vehicles and staff also assisted during the response. City crews began cleaning up sand and debris immediately after the snow melted.
- Corvallis Transit System (CTS) operated its regular days and hours of service, with the exception of the late night Beaver Bus, throughout and following the February snow event. Staff assisted numerous first-time riders in planning trips.
- Two new CTS buses were delivered. These buses, replacing the two oldest buses in the fleet, were procured with a Federal Transit Administration grant with a local match rate of 10.27 percent.

#### *Utilities Division*

- Flood response meetings were held in anticipation of rising river levels. Drills were performed at the Wastewater Reclamation Plant in preparation for the event.
- Following up on customer complaints regarding hazardous trees and removal of debris from urban streams, 72.5 hours were spent working in drainage ways.
- Flushing of sanitary mainlines this month focused on South Corvallis areas, performing scheduled flushing maintenance activities to remove obstructions from the pipeline. Following this, a camera is sent through the flushed lines to document the condition of the assets. This month's total was 27,772 feet.
- Pipeline video inspection work for February included the inspection of sanitary and storm mainlines in the streets that will be re-surfaced this summer, along with several customer requests. February's total was 4,189 feet.

## **IX. CITY MANAGER'S OFFICE**

### **A. Department Highlights**

- Received no Notices of Tort Claims.
- Began planning for the Mayor's annual volunteer recognition.
- Successfully transitioned the Corvallis Municipal Code to a more user-friendly online application.
- The Economic Development Office responded to two start-up leads, one expansion lead, one retention lead, and three recruitment leads.
- The Economic Development Officer made two first-time visits to traded sector businesses and followed up with two others.
- The Economic Development Manager presented at The Pulse of the Valley event at OSU.
- The Economic Development Office is coordinating logistics for the following events:
  - Monthly Pub-Talks for the Willamette Innovators Network
  - Monthly Willamette Innovators Network Board Meetings
  - Willamette Angel Conference
  - A Business Resource Workshop planned for April

## **X. COMMUNITY DEVELOPMENT**

### **A. Department Highlights**

- Development Services Division staff processed 15 residential and 58 non-residential plan reviews for proposed construction projects and conducted 865 construction inspections during February.
- Created 19 new Code Enforcement Program cases as a result of citizen complaints received.
- Of the 222 plumbing, mechanical, and electrical permits issued during February, 114 (or 51 percent) were issued online.
- Planning Division staff received three land use applications during February, including one Historic Preservation Permit, a Property Line Adjustment, and a Major Modification to the Good Samaritan Regional Medical Center Master Plan.
- Planning Division staff issued decisions on six land use applications, including approval of the OSU Zone – Street Standards Land Development Code Text Amendment and approval of an Office Conversion for the Yates House.
- The Planning Commission met February 5 to receive a briefing from staff on the upcoming Package #1 Land Development Code Text Amendments,

which will be considered at a Planning Commission public hearing March 19.

- The City Council re-opened a limited public hearing on the Campus Crest application February 19 to consider the Planning Commission's recommendation regarding conditions of approval for the Planned Development and Subdivision components of the application. At the meeting, the City Council honored a request to hold the record open and decided to close the record February 25.
- During February a First Time Home Buyer loan of \$15,000 was approved. The loan is supporting a low-income household with their purchase of a new home in the City HOME Investment Partnerships Program (HOME)-funded Seavey Meadows Community Land Trust development.
- Housing Division staff received 32 Rental Housing Program-related contacts during February outlining 58 separate issues, with 18 issues related to habitability and 40 of a non-habitability nature. Twelve of the habitability issues reported are or may be subject to the Rental Housing Code, so Housing Division staff is working with complainants to confirm violations and then, as applicable, achieve resolution or move to enforcement.
- The Housing and Community Development Commission met twice during February to discuss and develop a set of recommendations for allocations of Fiscal Year 2014-2015 Community Development Block Grant and HOME funding. The Commission's recommendations were captured in a Fiscal Year 2014-2015 Action Plan that will be considered by the City Council in April.
- The City Council committee working to address the current Council goal on housing selected consultant ECONorthwest to carry out the data gathering and analysis phase of the project. Next steps include receiving feedback on the proposed consultant scope of work from a community stakeholder group and then negotiating a contract with ECONorthwest to facilitate the initiation of work on the project.

#### **XI. MISCELLANEOUS**

- Attached is the City Attorney's Office Report to the City Council for February.



James A. Patterson  
City Manager



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**CITY ATTORNEY'S OFFICE  
REPORT TO CITY COUNCIL: HIGHLIGHTS**

**February 2014**

**The following are highlights of the City Attorney's Office activities in February 2014:**

1. Memorandum to Mayor and City Council regarding the Campus Crest development and open space property; meetings with Planning Department re: Campus Crest.
2. Completion of summary report and findings for internal investigation.
3. General advice to City Councilors regarding land use matters.
4. Meeting with Public Works and Planning Directors regarding building code interpretations.
5. Drafting of agreement forms for Economic Development project.

**Ongoing/Future Matters:**

1. Enforcement actions re: code violations (building, rental housing, land development code).
2. Continued work on public records requests.
3. Continued assistance on internal investigations, employee grievances and other employment matters.
4. Assistance in preparing findings for land use decisions.
5. Enforcement of City ordinances and prosecution of offenses in Corvallis Municipal Court.
6. Representation of City in Benton County Circuit Court regarding Hunking v. City Municipal Court Appeal.
7. Work on revisions to CMC 5.03.

**Corvallis / Benton County Economic Development Office  
 Monthly Business Activity Report to Corvallis City Council  
 February 28, 2014**

**Start-ups:**

- Responded to a request for business startup information (Project Kylie)
- Responded to a request for information from a potential business start-up (Project Cart)

**Retention / Expansion:**

- Participated in a project management meeting for an expansion - Project Bank
- Followed up meetings (12) with four existing expansion clients

**Recruitment:**

- Responded to RFI for project Lektro
- Developed and submitted a response for a state recruitment lead (Project Waldo)
- Responded to a business interested in moving to Corvallis (Project Dance)

<b>Assisted with</b>	<b>Past Month</b>	<b>Since July 1, 2013</b>
Start-up	2	20
Expansion	1	15
Retention	0	5
Economic Development Officer visits	2	54
Recruitment	3	21

## Monthly EDC Strategic Plan Update

### Big Ideas:

1. Provide critical financial assistance to growing businesses through tools such as (a) Urban Renewal Districts and (b) a local economic development loan program. Supports goals 1, 2a, and 3 (if URD covers one or more EZ locations).
  - Responded to requests for information concerning financing alternatives
  - Responded to requests for information concerning Enterprise Zone incentives
  
2. Leverage the OSU-Corvallis relationship and Memorandum of Understanding to provide unprecedented advantages to Corvallis-based startups, including research infrastructure access, incubator/accelerator resources, HR and purchasing infrastructure, and innovative community networking. Supports goals 1 and 2a.
  - On-going meetings and participation with the Advantage Accelerator / RAIN team
  - Participation on the Investing in Manufacturing Communities Partnership
  
3. Support business growth by providing properly zoned and serviced land and maintaining a timely and predictable development review process. Verify via benchmarking that Corvallis is best-in-class regarding comparable university towns across the U.S. Supports goals 2a, 2b, 3.
  - a. In particular, pursue opportunities to develop a research park for science intensive companies, ideally ones that have strong synergy with OSU research strengths. Consider public investment opportunities for such a park, ranging from public ownership to infrastructure development and business financing tools.
    - Significant properties have been identified to address this idea
    - The State has adopted a new database platform that we will use (OregonProspector.com), and we have been encouraging property owners to provide new, updated listings
      - Presented to the Pulse of the Valley event
  
  - b. An opportunistic, but nevertheless valuable, strategy is to recruit new tenants for vacant space in Enterprise Zone areas (HP campus, Sunset Research Park, Airport Industrial Park) as well as to invest in additional land and building resources designed to meet the needs of scientific- and technology-oriented business and industry.
    - On-going referral to businesses seeking land and building space
    - Worked with one new and five ongoing expansion projects

4. Recognize that economic development must be a core/organic local government service as opposed to an entirely outsourced effort. Accordingly, create and staff a permanent city/county Economic Development Office, reporting to the city manager, to implement the above actions, manage business outreach and assistance; coordinate business lead responses and community and business asset promotion; and propose and implement new efforts to ensure Corvallis's competitiveness for business investment. Supports ALL goals.

- The Corvallis / Benton County Economic Development Office is fully staffed

### **Smaller Steps:**

1. Develop a best-in-class information gateway portal that will provide resources to support business development with information about demographics and economics, technical and financial assistance programs, available land and building resources (Goals1, 2a, 2b, and 3).

