



City of Independence

Agenda

City Council Meeting

Tuesday, March 11, 2025 @ 6:30 PM

Civic Center - Council Chambers

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Meeting Attendance Information:

The City Council will hold this meeting in-person in City Hall Council Chambers, via video conference (Zoom) or by phone. Meetings are also live-streamed on the City's YouTube channel at: <https://www.youtube.com/c/CityofIndependenceOR>.

- **To attend in person**, the City Hall address is 555 S. Main St.
- **For Zoom login** visit:
<https://us06web.zoom.us/j/85875069627?pwd=EKwNqUwI3CAQ1hqrKGe5OLbfThlwq.1>
- To participate in the meeting **by phone**, dial **US: +1-253-215-8782** and enter **Webinar ID: 858 7506 9627** and **Passcode: 724938**

Written comments are also welcome and may be delivered to City Hall or emailed to CouncilComments@ci.independence.or.us no later than 4:00 pm the day of the meeting.

The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired, or for other accommodations for persons with disabilities, should be made at least 72 hours in advance of the meeting to Myra Russell, City Recorder, 503-838-1212/TTY: 800-735-2900.



City of Independence

MINUTES City Council Meeting Tuesday, February 11, 2025

1. **CALL TO ORDER.** The meeting was called to order at 6:30 pm in the council chambers by Mayor Kate Schwarzler.
2. **ROLL CALL**
Mayor Schwarzler present

Council Present: Shannon Corr
Marilyn Morton
Kathy Martin-Willis
Bill Boisvert
Dawn Roden

Council Absent: None

City Staff Present: Kenna West, City Manager
Myra Russell, City Recorder
Fred Evander, City Planner
Shawn Irvine, Assistant City Manager
Juventino Banuelos, Police Chief
Lyle Gilbert, Police Lieutenant
3. **MINUTES.** The minutes of the January 28, 2025, regular session were submitted in the agenda packet.

ACTION:
Councilor Corr moved to approve the minutes of January 28, 2025, as submitted; Councilor Roden seconded. Roll call vote. Motion passed 5-0-0:
AYES: Corr, Morton, Martin-Willis, Boisvert, Roden
NAYS: None.
ABSTENTIONS: None.
4. **VISITORS / PUBLIC COMMENTS.** None
5. **REPORTS / PRESENTATIONS**
5.1. Mayor Schwarzler: First town hall went well at the Museum. Weekly office hours. Mayor's notes now in the newsletter. Elected Essentials training last week, councilors Corr, Martin-Wills and Boisvert attended along with Mayor and City Manager.
5.2. City Manager West: None
6. **UNFINISHED BUSINESS.** None

7. **NEW BUSINESS**

7.1. Appointment of New Council Member Quick review of council vacancy process by Mayor Schwarzler. Council had previously narrowed field of seven candidates down to two. Top two candidates are Bradley Karkanen and Evan Sorce. Council had a special meeting prior to Council Meeting to interview both candidates. Each councilor mentioned the criteria they used to make their decision.

ACTION:

Councilor Corr moved to appoint Evan Sorce as city councilor; Councilor Morton seconded. Discussion: Councilor Roden wanted candidates with more diversity of thought and diversity of opinion but will work with whoever is selected. Councilor Martin-Willis thanked everyone that applied and the candidates that were selected for participating in the interview process. Mayor Schwarzler mentioned that we will reach out to other applicants to let them know of other board and commission vacancies.

Roll call vote. Motion passed 4-1-0:

AYES: Corr, Morton, Martin-Willis, Boisvert,

NAYS: Roden

ABSTENTIONS: None.

Councilor Sorce was sworn in by City Recorder Russell. Councilor Sorce took his seat at the dais.

7.2. Adopt 2025-26 Budget Calendar, Appoint Budget Officer. City Manager West presented the staff report as submitted in the agenda packet with the 2025-26 budget calendar and recommendation to appoint Finance Director Moody as the Budget Officer.

