

Mayor
T. Scott Harden

Council President
Patricia Smith

Councilors
Bruce Nissen

John Miner

Brian Loy

**CITY OF WOOD VILLAGE
PLANNING COMMISSION
MONDAY, AUGUST 31st, 2020
AGENDA**

6:00 PM

PLANNING COMMISSION

1. Public Hearing:

City File # ZDC 20-02- Zoning Code Amendments

- Proposal to amend permitted auto-oriented uses in a number of zones. Includes changes to definitions.
- Proposal to alter Temporary Uses section to allow construction trailers/offices without the need to attain separate Temporary Use Permits. Includes other minor changes.

2. Other Business

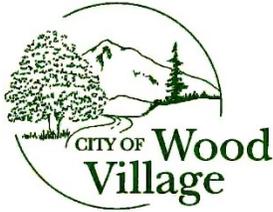
ADJOURN

ATTENTION

City Hall is closed to the public due to COVID-19 precautions. You may attend in person to provide your testimony or comments, or you may submit written comments in advance of the hearing. Written comments must be received by 5:00 PM on August 31st. If you attend in person please understand that COVID restrictions are in effect, meaning all must remain at least 6 feet apart and masks are required at all times. You may also attend online or by phone. For more information and for a link and/or call-in number to the hearing, please email pwc@woodvillageor.gov or call 503-489-6859. Comments will be taken verbally in person or on-line. They will be entered into the record and addressed at the meeting.

Thank you for your cooperation!

The meeting location is wheelchair accessible. This information is available in large print upon request. To request large-print documents or for accommodations such as assistive listening device, sign language, and/or oral interpreter, please call 503-667-6211 at least two working days in advance of the meeting. (TDD 1-800-735-2900)



CITY OF WOOD VILLAGE PLANNING COMMISSION and CITY COUNCIL
Staff Report

July 8, 2020

To: Wood Village Planning Commission and City Council
From: Matt Straite, Contract City Planner
Through: Greg Dirks, City Manager

Re: City file: #ZDC 20-02 proposes a zoning amendment that will revise two sections of the code. The first general revision proposes to reconfigure the auto-oriented uses in a number of zones. This will include amending the permitted uses in commercial and industrial zones, and changes to the definition of Vehicle Repair and an all new use and definition for 'Vehicle Maintenance.' The second proposes to amend Section 380.010-030, Temporary Uses. This includes allowing construction trailers/offices without the need to attain separate Temporary Use Permits, and some additional minor changes to the same section.

Applicant: City of Wood Village

Location: City Wide

Address: N/A

Planning & Zoning Designation: N/A

Exhibits:

- Redline strikeout of proposed amendments
- Public Hearing Notice
- DLCDC Notice

Applicable WVZC Provisions:

- Section 600 Land Use Review Criteria
- Wood Village Comprehensive Plan and TSP

Agency Comments:

- At the time this was written, no agencies had provided any comments.

SUMMARY RECOMMENDATION

Based on the findings of fact, Staff recommends that the Planning Commission recommend that the City Council adopt the findings from the staff report and approve **ZDC 20-02**; and, adopt Ordinance No. 4-2020.

Report Sections:

- I. Background and Concept
- II. Amendment Criteria
- III. Recommendations

I. Background & Concept

Auto Oriented Uses

The City has seen some challenges recently related to automobile related uses as they relate to zoning requirements. The current description of auto-related uses is ridged and lumps all car repair into two categories, very light repair, and very heavy. However not all car repair falls squarely into one of these two categories.

This proposed code amendment is intended to provide for auto related shops and services in convenient locations to meet the daily needs of families in the immediate residential neighborhoods in locations where there is adequate access to major streets. This amendment is not intended to allow uses which would impose hazards or a nuisance to adjacent or other properties by reason of smoke, soot, odor, noise, glare, fumes or other conditions that would adversely affect the public health, safety, welfare, or neighborhood character. Instead the change proposes to add a third new category, or use, for auto repairs.

