



# PLANNING COMMISSION MEETING

**Tuesday, September 11, 2018, 6:30 PM**

Fairview City Hall – Council Chambers, 2nd Floor  
1300 NE Village Street, Fairview, OR 97024

## MEETING AGENDA

1. **CALL TO ORDER:** 6:30 p.m.
2. **CITIZENS WISHING TO SPEAK ON NON-AGENDA ITEMS**
3. **ADOPTION OF MINUTES FROM JULY 10, JULY 24, AND AUGUST 14, 2018**
4. **WORK SESSION**  
Review and provide feedback on initial code concepts for a package of code maintenance and policy amendments.
5. **COMMISSION AND STAFF UPDATES**
6. **TENTATIVE AGENDA**
7. **ADJOURNMENT**

NEXT PLANNING COMMISSION MEETING: TUESDAY, SEPT. 25, 2018

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Planning Commission hearings are broadcast live on Comcast Cable Channel 30 and Frontier FiOs Channel 38. Replays of the meeting are shown on Saturday at 12:30pm and Monday at 2:00pm following the original broadcast date. Meetings are also available for viewing on the MetroEast website. Further information is available on our web page at [www.fairvieworegon.gov](http://www.fairvieworegon.gov) or by calling Devree Leymaster, City Recorder, 503-674-6224.

The meeting location is wheelchair accessible. A request for an interpreter for the hearing impaired or for other accommodations for person with disabilities should be made at least 48 hours before the meeting to: Devree Leymaster, 503-674-6224.

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MINUTES  
PLANNING COMMISSION MEETING  
1300 NE Village Street  
Fairview, OR 97024  
Tuesday, July 10, 2018

PRESENT: Ed Jones, Chair  
Russell Williams, Vice Chair  
Hollie Holcombe  
Jeff Dennerline  
Steven Hook  
Les Bick

STAFF: Sarah Selden, Senior Planner  
Eric Rutledge, Associate Planner  
Devree Leymaster, City Recorder

**1. CALL TO ORDER**

Chair Jones called the meeting to order at 6:30 PM.

**2. CITIZENS WISHING TO SPEAK ON NON-AGENDA ITEMS**

None.

**3. ELECTION OF CHAIR AND VICE CHAIR**

Commissioner Dennerline nominated Commissioner Jones for Chair and Commissioner Williams as Vice Chair and Commissioner Bick seconded. The motion passed unanimously.

**4. REVIEW AND ADOPT MINUTES: June 12, 2018**

Vice Chair Williams moved to adopt the minutes as written and Commissioner Dennerline seconded. Motion passed unanimously.

AYES: 6

NOES: 0

ABSTAINED: 0

**5. PUBLIC HEARING**

a. Application 2018-21-DR-CUP: Proposed Mixed-Use Development Sandy Blvd.

Chair Jones read the Open Hearing Statement for a Quasi-Judicial Hearing and Associate Planner Rutledge cited the applicable criteria.

Commissioner Bick recused himself from the Commission and stepped off the dais, as he is one of the applicants for the proposed development.

AP Rutledge reviewed the staff report as reflected in the presentation. (*Exhibit A*) In summary, the proposed development is a four story mixed-use building with 48 residential units, 1,000 SF of office space, and 67 off-street parking spaces. The applicant is requesting a conditional use permit to increase building height (6ft 6in) and has requested a variance from Multnomah County for secondary access from Sandy Blvd. AP Rutledge shared a memo from Multnomah County reflecting the County's approval of the variance request with required conditions. (*Exhibit B*) He noted Joanna Valencia, Multnomah County Transportation, is present should the Commission have questions.

Chair Jones asked if any person would like to speak in favor, opposition or neutrally regarding the application.

Julie Stephan, Fairview, OR spoke in opposition of the application. She is concerned about the shared driveway with Quail Hallow MHP; congestion and potential for increased accidents. She proposed the city install a stop sign if the application is approved.

Mary Best, Fairview OR asked if sidewalks along Sandy Blvd. would be part of the project. AP Rutledge responded the applicant has two options to make half street improvements. They may make the improvements, including sidewalks, or make a payment in lieu of (PILO) to Multnomah County to address the improvements in the future. Joanna Valencia, Multnomah County Transportation, shared the County does have future plans to widen Sandy Blvd., which would include sidewalks.

Jarvez Hall, Executive Director East Metro Economic Alliance, Gresham, OR asked what types of businesses may be allowed. Commissioner Dennerline referred Mr. Hall to FMC Table 19.70.020.A, which lists the business types permitted in the Corridor Commercial District.

Les Bick, Applicant, Fairview, OR responded to the conditions of approval recommended by staff as outlined in *Exhibit C*.

The Commission discussed the following issues and findings.

“Development is really residential; not mixed use,” Commissioner Dennerline. Mixed use requires commercial space; an accessory use to the residential use i.e. property management office does not meet the intent of a mixed use building. The Commission indicated inclusion of a sufficient, non-accessory use, commercial space would be needed to classify the development as mixed use.

Preservation of significant trees. The Commission felt more of an effort was needed to show the significant trees on the property could not remain and the site plan adapted to keep the trees. Staff proposed the applicant retain an arborist to evaluate the trees and then determine the impact of preserving the trees may have on the site plan, parking, etc.

Conditional use permit to increase the building height; allowed limit is 45 feet, requesting 51 ft. 6 in. The Commission supported staff’s recommendation of increasing the east side set back from 0 ft. to 15 ft.; current site plan has an 11 foot set back to mitigate the height transition between the development and adjacent property. Staff verified that the code does support this type of condition when requesting a height increase and this was included during the pre-application phase. The Commission indicated that staff’s recommendation is reasonable and suitable for the increased height request. Chair Jones noted staff’s recommendation for buffer trees (over 20 feet when mature) and the potential impact to the single level residences next door should be considered.

Location of pedestrian pathway and location of trash containers were noted. The Commission indicated support that the trash containers be relocated for safety and that pedestrian pathways meet the code and provide safe access from Sandy Blvd.

Vice Chair Williams noted concerns about there not being enough parking. In practice, Sandy Blvd. is not a minor arterial. Mr. Bick commented the proposal complies with the code for

parking; adequate on-site parking for residents is provided. He also noted the driveway is not a shared driveway with Quail Hollow MHP, but is in close proximity.

Chair Jones closed the public hearing. SP Selden reviewed the Commission's options: approve, modify, deny or continue hearing.

Commissioner's Dennerline and Williams reiterated the proposal is really a residential (apartment) development; not mixed use. Needs a commercial services portion to be considered mixed use. Commissioner Holcombe agreed and asked what the minimum amount of commercial is for mixed use. SP Selden replied the Comprehensive Plan and Sandy Blvd. Refinement Plan outline a vision for commercial/residential (mixed use), but the code does not give specifics for how much meets the criteria. There is not a minimum staff could require, but staff does recommend there is an actual commercial use to meet mixed use criteria.

Chair Jones remarked staff tried to make recommendations to help make the project work. It seems questionable if it really is a mixed use project. Commission could proceed with a vote or suggest the hearing be continued to allow the applicant to provide additional information.

SP Selden commented the Commission does have the discretion to apply conditions for an increased height request and for tree preservation. She noted staff did not have an arborist report or enough information to show that the majority of the site could not be developed reasonably if the trees were preserved.

Commissioner Hook commented he would like the four significant trees to remain. If the hearing is continued he would like to see an arborist report providing information about the trees and a revised site design indicating the impacts of keeping them.

Commissioner Jones inquired if the applicant would like to continue the hearing and have an opportunity to respond. Mr. Bick replied he would support a continuance and is willing to submit an arborist report by July 24, 2018.

Commissioner Hook moved to continue the public hearing for Application 2018-21-DR-CUP to August 14, 2018 at 6:30PM and Commissioner Dennerline seconded. Motion passed unanimously.

AYES: 6  
NOES: 0  
ABSTAINED: 0

## **6. COMMISSION UPDATES**

Commissioner Holcombe reported the Urban Renewal Planning Committee held their first meeting. They reviewed a proposed boundary map and received general Urban Renewal information/what UR is. She shared the Parks and Recreation Advisory Committee is planning a grand opening for Lake Shore Park and the nature play area.

## **7. STAFF UPDATES**

Senior Planner Selden proposed scheduling a work session prior to a regular meeting to begin code work. Commission agreed; first work session is scheduled for September 25 at 5:00 PM.

## **8. TENTATIVE AGENDA – JULY 24, 2018**

- Public Hearing: Proposed amendments to Accessory Dwelling Standards.

**9. ADJOURNMENT**

Meeting adjourned by consensus at 8:19 PM.

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Devree A. Leymaster  
City Recorder

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Ed Jones  
Chair

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Date

A complete recording and/or video of these proceedings is available.  
Contact the City of Fairview City Recorder Office, 1300 NE Village St., Fairview, OR 97024, (503) 674-6224.

**FAIRVIEW  
PLANNING COMMISSION  
PUBLIC HEARING**

**2018-21-DR CUP**  
Fairview Villa

July 10, 2018

The logo of the City of Fairview, Oregon, is circular with a gold border. Inside the circle, there is a blue sky with a yellow sun, a white mountain range, and a blue body of water. The text "CITY OF FAIRVIEW" is at the top and "EST. 1908 OREGON" is at the bottom, separated by two small stars on each side.

**APPLICATION**

Site Design Review and Conditional Use Approval for new mixed-use development consisting of:

- 48 apartment units
- 1,000 SF of commercial space
- 51 ft. 6 in. building height (requ. CU)

Multnomah County Transportation has concurrently reviewed a request for a Road Rules Variance to the access spacing standards

## SITE LOCATION



## SITE LOCATION



Approximate Site Boundaries

## SITE LOCATION



Heading SE from Sandy Blvd.

## NOTICES/REFERRALS/TESTIMONY

### Notice of Public Hearing

- June 18: Mailed to property owners within 250 ft. of the site.
- June 19: Published in the Gresham Outlook
- June 28: Sign was posted on the site

### Referrals

- Application routed to Multnomah County Transportation, Gresham Fire and Fairview Public Works

### Written Testimony

- By noon on the hearing day, no written testimony received

# APPLICABLE CRITERIA

## Application Review Procedures

- 19.400 Administration of Land Use and Development Review
- 19.413 Procedures
- 19.424 Site Design Review - Application Review Procedure
- 19.425 Site Design Review - Application Submission Requirements
- 19.426 Site Design Review - Approval Criteria
- 19.440 Conditional Use Permits

## Land Use Districts

- 19.70 Corridor Commercial

## Design Standards

- 19.162 Access and Circulation
- 19.163 Landscaping, Street Trees, Fences and Walls
- 19.164 Vehicle and Bicycle Parking
- 19.165 Public Facilities Standards
- 19.170 Sign Regulations

# CORRIDOR COMMERCIAL (CC) ZONING

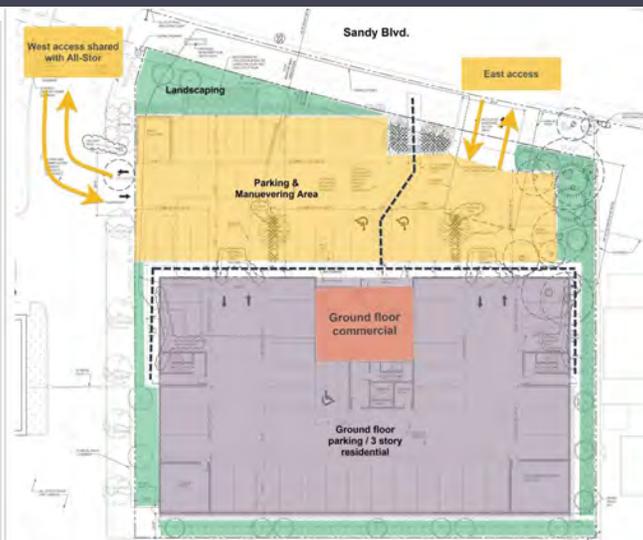


# ALLOWED USES

## 4. Commercial

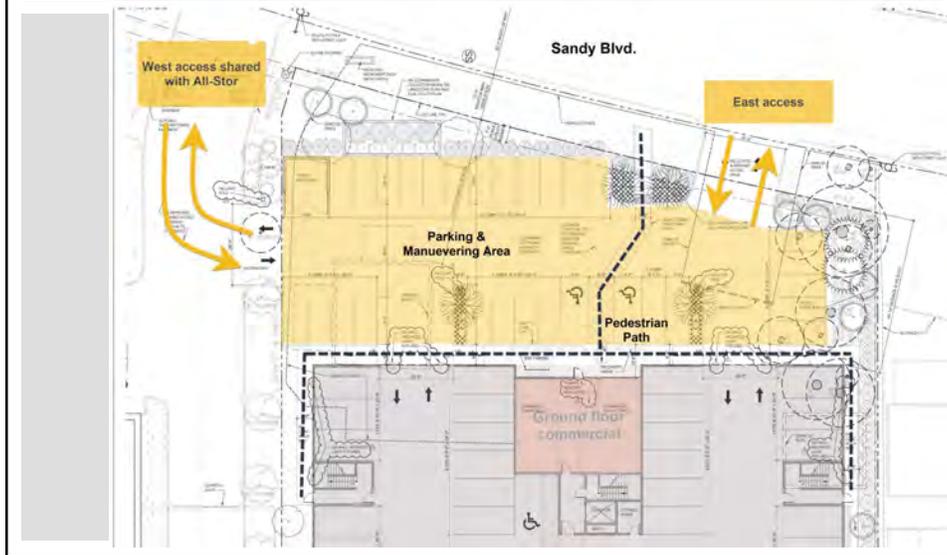
- a. Auto-oriented uses and facilities\*
- b. Entertainment (e.g., theaters, clubs, amusement uses)
- c. Hotels/motels
- d. Medical and dental offices, clinics and laboratories
- e. Mixed use development (housing and other permitted use)**
- f. Office uses (i.e., those not otherwise listed)
- g. Personal and professional services (e.g., child care center, catering/food services, restaurants, laundromats and dry cleaners, barber shops and salons, and similar uses)
- h. Repair services (must be enclosed within building)
- i. Retail trade and services (e.g., grocery, hardware and variety stores, banks and financial institutions)
- j. Uses similar to those listed above (subject to CU requirements, as applicable)