ACTION:

Councilor Martin-Willis moved that Council appoint Rob Moody, Finance Director as Budget Officer for the City's 2025-26 budget cycle and adopt the budget calendar as presented. Councilor Corr seconded. No discussion

Roll call vote. Motion passed 6-0-0:

AYES: Corr, Morton, Martin-Willis, Boisvert, Roden, Sorce

NAYS: None.

ABSTENTIONS: None.

7.3. Proposed Resolution 25-1627, Authorizing a Loan from the Special Public Works Fund Irvine presented information on loan as submitted in agenda packet. Irvine explained that the City of Independence previously received a \$4 million award from the Economic Development Administration's 2023 Disaster Supplemental which will fund upgrades to the City's wastewater treatment plant. The award requires a minimum 20% match from a local partner or other non-federal source. Business Oregon's Special Public Works Fund supports infrastructure development through a variety of programs, including one which provides matching funds for disaster response grants. Staff approached Business Oregon about using this program to match the EDA award. Business Oregon staff determined it was an eligible project and made a preliminary award of \$1 million, structured as a \$500,000 grant and a \$500,000 zero interest loan. Councilor Morton asked about

discussion of shared utility work with City of Monmouth. Irvine said yes, but not regarding the wastewater plant.

ACTION:

Councilor Corr moved to approve resolution 25-1627 authorizing a loan from the Special Public Works Fund by entering into a financing contract with the Oregon Infrastructure Finance Authority. Councilor Martin-Willis seconded. No discussion.

Roll call vote. Motion passed 6-0-0:

AYES: Corr, Morton, Martin-Willis, Boisvert, Roden, Sorce

NAYS: None.

ABSTENTIONS: None

7.4. Liquor License Application: Micheladas Antojitos El Perico LLC LT. Gilbert presented information on the liquor license application for a new business as submitted in the agenda packet. This business is in the location of the old liquor store next to Los Dos Amigos. 180 drinks offered, only 6 will have alcohol. Family friendly location. Councilor Corr asked if alcohol will be allowed off premises. Gilbert replied no, except may have a couple small tables outside of entrance. Councilor Morton asked if food offered reaches OLCC minimum requirement. Gilbert said it does.

ACTION:

Councilor Roden moved to recommend approval of the liquor license request for Micheladas Antojitos El Perico LLC. Councilor Morton seconded. Discussion

Roll call vote. Motion passed 6-0-0:

AYES: Corr, Morton, Martin-Willis, Boisvert, Roden, Sorce

NAYS: None.

ABSTENTIONS: None

7.5. Public Hearing Date for AX | 2025-01 Evander presented information regarding setting the public hearing date for AX | 2025-01. Evander explained the annexation process and which roads are included in this annexation. Councilor Corr asked about future annexations. Evander said no future annexations on roads. This is so put public works department has control over standards of road development.

ACTION:

Councilor Morton moved to dispense with submitting the question on the proposed annexation to the electors of the city, set a date of April 8, 2025, for the Public Hearing on AX | 2025-01, and direct staff to provide appropriate notice for the hearing. Councilor Martin-Willis seconded. No discussion

Roll call vote. Motion passed 6-0-0:

AYES: Corr, Morton, Martin-Willis, Boisvert, Roden, Sorce

NAYS: None.

ABSTENTIONS: None

Mayor Schwarzler announced the Councilor Roden would be leaving the meeting soon but joining by phone as her son has a senior night event at this time.

7.6. Public Hearing: Fencing Amendment to Independence Development Code
Hearing Opened at 6:54 pm by Mayor Kate Schwarzler, who then read the hearing script regarding how the meeting would be conducted.

Declaration of Conflicts of Interest, Ex-Partee Contact, Bias: Councilor Roden declared a potential conflict of interest because this issue had come before the Historic Preservation Commission while she was on it, but she maintained that she could remain fair and unbiased. Councilor Sorce declared a potential conflict of interest because this issue had come before the Planning Commission when he was on it, but he maintained that he could remain fair and unbiased.

State Law Required Statements read.