The current code uses include the following:

“Quick vehicle serving” which is defined in the current code in section 710.210 as follows:

Provide direct services for motor vehicles where the driver generally waits in the car before and while the service is performed. The development will include a drive-through facility, the area where the service is performed. Examples include full-serve and mini-serve gas stations, unattended card key stations, car washes, quick lubrication and tune-up services, and Department of Environmental Quality vehicle emission test sites; and,

“Vehicle Repair” which is defined in section 710.260 as follows:

Firms servicing passenger vehicles, light and medium trucks and other consumer motor vehicles such as motorcycles, boats and recreational vehicles. Generally, the customer does not wait at the site while the service or repair is being performed. Examples include vehicle repair, transmission or muffler shop, auto body shop, alignment shop, auto upholstery shop, auto detailing, and tire sales and mounting.

Quick Vehicle Serving – Permitted Areas:

- Light Manufacturing – CU

- Commercial/Industrial – Y

Vehicle Repair – Permitted Areas

- Light Manufacturing – Y
- General Manufacturing – CU

The concern is that these two uses represent opposite ends of the spectrum and that adding a middle ground vehicle repair category would provide the City more flexibility with auto oriented uses. This code update includes an all new middle category, “**Vehicle Maintenance.**” This would allow for auto related uses that may not have any impact to neighbors, even residential neighbors. Glass repair, car stereo, auto upholstery and other uses that would not include storage of vehicles like engine repair or body shops might.

Temporary Uses

It has come to the City’s attention that the temporary use process presents unnecessary barriers to development in the City. The City brought this to the attention of the Planning Commission who agreed that they should be updated.

The proposed amendment primarily changes the requirement for construction trailers and temporary construction offices. Previously, these uses had to go through a Type II process which requires a 20-day hearing notice and a full hearing before the Planning Commission for a temporary use. The City felt this was too strict for a use that would not be open to the public. As such, the change proposes to allow construction related temporary structures without the need for any additional Land Use (Planning) permits. This does not exempt the developer from any required building permits or ADA compliance. This update also addresses several smaller changes to the Temporary Use Section, including a requirement for restrooms for temporary uses that are open to the public and clarifications on signage.

II. Zone Change Amendment Approval Criteria:

In order to support the proposed code amendment, the changes must meet the criteria from the code. These are listed below, along with findings of how the changes meet these criteria.

670.020 Procedure.

Code amendments shall be processed in accordance with the legislative procedure in Sections 560 – Legislative Process.

The City finds that the proposed text changes have been properly noticed to agencies, including the DLCDC and METRO, and posted in accordance with the requirements of Section 560.

670.030 Review Criteria.

The amendment will be approved if the City Council finds that the applicant has shown that all of the following criteria are met:

- A. The proposed amendment(s) better achieves the goals and policies of the**

Comprehensive Plan than the existing regulatory language.

The City finds that the proposed changes will provide the people of the City with more convenient uses located closer to their homes. The Economic Development element of the Comprehensive Plan specifies that the higher trafficked uses should be located away from residential uses. The zones proposed to be revised are all non-residential. More intense vehicle repair has been kept in zones that allow more industrial development, while lighter vehicle repair business like car stereo and upholstery are permitted in zones that are closer to residential uses. Economic Development Policy No 1 encourages a wide variety and mix of uses. Adding more gradation in auto oriented uses will help expand opportunities. Policy 5 encourages redevelopment. Allowing a broader spectrum of uses will increase the possibility of reusing existing structures. Therefore, the proposed auto use revisions will better implement the Comprehensive Plan Policies.

The Temporary use changes will help ease construction permit requirements and of remove unnecessary barriers to the implementation of the Comprehensive Plan's planned uses.

The City finds that this criteria is met.

B. The proposed amendments are consistent with the Zoning and Development Code purposes and with the purpose statement for the base zone, special district, additional use regulation, or development regulation for which the amendment is proposed.

The City finds that the proposed amendments to the auto-oriented uses will be implemented through commercial zones. The purpose of these zones is to improve the economic vitality of the City. Adding more uses in more places will help add to the opportunities for businesses throughout the City. The new uses have been located in zones where they make appropriate impacts the surrounding uses.

Temporary uses are permitted in all zones. The proposed changes to the requirements for temporary construction trailers and offices will eliminate the need for a temporary use permit. The change will help implement the intent of each zone by simplifying the development of the uses in each zone.

The City finds that this criteria is met.

C. Proposals which significantly affect a transportation facility shall assure that allowed uses are consistent with the function, capacity, and level of service of the facility identified in the City, County and Regional Transportation Plans.