# SITE PLAN

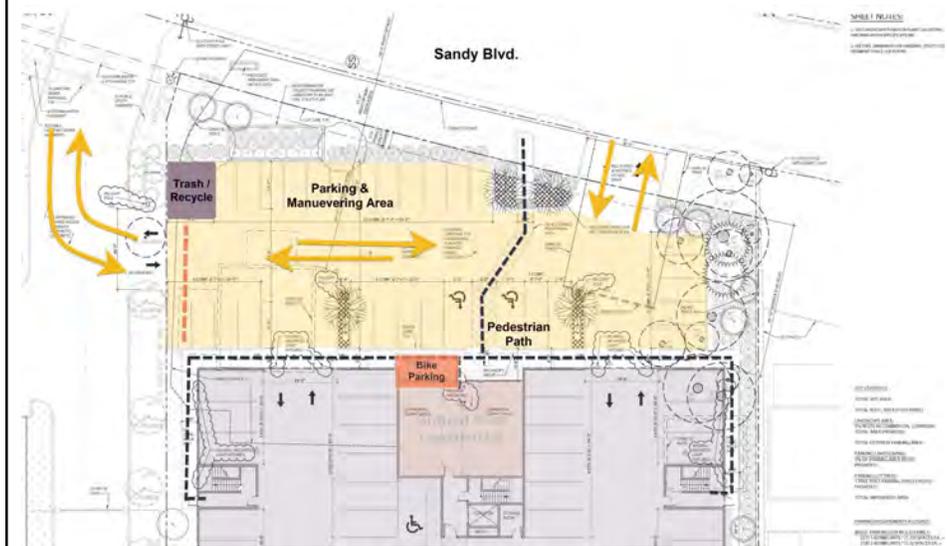




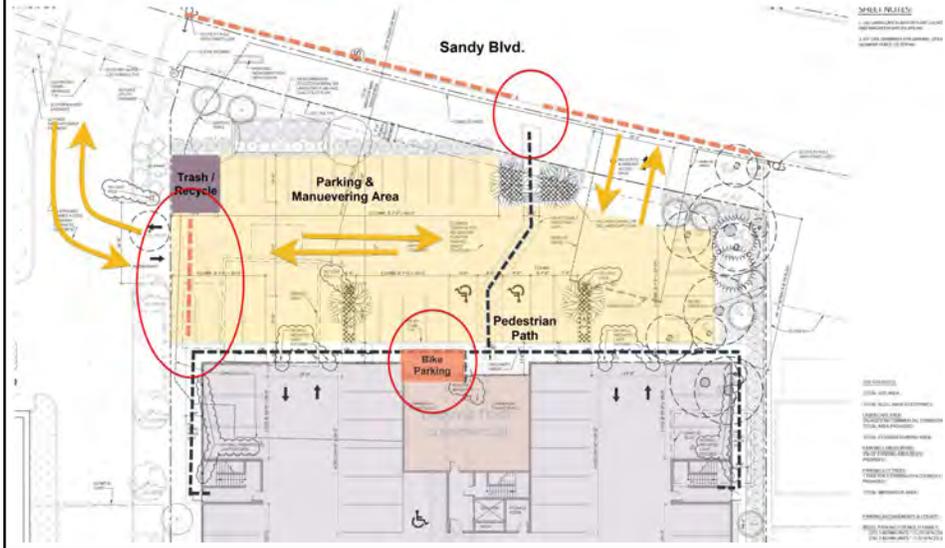
# SITE ACCESS



# ON-SITE CIRCULATION



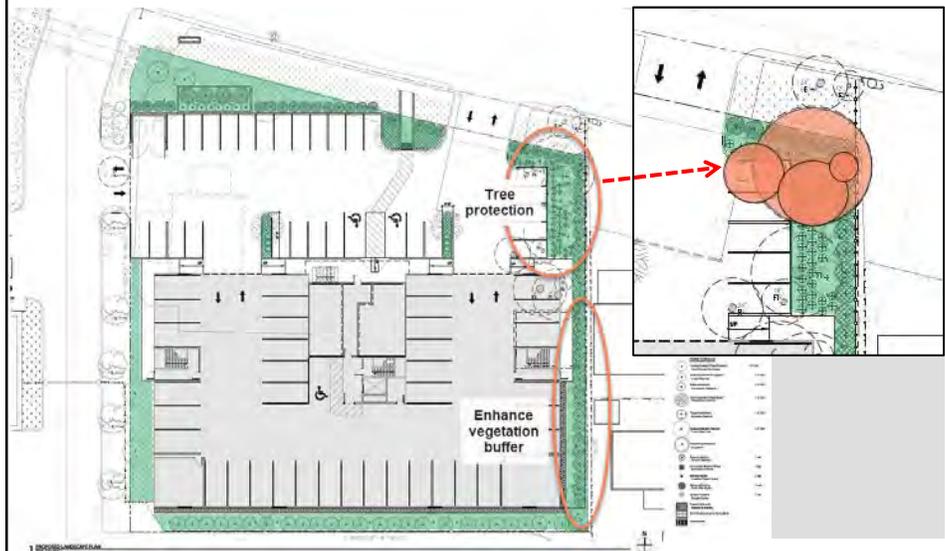
# ON-SITE CIRCULATION



# PARKING

Type of Use	Parking Ratio (Min. Required)	Proposed Number of Units / Square Footage	Minimum Number of Required Parking Stalls
Studio <500 SF	1 space per unit	3 units	3 spaces
One-bedroom >500 SF	1.25 spaces/unit	27 units	33.75 spaces
Two-bedroom	1.5 spaces/unit	18 units	27 spaces
General office	2.7 spaces/1,000 SF gross floor area	1,000 SF	2.7 spaces
<b>Total number of required stalls</b>			<b>66.45</b>
<b>Total number of proposed stalls</b>			<b>67</b>

## LANDSCAPING



## PUBLIC FACILITIES

- All public transportation facilities must be designed and constructed to Multnomah County standards, or payment made in-lieu of improvements
- Water & sewer available from Sandy Blvd.
- All stormwater from the development site to be managed in accordance with the Portland Stormwater Manual

## KEY CONDITIONS OF APPROVAL

- C.3.a Revise the site plan to provide a 15 ft. setback from the east property line
- C.3.b Revise the east building elevation to add additional façade articulation, breaking up large expanses of flat wall planes through projections and recesses, along with variation in building material and color
- C.3.c Revise the landscape plan to add additional trees at regular spacing along the east side of the building to serve as a buffer between the taller proposed building and lower abutting residential development. Buffer trees shall reach a mature height of 20 ft.

## KEY CONDITIONS OF APPROVAL

- C.5 Revise the site plan to provide a pedestrian walkway between the building perimeter and the trash enclosure
- D.3 The four trees identified as significant vegetation shall remain on site and be protected before, during and after construction. Should the arborist report find that any of the trees are diseased or dying, mitigation shall be proposed for city review in lieu of preservation.
- E.5 Relocate the 5 ft. wide pedestrian pathway to provide a pedestrian access from Sandy Blvd. at a 100 ft. maximum interval

## KEY CONDITIONS OF APPROVAL

### REMOVE:

- G.1 Prior to issuance of Certificate of Occupancy, dedicate a 5 foot right-of-way for road purposes
- G.2 Prior to issuance of Certificate of Occupancy, dedicate a 5 foot slope / utility / sidewalk / landscaping / traffic control device easement along the site's NE Sandy Blvd. frontage for the benefit of Multnomah County

## STAFF RECOMMENDATION

Staff finds that the proposed application will meet the requirements of the City Code as conditioned, and recommends approval of the site design review and conditional use permit subject to conditions listed and described in the Staff Report.

1620 SE 190<sup>th</sup> Avenue, Portland Oregon 97233-5910 • PH. (503) 988-5050 • Fax (503) 988-3321

## MEMORANDUM

TO: Eric Rutledge, Associate Planner, City of Fairview

FROM: Joanna Valencia, AICP, Transportation Planning and Development Manager

DATE: July 10, 2018

SUBJECT: 2018-21-DR / Fairview Villa (County File No: EP-2017-9700), 20922 NE Sandy Blvd

The Multnomah County Transportation Program has reviewed the proposed:

- A four-story mixed use development in the Corridor Commercial Zone. The structure will contain 61,104 SF, consisting of (27) one-bedroom apartments, (18) two-bedroom units, (3) studios, and 1,000 SF of office space. There will be (38) secured parking spaces within the building's first floor, plus (29) spaces outside the building including compact and (2) accessible spaces.
- There will be two access points from Sandy Blvd. The primary access will be from a driveway on the east side of the property. Secondary access will be a shared driveway along the west border of the property, as called for in a recorded deed with the 'ALL-STOR Storage' facility to the west and south of the property.

The comments provided in this memorandum are based on the information provided in the application packet. Additionally this memo reflects the county's approval of the road rules variance request and required conditions.

Sandy Boulevard is a Minor Arterial facility under county jurisdiction.

### Conditions of Approval:

- ~~1. Prior to issuance of the Certificate of Occupancy, dedicate 5 feet of right-of-way along the site's Sandy Boulevard frontage to Multnomah County for road purposes.~~
- ~~2. Prior to issuance of the Certificate of Occupancy, dedicate a five-foot slope/utility/drainage/sidewalk/landscaping/traffic control device easement along the site's NE Sandy Boulevard frontage for the benefit of Multnomah County.~~
3. Prior to issuance of the Certificate of Occupancy, construct half-street improvements to Multnomah County standards along the site's Sandy Blvd and obtain a Construction Permit

## **PLANNING COMMISSION ALTERNATIVES**

- Approve the application based on the findings of compliance with City regulations and conditions of approval.
- Modify the findings, reasons, or conditions, and approve the request as modified.
- Deny the application based on the Commission's findings.
- Continue the Public Hearing to a date certain if more information is needed.

from Multnomah County for all improvements within the County right of way. Half street improvements include: Grade/rock/pave to commercial depth between existing pavement and new curb; Construct bicycle lanes as required; Furnish street trees as required; Furnish street lighting facilities as required; Construct Multnomah County standard concrete curb and 6-foot wide concrete sidewalk in compliance with ADA specifications; Install underground traffic control devices conduit and related equipment as required; Construct storm drainage facilities as required or provide payment to Multnomah County in-lieu of constructing the improvements.

4. **Maintain sight distance at all access points on Sandy serving the property consistent with AASHTO requirements.**
5. **Any work in the right of way, including the removal of trees, landscaping, encroachments in the right-of-way or any increase in storm-water drainage from the site to the right of way will require review and a permit from Multnomah County.**
6. **Prior to issuance of the Certificate of Occupancy, acquire driveway permits for the site's access to NE Sandy Blvd.**
7. **Prior to issuance of the Certificate of Occupancy, a Level of Service (LOS) Analysis for the intersections of Sandy/Fairview Parkway, the driveways and Sandy Blvd, and 223rd/Sandy Blvd. shall be completed and submitted to the county for review. If impacts are found, the developer shall mitigate impacts.**

#### **Findings:**

In order to be granted a variance, the applicant must demonstrate that the following Multnomah County Road Rules (MCRR) standards are met. Below are responses supporting approval of the variance. As conditioned, the roads rules criteria are met.

#### **16.100 Variance Requirements:**

A. Multnomah County Code 29.507 provides for a variance by the County Engineer from County standards and requirements when written documentation substantiates that the requested variance is in keeping with the intent and purpose of County Code and adopted rules, and the requested variance will not adversely affect the intended function of the County road system or related facilities. A variance approval may include mitigation measures as conditions of approval.

#### **MCRR 16.200 General Variance Criteria:**

A. Special circumstances or conditions apply to the property or intended use that do not apply to other property in the same area. The circumstances or conditions may relate to the size, shape, natural features and topography of the property or the location or size of physical improvements on the site or the nature of the use compared to surrounding uses;

Response: Development of the property for an apartment building meeting City of Fairview Density requirements will require Fire Dept. approval. In order to get approval from Gresham Fire the property will need to make

use of the Shared Access rights to the driveway at the west plus the Sandy Blvd. driveway to achieve thru passage for fire dept. trucks. This is a request for a driveway location on Sandy Blvd. that differs from the county standard. They are proposing to use the existing access location for the new driveway location. Other driveways of adjacent properties: The Quail Hollow Mobile Park driveway is about 130' to the east, the closest driveway to the west is the All Stor Storage Condos at 175'. Traffic volume to it is quite limited. Other neighboring driveways are well beyond the 295' min. spacing. This section of Sandy is classified as Moderate Arterial. The proposed use for this application is compatible with adjacent uses. On-site circulation requires this access for general circulation as well as providing fire truck access. The site is very tight and does not provide enough space for a fire truck turn around or hammer-head.

B. The variance is necessary for the preservation and enjoyment of a substantial property right of the applicant and extraordinary hardship would result from strict compliance with the standards;

Response: Space at the NW corner of the property is needed for storm water related water quality planter, for required landscaping, and parking required for the size of apartment building that meets city min. density standards. Additionally, the city code allows building density as proposed that is needed to achieve an equitable development. The particular size and shape of the parcel requires this access to maintain safe and efficient fire truck access as well as vehicular access to Sandy Blvd. There is an existing driveway on Sandy at approximately the same location we are proposing the new access. The proposed location is approximately half way between the two other existing access points on adjacent properties. There is not a driveway across the street.

C. The authorization of the variance will not be materially detrimental to the public welfare or injurious to other property in the vicinity, or adversely affect the appropriate development of adjoining properties;

Response: There is an existing curb cut at the location of the proposed access, which has been used for many years for residential access. Actually, historically the existing access was for (2) residences. There is no reason to think the access will negatively affect adjacent properties as the proposed property use is compatible with the adjacent uses. The adjacent land uses included a residential mobile home court towards the east, a storage unit development towards the south with access located directly to the west. Across the street is an RV park to the northeast and commercial development directly north and to the west. None of the adjacent land uses have access points conflicting with the existing location of our proposed access.

D. The circumstances of any hardship are not of the applicant's making.

Response: This request is made in order to achieve the needed density of development as permitted and encouraged by the city of Fairview development code. The size of the existing parcel combined with the density permitted necessitate the need for the access onto Sandy Blvd and is not of the applicant's making. This variance is needed, in order to achieve the density allowed and satisfy appropriate circulation for vehicles and fire truck access it is necessary to request the access onto Sandy Blvd.

## Planning Commission Staff Report

### Type III Site Design Review & Conditional Use Permit

#### Applicant's Response to Findings And Staff Recommendation

1. Page 8, #19.70.020: Permitted land uses.

Staff response: "Condition of Approval: To ensure a mixed-use building, at least one of the commercial spaces must be occupied by a use that is not accessory to the primary residential use."

**Applicant's response:** This condition of approval cannot be found in the code, and appears to be a subjective request. We ask the Planning Commission to stick with code requirements, delete this Condition of Approval, and treat this application the same as previous applications with similar zoning. Note: Sandy Boulevard is a very difficult roadway for renting office/retail space on the Eastside. Most development is industrial, multi-family, and single family residences. The dismal rental history, even in Fairview Village, shows how difficult it is to rent offices/retail spaces, with many of the spaces having been vacant for years.

2. Page 8, #19.70.030: Corridor commercial setback standards.

Staff Findings: "The proposed building and accessory structures meet the setback requirements, as described in the table below. The applicant is seeking a conditional use permit to increase the allowed building height to 51 t. 6 in., or 6 ft 6 in above the allowed limit of 45 ft. As a condition of approval for the height increase, the minimum east side setback shall be increased from 0 ft. to 15 ft."

**Applicant's response:** As the staff points out, and the zoning and referenced Table confirm, there is no side setback required of this application. We voluntarily designed an 11 foot setback from the common property line with Quail Hollow Mobile Home Park as a buffer. We also intend to supplement this setback with trees and an 8 foot black chain link fence similar to the two fence lines now in place to the south and west between the subject property and the storage facilities. We propose to have green slats woven into the fence for additional privacy between Quail Hollow and Fairview Villas.

The Staff's recommendation to further increase the setback from 11 feet to 15 feet, in exchange for the Conditional Use Permit of adding 6 feet, 6 inches to the standard 45

foot height, cannot be supported by evidence of any such code requirement. The additional height was designed for a better looking roof line that will match similar projects along NE Sandy. We are spending more money on the roof to make it fit in with the community. There is simply no direct correlation between improving the roof line with increasing the setback. Also, by pushing the building's footprint to the west an additional 4 feet, the voluntary 10 foot setback on the west property line would be reduced to 6 feet. This would likely impact existing landscape features as well as access for emergency personnel and residents. We ask that Staff's condition of approval be deleted, especially with no supportive code requirements.

3. Chapter 19.163 Landscaping, Street Trees, Fences and Walls

19.163.020 Landscape conservation.

The issue at hand is the applicant's request for permission to remove the six trees in the NE corner of the property. If the trees were to remain, there would be a loss of two parking spaces, and thus two apartments, along with costly site development issues while trying to work around the trees for removal of the shed, and extensive existing cement areas. Two 24" trees and an 18" tree directly impact the creation of the two parking spaces. Keep in mind that we are required to provide landscaping to account for about 5% property coverage. Our plan, to plant more than 100 trees, results in about ~~25%~~ <sup>15%</sup> coverage.

The code requires that significant trees be retained "whenever practicable" and that preservation may be impracticable when "it would prevent reasonable development of...land uses permitted by the applicable land use district."