Staff Report as submitted in the agenda packet was reviewed by Fred Evander, Planning Manager. If approved, the Independence Development Code would be amended regarding the fencing standards for chain link fencing. Explained previous public hearing on issue and noted that chain link would not be allowed in the historic district.

Discussion: Councilor Corr questioned adding dates when fences were permitted. Evander said answering those kinds of questions is part of application process. Councilor Martin-Willis asked about replacement of current chain link fence. Evander said replacement is allowed. Councilor Boisvert asked about historic homes. Historic homes in historic district would not be allowed to have chain link, but historic homes outside district would be able to so long as 50% of the houses on the block have chain link. Councilor Boisvert asked about back fence (not public facing) vs. public facing fence. Evander said it would not allow chain link if it didn't meet the criteria even if nonvisible.

No objections or testimony received.

Public Testimony: None.

Further questions from Council. None.

Hearing Closed at 7:04 pm by Mayor Schwarzler.

Councilor Roden left during public hearing but called into the Zoom meeting via phone.

Council deliberation and Decision.

1st MOTION: Councilor Morton moved to read the proposed Ordinance, Council Bill #2025-02 to adopt LA 2025-01 in full as the text is contained in the Council packet, for the first time read; Councilor Corr seconded. No Discussion. Motion passed 6-0-0:

AYES: Corr, Morton, Martin-Willis, Boisvert, Roden (by phone)

NAYS: None

ABSTENTIONS: None

Recorder Russell read the title of the proposed ordinance, Council Bill #2025-02.

2nd MOTION: Councilor Martin-Willis moved to read the proposed Ordinance, Council Bill #2025-02, for the second time by title only; Councilor Corr seconded. No discussion. Motion passed 6-0-0:

AYES: Corr, Morton, Martin-Willis, Boisvert, Roden (by phone)

NAYS: None

ABSTENTIONS: None

City Recorder Russell read the title of the proposed ordinance, Council Bill #2025-02

3rd MOTION: Councilor Corr moved to adopt the proposed Ordinance, Council Bill #2025-02; Councilor Martin-Willis seconded. No Discussion. Motion passed 6-0-0:

AYES: Corr, Morton, Martin-Willis, Boisvert, Roden (by phone)

NAYS: None

ABSTENTIONS: None

Russell announced the council bill passed and will be assigned ordinance number 1621.

8. **COUNCIL ANNOUNCEMENTS**

8.1. Councilor Corr forwarded an email to CM West and City Recorder Russell with definition of grandstanding in the context of public meetings and a response to Councilor Roden's statement last meeting. She asked that it be sent to the Council and put into public record.

8.2. Councilor Morton mentioned that 100% of the IDA hearts are up downtown.

9. **GENERAL INFORMATION.** Items submitted here in the packet are for information only; no action was required by city council.

10. **ADJOURNMENT.** With no further business to come before the council, Mayor Schwarzler adjourned the meeting at 7:08 pm.

MAYOR KATE SCHWARZLER

ATTEST:

Myra Russell, City Recorder



City of Independence

MINUTES Special Meeting Tuesday, February 11, 2025

1. **CALL TO ORDER - SPECIAL MEETING** The meeting was called to order at 5:34pm in the council chambers by Mayor Schwarzler

ROLL CALL:

Mayor Schwarzler present

Council Present: Shannon Corr
Marilyn Morton
Kathy Martin-Willis
Bill Boisvert
Dawn Roden

Council Absent: none

Staff Present: Kenna West, City Manager
Myra Russell, City Recorder

2. **PRE-COUNCIL SPECIAL MEETING**

2.1. Council Vacancy interview. Council members took turns asking prepared list of 12 questions to both candidates: First Bradley Karkenian and second Evan Sorce.

NOTE: Audio was not functioning for the live stream for approximately 19 minutes but was working on the zoom meeting.

3. **ADJOURN** Mayor adjourned the meeting at 6:20 pm.