- The City website continues to be updated with current demographic information, links for assistance, and upcoming events
- A Marketing Plan has been developed to keep the site current, and use it to address the primary focus of the strategy.
  - Assist with business start-ups
  - Leverage the OSU-Corvallis relationship and promote the OSU Advantage Accelerator
  - Promote business retention and expansion efforts
  - Promote "good" development in industrial areas
  - Promote Economic Development efforts to the community at large

2. Support programs sponsored by local and regional partners to facilitate innovation, entrepreneurship, and business investment. Examples include the Willamette Angel Conference and Willamette Innovators Network (Goals1 and 2a).

- Coordinated WiN board meetings and planning meetings
- Coordinated the WiN Pubtalk – UAVs / Drones
- EDO is meeting regularly with WAC planning committee

3. Build a strong relationship with the local business community through the account manager concept, and an ongoing Business Visitation program involving government and community leaders (Goals 2a and 2b).

- EDO has had two new business visits the past month (See Report)

4. Ensure that City has an effective and productive relationship with Business Oregon, the State's economic development agency, for access and response to business development leads (Goal 3).

- Regular meetings and coordination with Business Oregon concerning State leads

5. Pursue outside resources to fund expanded business development programs in Benton County (Goals 1, 2a, 2b and 3).

- Developed partnership and an IGA with the Small Business Development Center to provide business development services. (See attached report)

6. Provide a business-oriented welcoming program for key recruits of local employers (Goals 2a, 2b, and 3).

- Since we engaged Civic Outreach for this service in January/2013, 80 businesses, and 114 executives have been greeted.

**CITY OF CORVALLIS – COUNCIL REQUESTS – TRACKING REPORT  
PENDING REQUESTS**

<b>Council Request Item</b>	<b>Requested By</b>	<b>Date of Request</b>	<b>CR Report Due Date</b>	<b>Assigned to</b>	<b>Response in CR Rpt No.</b>	<b>Comments</b>
Traffic count - NW Jackson Avenue, NW 35th Street to NW Arnold Way	Brown	03-03-14	03-25-14	Gibb/Steckel		

**ADMINISTRATIVE SERVICES COMMITTEE  
SCHEDULED ITEMS**

**March 13, 2014**

MEETING DATE	AGENDA ITEM
March 19	<ul style="list-style-type: none"> <li>• Council Policy Review and Recommendation:               <ul style="list-style-type: none"> <li>• 97-10.01 - 10.08, "Financial Policies"</li> </ul> </li> <li>• Second Quarter Operating Report</li> <li>• Ambulance Rate Review</li> </ul>
April 9	<ul style="list-style-type: none"> <li>• Utility Rate Structure Review</li> <li>• Neighborhood/Property Maintenance Code Program</li> </ul>
April 23	<ul style="list-style-type: none"> <li>• Visit Corvallis Second Quarter Report</li> <li>• Downtown Corvallis Association Economic Improvement District Second Quarter Report</li> <li>• Enterprise Zone Sustainability Criteria Follow-up</li> <li>• Utility Rate Structure Review</li> <li>• Neighborhood/Property Maintenance Code Program</li> </ul>
May 7	<ul style="list-style-type: none"> <li>• da Vinci Days Loan and Annual Report</li> <li>• Parks and Recreation Department Cost Recovery Update</li> <li>• Utility Rate Structure Review</li> </ul>
May 21	<ul style="list-style-type: none"> <li>• Visit Corvallis Third Quarter Report</li> <li>• Downtown Corvallis Association Economic Improvement District Third Quarter Report</li> <li>• Council Policy Review and Recommendation:               <ul style="list-style-type: none"> <li>• 95-4.10, "Public Library Gifts and Donations Policy"</li> </ul> </li> </ul>
June 4	<ul style="list-style-type: none"> <li>• Third Quarter Operating Report</li> <li>• Board and Commission Sunset Review:               <ul style="list-style-type: none"> <li>• Economic Development Commission</li> </ul> </li> </ul>
June 18	<ul style="list-style-type: none"> <li>• Republic Services Annual Report</li> </ul>
July 9	<ul style="list-style-type: none"> <li>•</li> </ul>
July 23	<ul style="list-style-type: none"> <li>•</li> </ul>
August 6	<ul style="list-style-type: none"> <li>•</li> </ul>
August 20	<ul style="list-style-type: none"> <li>•</li> </ul>
September 3	<ul style="list-style-type: none"> <li>• Visit Corvallis Fourth Quarter Report</li> <li>• Downtown Corvallis Association Economic Improvement District Fourth Quarter Report</li> </ul>
September 17	<ul style="list-style-type: none"> <li>•</li> </ul>
October 8	<ul style="list-style-type: none"> <li>• Fourth Quarter Operating Report</li> <li>• Council Policy Reviews and Recommendations:               <ul style="list-style-type: none"> <li>• 91-2.01, "Meeting Procedures"</li> <li>• 94-2.08, "Council Liaison Roles"</li> </ul> </li> </ul>
October 22	<ul style="list-style-type: none"> <li>• Utility Rate Annual Review</li> </ul>
November 5	<ul style="list-style-type: none"> <li>• FY 2013-14 Parks and Recreation Department Cost Recovery Review</li> </ul>
November 19	<ul style="list-style-type: none"> <li>•</li> </ul>
December 3	<ul style="list-style-type: none"> <li>• Visit Corvallis First Quarter Report</li> <li>• Downtown Corvallis Association Economic Improvement District First Quarter Report</li> <li>• Comprehensive Annual Financial Report</li> <li>• First Quarter Operating Report</li> </ul>
December 17	<ul style="list-style-type: none"> <li>•</li> </ul>

## **ASC PENDING ITEMS**

- Comcast Franchise Renewal Update Public Works
- Council Policy Review and Recommendation:
  - 96-6.03, "Economic Development Policies" CMO
- Economic Development Policy on Tourism CMO
- Municipal Code Review: Chapter 4.01, "Solid Waste Regulations" Community Development
- Tax Incentive Program for Downtown Area Community Development
- Council Policy Review and Recommendation:
  - 98-2.10, "Use of E-Mail by Mayor and City Council" (Jan 15) CMO

### **Regular Meeting Date and Location:**

Wednesday of Council week, 3:30 pm – Madison Avenue Meeting Room

## HUMAN SERVICES COMMITTEE SCHEDULED ITEMS

**March 13, 2014**

MEETING DATE	AGENDA ITEM
March 18	No Meeting
April 8	<ul style="list-style-type: none"> <li>• The Arts Center Annual Report</li> <li>• Public Art Selection Commission Annual Report</li> <li>• Council Policy Reviews and Recommendations:               <ul style="list-style-type: none"> <li>• 94-4.07, "City-Owned Art Objects on Private Property"</li> <li>• 97-4.09, "Guidelines for Free Use of Parks and Recreation Facilities"</li> <li>• 91-1.02, "Liquor License Approval Procedures"</li> </ul> </li> </ul>
April 22	•
May 6	<ul style="list-style-type: none"> <li>• Liquor License Annual Renewals</li> <li>• Majestic Theatre Annual Report</li> <li>• Council Policy Reviews and Recommendations:               <ul style="list-style-type: none"> <li>• 99-4.13, "Internet Access Policy for Corvallis-Benton County Public Library"</li> <li>• 92-5.04, "Hate/Bias Violence"</li> </ul> </li> </ul>
May 20	•
June 3	<ul style="list-style-type: none"> <li>• Social Services Allocations - Fiscal Year 2014-2015</li> <li>• Boards and Commissions Sunset Reviews:               <ul style="list-style-type: none"> <li>• Arts and Culture Commission</li> <li>• Citizens Advisory Commission on Civic Beautification and Urban Forestry</li> <li>• Committee for Citizen Involvement</li> </ul> </li> </ul>
June 17	•
July 8	• Corvallis Farmers' Market Annual Report
July 22	•
August 5	•
August 19	• Social Services Semi-Annual Report
September 2	•
September 16	• Rental Housing Program Annual Report
October 7	<ul style="list-style-type: none"> <li>• Council Policy Reviews and Recommendations:               <ul style="list-style-type: none"> <li>• 93-4.11, "Public Library Policy for Selecting and Discarding Materials"</li> <li>• 99-4.14, "Use of City Hall Plaza and Kiosk"</li> </ul> </li> </ul>
October 21	•
November 4	<ul style="list-style-type: none"> <li>• Council Policy Review and Recommendation:               <ul style="list-style-type: none"> <li>• 95-4.08, "Code of Conduct on Library Premises"</li> </ul> </li> </ul>
November 18	•
December 2	<ul style="list-style-type: none"> <li>• 2015-2016 Social Services Priorities and Calendar</li> <li>• Council Policy Reviews and Recommendations:               <ul style="list-style-type: none"> <li>• 91-1.03, "Naming of Public Facilities and Lands"</li> <li>• 91-4.01, "Guidelines for Selling in Parks"</li> </ul> </li> </ul>
December 16	•