4. Page 9, & 10, #19.70.050: Site layout and building orientation.

Staff findings: "The street frontage along sandy Blvd. is 192 ft. A 5 ft. wide pedestrian pathway connecting Sandy Blvd. to the parking area and building entrance is provided approximately 112 ft. east of the western property line. The proposed site plan does not meet the 100 foot maximum interval for pedestrian pathway access from Sandy Blvd. See Exhibit B8 Site Plan." "Condition of Approval: relocate the 5 ft. wide pedestrian pathway from Sandy Blvd. to the approximate middle of the street frontage to provide access at 93.5 ft. from each property line. Alternatively, provide a secondary pedestrian access from Sandy Blvd. to meet the 100 ft. maximum interval requirement."

**Applicant's response:** We ask that the pathway be located adjacent to the east side of the most easterly Sandy-facing lot, rather than in between two parking spaces. This location is about 105 feet from the west property line. It doesn't make any sense to move the pathway closer to the west because locating it between parking spaces will

**likely result in cars parking on the pathway. Having a distinct, raised pathway in our proposed location makes the most sense for optimal usage and safety.**

5. Page 11,12 & 13, #19.70.060: Building height.

Staff Conditional of Approval: "In order to reduce the impact of a taller building to the adjacent residential development, prior to issuance of building permits, the following conditions shall be met as part of the conditional use approval:

- a. Revise the site plan to provide a 15 ft. building setback from the east property line.
- b. Revise the east building elevation to add additional façade articulation, breaking up large expanses of flat wall planes through projections and recesses, along with variation in building material and color.
- c. Revise the landscape plan to add additional trees at regular spacing along the east side of the building to serve as a buffer between the taller proposed building and lower abutting residential development. Buffer Trees shall reach a mature height of at least 20 feet."

**Applicant's response: We have already responded to # a above.**

**With regard to # b, our east elevation already has several distinct façade articulation planes, and recessed decks to break up the length of that side of the building. The details:**

**Red Brick**

**Grey metal louvers at garage**

**Light grey hardi panel**

**Taupe hardi plank**

**White vinyl windows**

**Glass windows**

**Off-white window trims and belly band**

**Balcony black railing**

**Answering # c, the proposed 8 foot screened fence will be in place along with the submitted landscape design. Planting trees that will grow to 20+ feet will result in trees overhanging the mobile homes to the east. Not the best scenario with regard to tree sap, debris, and limbs/trees falling during high winds. The bottom line, to the above three conditions, is that the rear of only two mobile homes face the common fence between the properties. Any structure higher than one story will block those two residents who happen to look to the west from the back of their respective homes.**

**Summary:**

**We respectfully ask the Planning Commissioners to support Staff's recommendation of approval of our application, with the following modifications:**

- 1. Code does not call for commercial/office spaces not to be accessory to the residential units. Delete the suggestion of having at least one space not accessory. Precedence with prior applications has already been set in support of our position.**
- 2. Keep the east setback at the original 11 feet, which we have designed around. Code does not require an additional setback for structures above 45 feet. Corridor commercial zoning entitles our application to be in compliance with no setbacks. We have voluntarily designed the site to have 11 feet along the common line with Quail Hollow, along with many trees and an 8 foot fence. This should more than suffice.**
- 3. Support our code compliance for the pedestrian walkway to be about 105 feet from the west property line, for the best usage and safety.**
- 4. Delete the three conditions (see #5 above) to granting a conditional use permit for the small change in building height.**







MINUTES  
PLANNING COMMISSION MEETING  
1300 NE Village Street  
Fairview, OR 97024  
Tuesday, July 24, 2018

PRESENT: Russell Williams, Vice Chair  
Hollie Holcombe  
Jeff Dennerline  
Steven Hook

ABSENT: Ed Jones, Chair  
Les Bick

STAFF: Sarah Selden, Senior Planner  
Eric Rutledge, Associate Planner

**1. CALL TO ORDER**

Vice Chair Williams called the meeting to order at 6:30 PM.

**2. CITIZENS WISHING TO SPEAK ON NON-AGENDA ITEMS**

None.

**3. PUBLIC HEARING**

a. Application 2018-45-ZC: Amendments to the FMC Related to Accessory Dwelling Units.

Vice Chair Williams recited the Legislative Hearing opening statement.

Senior Planner Selden presented the staff report and review of the proposed amendments. (*Exhibit A*) She referenced the provision of Senate Bill (SB) 1051 that requires all development standards applicable to ADUs be clear and objective. The goal is to encourage and remove barriers to ADU development.

Commissioner Dennerline noted the owner occupancy requirement is not being changed. He requested clarification that the City Council has the authority to regulate on street parking. SP Selden replied yes. He commented residents could manage their own on-site parking and if on-street parking became an issue, the city has the mechanism to manage it.

Commissioner Dennerline asked if in the Village, riparian buffer setbacks are included in lot coverage. AP Rutledge commented the lot coverage in the Village is 60%. SP Selden noted generally any impervious area i.e. structure, driveway, etc. is included in lot coverage; since a riparian buffer is not impervious, would not be included. Commissioner Dennerline remarked theoretically with the right lot; 60% of useable lot could be covered and the other 40% be within the riparian buffer. SP Selden explained there are two code sections the Residential (R) and Village Single Family (VSF). The VSF code could be amended to add the option of an ADU being internal to the primary dwelling. Currently, the VSF allows for over a garage.

Commission supported the front setbacks be a minimum of 10 feet and a maximum of 30 feet, similar to single family dwellings; a Type 1 review process for ADU's; height standards for ADU's located above a garage; and VSF code language to include the option of an ADU within the original structure.

SP Selden suggested the Commission approve the findings as discussed and direct staff to bring the findings back to the Planning Commission for a final review and adoption at the second meeting in August.

Commissioner Dennerline moved to continue the hearing to allow staff to make revisions to the Village Single Family and set back limits and come back with findings and presentation at the second meeting in August.

SP Selden proposed they clarify the hearing is not being continued.

Commissioner Hook moved to close the public hearing and Commissioner Dennerline seconded. The public hearing was closed by unanimous vote.

Commissioner Dennerline amended the motion to not continue the hearing and Commissioner Holcombe seconded. The motion passed unanimously.

Ayes: 5  
Noes: 0  
Abstained: 0

**4. COMMISSION UPDATES**

None.

**5. STAFF UPDATES**

SP Selden reviewed the Planning Commission schedule.

Department of Land Conservation and Development is going to host a planning commissioner training session at Fairview City Hall in mid-September. Will share details as available.

**6. TENTATIVE AGENDA – AUGUST 14, 2018**

- Continue Public Hearing: Fairview Villas Apartments
- Public Hearing: Environmental Works
- Review Findings for ADU Amendments

**7. ADJOURNMENT**

Meeting adjourned by consensus at 7:03 PM.

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Devree A. Leymaster  
City Recorder

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Russell Williams  
Vice Chair

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Date

# PLANNING COMMISSION PUBLIC HEARING

## 2018-45-ZC Accessory Dwelling Unit Code Amendments

July 24, 2018



## BACKGROUND

- Some amendments required to implement SB 1051
  - Allow 1 ADU per detached single-family dwelling
  - Subject to reasonable siting and design standards
  - Apply only clear and objective development standards
- Additional amendments encouraged to remove barriers to ADU development



## CODE AMENDMENT PROCESS

- **Planning Commission Work Sessions (2)**
  - Background and code concepts
  - Draft code language
- **Planning Commission Public Hearing**
  - Recommendation to City Council
- **City Council Public Hearing Sept. 5**
  - Adopt Ordinance XXXX

## AMENDED CODE SECTIONS

FMC 19.30 Residential District



FMC 19.30.110 Special Standards for Certain Uses



FMC 19.30.11(B) Accessory Dwelling



# SUMMARY OF ADU REGULATIONS

## Amendments Proposed

- Definition of ADU
- Number of units
- Maximum floor area
- Maximum height (for detached)
- Parking
- Village: ADU location
- Review procedure
- NEW ITEM: Remove maximum front setback for R-Zones

## No Changes Proposed

- Owner occupancy
- Min. Setbacks (R-Zones: Front: 10 ft. min & 30 ft. max, 15 ft. rear (alley access 2 ft.), 5 ft. interior side)
- Lot coverage

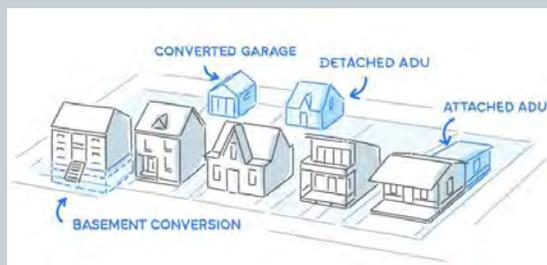
## Deletion proposed

- Buffering
- Maximum per block

# PROPOSED AMENDMENTS

## FMC 19.13 DEFINITIONS

“An interior, attached, or detached dwelling unit that is used in connection with, or that is accessory to, a single-family dwelling.”



(STATE-REQUIRED)

## PROPOSED AMENDMENTS

### FMC 19.30.110 RESIDENTIAL DISTRICT Special Standards for Certain Uses

#### **Amendment 1:**

Updates description of “Accessory dwelling” to match the revised definition

(CLEANUP)

## PROPOSED AMENDMENTS

### FMC 19.30.110 RESIDENTIAL DISTRICT Special Standards for Certain Uses

#### **Amendment 2:**

Increases the number of ADUs allowed per detached single-family from 1 to 2. Only 1 may be detached.

(STATE-RECOMMENDED)

## PROPOSED AMENDMENTS

### FMC 19.30.110 RESIDENTIAL DISTRICT Special Standards for Certain Uses

#### **Amendment 3:**

Removes square footage limitation where entire floors of existing homes are converted to ADU.

Removes redundant language pertaining to detached garages.

(STATE-RECOMMENDED and CLEANUP)

## PROPOSED AMENDMENTS

### FMC 19.30.110 RESIDENTIAL DISTRICT Special Standards for Certain Uses

#### **Amendment 4: (New Alternative)**

Retains 20 ft. height limit for all detached ADUs except where ADU is above a detached garage:

- If building is setback more than the minimum required for primary dwelling, max height = height of primary building or 25 ft., whichever is less.

(STATE-RECOMMENDED)

## PROPOSED AMENDMENTS

FMC 19.30.110 RESIDENTIAL DISTRICT  
Special Standards for Certain Uses

**Amendment 5:**

Removes discretionary standard that allows a hedge or fence to be required based on subjective privacy and yard enjoyment criteria.

(STATE-REQUIRED for CLEAR & OBJECTIVE)

## PROPOSED AMENDMENTS

FMC 19.30.110 RESIDENTIAL DISTRICT  
Special Standards for Certain Uses

**Amendment 6:**

Removes limitation on ADUs to 50% of block. SB 1051 requires ADUs be allowed for every home.

(STATE-REQUIRED)

## PROPOSED AMENDMENTS

### FMC 19.30.110 RESIDENTIAL DISTRICT Special Standards for Certain Uses

#### **Amendment 7:**

- Clarifies requirement that an additional parking space is required for each ADU (updated for possibility of 2 ADUs) unless at least 4 on-site spaces are already available
- Prohibits tandem and shared parking with primary dwelling.

(NOT RECOMMENDED)

## PROPOSED AMENDMENTS

### FMC 19.30.110 RESIDENTIAL DISTRICT Special Standards for Certain Uses

#### **Amendment 7: (*Alternative/Staff Recommendation*)**

- Requires one additional space for each ADU.
- Ensures additional parking is provided, and treats ADUs equally to detached single-family homes
- Meets “reasonable” standards test

(STATE-RECOMMENDED)

## ADU PARKING



## PROPOSED AMENDMENTS

FMC 19.30.110 RESIDENTIAL DISTRICT  
Special Standards for Certain Uses

**Amendment 8:**

Corrects inconsistent reference to maximum lot coverage.

(CLEANUP)

## PROPOSED AMENDMENTS

### FMC 19.115 VILLAGE SINGLE FAMILY Permitted Uses

#### **Amendment 9:**

- Allows one ADU per single single-family residence, instead of per lot.
- Removes requirement that ADUs only be located above garages.

(STATE REQUIREMENT)

## PROPOSED AMENDMENTS

### FMC 19.422 APPLICABILITY Development Review

#### **Amendment 10: (New)**

- Would apply a Type I Development Review procedure to all ADUs, consistent with procedure for detached single-family dwellings.
- Amended standards remove discretionary decision-making & need for public review process.

(NOT REQUIRED. STAFF-RECOMMENDED  
PROCESS IMPROVEMENT)

## PROPOSED AMENDMENTS

### FMC 19.30.030 RESIDENTIAL DISTRICT Building Setbacks

#### Amendment 11: (New)

##### A. Front Setbacks.

\*\*\*

- a. A minimum setback of 10 feet and a **maximum setback of 30 feet is required**, except that an unenclosed porch may be within eight feet of the right-of-way, as long as it does not encroach into a public utility easement. **These setbacks shall also apply to accessory dwelling units....**

(NOT REQUIRED. STAFF-RECOMMENDED)

## PROPOSED AMENDMENTS

### FMC 19.30.030 RESIDENTIAL DISTRICT Building Setbacks

#### Amendment 11: (New): Proposed Amendment

##### A. Front Setbacks.

\*\*\*

- a. A minimum setback of 10 feet and a maximum setback of 30 feet is required, except that an unenclosed porch may be within eight feet of the right-of-way, as long as it does not encroach into a public utility easement. ~~These setbacks shall also apply to accessory dwelling units....~~

(NOT REQUIRED. STAFF-RECOMMENDED)

## DECISION-MAKING CRITERIA

### FMC 19.413.040(G) Type IV Procedures - Decision Making Considerations

- Statewide planning goals and guidelines
- Comments from applicable federal or state agencies
- Applicable intergovernmental agencies
- Applicable Comprehensive Plan policies

### FMC 19.205.020 Criteria

- Amendment not detrimental to general interests of community

## CONCLUSION + NEXT STEPS

- Consider draft code amendments with staff-recommended alternatives and agency comments, and make a recommendation to City Council.
- City Council hearing tentatively scheduled for September 5, 2018



# FAIRVIEW ADU'S



Historic Fairview

Detached ADU in backyard, accessed by side street



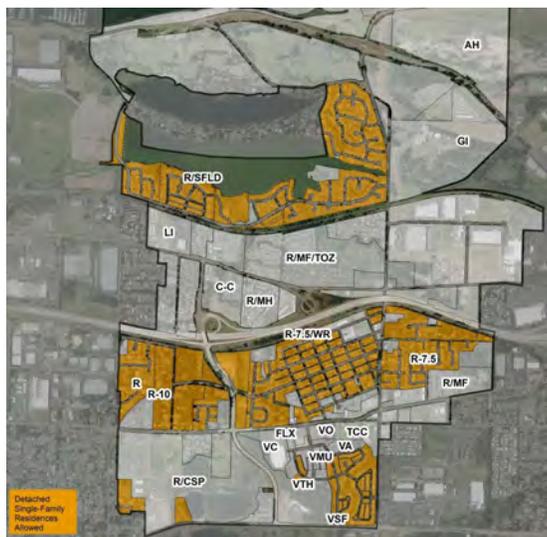
## FAIRVIEW ADU'S



### The Village

Detached ADU above garage, oriented towards alley

## ZONING DISTRICTS ALLOWING SINGLE-FAMILY DETACHED



- Residential (R)
- Residential 7.5
- Residential 10
- Res/South Fairview Lake
- Village Single-Family
- Village Townhouse





MINUTES  
PLANNING COMMISSION MEETING  
1300 NE Village Street  
Fairview, OR 97024  
Tuesday, August 14, 2018

PRESENT: Ed Jones, Chair  
Russell Williams, Vice Chair  
Hollie Holcombe  
Jeff Dennerline  
Steven Hook (by phone)  
Les Bick

STAFF: Sarah Selden, Senior Planner  
Eric Rutledge, Associate Planner  
Devree Leymaster, City Recorder

**1. CALL TO ORDER**

Chair Jones called the meeting to order at 6:30 PM.

