



**KEIZER PLANNING COMMISSION MEETING AGENDA**  
**Wednesday, January 11, 2017 @ 6:00 p.m.**  
**Keizer Civic Center Council Chambers**

- 1. CALL TO ORDER**
- 2. APPROVAL OF MINUTES**
  - November 9, 2016
- 3. APPEARANCE OF INTERESTED CITIZENS**

*This time is made available for those who wish to speak about an issue that is not on the agenda.*
- 4. PUBLIC HEARING: Section 2.311 - Planned Unit Development**
- 5. NEW/OLD BUSINESS**
- 6. STAFF REPORT**
- 7. COUNCIL LIAISON REPORT**
- 8. COUNCIL REPRESENTATIVE: Jerry Crane - January 17 (Tuesday)**
- 9. ADJOURN**

*Next Meeting ~ February 8, 2017*

*2016-7 Work Plan*

- |   |  |
|---|--|
| 1. <del>Sections 2.102.02.C and 2.102.04.D (RS); 2.103.02.E and 2.103.04.D (RL); 2.104.02.E and 2.104.04.C (RM); and 2.105.02.C (RH) Child Care Standards</del> | d. Section 2.118 (UT)  |
| 2. <del>Various Sections: Lot Line Adjustments and Pre Application Conference</del>   | e. Policy choices (UGB amendment)                                      |
| 3. Section 2.311 - Planned Unit Development Design Standards  | 5. <del>Food Cart Allowance</del>                                      |
| 4. Future Planning – Growth Management  | 6. Section 2.315 - Design Review                                       |
| a. Urban Transition (UT) Zone   | 7. Clarification regarding corporations being represented by attorneys |
| b. Downtown Plan  | 8. Transportation Planning   |
| e. <del>Section 2.102.06.J (RS)</del>   | 9. Section 2.306 – Storm Drainage                                      |
|   | 10. Section 2.126 Resource Conservation Overlay Zone                   |
|   | 11. Section 2.110.05.C Overlay Zone                                    |
|   | 12. Master Plan  |



**KEIZER PLANNING COMMISSION  
MEETING MINUTES  
Wednesday, November 9, 2016 @ 6:00 pm  
Keizer Civic Center**

**CALL TO ORDER**

Chair Michael DeBlasi called the meeting to order at 6:00 pm.

**ROLL CALL:**

**Present:**

Michael DeBlasi, Chair  
Garry Whalen  
Jim Jacks  
Kyle Juran  
Hersch Sangster  
Josh Eggleston  
Jerry Crane

**Council Liaison:**

Marlene Parsons

**Staff Present:**

Nate Brown, Community Development Director  
Shane Witham, Associate Planner  
Shannon Johnson, City Attorney

**SWEARING IN OF COMMISSIONER JURAN:** City Attorney Shannon Johnson issued the Oath of Office.

**ELECTION OF CHAIR AND VICE CHAIR:** Commissioner Whalen nominated Hersch Sangster to serve as Chair. With no further nominations Commissioner Sangster was elected by unanimous consent.

Commissioner Sangster nominated Kyle Juran to serve as Vice Chair. With no further nominations Commissioner Juran was elected by unanimous consent.

**APPROVAL OF MINUTES:** Commissioner Sangster moved for approval of the September 14, 2016 Regular Session Minutes and the October 12, 2016 Joint Session Minutes. Commissioner Juran seconded. Motion passed as follows: DeBlasi, Jacks, Juran, Whalen, Eggleston, Crane and Sangster in favor. (Commissioner Eggleston abstained from voting on the Joint Session Minutes and Commissioner Crane abstained from voting on the Regular Session minutes.)

**APPEARANCE OF INTERESTED CITIZENS:** None

**PUBLIC HEARING:** None

**NEW/OLD BUSINESS**

**UGB Issue (Third Bridge):** Community Development Director Nate Brown introduced Julie Warncke, Transportation Planning Manager for the City of Salem

and Matt Hasty who is the consultant on the project. He explained that Ms. Warncke is the lead on the Salem River Crossing project and she and Mr. Hasty were attending the meeting to answer any questions the Commission may have. Lengthy discussion followed regarding the need for a bridge. Commissioner DeBlasi suggested that land be used efficiently before spending money on a bridge and urged that citizens find other means to move around rather than depend on automobiles. Mr. Brown responded that we must recognize the context in which we live and we do not have a good public transportation system. Discussion continued regarding commuting patterns, public transportation, trucking routes, the need and Oregon's growth rate.