### **HSC PENDING ITEMS**

- |   |  |
|---|--|
| <ul style="list-style-type: none"> <li>• Municipal Code Review: Chapter 5.01, "City Park Regulations" (Alcoholic Beverages in Parks)</li> <li>• Municipal Code Review: Chapter 9.02, "Rental Housing Code"</li> <li>• OSU/City Collaboration Project Recommendations (Action Items 4-1, 4-3, 4-4, 5-1)</li> </ul> | <ul style="list-style-type: none"> <li>Parks &amp; Recreation</li> <li>Community Development</li> <li>Community Development</li> </ul> |
|---|--|

### **Regular Meeting Date and Location:**

Tuesday of Council week, 2:00 pm – Madison Avenue Meeting Room

**URBAN SERVICES COMMITTEE  
SCHEDULED ITEMS**

**March 13, 2014**

MEETING DATE	AGENDA ITEM
March 18 <b><i>Downtown Fire Station</i></b>	<ul style="list-style-type: none"> <li>• Residential Parking Districts</li> </ul>
April 8	<ul style="list-style-type: none"> <li>• Council Policy Reviews and Recommendations:               <ul style="list-style-type: none"> <li>• 10-1.12, "Community Sustainability"</li> <li>• 91-7.04, "Building Permits"</li> <li>• 91-7.08, "Sidewalk Policy"</li> </ul> </li> <li>• Residential Parking Districts (<i>Placeholder</i>)</li> </ul>
April 22	<ul style="list-style-type: none"> <li>• Residential Parking Districts (<i>Placeholder</i>)</li> </ul>
May 6	<ul style="list-style-type: none"> <li>• Residential Parking Districts (<i>Placeholder</i>)</li> </ul>
May 20	<ul style="list-style-type: none"> <li>•</li> </ul>
June 3	<ul style="list-style-type: none"> <li>• Board and Commission Sunset Review:               <ul style="list-style-type: none"> <li>• Airport Commission</li> </ul> </li> <li>• Council Policy Review and Recommendation:               <ul style="list-style-type: none"> <li>• 95-7.12, "Integrated Vegetation Pest Management (IVPM) Program"</li> </ul> </li> </ul>
June 17	<ul style="list-style-type: none"> <li>• Transportation System Plan update</li> </ul>
July 8	<ul style="list-style-type: none"> <li>• Transportation System Plan update, cont'd.</li> </ul>
July 22	<ul style="list-style-type: none"> <li>•</li> </ul>
August 5	<ul style="list-style-type: none"> <li>•</li> </ul>
August 19	<ul style="list-style-type: none"> <li>•</li> </ul>
September 2	No meeting
September 16	<ul style="list-style-type: none"> <li>• Council Policy Review and Recommendation:               <ul style="list-style-type: none"> <li>• 02-7.15, "Fee-in-Lieu Parking Program"</li> </ul> </li> </ul>
October 7	<ul style="list-style-type: none"> <li>• Council Policy Review and Recommendation:               <ul style="list-style-type: none"> <li>• 08-9.07, "Traffic Calming Program"</li> </ul> </li> </ul>
October 21	<ul style="list-style-type: none"> <li>•</li> </ul>
November 4	<ul style="list-style-type: none"> <li>• Council Policy Review and Recommendation:               <ul style="list-style-type: none"> <li>• 98-9.06, "Transportation Corridor Plans"</li> </ul> </li> </ul>
November 18	<ul style="list-style-type: none"> <li>•</li> </ul>
December 2	<ul style="list-style-type: none"> <li>•</li> </ul>
December 16	<ul style="list-style-type: none"> <li>•</li> </ul>

**USC PENDING ITEMS**

- |   |   |
|---|---|
| <ul style="list-style-type: none"> <li>• Council Policy Review and Recommendation:           <ul style="list-style-type: none"> <li>• 91-9.03, "Parking Permit Fees"</li> </ul> </li> <li>• Municipal Code Review: Chapter 8.13, "Mobile Food Units"</li> <li>• NW Cleveland Avenue Traffic Update</li> </ul> | <ul style="list-style-type: none"> <li>Public Works</li> <li>Community Development</li> <li>Public Works</li> </ul> |
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**Regular Meeting Date and Location:**

Tuesday of Council week, 5:00 pm – Madison Avenue Meeting Room

## UPCOMING MEETINGS OF INTEREST



### City of Corvallis

**MARCH – JUNE 2014**  
(Updated March 13, 2014)

#### MARCH 2014

Date	Time	Group	Location	Subject/Note
13	8:30 am	Citizens Advisory Cmsn on Civic Beautification and Urban Forestry	Parks and Rec Conf Room	
15	10:00 am	Government Comment Corner	Library Lobby – Linda Modrell	
<b>17</b>	<b>6:30 pm</b>	<b>City Council (Executive Session immediately follows)</b>	<b>Downtown Fire Station</b>	
18		No Human Services Committee		
18	5:00 pm	Urban Services Committee	Downtown Fire Station	
49	<del>12:00 pm</del>	<del>Housing and Comm Dev Cmsn</del>	<del>Madison Avenue Mtg Rm</del>	
19	2:00 pm	OSU/City Collaboration Project Steering Committee	Downtown Fire Station	
19	3:30 pm	Administrative Services Committee	Madison Avenue Mtg Rm	
19	4:00 pm	Public Art Selection Commission	Parks and Rec Conf Room	
19	5:30 pm	Arts and Culture Commission	Parks and Rec Conf Room	
19	7:00 pm	Planning Commission	Downtown Fire Station	
20	11:00 am	Public Participation Task Force	Madison Avenue Mtg Rm	
20	6:30 pm	Parks, Natural Areas, and Rec Brd	Downtown Fire Station	
22	10:00 am	Government Comment Corner	Library Lobby - Biff Traber	
25	5:15 pm	Cmsn for Martin Luther King, Jr.	Osborn Aquatic Center	
26	<del>5:15 pm</del>	<del>Watershed Management Adv Cmsn</del>	<del>Madison Avenue Mtg Rm</del>	
27	12:00 pm	Public Participation Task Force	Madison Avenue Mtg Rm	
29	10:00 am	Government Comment Corner	Library Lobby - Penny York	
31	5:30 pm	City Council/County Board of Commissioners	County Sunset Building	

#### APRIL 2014

Date	Time	Group	Location	Subject/Note
1	7:00 am	Airport Commission	Madison Avenue Mtg Rm	
1	4:00 pm	Downtown Parking Committee	Downtown Fire Station	
2	7:00 pm	Planning Commission	Downtown Fire Station	
2	7:30 pm	Library Board	Library Board Room	
4	7:00 am	Bicycle and Pedestrian Adv Cmsn	Madison Avenue Mtg Rm	
5	10:00 am	Government Comment Corner	Library Lobby - Hal Brauner	
<b>7</b>	<b>6:30 pm</b>	<b>City Council (Executive Session immediately follows)</b>	<b>Downtown Fire Station</b>	
8	8:20 am	Citizens Advisory Cmsn on Transit	Madison Avenue Mtg Rm	
8	2:00 pm	Human Services Committee	Madison Avenue Mtg Rm	
8	5:00 pm	Urban Services Committee	Madison Avenue Mtg Rm	
8	6:30 pm	Historic Resources Commission	Downtown Fire Station	
9	3:30 pm	Administrative Services Committee	Madison Avenue Mtg Rm	
9	5:30 pm	Downtown Commission	Madison Avenue Mtg Rm	
10	8:30 am	Citizens Advisory Cmsn on Civic Beautification and Urban Forestry	Parks and Rec Conf Room	
10	11:00 am	Public Participation Task Force	Madison Avenue Mtg Rm	

Date	Time	Group	Location	Subject/Note
10	7:00 pm	Budget Commission	Downtown Fire Station	
12	10:00 am	Government Comment Corner	Library Lobby - Julie Manning	
14	3:00 pm	Economic Development Cmsn	Madison Avenue Mtg Rm	
16	12:00 pm	Housing and Comm Dev Cmsn	Madison Avenue Mtg Rm	
16	4:00 pm	Public Art Selection Commission	Parks and Rec Conf Room	
16	5:30 pm	Arts and Culture Commission	Parks and Rec Conf Room	
16	7:00 pm	Planning Commission	Downtown Fire Station	
17	6:30 pm	Parks, Natural Areas, and Rec Brd	Parks and Rec Conf Room	
17	7:00 pm	Budget Commission	Downtown Fire Station	
19		No Government Comment Corner		
<b>21</b>	<b>6:30 pm</b>	<b>City Council</b> <i>(work session immediately follows)</i>	<b>Downtown Fire Station</b>	
22	2:00 pm	Human Services Committee	Madison Avenue Mtg Rm	
22	5:00 pm	Urban Services Committee	Madison Avenue Mtg Rm	
22	5:15 pm	Cmsn for Martin Luther King, Jr.	<del>City Hall Meeting Room A</del> Osborn Aquatic Center	
22	7:00 pm	Budget Commission	Downtown Fire Station	
23	3:30 pm	Administrative Services Committee	Madison Avenue Mtg Rm	
23	5:15 pm	Watershed Management Adv Cmsn	Madison Avenue Mtg Rm	
24	11:00 am	Public Participation Task Force	Madison Avenue Mtg Rm	
24	7:00 pm	Budget Commission	Downtown Fire Station	
26	10:00 am	Government Comment Corner	Library Lobby - Mike Beilstein	
29	7:00 pm	Budget Commission	Downtown Fire Station	