**2. CITIZENS WISHING TO SPEAK ON NON-AGENDA ITEMS**

None.

**3. PUBLIC HEARING**

- a. Application 2018-21-DR-CUP: Continued from July 10, 2018  
Proposed Mixed Use Development Sandy Blvd. – Fairview Villa Apartments

Chair Jones read the Open Hearing Statement for a Quasi-Judicial Hearing and Senior Planner Selden cited the applicable criteria.

Commissioner Bick recused himself from the Commission and stepped off the dais, as he is one of the applicants for the proposed development.

SP Selden summarized the issues and additional exhibits following the initial hearing on July 10, 2018. (*Exhibit A*) Key issues included the amount of commercial space, significant tree preservation, location of pedestrian walk way and trash enclosure, and the public comments regarding traffic and congestion.

SP Selden summarized the revised conditions of approval reflected in the findings, following revisions from the July 10, 2018 proposal.

- The applicant did get an arborist report. Three of the four significant trees identified by staff are in good-fair condition and able to be protected. There is a new condition of approval for the applicant to adhere to the arborist report and tree preservation plan. No parking spaces were lost for tree preservation.
- The applicant submitted a revised site plan showing the relocation of the pedestrian walkway and trash enclosure. This change resulted in the loss of one parking space; therefore, the office space square footage is reduced (1,000 to 800) to meet parking requirements.
- The conditions related to the conditional use permit for additional height have been removed. The applicant submitted drawings revising the building height from 51 ft. 6 in. to 44 ft. 10 ½ in. The permitted allowance in the zone is 45 feet.

Staff recommended approval of the application subject to the conditions listed and described in the staff report.

Les Bick, Applicant, Fairview, OR commented the partnership purchased the property in good faith to develop it as proposed. The property is an eye sore and has issues with trespassing and vandalism. The proposed development will be a benefit to the community.

Chair Jones asked if anyone would like to speak in favor of, neutral, or opposition of application.

John Scheeler, Fairview, OR, Quail Hallow MHP resident, asked what type of barrier will be between the adjacent properties. He lives in a unit directly adjacent to the property where there will be parking spaces facing into the residential area. He is concerned about the effect of vehicle headlights and security lights on their property. Chair Jones replied the code has requirements and lighting controls to prevent lights (i.e. parking lot, security, etc.) from one property impacting adjacent properties.

Mr. Bick commented the lighting will be shaded on the residential side and they are looking at installing an 8 ft. fence with lattice. Mr. Scheeler replied lattice fencing is not light blocking. Mr. Bick remarked he is open to other types of fencing that will block lights. SP Selden shared the city does require shielding to prevent light onto adjacent properties. The city will look at it during the permitting review for compliance.

Rose Hanson, Fairview, OR, MHP resident, commented the community depends on transit to get around. There are no safety standards, sidewalks or cross walks, to protect riders getting to and from the MHP. The projects increase in traffic/congestion will add to an already unsafe route.

Joanna Valencia, Multnomah County Transportation, shared the project has addressed the impacts and is required to provide sidewalks. They have the option of completing the half street improvements or doing a PILO (payment in lieu of). If they do the PILO, the County combines it with other funding to complete the improvements. She noted the County is working on closing the gaps along Sandy Blvd. and as funding options come up the County prioritizes projects for construction.

Linda McNerny, Fairview, OR MHP resident, asked about the improvements to infrastructure to accommodate increasing development. She noted the number of oak trees that had been demolished and the loss of shade and impact to the environment. She to uses transit, and is concerned there is no cross walk or stop sign. Chair Jones replied infrastructure issues are not part of the development or criteria for the hearing.

Vice Chair Williams asked if the speed along Sandy could be reduced. Valencia, MCT, answered ODOT is the authority to set speed. There would have to be a speed study and indication that the use has changed; that information is submitted to support the speed change request.

Commissioner Holcombe commented on the proposed fence and trees. The max height of the fence is 6 feet and the trees are not as tall; would this provide adequate buffering. Chair Jones commented there could be sound issues as well. He queried if a solid wall instead of a fence would be more appropriate. It would be light blocking and provide sound deflection.

Ms. McNerny asked if the fence/wall could be 8 feet. SP Selden answered the code allows 6 feet; however, there are circumstances when an 8 foot fence would be permitted. There is a process and it is possible.

Chair Jones closed the public hearing.

Comments during Commission deliberation included concern for the reduction of office use (1,000 SF to 800 SF) to recoup the lost parking space, whether the proposal meets the intent of a mixed use development, and the traffic and light concerns heard during testimony.

Vice Chair Williams requested clarification regarding the proposed 800 SF commercial space in reference to the code. SP Selden replied the code does not specify the amount of residential and commercial square feet required to be mixed use. The applicant proposed two 400 SF spaces; with one space being used for property management. Staff recommends in the conditions of approval that at least one space be occupied by an independent use (i.e. 400 SF professional office space).

Commissioner Hook expressed concern that the proposed project does not meet the commercial/mixed use standard.

Commissioner Dennerline commented the commercial aspect of the project is not in the spirit of Table 19.70.020 and the identified uses; it is a residential project.

Vice Chair Williams remarked though he does have concerns for empty commercial spaces, the proposed project does not meet the intent of a mixed used development.

Commissioner Holcombe moved to approve application 2018-21-DR-CUP as conditioned and Commissioner Dennerline seconded. The motion did not pass by majority.

Ayes: 2 – Commissioner Holcombe and Chair Jones

Noes: 3 – Commissioner Dennerline, Vice Chair Williams and Commissioner Hook

Abstained: 0

Mr. Bick remarked he is disappointed in the decision and will pursue an appeal to the City Council.

b. Application 2018-14-DR: Environmental Works

Chair Jones read the Open Hearing Statement for a Quasi-Judicial Hearing and Associate Planner Rutledge cited the applicable criteria.

AP Rutledge presented the staff report as reflected in the presentation. (*Exhibit B*) In summary, the applicant is requesting approval for 12,000 SF metal building, with 25 on-site spaces, and fleet and outdoor storage to serve as the new office and operations site for Environmental Works. The property is along NE Sandy Blvd. in the General Industrial zone. Multnomah County Transportation has reviewed and approved a road rules variance to access spacing standards with conditions of approval. (*Exhibit C*)

AP Rutledge emphasized the following recommended conditions of approval.

- D.3. – submit mitigation plan for riparian buffer averaging;

- a revised site plan showing:
  - E.1. - 10% of the site landscaped,
  - E.4. - trees and shade for east parking aisle,
  - E.5. - parking spaces in rows of no more than 12 continuous spaces with a landscape medium,
  - F.7. – 5 ft. wide pedestrian path along entire west or east side of building,
  - F.8. - pedestrian path connection to parking aisle east of building; and
- G.1. - meets all street improvements and requirements of Multnomah County Transportation.

Staff recommended approval of the application subject to the conditions listed and described in the staff report.

Terry Amundson, Applicant Representative, Portland, OR commented the applicant is in agreement with the conditions, except for one request. Their proposal was to use compacted gravel in the east passenger parking area. He explained they added the east parking to meet parking requirements; it is overflow parking and not intended to be employee or guest parking. The conditions of approval require the area be paved. AP Rutledge shared the City Civil Engineer (CE) reviewed the site plan and required all driving and parking areas be asphalt or concrete. Chair Jones commented he would support the CE's requirement since the parking is part of the parking requirements for the project.

Joanna Valencia, Multnomah County Transportation, commented on the County's conditions of approval as identified in the memo. (*Exhibit C*) The applicant is intending to do a Payment in Lieu Of (PILO) contribution for frontage improvements and is complying with the 20 foot dedication requirement. The applicant is working with the County regarding storm water detention.

Chair Jones asked if any person would like to speak in favor, opposition or neutrally regarding the application. No comments were received.

Chair Jones closed the Public Hearing and opened Commission discussion.

Commissioner Dennerline inquired why the applicant choose to locate here. Mathew Lowrance, Owner, Portland, OR replied they wanted to own their own land, access and proximity to Portland, and the SDC waiver.

Commissioner Bick moved to approve application 2018-14-DR with the conditions listed in the staff report and Commissioner Dennerline seconded. The motion passed unanimously.

Ayes: 6  
Noes: 0  
Abstained: 0

#### **4. FINDINGS, CONCLUSION AND ORDER**

##### **a. Application 2018-45-ZC: ADU Code Amendments**

SP Selden summarized the Commission held a public hearing on July 24, 2018 and requested revisions to the final code language. The Commission closed the public hearing and directed staff to bring the findings back for a final review and adoption.

Commissioner Dennerline moved to approve and adopt the findings for application 2018-45-ZC and Vice Chair Williams seconded. The motion passed unanimously.

Ayes: 6  
Noes: 0  
Abstained: 0

**5. COMMISSION AND STAFF UPDATES**

Commissioner Holcombe shared the Urban Renewal Open House is August 20 at 7:15 PM and the grand opening for Lake Shore Park Nature Play Area is August 29.

Commissioner Dennerline inquired if there was an estimate for projected SDC waivers. SP Selden replied SDC's are calculated at permit issuance. Information could be provided then.

SP Selden reviewed the Commission meeting schedule and asked if they would like to move the September 25 work session to September 11, since there are no public hearings scheduled for September 11. The Commission replied yes. Commissioner Dennerline noted he will not be available to attend the September 25 meeting; but may be available by phone.

**6. TENTATIVE AGENDA – SEPTEMBER 11, 2018**

- Work Session: Code Amendment Discussion

**7. ADJOURNMENT**

Meeting adjourned by consensus at 8:35 PM.

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Devree A. Leymaster  
City Recorder

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Ed Jones  
Chair

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Date

**FAIRVIEW  
PLANNING COMMISSION  
CONTINUED HEARING**

**2018-21-DR CUP**  
Fairview Villa

August 14, 2018

The logo of the City of Fairview, Oregon, is circular with a gold border. Inside the circle, there is a blue sky with a yellow sun, a white mountain range, and a blue body of water. The text "CITY OF FAIRVIEW" is at the top and "EST. 1928 OREGON" is at the bottom, separated by two small stars on each side.

**APPLICATION (REVISED)**

Site Design Review for new mixed-use development consisting of:

- 48 apartment units
- 800 SF of ground floor office space

Multnomah County Transportation has concurrently reviewed a request for a Road Rules Variance to the access spacing standards

## SITE LOCATION



## JULY 10 PUBLIC HEARING

### KEY ISSUES

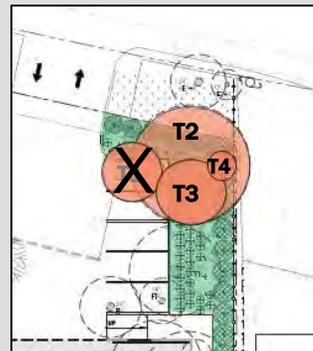
- Mixed-use classification and amount of commercial space
- Preservation of significant trees at NE corner of site
- Conditional use for increased height: building design and landscape conditions
- Location of pedestrian walkway and trash enclosure
- Public testimony regarding Sandy Blvd. traffic

## CONTINUATION: CONDITIONS TO BE ADDRESSED

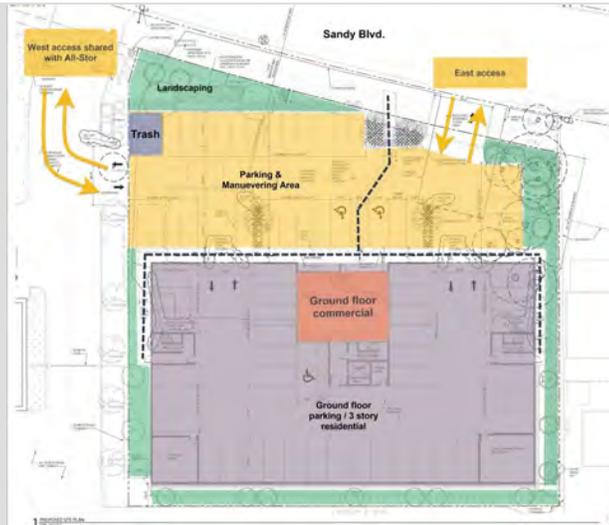
- C.5 Revise the site plan to provide a pedestrian walkway between the building perimeter and the trash enclosure
- D.3 The four trees identified as significant vegetation shall remain on site and be protected before, during and after construction. Should the arborist report find that any of the trees are diseased or dying, mitigation shall be proposed for city review in lieu of preservation.
- E.5 Relocate the 5 ft. wide pedestrian pathway to provide a pedestrian access from Sandy Blvd. at a 100 ft. maximum interval

## TREE PRESERVATION

- 4 significant trees identified by staff were assessed by Certified Arborist
- Arborist found 3 in good-fair condition, and able to be protected
- Specific tree protection plan prepared
- **No parking spaces lost**
- New Condition of Approval to protect the 3 trees before, during, and after construction by adhering to the tree protection plan.



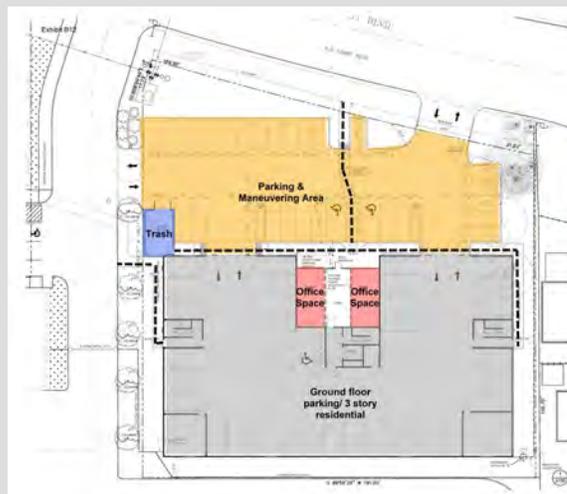
## PED WALKWAY + TRASH LOCATION – PREVIOUS



## PED WALKWAY + TRASH LOCATION – REVISED

### CHANGES

- Moved walkway connecting building to Sandy Blvd.
- Moved trash enclosure  
**Result: Loss of 1 parking space**
- Reduced office square footage from 1,000 sq. ft. to 800 sq. ft. to meet commercial parking requirement



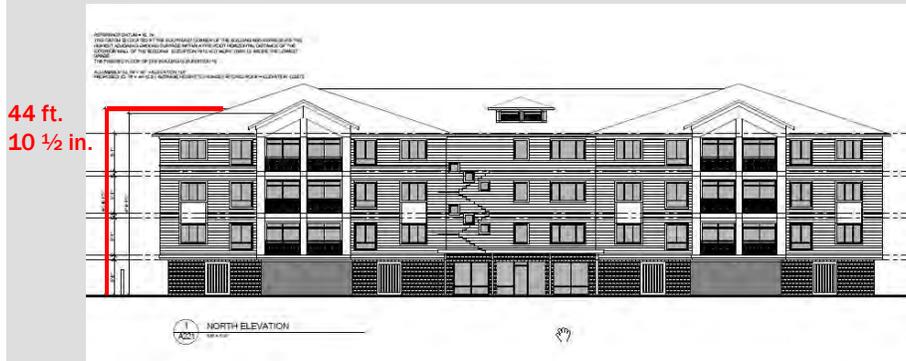
# BUILDING HEIGHT – PREVIOUS

North Elevation / Sandy Blvd. Frontage



# BUILDING HEIGHT – REVISED

North Elevation / Sandy Blvd. Frontage



## REVISED CONDITIONS OF APPROVAL

**Removed:** Conditions C.3.a-c related to the conditional use permit for additional height.

**Removed:** Condition to relocate walkway to Sandy & short-term bike parking (E-5, E-6)

**Added:** Pedestrian pathway to west stair tower for emergency egress only (A-7)

**Added:** North facade to comply with requirements for bulkheads, piers and storefront cornice (C-1)

**Added:** Protection of 3 significant trees following tree protection plan (D-3 updated; D-5 removed)

**Added:** Update landscape plan to reflect revised site plan (D-5)

## STAFF RECOMMENDATION

Staff finds that the proposed application will meet the requirements of the City Code as conditioned, and recommends approval of the site design review and conditional use permit subject to conditions listed and described in the Staff Report.