The proposed changes are a small departure from the uses that exist today and should have very similar traffic impacts. The new proposed use, 'vehicle maintenance' is proposed to be added to commercial zones. Vehicle trips generated by the uses in the new category will be similar or less than the trip count typically used for more generic commercial uses. The changes to the temporary uses will not change the volume or amount of construction in the City; the change only simplifies the process. Therefore, there should be no change to the traffic patterns or volume of traffic intended by the Comprehensive Plan. *The City finds that this criteria is met.*

D. The review body shall find that:

The transportation system is capable of supporting the proposed use in addition to the existing uses in the area and will not significantly affect a transportation facility. Evaluation factors include street capacity and level of service, on-street parking impacts, access requirements, neighborhood impacts and pedestrian safety. “Significantly” affect the transportation facility means the proposal would:

- 1. As measured at the end of the Wood Village TSP planning period or 15 years, whichever is greater, the proposal would result in levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility; or**
- 2. Reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standard identified in the Regional Transportation Plan (RTP), Oregon Highway Plan, Wood Village TSP or Comprehensive Plan, as applicable; or**
- 3. Worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard in the Regional Transportation Plan (RTP), Oregon Highway Plan, Wood Village TSP or Comprehensive Plan, as applicable. If it is determined that a proposed land use significantly affects a transportation facility, the applicant shall assure that the allowed uses are consistent with the function, capacity and level of service of the facility by one of the following methods:**
 - (a). Alter land use designations, densities, or design requirements to reduce demand for automobile travel and meet travel needs through other modes of transportation; or**
 - (b). Provide measures demonstrating that the use can be consistent with the planned function of the transportation facility, or provide other measures as a condition of development through a development agreement or similar method, specifying when such measures will be provided.**

As stated above, the proposed changes are a small departure from the uses that exist today and should have very similar impacts. The changes to the temporary uses will not change the volume or amount of construction in the City; the change only simplifies the process.

Therefore, the volume of traffic generated within the existing zones was already accounted for when the street demand was studied in the Metro Regional Functional Plan, the County Transportation System Plan and the City Transportation System Plan (TSP). By extension the City’s TSP also addressed the State requirement for the Transportation Planning Rule or TPR as required by OAR 660 Division 12 and Title 6 of the Metro Urban Growth Management Functional Plan. The proposed text change was transmitted to Multnomah County who maintains most streets in the City. The State, County and neighboring cities were contacted for comments. At the time this was written they did not reply with any comments or concerns regarding the slight revision to the uses or the changes to requirements for temporary use permits. Additionally, any development proposed as a result of the new auto-oriented use will

be evaluated at the time they are proposed for possible impacts to the transportation system.

The changes to the temporary uses section will only change the permitting process required, this should not entice additional temporary uses, just remove an unnecessary barrier to efficient development. *The City finds that the criteria is met.*

E. Amendments that Affect Transportation Facilities. Except as provided in Subsection F, amendments to the comprehensive plan and land use regulations which significantly affect a transportation facility shall assure that allowed land uses are consistent with the function, capacity, and level of service of the facility identified in the Wood Village TSP. This shall be accomplished by one of the following:

4. Adopting measures that demonstrate that allowed land uses are consistent with the planned function of the transportation facility; or
5. Amending the Wood Village TSP or Comprehensive Plan to provide transportation facilities improvements, or services adequate to support the proposed land uses; such amendments shall include a funding plan to ensure the facility, improvement, or service will be provided by the end of the planning period; or
6. Altering land use designations, densities, or design requirements to reduce demand for automobile travel and meet travel needs through other modes of transportation; or
7. Amending the planned function, capacity or performance standards of the transportation facility; or
8. Providing other measures as a condition for development or through a development agreement or similar funding method, specifying when such measures will be provided.

See findings for E above. *The City finds that the criteria is met.*

F. Exceptions. Amendments to the Comprehensive Plan or land use regulation with a significant effect on a transportation facility, where the facility is already performing below the minimum acceptable performance standard identified in the Wood Village TSP or the Regional Transportation Plan, may be approved when all of the following criteria are met:

9. The amendment does not include property located in an interchange areas, as defined under applicable law;
10. The currently planned facilities, improvements or services are not adequate to achieve the standard;
11. Development resulting from the amendment will, at a minimum, mitigate the impacts of the amendment in a manner that avoids further degradation to the performance of the facility by the time of the development; and
12. The road authority provides a written statement that the proposed funding and timing for the proposed development mitigation are sufficient to avoid further degradation to the facility.