Commissioner Jacks moved that the Planning Commission recommend adoption of an ordinance indicating concurrence with the Salem proposal to expand the UBG to allow for the project of Salem River Crossing. Commissioner Whalen seconded. Motion passed as follows: Jacks, Juran, Whalen, Eggleston, Crane and Sangster in favor with DeBlasi opposed.

**STAFF REPORT:** Mr. Brown reported that staff had been working on three separate projects: (1) Transportation Study for the City of Keizer, (2) Revitalization request to update established plans and administration of land use to encourage greater density, mixed use development and safer crossings, and (3) dealing with the departure of Senior Planner Sam Litke. In closing Mr. Brown requested that the December Planning Commission meeting be cancelled. Commissioners agreed by consensus to cancel the December Planning Commission meeting.

Mr. Brown then fielded questions and provided information about the theater and Target parking problems at Keizer Station.

**COUNCIL LIAISON REPORT:** Councilor Parsons reported that Council had adopted an ordinance to change the zoning for the Herber property, announced that Councilor Caillier will be replaced by Allen Barker and the Parks Board and Council will hold a joint work session on Monday.

**COUNCIL REPRESENTATIVE:** Commissioner Juran confirmed that he could provide the report to Council.

**ADJOURN:** The meeting adjourned at 6:50 pm.

***Next Meeting: January 11, 2017***

*Minutes approved:* \_\_\_\_\_

**TO: PLANNING COMMISSION**  
**THRU: NATE BROWN, COMMUNITY DEVELOPMENT DIRECTOR**  
**FROM: SHANE WITHAM, SENIOR PLANNER**

**DATE: January 4, 2017**

**SUBJECT: Proposed text amendment – Planned Unit Development Design Standards**

**ATTACHMENT:**

- **Section 2.311 (Planned Unit Development Design Standards) – draft**

**DISCUSSION:**

The proposed revision to amend Section 2.311 (Planned Unit Development Standards) is a result of the input given to staff at the September Planning Commission meeting. At the September meeting, staff had sought policy direction from the Planning Commission for 5 specific areas and how changes to Section 2.311 should be approached. Those areas along with a brief discussion of the direction given and staff's proposal are noted below:

1. **Density:** Staff sought guidance from planning commission on whether or not increased densities within PUDs should be allowed. Generally speaking, Planning Commission was supportive of allowing increased densities, but not more than 50% of what is allowed in the underlying zone, and not so much that it would detrimentally affect the residential character of surrounding areas.

Staff is proposing to increase the density bonus currently allowed in the code of 1% density increase for every 1% of increased open space up to a 2.5% density increase for every 1% of increased open space, up to a maximum of 50%. Therefore, in order to take advantage of the maximum 50% density bonus, 40% of the PUD would have to be devoted to open space.

(For example: if a 10 acre, residential zoned parcel were proposed to be developed as a PUD, a maximum of 80 dwelling units would be allowed and 2 acres of open space would have to be provided. In order for the application to take full advantage of the 50% density bonus allowed, an additional 20% of open space would have to be provided. This would result in as many as 120 dwelling units but 4 acres of the site would have to be devoted to open space.)

In addition, staff has added new language regarding the development of "high value" and "natural area" open space as a result of input received from the environmental division.

2. **Housing Types Allowed:** Currently, housing types are limited to what is allowed by the underlying zoning designation. Planning Commission expressed concerns regarding the effect of different housing types on adjacent residential neighborhoods. Therefore, staff is not proposing any change to the housing types allowed.