## **PLANNING COMMISSION ALTERNATIVES**

- Approve the application based on the revised findings and conditions of approval dated 8-7-18
- Modify the findings, reasons, or conditions, and approve the request as modified.
- Deny the application based on the Commission's findings.
- Continue the Public Hearing to a date certain if more information is needed.

**FAIRVIEW  
PLANNING COMMISSION  
PUBLIC HEARING**

**2018-14-DR**  
Environmental Works

August 14, 2018

The logo of the City of Fairview, Oregon, is circular with a gold border. Inside the circle, there is a blue sky with a yellow sun, a white mountain range, and a blue body of water. The text "CITY OF FAIRVIEW" is at the top and "EST. 1928 OREGON" is at the bottom of the inner circle.

**APPLICATION**

Site Design Review Approval for new development in the General Industrial zone:

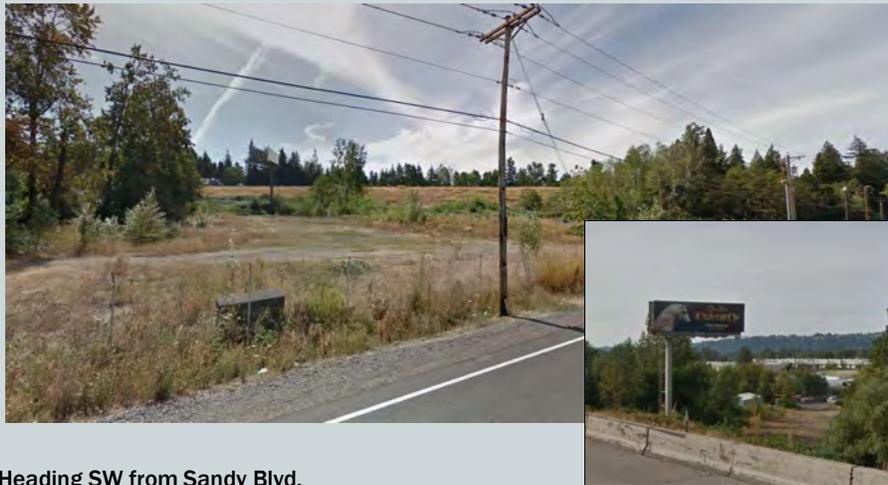
- 12,000 SF manufactured metal building
- Employee and visitor parking
- Fleet parking and outdoor storage

Multnomah County Transportation has concurrently reviewed a request for a Road Rules Variance to the access spacing standards

## SITE LOCATION



## EXISTING CONDITIONS



Heading SW from Sandy Blvd.

# EXISTING CONDITIONS

Approximate creek locations



# EXISTING CONDITIONS

Approximate Site Boundaries



## NOTICES/REFERRALS/TESTIMONY

### Notice of Public Hearing

- July 17: Mailed to property owners within 250 ft. of the site.
- July 24: Published in the Gresham Outlook
- August 3: Sign was posted on the site

### Referrals

- Application routed to Multnomah County Transportation, Gresham Fire and Fairview Public Works

### Written Testimony

- By noon on the hearing day, no written testimony received

## APPLICABLE CRITERIA

### Application Review Procedures

- 19.400 Administration of Land Use and Development Review
- 19.413 Procedures
- 19.424 Site Design Review - Application Review Procedure
- 19.425 Site Design Review - Application Submission Requirements
- 19.426 Site Design Review - Approval Criteria

### Land Use Districts

- 19.85 General Industrial District
- 19.106 Natural Resource Regulations

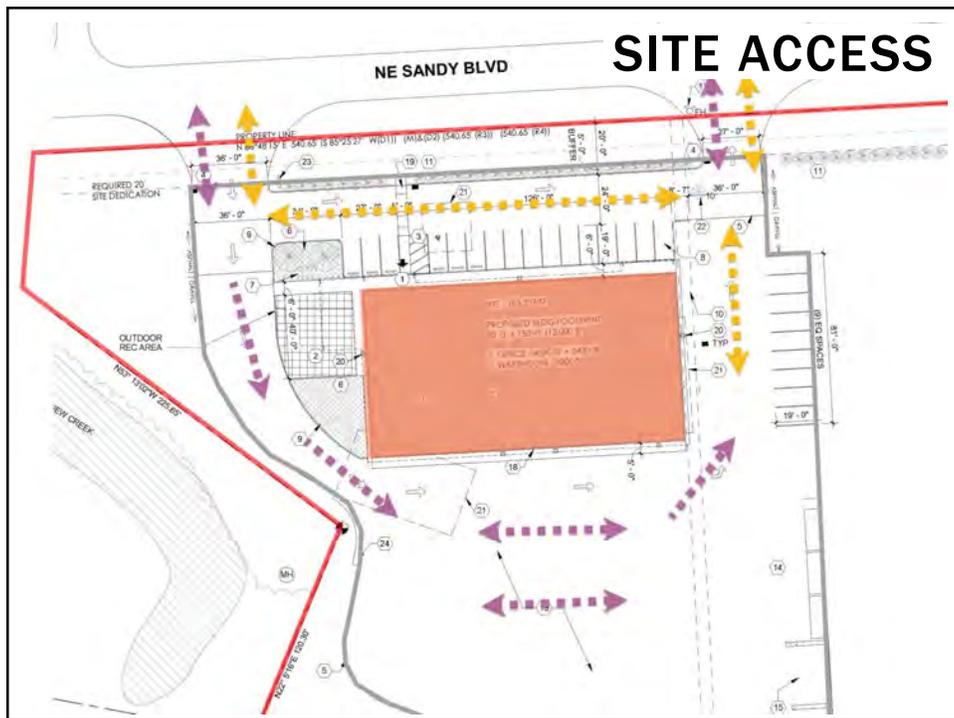
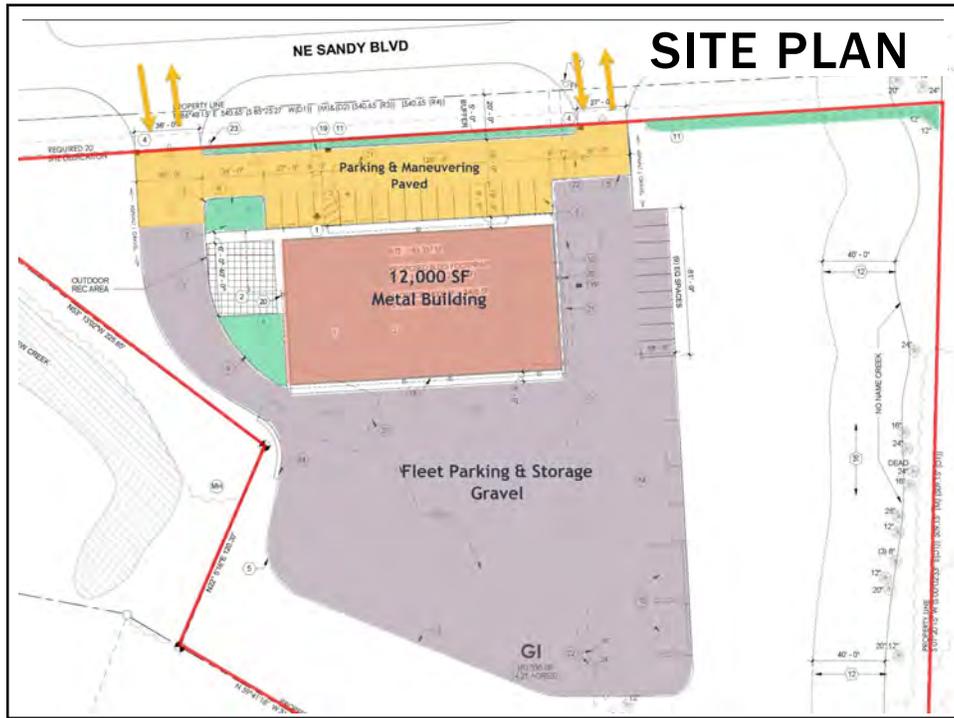
### Design Standards

- 19.162 Access and Circulation
- 19.163 Landscaping, Street Trees, Fences and Walls
- 19.164 Vehicle and Bicycle Parking
- 19.165 Public Facilities Standards
- 19.170 Sign Regulations



## ALLOWED USES

<p><b>1. Industrial</b></p> <ul style="list-style-type: none"> <li>a. Heavy manufacturing, assembly, processing of raw materials (CU)</li> <li>b. Light manufacture (e.g. electronic equipment, printing, bindery, furniture, and similar goods)</li> <li><b>c. Warehousing and distribution</b></li> <li>d. Junk yard, motor vehicle wrecking yards, and similar uses</li> <li>e. Columbia River industrial uses north of Marine Drive</li> <li>f. Uses similar to those listed above</li> </ul>	<p><b>3. Commercial (CU)</b></p> <p>Offices and other commercial uses are permitted when they are integral to a primary pre-existing or concurrently established industrial use (e.g. administrative offices, wholesale of goods produced on location, and similar uses)</p>
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# SITE LANDSCAPING

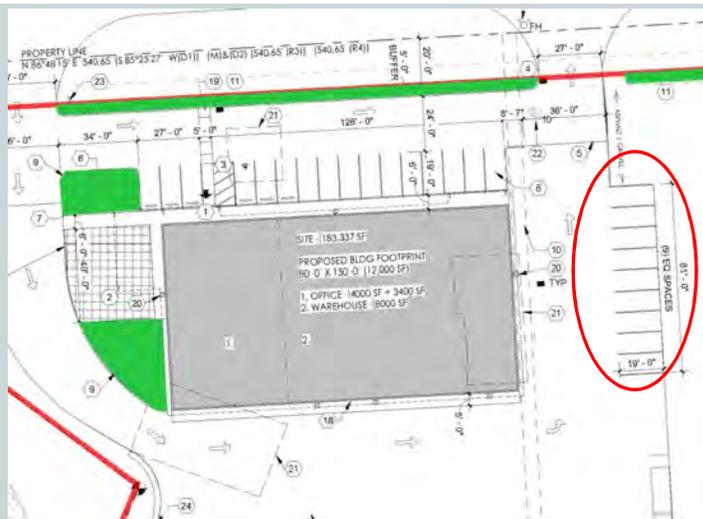
Site Area: 183,336 SF

New Landscaping: 3,518 SF  
(1.9%)

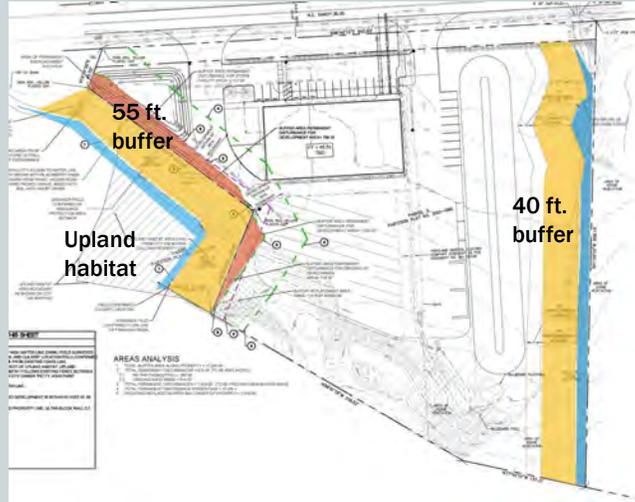
Additional Landscaping  
Required: 14,815 SF



# SITE LANDSCAPING



# RESOURCE PROTECTION AREAS

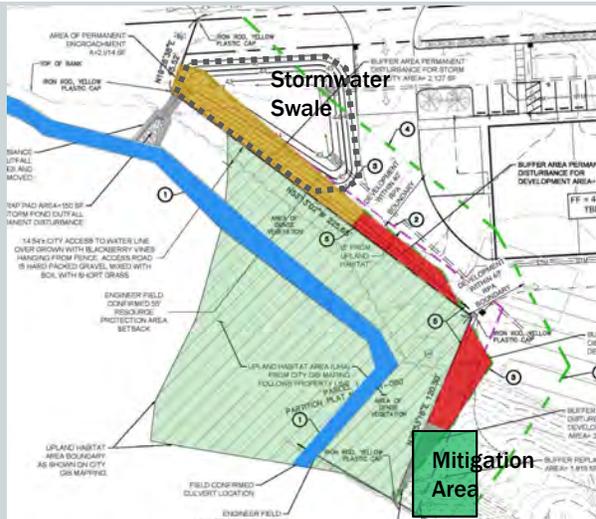


# FAIRVIEW CREEK

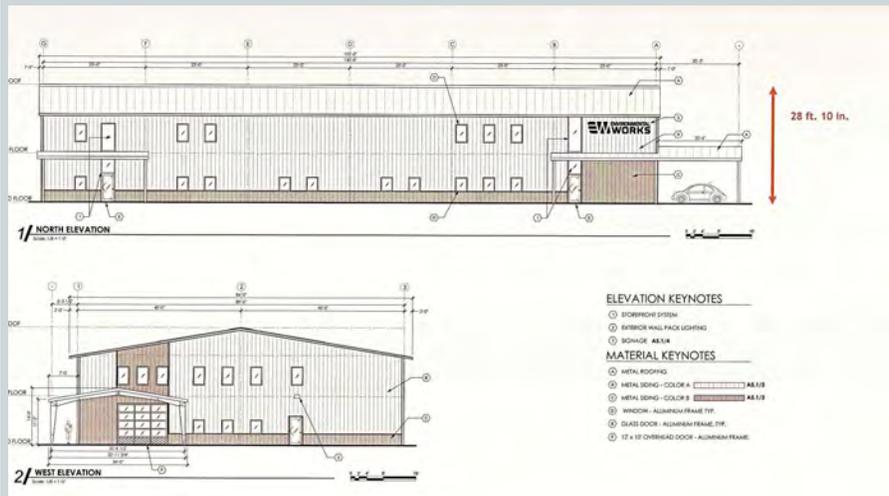
1,819 SF of permanent disturbance requiring mitigation

2,127 SF of permanent disturbance not requiring mitigation

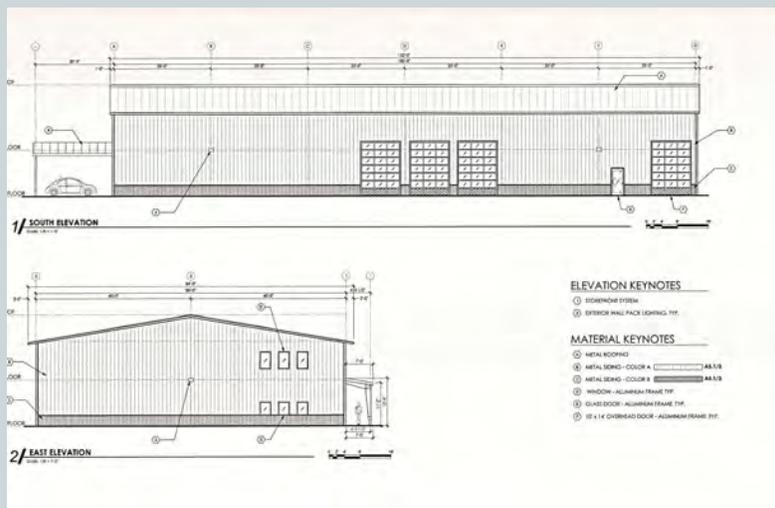
678 SF of temporary disturbance requiring mitigation



# BUILDING DESIGN



# BUILDING DESIGN



<b>PARKING</b>			
Type of Use	Parking Ratio (Min. Required)	Proposed Number of Units / Square Footage	Minimum Number of Required Parking Stalls
Office	2.7 spaces / 1,000 SF	2,940 SF	7.9
Industrial	1.6 spaces / 1,000 SF	9,060 SF	14.5
<b>Total number of required stalls</b>			<b>23</b>
<b>Total number of proposed stalls</b>			<b>25</b>

- ## **PUBLIC FACILITIES**
- All public transportation facilities must be designed and constructed to Multnomah County standards, or payment made in-lieu of improvements
  - Water & sewer available from Sandy Blvd.
  - All stormwater from the development site to be managed in accordance with the Portland Stormwater Manual

## KEY CONDITIONS OF APPROVAL

- D.3** Prior to the issuance of building permits, the applicant shall submit a mitigation plan for the new buffer averaging area that meets the requirements of FMC 19.106.040(E)

## KEY CONDITIONS OF APPROVAL

- E.1** Prior to the issuance of building permits, the applicant shall submit a revised site plan showing 10% of the site area, or 18,336 SF as landscaped. Significant vegetation, including in the riparian areas of Fairview Creek and No Name Creek, can count towards the minimum requirement
- E.4** Prior to the issuance of building permits, the applicant shall submit a revised site plan that provides trees and shade for the parking aisle east of the proposed building
- E.5** Prior to the issuance of building permits, the applicant shall submit a revised site plan that breaks up parking spaces into rows of not more than 12 contiguous spaces with a landscaped median

## KEY CONDITIONS OF APPROVAL

- F.7** Prior to the issuance of building permits, the applicant shall submit a revised site plan showing a 5 ft. wide pedestrian path along the entire west or east side of the building, connecting the building entrances
  
- F.8** Prior to the issuance of building permits, the applicant shall submit a revised site plan showing a 5 ft. wide pedestrian path connecting the parking aisle east of the building to the perimeter building sidewalk

## KEY CONDITIONS OF APPROVAL

- G.1** The applicant shall meet all of the street improvement, proportionate cost share, and dedication requirements as determined by Multnomah County

## **STAFF RECOMMENDATION**

Staff finds that the proposed application will meet the requirements of the City Code as conditioned, and recommends approval of the site design review subject to conditions listed and described in the Staff Report.