As noted above in E the City has no reason to believe that the proposed text amendments will

result in any impacts to the transportation system, regardless of the current performance standards of the streets within the City. The proposed text changes were transmitted to the County which maintains most regional streets in the City. They did not present any concerns with the proposed changes. *The City finds that the criteria is met.*

IV. Recommendations

Staff Recommendation to Planning Commission:

Based on the findings of fact in this staff report, Staff recommends that the Planning Commission recommend that the City Council approves the Zoning and Development Code Amendment, case file ZDC 20-02, and that the Council adopt Ordinance 4-2020.

Staff Recommendation to City Council:

Based on the findings of fact in this staff report, Staff and the Planning Commission recommend that the City Council approves the Zoning and Development Code Amendment, case file ZDC 20-02, and that the Council adopt Ordinance 4-2020.

Notes:

- Pursuant to the City Charter any Ordinance adoption requires approval of the majority of the Council Members at two meetings. The Ordinance can be adopted at a single meeting with a unanimous vote of the seated Council members.
- Any appeal to the City Council action will be to the Land Use Board of Appeals (LUBA) within 21 days of the Ordinance adoption. Only those that provided testimony have standing to appeal a land use decision to LUBA.
- Pursuant to the City Charter any adopted Zoning and Development Code Amendments will take effect 30 days after adoption.

Introduction

Amendments shown with deletions in red ~~Strikeout~~ and additions in red *Italics*. Affected zones include:

- Light Manufacturing – Y
- General Manufacturing – CU
- Commercial/Industrial – CU
- Town Center – CU

Proposed Auto Oriented Uses Text Changes

Table 230-1. Uses in Commercial Zones	
COMMERCIAL CATEGORIES	
Retail Sales and Service (prohibits drive-up/thru/in commercial uses and any single user that exceeds 10,000 sq. ft.)	Y
Marijuana Sales other than Medical	CU
Lodging	Y
Mobile Food Carts and Food Pods	Y
Office	Y
Quick Vehicle Servicing, including gas stations	N
Vehicle Repair	N
<i>Vehicle Maintenance</i>	<i>CU</i>
Self Service Storage	N
Commercial Recreation	N
Major Event Entertainment	N
Museums, galleries, art, dance and photo studios	Y

Y = Yes, Permitted Use CU = Conditional Use Review Required

N = No, Prohibited Use L = Permitted, but Subject to Limitations

Section 710.200 Commercial Use Categories:

~~710.260 VEHICLE REPAIR~~

- ~~A. **Characteristics.** Firms servicing passenger vehicles, light and medium trucks and other consumer motor vehicles such as motorcycles, boats and recreational vehicles. Generally, the customer does not wait at the site while the service or repair is being performed.~~
- ~~B. **Accessory Uses.** Accessory uses may include offices, sales of parts, and vehicle storage.~~
- ~~C. **Examples.** Examples include vehicle repair, transmission or muffler shop, auto body shop, alignment shop, auto upholstery shop, auto detailing, and tire sales and mounting.~~
- ~~D. **Exceptions.** Repair and service of industrial vehicles and equipment, and of heavy trucks; towing and vehicle storage; and vehicle wrecking and salvage are classified as Industrial Service.~~

710.260 VEHICLE MAINTENANCE

- A. **Characteristics.** Firms servicing passenger vehicles, light and medium trucks and other consumer motor vehicles such as motorcycles, boats and recreational vehicles. Generally, the customer does not wait at the site while the service or repair is being performed, and most repairs and services last less than a day or two. The exterior storage of vehicles and vehicle parts is prohibited.*
- B. **Accessory Uses.** Accessory uses may include offices, and sales of parts/tools.*
- C. **Examples.** Examples include under car work including, suspension parts/components, alignment, tires, brakes, exhaust, minor repairs and tune-ups such as oil and fluid change, battery, and the replacement of consumable engine items such as belts and hoses, auto upholstery shops, auto detail shops, and stereo and other interior and exterior accessory sales and installation*

Updated definition – Previously section 710.260, no proposed change in zoning.