### MAY 2014

Date	Time	Group	Location	Subject/Note
1	7:00 pm	Budget Commission	Downtown Fire Station	
2	7:00 am	Bicycle and Pedestrian Adv Cmsn	Madison Avenue Mtg Rm	
3		No Government Comment Corner		
<b>5</b>	<b>6:30 pm</b>	<b>City Council</b>	<b>Downtown Fire Station</b>	
6	7:00 am	Airport Commission	Madison Avenue Mtg Rm	
6	2:00 pm	Human Services Committee	Madison Avenue Mtg Rm	
6	4:00 pm	Downtown Parking Committee	Downtown Fire Station	
6	5:00 pm	Urban Services Committee	Madison Avenue Mtg Rm	
6	7:00 pm	Budget Commission	Downtown Fire Station	
7	3:30 pm	Administrative Services Committee	Madison Avenue Mtg Rm	
7	7:00 pm	Planning Commission	Downtown Fire Station	
7	7:30 pm	Library Board	Library Board Room	
8	8:30 am	Citizens Advisory Cmsn on Civic Beautification and Urban Forestry	Parks and Rec Conf Room	
10	10:00 am	Government Comment Corner	Library Lobby - Penny York	
12	3:00 pm	Economic Development Cmsn	Madison Avenue Mtg Rm	
12	7:00 pm	City Council Quarterly Work Session	Madison Avenue Mtg Rm	tentative
13	8:20 am	Citizens Advisory Cmsn on Transit	Madison Avenue Mtg Rm	
13	6:30 pm	Historic Resources Commission	Downtown Fire Station	
14	5:30 pm	Downtown Commission	Madison Avenue Mtg Rm	
15	6:30 pm	Parks, Natural Areas, and Rec Brd	Downtown Fire Station	
17		No Government Comment Corner		
<b>19</b>	<b>6:30 pm</b>	<b>City Council</b>	<b>Downtown Fire Station</b>	
20	2:00 pm	Human Services Committee	Madison Avenue Mtg Rm	

Date	Time	Group	Location	Subject/Note
20	5:00 pm	Urban Services Committee	Madison Avenue Mtg Rm	
21	12:00 pm	Housing and Comm Dev Cmsn	Madison Avenue Mtg Rm	
21	3:30 pm	Administrative Services Committee	Madison Avenue Mtg Rm	
21	5:30 pm	Arts and Culture Commission	Parks and Rec Conf Room	
21	7:00 pm	Planning Commission	Downtown Fire Station	
24		No Government Comment Corner		
26		City holiday - all offices closed		
27	5:15 pm	Cmsn for Martin Luther King, Jr.	City Hall Meeting Room A Osborn Aquatic Center	
31		No Government Comment Corner		

### JUNE 2014

Date	Time	Group	Location	Subject/Note
<b>2</b>	<b>6:30 pm</b>	<b>City Council</b>	<b>Downtown Fire Station</b>	
3	7:00 am	Airport Commission	Madison Avenue Mtg Rm	
3	2:00 pm	Human Services Committee	Madison Avenue Mtg Rm	
3	4:00 pm	Downtown Parking Committee	Downtown Fire Station	
3	5:00 pm	Urban Services Committee	Madison Avenue Mtg Rm	
4	3:00 pm	Community Police Review Board	Walnut Community Room	
4	3:30 pm	Administrative Services Committee	Madison Avenue Mtg Rm	
4	7:00 pm	Planning Commission	Downtown Fire Station	
4	7:30 pm	Library Board	Library Board Room	
6	7:00 am	Bicycle and Pedestrian Adv Cmsn	Madison Avenue Mtg Rm	
7		No Government Comment Corner		
9	3:00 pm	Economic Development Cmsn	Madison Avenue Mtg Rm	
10	8:20 am	Citizens Advisory Cmsn on Transit	Madison Avenue Mtg Rm	
10	6:30 pm	Historic Resources Commission	Downtown Fire Station	
11	5:30 pm	Downtown Commission	Madison Avenue Mtg Rm	
12	8:30 am	Citizens Advisory Cmsn on Civic Beautification and Urban Forestry	Parks and Rec Conf Room	
14	10:00 am	Government Comment Corner	Library Lobby - Biff Traber	
<b>16</b>	<b>6:30 pm</b>	<b>City Council</b>	<b>Downtown Fire Station</b>	
17	2:00 pm	Human Services Committee	Madison Avenue Mtg Rm	
17	5:00 pm	Urban Services Committee	Madison Avenue Mtg Rm	
18	12:00 pm	Housing and Comm Dev Cmsn	Madison Avenue Mtg Rm	
18	3:30 pm	Administrative Services Committee	Madison Avenue Mtg Rm	
18	5:30 pm	Arts and Culture Commission	Parks and Rec Conf Room	
18	7:00 pm	Planning Commission	Downtown Fire Station	
19	6:30 pm	Parks, Natural Areas, and Rec Brd	Downtown Fire Station	
21		No Government Comment Corner		
24	5:15 pm	Cmsn for Martin Luther King, Jr.	Osborn Aquatic Center	
25	5:15 pm	Watershed Management Adv Cmsn	Madison Avenue Mtg Rm	
28	10:00 am	Government Comment Corner	Library Lobby - Mike Beilstein	

**Bold** type – involves the Council      ~~Strikeout~~ type – meeting canceled      *Italics* type – new meeting

CIP – Capital Improvement Program      HRC – Historic Resources Commission      PC – Planning Commission

TBD – To be Determined



**LWV Corvallis**

PO Box 1679, Corvallis, OR 97339-1679

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

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March 17, 2014

Dear Mayor Manning and Members of the City Council:

Corvallis Land Development Code (LDC) Section 1.1.60 - CONFLICT OF INTEREST needs to be amended to codify the interpretation the City Council passed on November 18, 2013.

Last fall, you may recall, there was some confusion about what constituted a conflict of interest in land use decisions as the language in the LDC Section 1.1.60 is ambiguous. As a result, Deputy City Attorney Jim Brewer proposed that Council adopt the following interpretation of the current text in a November 14<sup>th</sup> memorandum.

*A member of a hearing authority shall not participate in any proceedings or action in which the member has **an actual conflict of interest as defined in State law**. Any actual or potential conflict of interest shall be disclosed at the meeting of the hearing authority where the action is being taken. Examples of potential **and actual** conflicts of interest include:*

- a. Member owns property within the area entitled to receive notice of the public hearing;*
- b. Member has a direct private interest in the proposal; or,*
- c. For any other valid reason, the member has determined that participation in the hearing and decision cannot be impartial.*

This adopted interpretation provides legal guidance for the current Council, but according to Attorney Brewer, a citizen or maybe a future councilor or planning commissioner reading the code would not know this unless this new interpretation is put into the LDC. As the League supports measures to insure effective, impartial, prudent, and lawful enforcement of the implementation of the Comprehensive Plan, we strongly suggest that Council direct the staff to include this change in the package of proposed LDC amendments currently being prepared to come before the Planning Commission and City Council this spring.

Sincerely,

Ann Brodie, President

**To: City Council**  
**From: Dan Brown**

**March 17, 2014**

**SUBJECT: Collaboration Recommendations**

The Collaboration Steering Committee and the work groups have provided the City Council with valuable brainstorming about dealing with localized problems surrounding the University. These groups may or may not have been aware of the City's budget realities, staffing constraints, Land Development Code, history of planning for zoning, historic preservation program, parking plans, traffic plans, etc. The Council should make final decisions in these contexts.

**Item 1-1 - Rezoning**

I agree with the staff recommendation about Item 1-1. We need to prioritize this recommendation into the continuing list of about 100 Community Development issues before the City.

**Item 2-21 - Demolition Process**

Demolition of residential structures is commonplace. Demolitions is sometime a bad thing, but it is sometimes a good thing. For example, the City recently required the demolition of a nuisance property in Ward 2. It appeared to be a "historic" structure.