## **PLANNING COMMISSION ALTERNATIVES**

- Approve the application based on the findings of compliance with City regulations and conditions of approval.
- Modify the findings, reasons, or conditions, and approve the request as modified.
- Deny the application based on the Commission's findings.
- Continue the Public Hearing to a date certain if more information is needed.

## MEMORANDUM

TO: Eric Rutledge, Associate Planner, City of Fairview

FROM: Joanna Valencia, AICP, Transportation Planning and Development Manager

DATE: August 13, 2018

SUBJECT: County file no: EP-2018-9863 – 2018-14-DR Application Environmental Works

The Multnomah County Transportation Program has reviewed the proposed project for a new 12,000 sq. ft. pre-manufactured industrial metal building in the General Industrial (GI) zone. The building would provide equipment storage and maintenance space, along with corporate offices. The applicant proposes two driveway accesses onto Sandy Blvd to serve the use. The property is located on NE Sandy Blvd which is a Multnomah County road functionally classified as a Minor Arterial facility.

The comments provided in this memorandum are based on the information provided in the application packet. Additionally this memo reflects the county's approval of the road rules variance request and required conditions.

Sandy Boulevard is a Minor Arterial and are facilities under county jurisdiction.

### Conditions of Approval:

1. **Prior to issuance of the Certificate of Occupancy, dedicate 20 feet of right-of-way along the site's Sandy Boulevard frontage to Multnomah County for road purposes.**
2. **Prior to issuance of the Certificate of Occupancy, provide a payment for proportionate share frontage improvements and full installation of lighting per Mid County Lighting District to Multnomah County. The applicant shall detain stormwater on-site equivalent to full frontage improvements being constructed. The applicant shall work with Multnomah County at the time of construction of frontage improvements to accommodate the stormwater on the subject property.**
3. **Maintain sight distance at all access points on Sandy Blvd serving the property consistent with AASHTO requirements.**
4. **Any work in the right of way, including the removal of trees, or any increase in storm-water drainage from the site to the right of way will require review and a permit from Multnomah**

**County.**

5. **The project is responsible for all access intersections and levels of service designed by the project as submitted in the Traffic Study for the project.**
6. **Prior to issuance of the Certificate of Occupancy, acquire driveway permits for the sites access to NE Sandy Blvd.**

**Findings:**

In order to be granted a variance, the applicant must demonstrate that the following Multnomah County Road Rules (MCRR) standards are met. Below are responses supporting approval of the variance for two access points to serve the project. As conditioned, the roads rules criteria are met.

## 16.100 Variance Requirements:

A. Multnomah County Code 29.507 provides for a variance by the County Engineer from County standards and requirements when written documentation substantiates that the requested variance is in keeping with the intent and purpose of County Code and adopted rules, and the requested variance will not adversely affect the intended function of the County road system or related facilities. A variance approval may include mitigation measures as conditions of approval.

## MCRR 16.200 General Variance Criteria:

A. Special circumstances or conditions apply to the property or intended use that do not apply to other property in the same area. The circumstances or conditions may relate to the size, shape, natural features and topography of the property or the location or size of physical improvements on the site or the nature of the use compared to surrounding uses;

Response: The subject property has frontage on only one roadway, NE Sandy Boulevard. Since alternative access is not available, in order to provide multiple points of access to serve the subject property it is necessary to construct two driveways onto NE Sandy Boulevard. Other properties generally do not have opportunity for access only to a Minor Arterial roadway, and properties of similar scale frequently utilize more than one point of access.

The project proposes to construct a new 12,000 sf warehouse building on an approximately 4.21 acre lot with an estimated 500 lineal feet of frontage along NE Sandy Blvd. The project would like to limit the amount of disturbance area as possible. There will be paved parking at the front north side of the building and gravel fleet parking on the south back side of the building.

The proposed access to the site is desired to be approved as an ingress only at the west access and egress only at the east entrance. Multnomah County has requested some addition diagrams and information to determine the need for the site access. The owner is also

providing this additional narrative form to help the county understand the need for this business to be approved the dual access to the site as shown on the current site plan.

An overall site plan the shows how the site gravel area will function for fleet parking.

1. The applicant and business owner has stressed the need for this dual site access to operate their business functionally and efficiently. The types of vehicles accessing and needing to park or deliver to this site range from large flatbed pick-up trucks with trailers carrying equipment to full size semi tractor-trailer vehicles. The business has fleet vehicles that are dispatched from the site on a daily basis. They also have a need to be able to store materials for functional operations of their business.
  - a. In Truck Diagram #1 it can be seen that if a truck must access the site and turn around onsite it would conflict with the area needed for fleet parking.
  - b. Truck Diagram #2 shows how a separate Ingress and Egress access function much more efficiently for the owner and preserves the opportunity for the business to expand and contract functionally.
2. Due to stringent budgeting constraints this business has a very limited amount of available funds to develop the site. The owner is developing the site to the minimal amount required to meet site development requirements as determined by the jurisdiction having authority which is the City of Fairview. The City allows the site to be designed for a gravel parking and storage yard for material and fleet parking. The owner specifically chose this site in this jurisdiction with the understanding they wouldn't have to pave the site. The City of Gresham fire department does not allow for the approved fire apparatus access to be on gravel roads. The additional pavement required to provide a fully paved access just for the fire apparatus is cost prohibitive and the applicant is asking for the variance, so the site can provide a fire apparatus access in conjunction with the paved parking portion of the site. Additionally, the design of the site layout doesn't allow for fire apparatus vehicles to maneuver on and off the site easily with only one access.
  - a. Fire Diagram #1 shows how a hammer head maneuver conflicts with the building parking and parking curb area.
  - b. Fire Diagram # 2 shows how a fire truck can easily access the site from the west ingress and leave the site from the east egress and the fire truck will also be in a safer position to access the public fire hydrants and fight the fire from the north side of the building and if they need to move away from the building it's a much easier maneuver.
3. The ingress only and egress only design is also a more-safe design. The passenger and vehicles and trucks will not conflict with each- other if they can all enter at one location and leave at another.
4. The site has constraints that has limited the actual use of the entire area.
  - a. The south boundary has a steep hillside that is unusable. The hillside is a cut bank with 2.5H:1V slopes for the I-84 corridor. The parking lot development can't use over 60 feet of the south property.
  - b. The east boundary abuts a sensitive land area and has a 40 foot wide strip of land that cannot be developed.

B. The variance is necessary for the preservation and enjoyment of a substantial property right of the applicant and extraordinary hardship would result from strict compliance with the standards;

Response: The subject property is zoned to allow uses which attract truck trips. Large trucks, including vehicles with trailers, are expected to enter and exit the site regularly. Utilizing a single entrance/exit driveway would require these vehicles to execute multi-point turns in order to turn around and maneuver within the site. Although it is possible for these vehicles to navigate the site in this manner, it will require them to make frequent backing maneuvers within the rear yard. Backing inherently reduces driver sight lines, particularly for trucks with trailers, where large blind spots are created on the far side of the trailer while backing. Such backing can therefore result in increased hazards to drivers, other vehicles, equipment and pedestrians within the site. Accordingly, utilizing a single driveway would result in increased hazards within the rear yard that can be significantly reduced by allowing large vehicles to enter on one side of the building and turn around by traveling around the building while moving forward.

Utilizing two entrance driveways as proposed in the site plan also results in increased separation between pedestrians, passenger vehicles and trucks within the site, reduces the number, frequency and severity of conflicts within the site, and makes traffic flow within the site safer and more predictable.

In order to ameliorate any potential safety and operational concerns that could arise to the adjacent public roadway we have limited the driveways to one-way-only, resulting in operational and safety benefits both within the site and along the adjacent roadway, as previously described.

C. The authorization of the variance will not be materially detrimental to the public welfare or injurious to other property in the vicinity, or adversely affect the appropriate development of adjoining properties;

Response: As described previously in this document, the proposed access configuration separates conflicts between turning vehicles entering and exiting the subject property, reduces delays to through traffic as compared to a single consolidated access, reduces crossing hazards for pedestrians and bicycles traveling along NE Sandy Boulevard as compared to a single consolidated access, allows for greater separation between passenger vehicles and heavy vehicles within the site, and facilitates improved circulation with the subject property. Accordingly, the proposed access configuration will not be materially detrimental to the public welfare.

There are four other properties in the immediate vicinity that currently take access within less than 90 meters of one of the proposed access driveways. Three of these properties have only a single point of access and can continue to use a single point of access in the future regardless of whether or not they are redeveloped. The only site that may not be permitted to continue to utilize its accesses is lot 400, which currently has 3 driveways with access spacing of as little as 35 feet from centerline to centerline. It is anticipated that this property would be required to consolidate access locations in the future regardless of approval of the proposed driveways for the subject property.

Based on the analysis, the proposed variance will not be materially detrimental to the public welfare, will not be injurious to other property in the vicinity, and will not adversely affect the appropriate development of adjoining properties.

D. The circumstances of any hardship are not of the applicant's making.

Response: The depth and shape of the subject property is inadequate to allow large vehicles to turn around in the forward direction while maintaining both a usable building envelope and a useable vehicle storage area within the rear yard. The lot size and shape therefore creates a hardship that is not of the applicant's own making.

Additionally, the existing access spacing along the north side of NE Sandy Boulevard opposite the subject property does not meet current Multnomah County access spacing standards. Accordingly, no driveway locations are available which will allow the site to comply with the access spacing standards. Therefore the existing access spacing also creates a hardship which is not of the applicant's own making.





# MEMORANDUM

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**DATE:** September 4, 2018                      **MEETING DATE:** September 11, 2018

**TO:** Planning Commission

**FROM:** Sarah Selden, Senior Planner

**SUBJECT:** 2019 Code Amendment Package: Initial Code Concepts

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## ISSUE

It has been a number of years since the Planning Commission reviewed a package of development code amendments focused on code maintenance and improvement. Periodic amendments are a regular part of maintaining a code, and provide an opportunity to correct and clarify, making the code easier for staff and applicants to interpret and implement.

The purpose of this work session is to review and provide input on an initial list of code amendments for 2019, and to provide direction on the approach for addressing those amendments that the Commission wishes to move forward.

## BACKGROUND

The City last undertook a code amendment package in 2010. This Code Improvement Project involved a staff review of the entire Fairview Development Code (FMC Chapter 19), which resulted in a list of 17 code conflicts, inconsistencies or areas of potential improvement. The Commission reviewed and provided direction to move forward these amendments, however, a limited number were implemented due to department restructuring and staff reductions. Since 2010, 11 code amendments have been adopted, some involving larger planning projects such as new natural resource regulations.

Over the last year, staff and the Planning Commission have identified additional code issues ranging from minor corrections to larger policy discussions. The 2010 list has also been reviewed by staff, and pertinent items added to the list of potential amendments.

The Discussion section below groups the amendments into two categories:

**Code Maintenance:** Amendments that correct or clarify the code, or make updated require by changes in State law. Maintenance amendments do not generally change the substance of the code requirement.

**Policy Amendments:** Substantive changes that require policy consideration, and may require additional public input. The Commission should address some of these changes separately, rather than part of the larger code amendment package, if additional time and outreach is needed.

Staff expects the Commission's schedule to be full through the end of 2018 with quasi-judicial land use hearings. The Commission should have capacity for a code amendment package in 2019. Based on the list of potential amendments below, the Commission could move forward with all of the "maintenance" amendments as a single package in 2019, and prioritize one or two policy amendments to move forward in 2019 as separate projects.

## DISCUSSION

### Code Maintenance Amendments:

Missing Code Sections: Staff has identified a number of missing code references. This is likely the result of cross references not being updated following code amendments or final ordinance adoption. These include:

1. Landscaping, Street Trees, Fences and Walls standard references requirements for landscape plans in FMC 19.420.020(E), Development Review and Site Design Review, however this subsection does not exist [19.163.030(B)]. Staff recommends deletion of the reference.
2. Corridor Commercial zone references sections B-F of the Site Layout and Building Orientation Section, but sections D-F do not exist. The code states that section F contains alternative design criteria that can be used in lieu of compliance with the standards in sections B-E (section B is the Pedestrian Access Standard, and C is the Building Orientation Standard. Sections D-E are missing) [19.70.050]. The Commission may consider deletion of the reference to sections B-F, or developing those additional design criteria. The Commission may wish to consider these standards as part of a larger review of the Corridor Commercial development standards (see Policy Amendments discussion below).
3. Residential Building Size Standard. The Residential (R) zone includes a standard calling for residential buildings to comply with the "maximum adjusted floor area". The "adjusted floor area" is defined, but the code does not establish a maximum. The purpose of the standard, as described in the code, is to "implement the residential building intensity policies of the Comprehensive Plan and limit the mass of residential buildings in relation to the lot area." Staff did not find any such policies in the current Comprehensive Plan [19.30.060(C)]. The Commission may wish to consider whether additional standards are needed to control the mass of residential building, or if this reference should be deleted.

Code Inconsistencies: Amendments are recommended where the code provides two different standards for the same requirement.

1. Conflicting Pathway Width Requirements. During recent Site Design Review hearings, staff noted that the Public Facilities Standards require pathways to be at least five feet in width, while the Access and Circulation standards require pathways to be a minimum of six feet in width. Both apply to private facilities. [19.162.030(B)(2) and 19.165.025(K)]. The five foot width complies with ADA requirements and is the standard width for public sidewalks in residential areas. Staff recommends changing the six foot width requirement to five feet for consistency with the Public Facilities Standards.
2. The Code provides two different timelines for the expiration of a Development Review and Site Design Review approval, one year and two years. [19.428.020 and 19.400.030]. Staff recommends a two year expiration period as a more reasonable development timeline.