710.270 VEHICLE REPAIR

- A. **Characteristics.** Firms servicing passenger vehicles, light and medium trucks and other consumer motor vehicles such as motorcycles, boats*

and recreational vehicles. The customer does not wait at the site while the service or repair is being performed, and repairs take several days or longer to complete.

B. Accessory Uses. Accessory uses may include offices, sales of parts, and vehicle storage.

C. Examples. Examples include major vehicle repair and diagnostics, transmission shop, engine repair/rebuilding facilities, auto body shop, and other major repair services.

D. Exceptions. Repair and service of industrial vehicles and equipment, and of heavy trucks; towing and vehicle storage; and vehicle wrecking and salvage are classified as Industrial Service.

Proposed Temporary Uses Text Changes

Section 380 Temporary Uses

380.010 Temporary Uses Permit. Temporary uses are characterized by their short term or seasonal nature and by the fact that permanent improvements are not made to the site. Temporary uses include, but are not limited to: leasing offices, temporary carnivals, neighborhood celebrations and fairs, parking lot sales, retail warehouse sales, and seasonal sales such as Christmas tree sales and vegetable stands. Four types of temporary uses require permit approval identified in sections A., B. and C. below. *Food Carts and Food Pods are regulated separately under section 710.227.*

380.020 Temporary Use Permit Not Required for Temporary Uses of Limited Duration. Application for a temporary use permit is not required to locate the following temporary uses, but such uses must comply with the requirements set forth in Section 380.030 A (1) through (7):

- Any temporary use of land of up to a 14-day duration (such as a promotional event, festival, carnival, or outdoor sale) which conforms with all other requirements of this Code and other applicable city regulations and public health and safety requirements, some of which may further limit such uses in terms of location, scope and duration.
- *Any temporary use of construction trailers or temporary office structures for a construction site or project that does not have open access to the general public. The temporary structures or units must be located on site and removed within 14 days after the project or work has been completed.*

380.030 Permit Required.

A. **Seasonal, Special Events and Street Vendors.** These types of uses occur only once in a calendar year and for no longer than a period of 90 days. Applications for such temporary uses shall be processed pursuant to the Type II procedure under Section 520.100 and subject to the applicant paying the basic public hearing planning fee. The City may approve, approve with conditions or deny a temporary use permit. Approval shall be based on findings that all of the following criteria are satisfied:

1. The use is permitted in the underlying land use district and does not violate any conditions of approval for the property (e.g. prior development permit approval);
2. The applicant has proof of property owner's permission to place the use on his/her property;
3. There is adequate parking as required by Section 350 Parking and Loading;
4. The use provides adequate vision clearance, as required by Section 730 and shall not obstruct pedestrian access on public streets;
5. Ingress and egress are safe and adequate when combined with the other uses of the property, code access and circulation requirements;
6. The use does not create adverse off-site impacts including vehicle traffic, noise, odors, vibration, glare or lights that affect an adjoining use in a manner which other uses allowed outright in the district; and
7. The use is adequately served by sewer or a septic system and city water, as applicable. *Public restrooms must be provided.* The applicant shall be responsible for obtaining any related permits.
8. The Planning Commission may make an exception to any requirement in this section upon finding there is an overriding public benefit to the exception (*such a determination would require a Type III review*).
- 9 *Signage for seasonal events may be reviewed as part of the Temporary Use Permit and must follow all requirements of Section 370.010, Signs.*

B. **Temporary Real Estate Sales Office, Model Home.** Applications for such temporary uses shall be processed pursuant to the Type II procedure under Section 520.100 and subject to the applicant paying the basic public hearing planning fee. The City may approve, approve with conditions or deny a temporary use permit. If the reviewing authority finds there are significant negative impacts from the use or a change in circumstances in the area, the annual permit may be denied. Approval shall be based upon findings which demonstrate compliance with the criteria set forth in Subsection A(1) through (8)

of the this section. *In addition, approval shall be subject to the following additional criteria.*

1. Temporary real estate sales office:

- a. The temporary sales office shall be located within the boundaries of the subdivision or tract of land in which the real property is sold; and
- b. The property to be used for the temporary sales office shall not be permanently improved for that purpose; *and,*
- c. This type of temporary use may be renewed annually by City staff, unless there are citizen complaints about the use in which case the permit must be renewed by the Planning Commission or Design Review Board.; and,*
- d. Public restrooms must be provided; and,*
- e. All signs must comply with Section 370.020, Signs.*