Item 2-21 brings up the issue of "historical significance." We must be careful in using this term. In Corvallis, "historic significance" has a specific and narrow meaning under the *Land Development Code*. A structure must be at least 50 years old (e.g. built before 1964) but that is not enough.

Not all old houses are "significant." To be "historically significant" requires an official determination that a structure is worth preserving because of historic value. The LDC provides a list of fairly rigorous criteria which are applied, and the *Corvallis Register of Historic Landmarks and Districts* is a good place to find out if a house has been determined to be historically significant. These properties are already protected by the *Historic Preservation Provisions (Chapter 2.9)* of the *Corvallis Land Development Code*.

Our *Comprehensive Plan* envisions a future Corallis which is more densely populated than it was more than fifty years ago. One can infer that some historic uses of residential property will prove to be outmoded. The role of demolition in the context of historic preservation is clearly spelled out in **LDC 2.9.110**.

In my opinion, the Council needs to study this issue carefully through the usual process of forwarding it to the appropriate standing committee

**Item 2-22 - Historic Preservation Plan**

Funding for a Historic Preservation Plan must be considered in light of City budget realities. At present, the City has little data to indicate that a HPP is considered higher priority by the majority of Corvallis citizens than other existing and potential activities.

### **Item 3-7 - Remote Parking Lots**

The idea of remote parking for OSU has been around for decades. In fact, the very first policy in the Parking Chapter of the *OSU Campus Master Plan* (which was adopted by the City Council in 2005) states that OSU's policy is to:

*7.2.1 Provide parking facilities to meet the needs of the campus community. Where possible, provide adequate parking convenient to the area or site it serves or develop satellite or remote parking with adequate shuttle service.*

There is no qualification in this policy about "support from the City." In contrast, consider the following CMP policy in the agreement:

*7.2.11 Manage parking impacts in the neighborhoods surrounding the university through a neighborhood parking program administered by the city of Corvallis with possible funding assistance from OSU.*

The City should acknowledge that OSU is working on a plan to take care of problems created by commuters, on-campus residents, the OSU fleet, etc. The Council will surely be glad to see the results.

However, I do not see a need for our overextended City staff to provide support for this exercise. Further, I do not see that we need to suggest any endorsement about future OSU proposals which are not part of the current or soon-to-be updated CMP.

### **Item 3-11 - Neighborhood Traffic Volume Assessments**

Monitoring and baselines with regard to traffic counts are great ideas. Ten years ago recurrent (mostly annual) monitoring and reporting to the City was anticipated in **Section 3.36.90** of the Corvallis *Land Development Code*, entitled ***Campus Master Plan Monitoring***. This is appended to this document. One can infer from the LDC that OSU will pay for providing the required information.

I would like to see how these requirements have been met. Perhaps we already have baseline traffic data for some important locations. At the last City Council meeting I made a Council request for an update on **LDC 3.36.90** but have not seen the results yet.

Of course baseline data should be gathered before the implementation of City or OSU program changes. The current timing options are problematic. In the CMP, the cyclic nature of OSU is sometimes recognized, i.e. fall term enrollments are higher than other terms; this translates into reduced class and teaching requirements. Parking needs and traffic flows are also affected. Unfortunately, at this date, we do not have the option of making a fall term measurement before fall 2014. The choice is between no data and biased data.

I think we should accept the recommendation and study the data we have available before we move ahead.

## **LDC Section 3.36.90 - Campus Master Plan Monitoring**

**a. As a means of monitoring the implementation of the Campus Master Plan, the University shall provide the following information to the City on a yearly basis.**

1. Updated tabulations of development and open space for the planning area, including -

- a) Gross square footage of development by type that occurred in each Sector over the previous 12 month period;
- b) Remaining available Development Allocation for each Sector; and
- c) Remaining open space areas and percentages for each Sector.

2. Updated parking utilization reports, including -

- a) Identification of new parking space creation and the total number of spaces provided within the CMP boundary and a breakdown by Sector and parking lot type - student, staff, visitor, free, etc.;
- b) Percentage of parking space utilization campus-wide; and
- c) Identification of available parking spaces using City standard parking configurations, and usage within each residential parking district bordering OSU and of the number of residential permits funded by the University. In addition, provide details of other efforts undertaken by the University to address neighborhood parking issues;

3. TDM Report - The TDM Report that identifies efforts and the effectiveness of those efforts undertaken by the University over the previous 12 months to reduce reliance on the single-occupant vehicle. Such efforts shall include, but not be limited to:

- a) Shuttle routes and usage;
- b) Other efforts in support of transit, car-pool, or van-pool usage;
- c) Tabulation of the number of single-occupancy vehicles reduced;
- d) Location and number of bicycle parking spaces, including the number of covered spaces and any additions to the inventory; and
- e) Identification of campus pedestrian routes and system improvements.

Corvallis Land Development Code (as amended)

Chapter 3.36 - Oregon State University (OSU) Zone Page 32 of 53

4. Base Transportation Model (BTM) update that includes the following components over the previous 12 month period -

- a) Traffic counts to be updated on a five-year cycle;
- b) New development, and if known, future development square footage and Use Type, based on the existing model's categories, to be included in the model assumptions on a per Sector basis;
- c) New parking areas or roadways that may have an effect on traffic volumes or patterns; and
- d) Within one year of adoption of the CMP, and on a recurrent two-year schedule, OSU shall complete in coordination with City Staff a baseline traffic count for Jackson Avenue between Arnold Way and 35<sup>th</sup> Street. City staff shall provide OSU and the neighborhood association with the most recent baseline traffic volume measurements made within the last five years.

b. Additional monitoring efforts include:

1. Within one year of adoption of the CMP, OSU should work with the City to perform a baseline traffic count of local streets identified by neighborhood associations as problems in the areas bordering Sectors A, B, and C, and south of Harrison Boulevard; and

2. OSU shall participate as a full partner in a task force initiated by the City with City, University, neighborhood association and neighborhood business representation, to review and evaluate existing baseline traffic measurements, parking studies, and other relevant information and develop strategies to mitigate problem areas.

*[Chapter 3.36 amended by Ordinance 2014-01, effective February 28, 2014]*



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MEMORANDUM

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**TO: Collaboration Corvallis Steering Committee**

**FROM: Eric Adams, Project Manager**

**DATE: March 14, 2014**

**SUBJECT: Status of Completed Actions and Ongoing Efforts to Implement Recommendations**

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Provided below is a summary of completed actions and ongoing efforts by the City of Corvallis and Oregon State University (OSU) to implement each of the 68 work group recommendations accepted by the Steering Committee. Attachments 'A' and 'B' provide additional detail regarding the status of recommendations that are specific to OSU and the City of Corvallis, respectively. An updated version of Attachment 'A' that contains priority assessments will be provided to the Steering Committee at the March 19, 2014, meeting.

These actions are also being tracked on the Recommendation Disposition Matrix that has been previously distributed to the Steering Committee. Given the increasing volume of information it contains, project staff decided the following summary may be easier for the Steering Committee and public to use.

**NEIGHBORHOOD LIVABILITY**

*Completed Actions:*

- With assistance from the City of Corvallis, OSU has produced and distributed an "Off-campus Living Guide".
- Improved communication between Corvallis Police Department, OSU Office of Public Safety and Office of Student Conduct and Community Standards.
- City has increased consistent enforcement of "Special Response Notice" law.
- Additional staff have been hired for OSU Office of Student Conduct and Community Standards, Office of Greek Life, and Dean of Students Office.
- City has implemented increased fines for providing alcohol to minors.
- Funding was secured through Public Safety Levy to hire three additional Corvallis Police Department officers.
- City of Corvallis and OSU became members of the International Town & Gown Association, and attended the 2013 annual conference.
- City of Corvallis and OSU staff participated in a training with Dr. Robert Saltz.
- City has modified existing alcohol-related ordinances to mirror intent of a Social Host Ordinance.

- OSU hosted its first off-campus housing fair in March to inform students about off campus housing opportunities and responsibilities. Approximately 1,000 students attended.

Ongoing Efforts:

- City is monitoring effectiveness of Special Response Notice and increased enforcement of other “nuisance behavior” laws; a livability survey will be completed by fall 2014.
- City is proceeding with implementation of an expanded residential Neighborhood/Property Maintenance Code program.
- City will be hiring additional Code Enforcement and Neighborhood Relations staff using funding from the November 2013 Levy.
- Development of “OSU Welcome Week” and other community relations programs.
- City is proceeding with amendments to the Corvallis Municipal Code regarding refuse collection.
- City is finalizing an electronic notification system endorsed by rental property owners that will inform them of police response to their properties.