Code Clarifications: In a number of places, the code is difficult to interpret. Clarifying the standards will help to make the code more user-friendly for the public and create better consistency in staff interpretation over time.

1. Residential Density. The Residential (R) district code section includes standards for six different residential base zones, which range in density from the low-density R-10 zone (10,000 sq. ft. min. lot size) to the Multi-Family Subdistrict (R/MF), (2,500 sq. ft. minimum lot area per unit, which equates to a maximum density of 17 units per acre).

In the R zones, density standards are found in three different subsections.

- Table 19.30.040 – Lot Area and Dimensions establishes the minimum and maximum lot sizes (and minimum lot area per unit for the R/MF zone). The maximum lot size is used to establish the minimum density (dividing the lot into larger parcels), and the minimum lot size is used to establish the maximum density (dividing a lot into smaller parcels).
  - Subsection 19.30.060 Residential Density and Building Size establishes a minimum density calculation, which applies to intensification of the site (vacant lot development) or any land division. The code language and example calculation could be clarified or combined with Table 19.30.040 to provide a more comprehensive understanding of the requirements.
  - The Development Code also includes section 19.250 Minimum Densities, which is located in Title III Design Standards. This standard applies only to residential development, and establishes that the minimum density is 80% of the maximum density both for single family partitions and subdivisions, and multifamily development. This calculation is consistent with the minimum density standard listed in the R zone, but is redundant and inappropriately located within the code.
2. Minimum lot size for duplexes: “Two family attached housing” (duplexes) are conditional uses in the standard Residential zone, the Old Town Overlay Zone, and the Lower Density Overlay Zone. Table 19.30.040 – Lot Area and Dimensions establishes distinct lot size for detached single family homes in each of these zones:

Standard R-zone: Minimum 6,000 and maximum 10,000 sq. ft. lot area

Old Town Overlay Zone: Minimum 7,500 and maximum 10,000 sq. ft. lot area

Lower Density Overlay Zone: Minimum 10,000 sq. ft. lot area

For duplexes, however, the table lists the standard R-zone minimum and maximum lot size for three zones. Staff believes an error was made in updating this table when the Old Town and Lower Density overlay zones were adopted. Minimum and maximum lot sizes for duplexes should match the single-family lot size for each zone.

Staff recommends consolidating and clarifying the text related to residential density.

### **Policy Amendments:**

1. Mixed-Use in Corridor Commercial (CC) Zone – Clarification of residential/commercial split: The CC zone standards were drafted as part of the Sandy Blvd. Refine Plan, a land use and transportation planning process for Fairview and Wood Village that aimed to enhance the capacity, appearance, and multi-modal function of Sandy, and to enhance the compatibility of land uses along the corridor. The CC zone replaced areas zoned for light manufacturing just east of Fairview Parkway, abutting multi-family residential and manufactured home zoning districts. It also replaced general manufacturing zoning along the south side of Sandy Blvd., and some

agricultural holding zoning east of 223<sup>rd</sup>. A small amount to General Commercial on the northwest corner of 223<sup>rd</sup> and Sandy was also replaced with CC zoning, and enlarged to include a portion of land previously zoned for Apartment Residential Business Office use.

The newly placed Corridor Commercial zoning was intended to better complement the residential zones west of 223<sup>rd</sup> by providing neighborhood-oriented commercial services focused at the intersections of Fairview Parkway and 223<sup>rd</sup>.

The development code provides the following Purpose statement for the district:

“The corridor commercial district is intended to allow auto-accommodating commercial development while encouraging walking, bicycling, and transit. The district allows a full range of retail and service businesses with a local or regional market. Industrial uses are allowed but are limited in size to avoid adverse effects and ensure that they do not dominate the character of the commercial area. The district’s development standards promote attractive development, an open and pleasant street appearance and compatibility with adjacent residential areas. Development is intended to be aesthetically pleasing for motorists, transit users, pedestrians, and the businesses themselves.”

The CC zone allows “Mixed-use (residential with another permitted use)” as an allowed use in the zone, but does not define how much of each use is allowed or required. This issue was raised in 2010, and came to the Commission’s attention in 2016-2018 while reviewing mixed-use development proposals for the zone. The lack of code direction has created uncertainty for applicants, and has required interpretation by the Commission with each development application. Absent of a formal code interpretation, the Commission’s findings on one application have set false precedents for subsequent applications, which the Commission would like to avoid in the future. The Commission voiced their desire to re-visit the purpose and vision of the Corridor Commercial zone and amend the code to clearly define when residential uses are allowed.

Other commercial/mixed-use zoning districts that allow mixed-use development regulate the amount or location of residential uses.

- The Town Center Commercial (TCC) zone limits ground floor residential uses to 50% of the street frontage.
- The Village Mixed-Use and Village Commercial zones requires ground floors to be occupied by commercial uses within designated areas.
- The Village Office zone does not allow any residential uses.

The Commission may wish to consider an approach to limit residential uses in the CC zone, and may also consider additional amendments to this zoning district. For the Commission’s reference, a copy of the Corridor Commercial development code is attached, along with a map of the zoning district.

2. Town Center Commercial (TCC) zone: As part of the current Halsey Corridor project grant from DLCD, Angelo Planning Group is conducting an audit of the development standards that apply to land along the Halsey corridor. The work will result in concept-level code amendment recommendations. As a next step, Fairview, Troutdale and Wood Village have been awarded another Planning and Development Grant from Metro to aid in removing development barriers along Halsey. A component of this project take the concept-level code amendments forward to adoption-ready code language.

Two potential code amendments have been identified for the TCC zone: establishing minimum off-street parking requirements (currently, no off-street parking is required in the TCC zone), and clarifying the maximum height and bonus height allowed for including upper story residential uses. Staff will flag these items for the consultant's review.

Staff will be presenting each phase of the code amendments to the Commission for review and feedback, and ultimately for public hearing. Staff recommends making all TCC zone amendments at this time.

3. Tree removal on private property: The development code regulates the removal of “significant vegetation” on private property under the following conditions:
  1. When an application is received for site development
  2. At all times in Resource Protection Areas

Significant vegetation is defined as trees with a diameter of 6 inches or greater at breast height. All other trees and vegetation not associated with a development application or in a Resource Protection Area can be removed.

- Tree Protection During Site Development

FMC Section 19.163.020 “Landscape conservation” regulates the removal of significant vegetation during site development. Significant vegetation must be mapped and tree preservation is required where practicable. The development code states, “Preservation may become impracticable when it would prevent reasonable development of public streets, utilities, or land uses permitted by the applicable land use district”. City staff or the Planning Commission is responsible for determining what constitutes reasonable development of land uses allowed on the property.

While current regulations allow for staff or the Planning Commission to determine tree preservation requirements at the time of development, there are no local restrictions on tree removal prior to site development. In some instances, property owners have removed all or most of the significant vegetation on the site prior to submitting a land use application.

Regulating tree removal during the development process is common practice among local jurisdictions. Some cities and counties have also chosen to regulate tree removal on private property outside of the development process. Common approaches to this type of tree protection include:

- a) Limiting the number of trees that can be removed on a property in a 12 month period. The size of the tree and the size of the property are considerations. Example: on a property of 35,000 SF or less - up to three trees that are greater than 8 inches in diameter can be removed within a 12 month period (City of Gresham)
- b) Establishing environmental/tree protection overlay zones in areas with valuable tree resources
- c) Developing a “heritage tree” or “significant tree” program with extra protections for specific trees

- Tree Protection in Resource Protection Areas

FMC Chapter 19.106 “Natural Resource Regulations” regulates the removal of significant vegetation near streams, wetlands, and other sensitive habitat. Only significant trees that

present an emergency situation or that are dead, diseased, or dying may be removed. Unauthorized tree removal in the resource protection area can be enforced through civil penalties.

The Commission may wish to consider better defining when a property becomes a development site for the purpose of implementing the tree protection requirements, and whether any additional tree removal procedures or requirements should be explored.

4. Parking Standards. During recent land use hearings, Commissioners have expressed an interest in reviewing the City's parking requirements to ensure the minimum off-street parking standards require a sufficient amount of parking. Separately, staff has observed that the land use categories in the vehicle parking standards are not well aligned with the range of permitted uses in the Development Code, particularly for Commercial and Industrial uses. Revising a city's parking standards is typically a significant undertaking, and should start with a clear identification of the problem. If the Commission wishes to make this a priority project for next year, staff recommends starting with a scoping work session to better define the problems and range of potential amendments.
5. Code Exceptions. In early 2011, the Planning Commission held two public hearings to consider adopting criteria for exceptions to certain development standard through a Type II or Type III procedure. As proposed, the code exceptions would have provided for minor adjustments to a broader range of standards than allowed through the Variance standards, including architectural and site design standards, when the alternative design met the code purpose at least as well as the code standard. In March 2011, the application was withdrawn and project put on hold due to staff reductions. A procedure for exceptions or adjustments to the development standards could provide flexibility to respond to unique site conditions and allow for greater design creativity.
6. Neighborhood Commercial Zoning Standards. Chapter 19.60 of the Development Code includes standards for the Neighborhood Commercial (NC) Zoning District. The NC zone is not currently applied to the City's zoning map. This zone was previously applied to land that is now zoned for Town Center Commercial and Community Service Parks uses. The Commission may wish to consider whether the zoning district should be removed from the Development Code, or if it should be retained as an option for future re-zoning. Staff would return with additional information on this zone, should the Commission wish to consider its future application.

## **QUESTIONS FOR THE COMMISSION & NEXT STEPS**

Staff requests the following feedback from the Commission:

- Should any of the Code Maintenance amendments be removed from the draft code amendment package?
- What information is needed to consider the draft maintenance amendments prior to the public hearing?
- Should any of the Policy amendments be removed from the draft code amendment list?
- How would the Commission like to prioritize the policy amendment list? Which one or two amendments should the Commission consider in 2019?
- What additional information should staff provide for the first in-depth work session on the top priority policy amendment?
- Are there any amendments that should be added to either the Maintenance or Policy list?

### Next Steps:

Based on feedback from the September 11 work session, staff will begin working on draft code language for the Maintenance items, and additional research and scoping for the Policy items. Staff anticipates scheduling work sessions in early 2019 to review draft code language for the Maintenance amendments, and to further scope the top priority policy amendments. Staff will also identify whether any of the proposed amendments will place additional land use restrictions on private property, which would require a legal notice to all potentially impacted property owners.

### **EXHIBITS**

- A. Corridor Commercial Development Standards
- B. Corridor Commercial Zoning District Map

**Chapter 19.70**  
**CORRIDOR COMMERCIAL (CC) DISTRICT**

Sections:

[19.70.010 Purpose.](#)

[19.70.020 Permitted land uses.](#)

[19.70.030 Corridor commercial setback standards.](#)

[19.70.040 Lot coverage and floor area ratio.](#)

[19.70.050 Site layout and building orientation.](#)

[19.70.060 Building height.](#)

[19.70.070 Architectural guidelines and standards.](#)

[19.70.080 Pedestrian and transit amenities.](#)

[19.70.090 Special standards for certain uses.](#)

**19.70.010 Purpose.**

The corridor commercial district is intended to allow auto-accommodating commercial development while encouraging walking, bicycling, and transit. The district allows a full range of retail and service businesses with a local or regional market. Industrial uses are allowed but are limited in size to avoid adverse effects and ensure that they do not dominate the character of the commercial area. The district's development standards promote attractive development, an open and pleasant street appearance and compatibility with adjacent residential areas. Development is intended to be aesthetically pleasing for motorists, transit users, pedestrians, and the businesses themselves.

(Ord. 6-2001 § 1)

**19.70.020 Permitted land uses.**

A. Permitted Uses. The land uses listed in Table 19.70.020.A are permitted in the corridor commercial district, subject to the provisions of this chapter. Only land uses that are specifically listed in Table 19.70.020.A, and land uses that are approved as "similar" to those in Table 19.70.020.A, may be permitted. The land uses identified with a "CU" in Table 19.70.020.A require conditional use permit approval prior to development or a change in use.

B. Determination of Similar Land Use. Similar use determinations shall be made in conformance with the procedures in Chapter 19.480 FMC, Code Interpretations.

**Table 19.70.020.A**

**Land Uses and Building Types Permitted in the Corridor Commercial District**

<p><b>1. Residential*</b>                  a. Manufactured homes – individual lots (existing housing only)                  b. Residential care homes and facilities (CU)                  c. Family day care (12 or fewer children) (CU)  <b>2. Public and Institutional (CU)</b>                  a. Churches and places of worship                  b. Clubs, lodges, similar uses                  c. Government offices and facilities (administration, public safety, transportation, utilities, and similar uses)                  d. Libraries, museums, community centers, concert halls and similar uses                  e. Public parking lots and garages                  f. Private utilities                  g. Public parks and recreational facilities                  h. Schools (public and private)</p>	<p>i. Special district facilities                  j. Telecommunications equipment – antennas pursuant to Chapter 19.245 FMC                  k. Telecommunications equipment – monopoles (CU) pursuant to Chapter 19.245 FMC                  l. Uses similar to those listed above subject to applicable CU requirements  <b>3. Accessory Uses and Structures</b>  <b>4. Commercial</b>                  a. Auto-oriented uses and facilities*                  b. Entertainment (e.g., theaters, clubs, amusement uses)                  c. Hotels/motels                  d. Medical and dental offices, clinics and laboratories                  e. Mixed use development (housing and other permitted use)</p>	<p>f. Office uses (i.e., those not otherwise listed)                  g. Personal and professional services (e.g., child care center, catering/food services, restaurants, laundromats and dry cleaners, barber shops and salons, and similar uses)                  h. Repair services (must be enclosed within building)                  i. Retail trade and services (e.g., grocery, hardware and variety stores, banks and financial institutions)                  j. Uses similar to those listed above (subject to CU requirements, as applicable)  <b>5. Industrial*</b>                  a. Light manufacture (e.g., small-scale crafts, electronic equipment, furniture, similar goods when in conjunction with retail or if determined by the planning commission to be compatible with the purposes of the district and other uses in the district) (CU)</p>
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Land uses marked with an asterisk (\*) use the special standards for certain uses in FMC [19.70.090](#).  
 Land uses marked with a CU shall require a conditional use permit according to

Article IV of this title.

(Ord. 6-2001 § 1)

**19.70.030 Corridor commercial setback standards.**

A. Building Setbacks. In the corridor commercial district, setback standards are flexible to allow parking to be located near the entrance of new commercial development. Building setbacks are measured from the wall or facade to the respective property line. The setback standards apply to primary structures as well as accessory structures. The standards may be modified only by approval of a variance.

1. Front Setbacks.

a. Minimum Setback. The minimum allowable front setback is zero feet. There is no maximum front setback.

2. Rear Setbacks.

a. Minimum Setback. The minimum rear setback for all structures shall be zero feet for street-access lots, and eight feet for alley-access lots (distance from building to rear property line or alley easement) in order to provide space for parallel parking. When a building abuts a residential district the minimum rear setback shall be 15 feet.

b. Through-Lots. For buildings on through-lots (lots with front and rear frontage onto a street), the front setbacks in subsection (A)(1) of this section shall apply.

3. Side Setbacks. There is no minimum side setback required, except that buildings shall conform to the vision clearance standards in Chapter 19.162 FMC, the landscaping and buffering requirements in Chapter 19.163 FMC, and the applicable fire and building codes for attached structures, firewalls, and related requirements.