2. Model House:

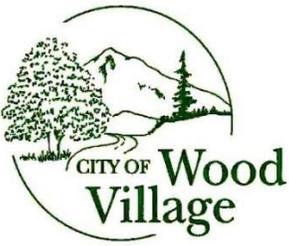
- a. The model house shall be located within the boundaries of the subdivision or tract of land where the real property to be sold is situated; and
- b. The model house shall be designed as a permanent structure that meets all relevant requirements of this code.
- c. This type of temporary use *may* be renewed annually by City staff, unless there are citizen complaints about the use in which case the permit must be renewed by the Planning Commission or Design Review Board.
- d. All signs must comply with Section 370.020, Signs.*

- C. **Temporary Building.** Applications for temporary trailers or prefabricated buildings that are not regulated under Subsection B of this section, *other than construction trailers/offices*, shall be processed pursuant to the Type 2 procedure under Section 520.100 and subject to the applicant paying the basic public hearing planning fee. The City may approve, approve with conditions or deny a temporary use permit. City staff *may* renew this type of temporary use annually, unless there are citizen complaints about the use in which case the renewal of the permit must be considered by the Planning Commission or Design Review Board. If the reviewing authority finds there are significant negative impacts from the use or a change in circumstances in the area, the annual permit may be denied. Approval shall be based upon findings, which demonstrate compliance with the criteria set forth in Subsection A (1) through (7) of this section. In addition, approval shall be subject to the following additional criteria.
1. The temporary trailer or building shall be associated with the primary use on the property;

2. The building complies with applicable building codes;

3. The length of time that the temporary building will be used does not exceed twelve (12) months. When a temporary building exceeds this time frame, the applicant shall be required to remove the building, or receive City staff approval to annually renew the temporary use permit. The review authority may revoke a permit or deny renewal if it is found that there are significant negative impacts from the use or there is a change in circumstances in the area.

4. All signs must comply with Section 370.020, Signs.



Mayor
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Date of Notice: August 4, 2020

WE WANT YOUR COMMENTS ON A PROPOSED ZONING CODE AMENDMENT

The Wood Village Planning Commission and City Council will each hold a separate Public Hearing to review a City proposed zoning code amendment which is a Type IV (legislative) application. The application proposes the addition of new permitted uses pertaining to auto oriented uses and changes to temporary uses.

You are invited to take part in the Planning Commissions review of this project and/or the City Council review. You may attend in person to provide your testimony or comments, or you may submit written comments in advance of the hearing. Written comments must be received by 5:00 PM on August 25th. **If you attend in person please understand that COVID restrictions are in effect, meaning all must remain at least 6 feet apart and masks are required at all times. You may also attend on-line, more information and for a link and/or call in number to the hearing please contact Johnathon Pierce (contact information below). Comments will be taken verbally in person or on-line.**

Planning Commission Hearing Information:

Date: August 31, 2020

Time: 6:00 PM

Hearing Location: 23335 NE Halsey Street, Wood Village, OR 97060

Notice provided to the newspaper.

City Council Hearing Information:

Date: September 10, 2020

Time: 6:00 PM

Hearing Location: 23335 NE Halsey Street, Wood Village, OR 97060

Notice provided to the newspaper.

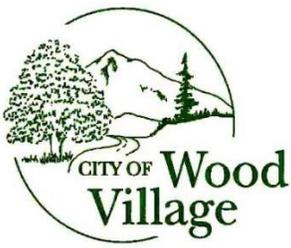
Proposal Information:

File NO: ZDC 20-02

Proposal Description: City file: [#ZDC 20-02](#) proposes a zoning amendment that will revise two sections of the code. The first general revision proposes to reconfigure the auto-oriented uses in a number of zones. This will include amending the permitted uses in commercial and industrial zones, and changes to the definition of Vehicle Repair and an all new use and definition for 'Vehicle Maintenance.' The second proposes to amend Section 380.010-030, Temporary Uses. This includes allowing construction trailers/offices without the need to attain separate Temporary Use Permits, and some additional minor changes to the same section.