**PARKING AND TRAFFIC**

Completed Actions:

- City and OSU have increased marketing for transit and alternate modes of transportation.
- OSU has expanded its bike share program.
- City and OSU have increased service frequency for primary transit routes serving the OSU campus. For Fiscal Year 2013/2014, OSU is funding this effort with a \$22,000 investment.
- Additional funding to support the Linn-Benton Loop has been committed by OSU and the City of Corvallis.
- OSU and the City have each implemented GPS-based route status systems for CTS and OSU Shuttle buses.
- OSU has increased funding for transportation safety education in conjunction with support from City staff.
- OSU conducted transportation assessment of intersections in and around campus and for the first time evaluated some for bicycle and pedestrian safety.
- OSU has expanded the on-campus transit shuttle system by adding another shuttle.

Ongoing Efforts:

- City is proceeding with implementation of an expanded residential parking district program, with the goal of initiating the new districts by September 2014.
- By April 14, OSU will announce a restructuring of its on-campus parking permit system, likely to be a zonal system based on parking lot location and demand, and transit system commute options.
- Strategic assessment of OSU’s transit shuttle system’s role in supporting use of on-campus parking facilities and travel to and within the campus.
- Assessment of campus lighting to enhance bike and pedestrian safety.

- OSU is exploring options to expand its existing Transportation Demand Management programs.
- Assessment of a new campus transit hub is being conducted with the Corvallis Area Metropolitan Planning Organization.
- OSU is evaluating traffic volumes on Jackson Avenue between Arnold Way and 30<sup>th</sup> Street and developing mitigation strategies.
- Revisions to the OSU Campus Master Plan's transportation and parking plans
- Increased funding for additional on-campus bicycle parking facilities.
- OSU and the City are developing an expanded marketing plan for transit, parking districts, and campus economy lot options for fall 2014. The university is funding this effort with a \$16,000 investment.

## **NEIGHBORHOOD PLANNING**

### *Completed Actions:*

- City amended the Land Development Code parking requirements to address four- and five-bedroom dwellings as of December 2012.
- City Council authorized staff to prepare two additional Land Development Code (LDC) amendment packages that will address various residential infill development issues. The Planning Commission will review the first package in March 2014.
- City Council authorized staff to engage the Infill Task Force to assist with preparation of Residential Design Guidelines. A draft document was presented to the Planning Commission at its March 5, 2014 meeting.
- OSU implemented a new requirement for freshmen to live on campus as of fall 2013.

### *Ongoing Efforts:*

- OSU is constructing a new 324-bed residence hall on campus that will open this fall. With the return of Finley Hall to a full-service dormitory, OSU on-campus housing in fall of 2014 will increase to 4,753 beds.
- The university will launch a request for proposals for public-private partnerships related to student housing by September 2014.
- The second package of Land Development Code amendments authorized by the City Council is currently being prepared for review by fall 2014.
- City Council direction regarding potential modifications to the demolition permit process and preparation of a Historic Preservation Plan.
- Update of the OSU Campus Master Plan – adoption by 2016
- City Council has authorized staff to include development of a “Historic Preservation Lite” program as part of a future Planning Commission Work Program.

**Collaboration Corvallis Work Group Recommendations  
OSU Actions and Ongoing Efforts**

**LIVABILITY RECOMMENDATIONS**

<b>RECOMMENDATION</b>	<b>STATUS</b>	<b>NEXT STEPS</b>	<b>RESPONSIBILITY</b>	<b>PRIORITY</b>
<b>Off-Campus Livability Guide</b>	Print edition completed Web edition on-line	Update annually Create mobile app	Community Relations URM	
<b>Amend Student Code of Conduct</b>	Enforce code on and off circumstances	Under way	Office of Student Conduct	
<b>Increase Student Conduct staffing</b>	1.5 staff hired 1-1-13	?	Director Student Conduct	
<b>Join and participate In International Town &amp; Gown Association With city of Corvallis</b>	Membership complete 4-1-13	Participate; Prioritize & implement best practices	Community. Relations	
<b>Consult with national Underage drinking Expert; hold speaker series; Identify next steps; work With Benton County, city</b>	Speaker visited in April 2013	Evaluate hiring substance abuse consultant to review OSU policies and stakeholders	Student Health Services	
<b>Monitor effectiveness of SRN's. Share SRN, citation, And incident reports with OSU</b>	Under way	Monitor effectiveness of off-campus code of conduct activities and enforcement	Office of Student Conduct	

**Collaboration Corvallis Work Group Recommendations  
OSU Actions and Ongoing Efforts**

**LIVABILITY RECOMMENDATIONS (continued)**

<b>RECOMMENDATION</b>	<b>STATUS</b>	<b>NEXT STEPS</b>	<b>RESPONSIBILITY</b>	<b>PRIORITY</b>
<b>Off-campus living Orientation program</b>	Off-Campus Living Expo held at OSU 3-6-14		Community Relations Dean of Students Office	
<b>Expand "welcome week" Programming into community</b>	Annual programs held	Evaluate next steps	New Student Programs Community relations URM	
<b>Launch "neighbor-to-neighbor" Mediation service</b>	No activity	Determine existing services within Corvallis		
<b>Launch Community Relations Advisory Committee</b>	No activity	Determine partners to include; host joint meeting with city, other partners	Community Relations URM VP Dean of Students Others ?	

Collaboration Corvallis Work Group Recommendations  
OSU Actions and Ongoing Efforts

**OTHER LIVABILITY ACTIVITIES BY OREGON STATE**

<b>ACTIVITY</b>	<b>STATUS</b>	<b>NEXT STEPS</b>	<b>RESPONSIBILITY</b>	<b>PRIORITY</b>
<b>Expand staffing in Greek Life</b>	Interim assistant director hired July 2103	Evaluate programming results and on-going staffing	Office of Greek Life Dean of Students	
<b>Expand staffing in Community relations</b>	Community relations director to be hired By May 1, 2014	Complete search Set program priorities	Dean of Students URM VP	

Collaboration Corvallis Work Group Recommendations  
OSU Actions and Ongoing Efforts

**NEIGHBORHOOD PLANNING RECOMMENDATIONS**

<b>RECOMMENDATION</b>	<b>STATUS</b>	<b>NEXT STEPS</b>	<b>RESPONSIBILITY</b>	<b>PRIORITY</b>
<b>Increase on-campus Housing percentage Of undergraduates to 28-30 percent by 2019</b>	Housing percentage is now at 21.1 percent	Complete OSU Campus Master Plan update (12-31-15)	University	
	Bed totals: 2012: 4,194 beds 2013: 4,651 beds 2014: 4,753 beds	Evaluate and set priorities and conduct search for public-private partnership housing proposals;	UHDS director F&A VP	
	Construct 342-bed residence hall; to open September 2014		UDHS director F&A VP	
<b>Expand housing content To OSU Campus Master Plan</b>	under way	Complete OSU Campus Master Plan update (12-31-15)	University	
<b>Evaluate public-private Partnerships for expanded Student housing</b>	Public-private partnership request for information completed in spring 2013	Prioritize needs, goals of public-private partnership programs	UDHS director F&A VP	
		Create RFP; release RFP by 8-1-14	UHDS director F&A VP	
		Conduct consumer & economic analysis of housing needs, impact	UDHS director F&A VP URM VP	

**Collaboration Corvallis Work Group Recommendations  
OSU Actions and Ongoing Efforts**

**PARKING AND TRAFFIC RECOMMENDATIONS**

<b>RECOMMENDATION</b>	<b>STATUS</b>	<b>NEXT STEPS</b>	<b>RESPONSIBILITY</b>	<b>PRIORITY</b>
<b>Increase TDM programs And TDM marketing</b>	On-going	Expand within Parking, Transit TDM strategy (4-14-14)	Transportation Solutions URM Designate others	
		Approve funding 7-1-14	Trans. Solutions Asst. Dir. VP F&A VP URM	
<b>Fund on-campus bike Sharing program</b>	URM funded purchase of ( ) bikes in 2102, 2013	Expand within Parking, Transit TDM strategy (4-14-14)	Transportation Solutions URM Designate others	
<b>Expand way-finding signage To Oregon State campus From state highways, community</b>	No activity	None identified		
<b>On-Campus Variable parking permit System</b>	Underway Task Force launched in fall 2013; recommendation due March 20; decide and Announce strategies by March 31	Launch system on 9-15-14	OSU Administration Task Force Trans. Solutions Asst. Direct. URM (marketing)	