3. **Clarification of Commerical Uses:** There were some discrepancies and confusion in the existing language as to when and if commercial uses were allowed, and whether or not they could be allowed as a part of open space. Planning Commission expressed concerns over commercial uses being located within open space areas, and did not want to see commercial uses affecting residential neighborhood quality. Staff is therefore, recommending that commercial uses not be allowed in required open space areas, and that all uses within a PUD be limited to what is allowed in the underlying zoning designation.
4. **Public vs. Private Streets:** Planning Commission generally was not in favor of expanding the allowance of private streets in PUDs. Therefore, staff is only proposing language to clarify street requirements.
5. **Master Plan Process:** Planning Commission was generally not in favor of adding a “master plan” section or replacing the PUD section with a master plan section at this time, but did express interest in exploring the concept in the future. Staff offered to keep it on the “project list” so that it could be considered, which was met with Planning Commission support. Therefore, the language previously discussed for “master planned developments” has been eliminated from the proposed text amendment.

**RECOMMENDATION:**

Staff recommends the Planning Commission consider the proposal and forward a recommendation to the City Council it be adopted.

## **2.311 PLANNED UNIT DEVELOPMENT DESIGN STANDARDS**

### **2.311.01 Purpose**

To allow flexibility ~~which will to~~ encourage ~~a more~~ creative approaches in the development of land ~~and will~~ resulting in ~~an more~~ efficient, aesthetic, and desirable use of open area, while substantially maintaining, and possibly intensifying, the ~~same population~~ density and area coverage permitted in the district in which the project is located. Flexibility may be achieved through building placement, use of open space, traffic circulation facilities, off-street parking areas, and utilization of the site's special features of geography, hydrology, topography, natural vegetation, soils, size and shape. (5/98)

### **2.311.02 Site Standards Applicability**

The following applicability standards govern ~~shall be specific to~~ planned unit development proposals ~~only~~: (5/98)

- A. Area. Planned ~~residential, commercial, or industrial unit~~ developments may be established on parcels of land which are of sufficient size to be planned and developed in a manner that is consistent with ~~the purpose and objectives of~~ this chapter title. (5/98)
- B. Zones. A planned unit development may be located in any zoning district except the Public (P) zone. (5/98)
- C. Process. All planned unit developments shall comply with the submittal, review criteria, and platting requirements within Section 3.108.

### **2.311.03 Development Standards**

- A. Common Open Space. A minimum of 20% of the gross area shall be devoted to common open space, with and at least 1/2 of the common open space must be contiguous managed in a natural state or developed with high quality vegetation. The common open space shall be designated on the development plan and must comply with the provisions in Section 2.311.065. (5/98)
- B. Lot Area. The minimum lot area, width, depth, frontage, and yard requirements otherwise applying to individual buildings lots in the zone in which a planned unit development is proposed do not apply within a planned unit development and do not require a concurrent variance to vary from the requirements in the underlying zone. (5/98)

- C. Accessibility. All lots or buildings shall be able to access open space or recreation areas from within the planned unit development. Access may be by roadway or pedestrian/bicycle access way. (5/98)
- D. Structure Setback Provisions. ~~Yard~~ Street-side, garage entrance, and building setbacks for lots on the perimeter of the project planned unit development shall be the same as that required for the subject underlying zoning district. Detached structures shall ~~maintain a~~ have no minimum side yard setback, but must of 3 feet or meet the Uniform Oregon State Building Code requirements for firewalls. ~~A minimum front yard setback of 20 feet shall be required for any garage structure whose opening faces onto a public street.~~ Otherwise the minimum setbacks of the underlying zone do not apply. (5/98)
- E. Attached Dwellings. Buildings sharing common walls are permitted within a planned unit development. (5/98)
- F. Height. The maximum building height shall ~~in no event not~~ exceed ~~those the~~ building height ~~s prescribed~~ in the underlying zone in which the planned unit development is proposed, except that a greater height may be approved if surrounding open space within the planned unit development, building setbacks, and other design features are used to avoid adverse impact of the greater height. (5/98)
- G. Street Dedication. ~~Designated arterial or collector streets or~~ All streets ~~designed as collector or arterial streets~~ shall be dedicated to the public ~~and shall be constructed to their normal width with the normal right-of-way.~~ Except as provided in Section 2.302, no private streets are allowed. (5/98)
- H. Streets. All streets ~~must meet provisions shall be designed and~~ constructed as specified according to its appropriate street classification as identified in Section 2.302. ~~Private streets must meet service area, improvement width, and curb height standards in Section 2.302.04 as well.~~ (10/02)
- I. Parking. Parking will be required in accordance with the provisions of Section 2.303. (10/02)
- J. Walkways. ~~Sidewalks along private streets may be required only if sidewalks currently exist to the connecting private street.~~ Sidewalks shall be developed in accordance with applicable provisions in Section 2.302. The overall plan for the planned unit development shall include an acceptable pedestrian circulation system. (10/02)
- K. Utilities. Development of the property shall comply with utility and storm drainage provisions as outlined in the Public Works Departments design standards and constructions specifications, in Section 2.3. (5/98)