Applicant / Owner: City

Applicable Criteria: Zoning and Development Code Section 670.030



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Decision Process: In order to be approved, the application must meet the standards and criteria of the Wood Village Zoning and Development Code listed in the *Applicable Criteria* section of this notice. The Planning Commission will review and make recommendation to the City Council on this proposal. The City Council may approve or deny the application based on the applicable approval criteria, the materials submitted with the application, and other information in the record.

Submitting Comments: We invite you to send any written comments regarding the proposal. Your comments should state why the application does or does not meet the criteria and/or standards or include proposed modifications you believe are necessary for approval according to the criteria and/or standards. Please include the file number (ZDC 20-02) in your letter.

If you mail your comments to the City, please send to:

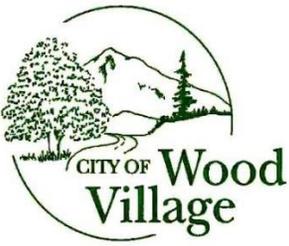
City of Wood Village
23335 NE Halsey Street
Wood Village, OR 97060

Applicable Materials: All documents and evidence submitted by the applicant, and the applicable criteria from the municipal code are available for public review at no cost or a copy can be provided at reasonable cost. You can email pwc@woodvillageor.gov to receive a copy of the materials or a link to the Municipal Code.

Appeal Standing: Prior to the close of the record, if you do not raise a specific issue related to why the application does or does not meet the criteria and/or standards, or fail to provide statements or evidence to allow Planning Commission to respond to the issue, you may not be able to appeal the decision to the Land Use Board of Appeals (LUBA) based on that particular issue. Any appeal to LUBA must be made within 21 days of the final adoption of the Ordinance.

Decision: A notice of the final decision, summarizing the standards and facts that justified the decision will be mailed to persons who submitted written testimony. The notice of decision will also include information regarding your right to appeal the decision. The City may approve, approve with conditions or deny a temporary use permit. Approval shall be based on findings that all of the following criteria are satisfied:

- A. The proposed amendment(s) better achieves the goals and policies of the Comprehensive Plan than the existing regulatory language.
- B. The proposed amendments are consistent with the Zoning and Development Code purposes and with the purpose statement for the base zone, special district, additional use regulation, or development regulation for which the amendment is proposed.
- C. Proposals which significantly affect a transportation facility shall assure that allowed uses are consistent with the function, capacity, and level of service of the facility identified in the City, County and Regional Transportation Plans.



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D. The review body shall find that:

The transportation system is capable of supporting the proposed use in addition to the existing uses in the area and will not significantly affect a transportation facility. Evaluation factors include street capacity and level of service, on-street parking impacts, access requirements, neighborhood impacts and pedestrian safety.

“Significantly” affect the transportation facility means the proposal would:

- (1) As measured at the end of the Wood Village TSP planning period or 15 years, whichever is greater, the proposal would result in levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility; or
- (2) Reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standard identified in the Regional Transportation Plan (RTP), Oregon Highway Plan, Wood Village TSP or Comprehensive Plan, as applicable; or
- (3) Worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard in the Regional Transportation Plan (RTP), Oregon Highway Plan, Wood Village TSP or Comprehensive Plan, as applicable.

If it is determined that a proposed land use significantly affects a transportation facility, the applicant shall assure that the allowed uses are consistent with the function, capacity and level of service of the facility by one of the following methods:

- (a) Alter land use designations, densities, or design requirements to reduce demand for automobile travel and meet travel needs through other modes of transportation; or
- (b) Provide measures demonstrating that the use can be consistent with the planned function of the transportation facility, or provide other measures as a condition of development through a development agreement or similar method, specifying when such measures will be provided.

Staff Contact:

Johnathon Pierce, Public Works Coordinator
503-489-6859
PWC@WoodVillageOR.gov



Confirmation of PAPA Online submittal to DLCD

1 message

DLCD Plan Amendments <plan.amendments@state.or.us>

Mon, Jul 27, 2020 at 2:39 PM

Reply-To: plan.amendments@state.or.us

To: matts@migcom.com

Wood Village

Your notice of a proposed change to a comprehensive plan or land use regulation has been received by the Oregon Department of Land Conservation and Development.

Local File #: ZDC 20-02

DLCD File #: 002-20

Proposal Received: 7/27/2020

First Evidentiary Hearing: 8/31/2020

Submitted by: mstraite

If you have any questions about this notice, please reply or send an email to plan.amendments@state.or.us.