**Collaboration Corvallis Work Group Recommendations  
OSU Actions and Ongoing Efforts**

**PARKING AND TRAFFIC RECOMMENDATIONS (continued)**

<b>RECOMMENDATION</b>	<b>STATUS</b>	<b>NEXT STEPS</b>	<b>RESPONSIBILITY</b>	<b>PRIORITY</b>
<b>Bike and pedestrian Corridor Safety Assessment</b>	Annual "Be Bright Be Seen" Safety Campaign conducted	Continue	URM Transportation Solutions DSP, OSP City of Corvallis	
	Lighting, Blue light system, Walkway map updated; Lighting assessment Completed,	Foliage assessment? Video cameras on "Blue Lights" Improve deficient Lighting; maintain Foliage for safety Promote personal Safety tips	OSU Facility Services ? URM, DSP, OSP	
<b>Remote Parking Lot Assessment</b>		Launch zonal parking system, measure results, consider next steps	Transportation Solutions Trans. Sol. Task Force	
<b>Expand OSU on-campus bike Parking facilities</b>	Status of 2013-14 investments?	Expand within Parking, Transit TDM strategy (4-14-14)	Transportation Solutions URM Designate others	
		Fund strategy	Transportation Solutions F&A VP	

**Collaboration Corvallis Work Group Recommendations  
OSU Actions and Ongoing Efforts**

**PARKING AND TRAFFIC RECOMMENDATIONS (continued)**

<b>RECOMMENDATION</b>	<b>STATUS</b>	<b>NEXT STEPS</b>	<b>RESPONSIBILITY</b>	<b>PRIORITY</b>
<b>Expand OSU car-pool Programs</b>	Status as of 2013-14	Expand within Parking, Transit TDM strategy (4-14-14)	Transportation Solutions URM Designate others	
		Fund strategy	Transportation Solutions F&A VP	
<b>Neighborhood traffic Volume analysis on Jackson Avenue</b>	Underway	Report results Evaluate and report results to City, OSU	OSU Campus Operations College of Engineering	
<b>OSU Funding for CTS</b>	OSU has provided \$30,000 additionally in 2012, to expand two CTS routes and enhance CTS marketing	Evaluate results Decide next steps	Trans. Solutions. Asst. Direct. URM VP F&A VP	
		Evaluate long-term funding CTS strategy by OSU	OSU administration	
<b>OSU Funding for Linn-Benton Loop</b>	OSU provides \$102,000 annually Along with LBCC, Benton And Linn counties' regional Government organizations	Evaluate results Decide next steps Increase loop promotion	Trans. Solutions. Asst. Direct. URM VP F&A VP	

**Collaboration Corvallis Work Group Recommendations  
OSU Actions and Ongoing Efforts**

**PARKING AND TRAFFIC RECOMMENDATIONS (continued)**

<b>RECOMMENDATION</b>	<b>STATUS</b>	<b>NEXT STEPS</b>	<b>RESPONSIBILITY</b>	<b>PRIORITY</b>
<b>Improve OSU-CTS transit Coordination</b>	On-going conversations	Discussions with CTS, OSU to better align schedules	CTS OSU Transportation Solutions	
<b>Expand OSU Shuttle Service to Campus fringe</b>	On-going	Expand within Parking, Transit TDM strategy (4-14-14)  Approve funding 7-1-14	Transportation Solutions URM (promotion) Designate others  Trans. Solutions Asst. Dir. VP F&A VP URM	
<b>Implement OSU Shuttle Information &amp; mobile apps Systems</b>	Nearly Completed	Expand within Parking, Transit TDM strategy (4-14-14)  Approve funding 7-1-14	Transportation Solutions URM (promotion) Designate <i>others</i>  Trans. Solutions Asst. Dir. VP F&A VP URM	
<b>Evaluate on-campus transit hub</b>	Study under way	Connect with CAMPO Discuss study goals, Timeline, assist in study	CAMPO	

**Collaboration Corvallis Work Group Recommendations  
OSU Actions and Ongoing Efforts**

**PARKING AND TRAFFIC RECOMMENDATIONS (continued)**

**Marketing to promote  
Alternate modes of  
Travel**

Annual  
"Be Bright Be Seen"  
safety Campaign conducted

Continue

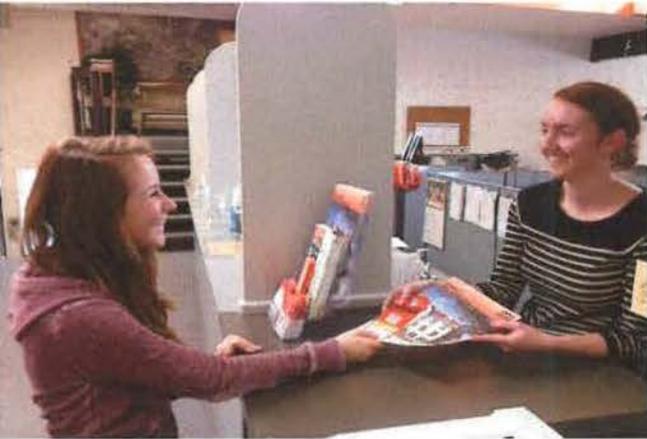
URM  
Transportation Solutions  
DSP, OSP City of  
Corvallis

Expand within  
Parking, Transit  
TDM strategy  
(4-14-14)

Transportation Solutions  
URM (promotion)  
Designate *others*



# Improving On-Campus Parking and Transit at OSU



## A Look at the Current System

- Parking on campus is frustrating and uncertain.
- Commuters are forced to “hunt” for parking.
- Unlimited number of parking permits are sold.
- Parking lots in the core of campus are 90-100% utilized.
- 25% (approx. 1,775) of campus parking spots are available for parking each day.
- OSU Shuttle is neither well known or well used.
- Community complaints: neighborhoods are crowded with cars.
- NEW Parking spaces are costly to build and maintain.
  - Parking operation on campus is self funded

# **It's Time for Transportation Solutions**

**Task Force created to develop short-, mid-, and long term solutions for campus Parking & Transportation:**

- Task Force made up of Oregon State students, professional and teaching faculty, and staff and technical advisors.
- Supported by two national transportation experts.
- Supported by technical advisers from OSU and City of Corvallis.
- Informed by Collaboration Corvallis recommendations.
- Informed by:
  - Focus groups with students, faculty and staff.
  - On-line survey of more than 9,000 faculty, staff and students.
  - More than 20 campus and community outreach meetings.
  - Financial modeling.

March 11, 2014

**Oregon State**  
UNIVERSITY

## Transportation Solutions Task Force Goals:

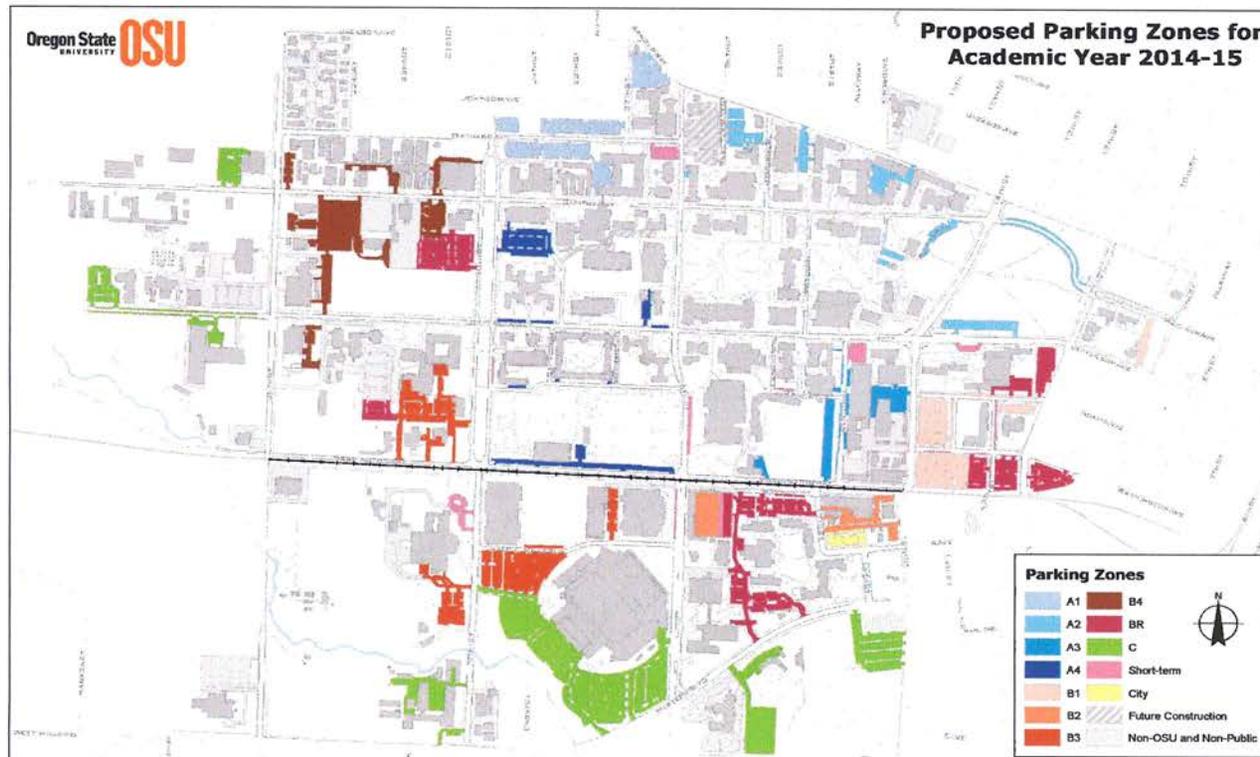
- Increased probability of finding parking on campus without sacrificing safety and accessibility.
- Support for a 10-minute campus.
- Financial accountability and transparency and cost sensitivity for faculty, staff and students.
- Expanded carpool and other commute options.
- Advance the University District Plan (*Campus Master Plan*), Strategic Plan, and Climate Plan goals to reduce SOV trips and OSU's carbon footprint.
- Reduced OSU commuter parking impacts in neighborhoods.
- Accessibility in campus parking, transit and pathway systems.