4. Setback Exceptions.

a. Architectural Features. Eaves, chimneys, bay windows, overhangs, cornices, awnings, canopies, porches, decks, pergolas, and similar architectural features may encroach into setbacks by no more than four feet, subject to compliance with applicable standards of the Uniform Building Code and Uniform Fire Code. Walls and fences may be placed on the property line, subject to the requirements of Chapter 19.163 FMC, Landscaping, Street Trees, Fences and Walls. (Ord. 6-2001 § 1)

**19.70.040 Lot coverage and floor area ratio.**

There are no maximum lot coverage or floor area ratio requirements, except that compliance with other sections of this code may preclude full (100 percent) lot coverage for some land uses. (Ord. 6-2001 § 1)

**19.70.050 Site layout and building orientation.**

This section is intended to encourage the efficient use of space, and connectivity to parking areas. The standards, as listed on the following page and illustrated above, complement the front setback standards in FMC [19.70.030](#).

A. Applicability. This section applies to all new land divisions, site design review, and conditional use applications.

Compliance with all of the provisions of subsections B through E of this section is required. As an alternative to meeting the requirements of subsections B through E, the applicant may propose alternative design solutions that satisfy the criteria in subsection F.

B. Pedestrian Access Standard. New land divisions and developments, which are subject to site design review or conditional use permits, shall provide pedestrian pathways as necessary to ensure reasonably safe, direct, and convenient access to building entrances and off-street parking.

1. From adjoining street right-of-way to building entrances and off-street parking these pathways shall be provided with an average maximum interval of 100 feet along the street right-of-way.
2. Between adjoining developments where practical.
3. In conformity with applicable requirements in Chapter 19.162 FMC, Access and Circulation.

C. Building Orientation Standard. All of the developments listed in subsection A of this section are encouraged to be oriented to a street. The building orientation standard is met when all of the following criteria are met:

1. Buildings shall have their primary entrance(s) oriented to (facing) the street with a direct pedestrian walkway connecting with the adjoining street right-of-way. Building entrances may include entrances to individual units, lobby entrances, entrances oriented to pedestrian plazas, or breezeway/courtyard entrances (i.e., to a cluster of units or commercial spaces). Alternatively, a building may have its entrance facing a side when a direct pedestrian walkway not exceeding 30 feet in length is provided between the building entrance and the street right-of-way.
2. Off-street parking, driveways or other vehicular circulation should not be placed between a building and the street. On corner lots, buildings and their entrances should be oriented to the street corner. Parking, driveways and other vehicle areas shall not be permitted adjacent to street corners. (Ord. 6-2001 § 1)

**19.70.060 Building height.**

All buildings in the corridor commercial district shall comply with the following building height

standards. The standards are intended to allow for development of appropriately scaled buildings.

A. Maximum Height. Buildings shall be no more than 45 feet in height.

B. Method of Measurement. "Building height" is measured as the vertical distance above a reference datum measured to the highest point of the coping of a flat roof or to the deck line of a mansard roof or to the average height of the highest gable of a pitched or hipped roof. The reference datum shall be selected by either of the following, whichever yields a greater height of building:

1. The elevation of the highest adjoining sidewalk or ground surface within a five-foot horizontal distance of an exterior wall of the building when such sidewalk or ground surface is not more than 10 feet above the lowest grade;
2. An elevation 10 feet higher than the lowest grade when the sidewalk or ground surface described in subsection (B)(1) of this section is more than 10 feet above the lowest grade. The height of a stepped or terraced building is the maximum height of any segment of the building. Not included in the maximum height are: chimneys, bell towers, steeples, roof equipment, flag poles, and similar features which are not for human occupancy.

C. Performance Option. The allowable building height may be increased to 55 feet, when approved as part of a conditional use permit. The development approval may require additional setbacks, stepping-down of building elevations, visual buffering, screening, and/or other appropriate measures to provide a height transition between the development and adjacent development. Roof equipment and other similar features, which are necessary to a commercial or industrial operation shall be screened, and may not exceed eight feet in height without approval of a conditional use permit. (Ord. 6-2001 § 1)

#### **19.70.070 Architectural guidelines and standards.**

A. Purpose and Applicability. The corridor commercial district architectural guidelines are intended to provide detailed, human-scale design, while affording flexibility to use a variety of building styles. This section applies to all development applications that are subject to site plan review or conditional use permits.

B. Guidelines and Standards. Each of the following standards shall be met. An architectural feature used to comply with more than one standard in this title.

1. Pedestrian-Oriented Design. All buildings shall contribute to the desired pedestrian-friendly character of corridor commercial district buildings. This criterion shall be met by providing all of the architectural features listed in subsections (B)(1)(a) through (d) of this section, along the front building elevation (i.e., facing the street), as applicable.

- a. Corner building entrances on corner lots. Alternatively, a building entrance may be

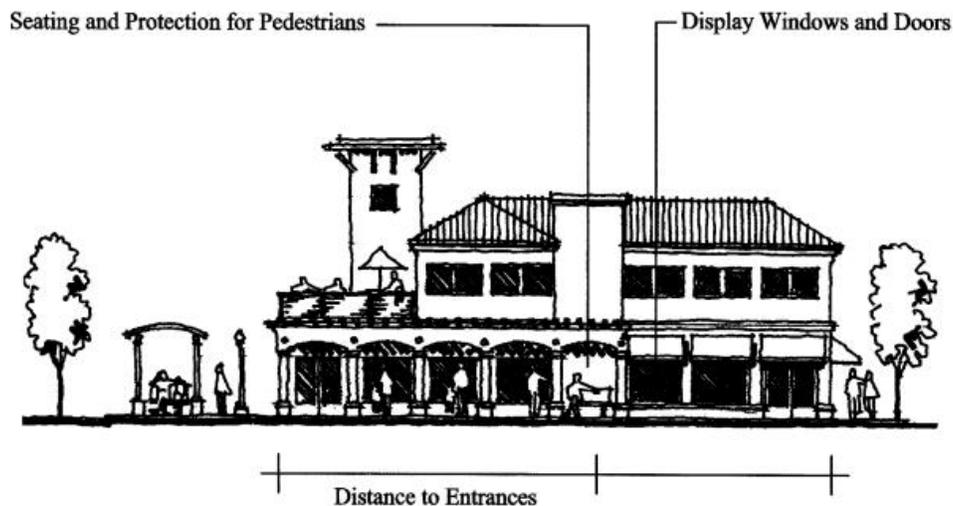
located away from the corner when the building corner is beveled or incorporates other detailing to reduce the angular appearance of the building at the street corner.

b. Regularly spaced and similar-shaped windows with window hoods or trim (all building stories).

c. Large display windows on the ground floor. Bulkheads, piers and a storefront cornice (i.e., separates ground floor from second story) shall frame display windows.

d. Decorative cornice at the top of a building (flat roof); or eaves provided with pitched roof.

**Figure 19.70.070.B(2) – Design of Large-Scale Buildings and Developments (Typical)**



[Note: the example shown above is meant to illustrate examples of these building design elements, and should not be interpreted as a required architectural style.]

2. Design of Large-Scale Buildings and Developments. The standards in subsection (B)(2)(c) of this section shall apply to large-scale buildings and developments, as defined in subsections (B)(2) (a) and (b) of this section:

a. Buildings with greater than 20,000 square feet of enclosed ground-floor space (i.e., “large-scale”). Multitenant buildings shall be counted as the sum of all tenant spaces within the same building shell;

b. Multiple-building developments with a combined ground-floor space (enclosed) greater than 40,000 square feet (i.e., shopping centers, public/institutional campuses, and similar developments);

c. All large-scale buildings and developments, as defined in subsections (B)(2)(a) and (b) of this section, shall provide human-scale design by conforming to all of the following criteria:

i. Incorporate changes in building direction (i.e., articulation), and divide large masses into varying heights and sizes, as shown above. Such changes may include building offsets; projections; changes in elevation or horizontal direction; sheltering roofs; terraces; a distinct pattern of divisions in surface materials; and use of windows, screening trees; small-scale lighting (i.e., wall-mounted lighting, or up-lighting); and similar features.

ii. Every building elevation adjacent to a street with a horizontal dimension of more than 100 feet, as measured from end-wall to end-wall, shall have a building entrance, which is open during business hours. Pathways shall connect all entrances to the street right-of-way, in conformance with Chapter 19.162 FMC, Access and Circulation, unless waived by the approval authority when the applicant can demonstrate that the building(s) is unable to provide such an entrance because the function of the building and/or the characteristics of the site do not allow an alternative floor plan or building orientation that could reasonably provide it. (Ord. 6-2001 § 1)

#### **19.70.080 Pedestrian and transit amenities.**

A. Purpose and Applicability. This section is intended to complement the building orientation standards in FMC [19.70.050](#), and the street standards in Chapter 19.165 FMC, by providing pedestrian spaces within the corridor center commercial district. This section applies to all development applications that are subject to site design review or conditional use permits.

B. Guidelines and Standards. Every development shall provide at least one of the “pedestrian amenities” listed in subsections (B)(1) through (4) of this section. Pedestrian amenities may be provided within a public right-of-way when approved by the applicable jurisdiction.

1. A plaza, courtyard, square or extra-wide sidewalk next to the building entrance (minimum width of eight feet);
2. Sitting space (i.e., dining area, benches or ledges between the building entrance and sidewalk (minimum of 16 inches in height and 30 inches in width);
3. Building canopy, awning, pergola, or similar weather protection (minimum projection of four feet over a sidewalk or other pedestrian space);
4. Public art which incorporates seating (e.g., fountain, sculpture, etc.).

C. Transit Amenities. Development on sites that are adjacent to or incorporate transit streets shall

provide improvements as described in this section at any existing or planned transit stop located along the site's frontage, unless waived by the community development director.

1. Transit facilities include bus stops, shelters, and related facilities. Required transit facility improvements may include the dedication of land or the provision of a public easement.

2. Development shall at a minimum provide reasonably direct pedestrian connections, as defined in FMC 19.162.030, between building entrances and the transit facility and between buildings on the site and streets adjoining transit stops.

3. Improvements at Major Transit Stops. A proposed development that is adjacent to or includes an existing or planned major transit stop will be required to plan for access to the transit stop and provide for transit improvements, in consultation with TriMet and consistent with an agency adopted or approved plan at the time of development. Requirements apply where the subject parcel(s) or portions thereof are within 200 feet of a transit stop.

Development requirements and improvements may include the following:

a. Intersection or mid-block traffic management improvements to allow for pedestrian crossings at major transit stops.

b. Building placement within 20 feet of the transit stop, a transit street or an intersection street, or a pedestrian plaza at the stop or at street intersections.

c. Transit passenger landing pads accessible to disabled persons to transit agency standards.

d. An easement or dedication for a passenger shelter and an underground utility connection to a major transit stop if requested by TriMet.

e. Lighting to TriMet standards.

f. Intersection and mid-block traffic management improvements as needed and practicable to enable marked crossings at major transit stops.

4. Any Type II land divisions where further divisions are possible, and all Type III land divisions, multiple-family developments, community services uses, and commercial or industrial uses located on an existing or future planned major transit street shall meet the TriMet transit facility requirements. Applicants shall consult with TriMet to determine necessary transit facility improvements in conjunction with the proposed development. Proposals shall be consistent with the road crossing improvements that are identified in the transportation system plan on streets with existing or planned transit service. (Ord. 2-2017 § 1 (Exh. A); Ord. 6-2001 § 1)

#### **19.70.090 Special standards for certain uses.**

This section supplements the standards contained in FMC [19.70.030](#) through [19.70.080](#). It provides additional standards for the following land uses in order to control the scale and compatibility of those uses within the corridor commercial district:

- Accessory Uses and Structures
- Automobile-Oriented Uses and Facilities
- Sidewalk Displays
- Light Industrial

A. Accessory Uses and Structures. Accessory uses and structures are of a nature customarily incidental and subordinate to the principal use or structure on the same lot. Typical accessory structures in the corridor commercial district include small workshops, greenhouses, studios, storage sheds, and similar structures. Accessory uses and structures are allowed for all permitted land uses within the corridor commercial district, as identified in Table 19.70.020.A. Accessory structures shall comply with the following standards:

1. Primary Use Required. An accessory structure shall not be allowed before or without a primary use.
2. Setback Standards. Accessory structures shall comply with the setback standards in FMC [19.70.030](#), except that the maximum setback provisions shall not apply.
3. Design Guidelines. Accessory structures shall comply with corridor commercial district design guidelines, as provided in FMC [19.70.070](#).
4. Restrictions. A structure shall not be placed over an easement that prohibits such placement. No structure shall encroach into the public right-of-way.
5. Compliance with Subdivision Standards. The owner may be required to remove an accessory structure as a condition of land division approval when removal of the structure is necessary to comply with setback standards.

B. Automobile-Oriented Uses and Facilities. Automobile-oriented uses and facilities, as defined below, shall conform to all of the following standards in the corridor commercial district. The standards are intended to provide a vibrant commercial character and encourage walking, bicycling, and transit.

1. Parking, Garages, and Driveways. On corner lots, parking lot or garage entrances shall be oriented to a side street (i.e., away from the more major street), unless topography, ownership patterns or unreasonable expense would make this requirement not practicable.

2. Automobile-Oriented Uses. "Automobile-oriented use" means automobiles and/or other motor vehicles are an integral part of the use. These uses are restricted because, when unrestricted, they detract from the pedestrian-friendly character of the district and can consume large amounts of land relative to other permitted uses. Automobile-oriented uses shall comply with the following standards:

a. Vehicle Repair, Sales, Rental, Storage, Service. Outdoor storage and display for these uses is prohibited unless the use is in a fully enclosed structure.

b. Drive-Up, Drive-In, and Drive-Through Facilities. Drive-up, drive-in, and drive-through facilities (i.e., associated with restaurants, banks, car washes, and similar uses) are permitted only when accessory to a primary commercial "walk-in" use, and shall conform to all of the following standards:

i. The facility receives access from an alley or driveway, and not a street;

ii. None of the drive-up, drive-in, or drive-through facilities (i.e., driveway queuing areas, windows, teller machines, service windows, drop-boxes, and similar facilities) are located within 20 feet of a street and shall not be oriented to a street corner. (Walk-up only teller machines and kiosks may be oriented to a corner); and

iii. The facility is subordinate to a primary permitted use. "Subordinate" means all components of the facility, in total, occupy less street frontage than the primary commercial or public/institutional building.

C. Sidewalk Displays. Sidewalk display of merchandise and vendors shall be limited to cards, plants, gardening/floral products, food, books, newspapers, bicycles, and similar small items for sale or rental to pedestrians (i.e., non-automobile-oriented). A minimum clearance of five feet shall be maintained. Display of larger items, such as automobiles, trucks, motorcycles, buses, recreational vehicles/boats, construction equipment, building materials, and similar vehicles and equipment, is prohibited.

D. Light Industrial Uses.

1. High Traffic-Generating Uses. Uses which are likely to generate "significant" levels of vehicle traffic (e.g., due to shipping, receiving, and/or customer traffic) shall require a conditional use permit. "Significant traffic" means that the average number of daily trips, or the average number of peak hour trips, on any existing street would increase by 10 percent or greater as a result of the development. The city may require a traffic impact analysis prepared by a qualified professional prior to deeming a land use application complete, and determining whether the proposed use requires conditional use approval. Applicants may be required to provide a traffic analysis for review by Oregon Department of Transportation (ODOT) for developments that increase traffic on state highways. The conditional use permit shall include

appropriate transportation improvement requirements, as identified by the traffic analysis and/or ODOT, in conformance with Chapter 19.165 FMC.

2. **Wireless Communication Equipment.** Wireless communication equipment, including radio (i.e., cellular), television and similar types of transmission and receiving facilities are permitted, subject to the standards for wireless communication equipment in Chapter 19.245 FMC. Wireless communication equipment shall also comply with required setbacks, lot coverage and other applicable standards of the corridor commercial district. (Ord. 6-2001 § 1)

-  Vacant
-  Developed
-  Right-of-Way



1 inch = 755 feet



This map is for informational purposes only and the City cannot accept responsibility for any errors, omissions, or positional inaccuracy. This map is provided "AS-IS".



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