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- L. Home Owners Association. A homeowners association shall be required and is subject to the provisions in Section 2.311.076. (5/98)

**2.311.04 Residential Density**

- A. Density Requirement. Except as noted in B., below, the overall residential density ~~on~~ of the planned unit development shall conform with the density range of the zone in which it is located. (5/98)
- B. Density Bonus Permitted. A density bonus may be provided when the percentage of open space within the planned unit development is increaseds. The bonus shall permit a 42.5% increase in the maximum dwelling density for each percentage point increase of open space above the minimum 20% requirement, up to a 50% maximum density increase as calculated and applied to the entire area of the PUD. (5/98)
- C. Density Bonus Restrictions. If the City finds that any of the following conditions would be created by an increase in density permitted by this section, it may either prohibit any increase in density or limit the increase in density by an amount which is determined to be sufficient to avoid the creation of any of these conditions: (5/98)
1. Unsafe access to the planned unit development. (5/98)
  2. Traffic congestion in the streets that adjoin the planned unit development. (5/98)
  3. An excessive burden on sewerage, water supply, parks, recreational areas, or other public facilities that serve or are proposed to serve the planned unit development. (5/98)

**2.311.05 Common Open Space**

- A. Open Space. Common open space shall be designed to provide for a combination of active and passive recreational uses appropriate to the character and scale of the PUD. Common open space may include open areas, recreational space, ~~school access routes,~~ pedestrian and bicycle trails, natural or landscaped buffer areas, and buildings associated with recreational or community purposes of the planned development, but shall not include street improvements. (5/98)
- B. Open Space Requirements. No area may be accepted designated as common open space within a planned unit development unless it meets the following requirements: (5/98)
1. The location, shape, size, and character of the common open space is suitable for the planned unit development. (5/98)

2. The common open space is for amenity or recreational purposes and the uses authorized are appropriate to the scale and character of the planned unit development, considering its size, density, expected residential population or work force, topography, and the number and type of structures provided. (5/98)
3. Common open space will be suitably improved for its intended use, except that common open space containing natural features ~~worthy of preservation~~ may be left unimproved and remain in a natural state. Priority should be given to preserving land in a natural state which contains wetlands, is located within a riparian area, or other sensitive natural resource as identified by the City. The buildings, structures, and improvements to be permitted in the common open space ~~are~~ must be appropriate to the uses that are authorized for the common open space. Such improvements shall be made by the developer prior to final approval of the planned unit development, or must be assured pursuant to the provisions of Section 3.202.03 by an improvement agreement, bond, or other instrument in a form acceptable to the City Attorney. (5/98)
4. The A development schedule ~~that is part of the development plan which~~ coordinates the improvement of the common open space and the construction of facilities in the common open space with the construction of buildings in the planned unit development shall be required. (5/98)
5. If ~~buildings, structures,~~ or other improvements are to be made in the common open space, the developer shall ~~provides~~ a bond or other adequate assurance that the buildings, structures, and improvements will be completed. The City shall release the bond or other assurances when the buildings, structures, and other improvements have been completed according to the development plan. (5/98)
6. Areas to be managed in a natural state or developed with high quality vegetation shall provide a multilayer canopy structure of large trees, small trees, and shrubs to provide interception and shade the site, and to exclude invasive vegetation species. Trees shall be planted at a ratio of 2 evergreens to 1 deciduous tree to provide a mix similar to native forests. Vegetation shall be spaced appropriately at the time of planting and proper cultural maintenance shall be provided to ensure the planting develops into a healthy urban asset that reduces stormwater impacts. Passive recreation amenities such as pathways, or picnic areas may be provided within these areas.