March 11, 2014

**Oregon State**  
UNIVERSITY

# Proposed Zonal Parking System

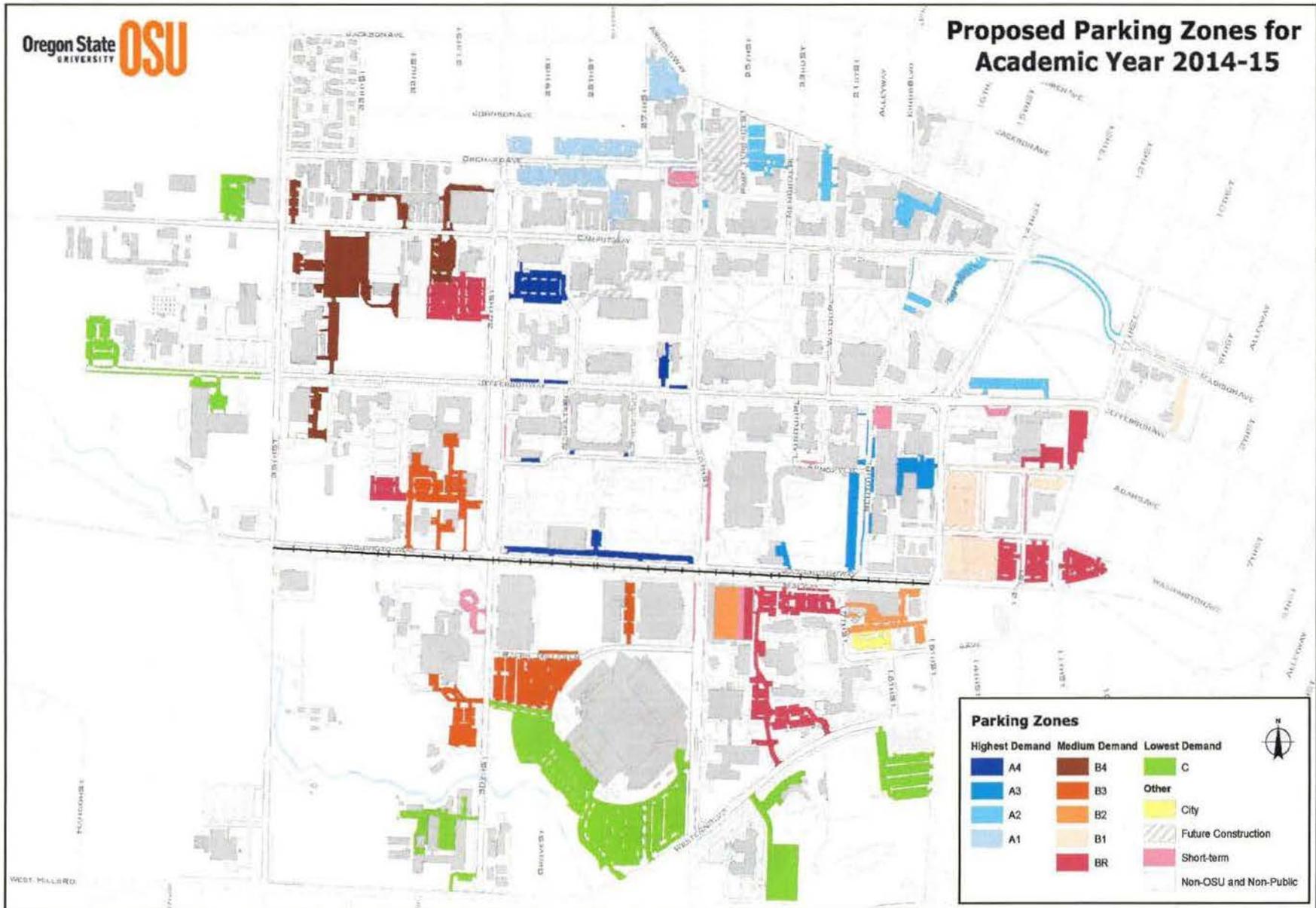
- **10 Parking Zones, 3 price levels:**
  - Faculty/staff and students together: 85%-15% split per zone.
  - Limited parking permit oversell to address supply and demand.
  - Carpool, visitor and other short-term parking needs accommodated.



\*Accessible parking is provided in every parking type. An individual with a disabled person parking permit (DMV) and OSU permit can park in any accessible parking space on campus.

Date: 2/20/2014

## Proposed Parking Zones for Academic Year 2014-15



\*Accessible parking is provided in every parking type. An individual with a disabled person parking permit (DMV) and OSU permit can park in any accessible parking space on campus.

Date: 2/27/2014



## Changes being considered: variable pricing options

- Zonal pricing options allow consumer choice.
- Range of costs being considered:
  - \$100 - \$550 annually
  - Or \$11 - \$61 per month (9 month payroll deduction)
  - (Currently: \$267 for faculty and staff and \$195 for students)
  - ADA spaces at the \$100 rate
- How these ranges compare to peer universities:
  - UC Davis: \$156 - \$612 (ADA spaces - \$276)
  - Michigan State: \$284 - \$474
  - Washington State, Pullman: \$121 - \$634
  - Ohio State: \$693 - \$756

# Changes Being Considered: Zonal Parking System

## Permit Sales:

- Beginning September 15, 2014
- Faculty & Staff – Four groups ordered by years of service
- Students – Ordered by Graduate students first, Undergraduate students by class
- Waitlists – First come first serve in each zone

## Benefits of a zonal parking system:

- Improved probability of finding parking for time savings and reduced frustration.
- Expanded consumer location and financial choices.
- Increased utilization of campus parking facilities.
- Parking better distributed throughout campus.
- Convenience to come and go as needed.

## Changes Being Considered: Improved Transit Services

- More frequent OSU Shuttle service.
- Transport riders from remote lots to campus core.
- More recognizable OSU Shuttle.
- Improved shuttle tracking app and website.
- Expanded promotion, support and coordination of local transit and paratransit.
- Promote “Dial-A-Ride” paratransit services.
- Mid-term and long-term steps:
  - Invest in rider amenities such as bus shelters.
  - Additional shuttle routes.
  - Evaluate creation of on-campus regional transit center.

## Changes Being Considered: Commute Options and Access

- On-going investment in commuting options:
  - Bicycle infrastructure and program support.
  - Enhanced Corvallis Transit System (CTS) support.
  - Investments in carpool, vanpool and other transportation options.
  - Promote transportation options: “Drive Less and Save More.”
- Carpool priority spaces.
- Pathway and lighting evaluation and improvements.
- Mid- and long term steps:
  - Explore remote parking options.
  - Plan for additional transportation options and parking requirements.
  - Contribute to University District Plan (Campus Master Plan) update.
  - Pathway and lighting improvements

## Outreach and Decision-Making Schedules

- March 13 - Finish first outreach phase.
- March 20 - Task Force makes final recommendations.
- March 20 - University announces plans for parking system.
- March 31 to April 9 – Second outreach phase.
- April 14 - University announces final decisions.
- April - City of Corvallis parking district decision.
- Late June - Modifications to OAR.
- September 15 – Permit sales and implementation begin.
- Throughout the 2014-15 Academic Year:
  - On-going evaluations and fine-tuning.
  - Additional parking permit sales as capacity allows.
  - Continued work through Collaboration Corvallis.

## **Goals to be Achieved: Are They Being Addressed?**

### **Short-, mid-, and long term solutions:**

- Increased probability of finding parking on campus.
- Support for a 10-minute campus.
- Improved safety and sustainability.
- Financial accountability and transparency and cost sensitivity for faculty, staff and students.
- Expanded carpool and other commute options.
- Reduced OSU commuter parking impacts in neighborhoods.
- Accessibility in campus parking, transit and pathway systems
- Advance campus goals to reduce SOV trips and carbon footprint.