- C. Open Space Management. Land ~~shown~~ designated on the final development plan as common open space shall be conveyed under one of the following options: (5/98)

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1. To a City approved public or private agency that agrees to maintain the common open space and any buildings, structures, or other improvements that have been placed on it. (5/98)
  2. To an association of owners or tenants, created under the laws of the state, which shall adopt and impose bylaws and adopt and impose a declaration of covenants and restrictions on the common open space that is acceptable to the city as providing for the continuing care of the space. Such an association shall be formed and continued for the purpose of maintaining the common open space. The association bylaws and covenants and restrictions shall be approved by the city attorney, ~~such~~ ability to and shall reasonably provide for the continuing care of the common elements. (5/98)
- D. Use of Open Space. No common open space may be put to a use not specified in the final development plan unless the final development plan is first amended to permit the use; however, change of use may be considered as a waiver of any of the covenants limiting the use of common open space areas, and all rights to enforce these covenants against any use permitted are expressly reserved. (5/98)
- E. Enforcement Authority. If the common open space is not conveyed to a public agency, the covenants governing the use, improvement, and maintenance of the common open space shall authorize the city to enforce their provisions, using liens or assessments to pay the cost to the city of enforcement. (5/98)

**2.311.06 Park and Recreational Facilities**

- ~~A. Park Systems Development Charges. In addition to common open space provided in Section 2.311.04. of this section, residential development shall be subject to the adopted systems development charge for parks. (5/98)~~
- ~~B. Park Dedication. As an alternative to A., above, the systems development charge for parks may be waived if the approved open space within the planned unit development is dedicated for public use with appropriate public access. The determination of an equivalent cost shall be made by the Community Development Director and City Legal Counsel. (5/98)~~

**2.311.076 Owners Association**

- A. Owners Association Required. A non-profit incorporated owners association, or an alternative acceptable to the City Attorney, shall be required for improving, operating, and maintaining common facilities, including open space, streets, drives, service and parking areas, and recreation areas. The following principles shall be observed in the formation of any owners association and shall be reviewed and approved by the City Attorney. (5/98)

1. An owners association shall be ~~set up~~ established before ~~approval~~ recording of the final plat ~~, or any portion thereof.~~ (5/98)
2. Membership shall be mandatory for each home owner and any successive buyer. (5/98)
3. The open space restrictions shall be in perpetuity. (5/98)
4. The owners association shall be responsible for liability insurance, local taxes, and the maintenance of recreational and other facilities. (5/98)
5. Home owners shall pay their pro rated share of the cost or the assessment levied by the association shall become a lien on the property. (5/98)
6. The association shall be able to adjust the assessment to meet changes needed. (5/98)
7. No change in open space use or dissolution of owners association shall occur without Type II process as identified in Section 3.1. This action may be initiated by the City. (5/98)

### **2.311.087 Allowable Open Space Uses in a Planned Unit Development**

In addition to the accessory uses typical of the primary uses authorized by the zoning district, accessory uses approved as a part of a planned unit development may include the following uses: (5/98)

- A. Golf course. (5/98)
- B. Private park, lake, or waterway. (5/98)
- C. Recreation area. (5/98)
- D. Recreation building, clubhouse, or social hall. (5/98)
- ~~E. Accessory commercial uses as identified in Section 2.416.~~ (5/98)
- FE. Other accessory structures or uses which the city determines is designed to serve primarily the occupants of the planned unit development, and is compatible with the design of the planned unit development.

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**2.311.098**

**Modification of an Approved PUD**

A new application and public hearing shall be required, consistent with the provisions of Section 3.108 if any one of the following changes is proposed to an approved planned unit development site plan: (5/98)

- A. Increase or decrease of 10% (or more) in the number of dwelling units. (5/98)
- B. Increase or decrease of 10% (or more) in the area devoted to open space or recreational space. (5/98)