MAYOR KATE SCHWARZLER

ATTEST:

Myra Russell, City Recorder



City of Independence

MINUTES City Council Work Session Tuesday, February 11, 2025

1. **CALL TO ORDER - WORK SESSION** The meeting was called to order at 7:20 pm in the council chambers by Mayor Schwarzler

ROLL CALL:

Mayor Schwarzler present

Council Present: Shannon Corr
Marilyn Morton
Kathy Martin-Willis
Bill Boisvert
Dawn Roden (via phone)
Evan Sorce

Council Absent: none

City Staff Present: Kenna West, City Manager
Myra Russell, City Recorder
Gerald Fisher, Public Works Director
Fred Evander, City Planner
Shawn Irvine, Assistant City Manager
Juventino Banuelos, Police Chief
Patrick Bodily, Library Director
Amy Christensen, Museum Curator
Emmanuel Goicochea, Communications Coordinator
Jeff Kennedy, Building Official

2. **WORK SESSION**

2.1. Councilor Training.

Polk County Assessor Valerie Patoine gave a PowerPoint presentation about the role of the assessor. She covered some quick facts about Polk County, addressed what the Assessor's office do and what they don't do, Oregon Property Tax laws, and the Independence Urban Renewal Agency. Councilors were allowed to ask questions and were provided with the presentation for further review.

Former City Recorder Karin Johnson gave a presentation on Public Records and Public Meetings. She talked about what a public record is, who is subject to public record laws, public records requests and public record retention. She also covered the basics of Public meetings including different types of meetings, public notice, and the required parts of a public meeting.

Each department head that was present then introduced themselves and gave a very brief overview of their department. CM West had reports for the absent department heads; Jason Kistler, IT and Rob Moody, Finance and her own report and offered to give all three reports to Council, but they decided to have those reports given by the department heads at a later meeting.

3. **ADJOURN** Mayor adjourned the meeting at 9:36 pm

MAYOR KATE SCHWARZLER

ATTEST:

Myra Russell, City Recorder



City of Independence

Minutes City Council Work Session Tuesday, February 25, 2025

1. **CALL TO ORDER - WORK SESSION.** Mayor Schwarzler called the work session to order at 6:34pm.

ROLL CALL

Mayor Schwarzler present

Council Present: Shannon Corr
Bill Boisvert
Kathy Martin-Willis
Marilyn Morton
Dawn Roden
Evan Sorce-arrived at 6:53pm.

Council Absent: None

City Staff Present: Kenna West, City Manager
Myra Russell, City Recorder
Rob Moody, Finance Director
Shawn Irvine, Assistant City Manager
Juventino Banuelos, Police Chief
Patrick Bodily, Library Director
Amy Christensen, Museum Curator
Amanda Christensen, HR Director
Emmanuel Goicochea, Communications Coordinator

2. **WORK SESSION**

2.1. Discussion of City Finances and Budget Planning. City Manager West and Finance Director Moody gave overview of City Finances. Library Director Bodily and Museum Curator Christensen gave a joint presentation on their ideas for combining the Library and Museum. CM West presented other options that staff had prepared. Assistant City Manager Irvine presented information on new management at the Independence Hotel related to the Event Center. Council discussed each option and narrowed down staff focus. Council directed staff to look into consolidation of the museum and library and sale of the museum building, sale of city owned properties including the Sports Park, Boise Park, Pool Property and Gun Club Property, Event center enhancements and management consideration, and opening discussions regarding the use of the "Old Library". The Finance Director also received several questions that he will research and bring back to the council.

3. **ADJOURNMENT** Meeting adjourned at 8:54pm

MAYOR KATE SCHWARZLER

ATTEST:

DRAFT



CITY OF INDEPENDENCE MEMORANDUM

TO: Mayor and City Council
FROM: Kenna West, City Manager
MEETING DATE: March 11, 2025
SUBJECT: New Establishment Liquor License Applicant

☐ Information Only

☒ Action Requested

Statement of Issue:

Southport Foods LLC., doing business as the Eat Crow Supper Club, located at 154 S. Main Street, has made an application with the Oregon Liquor and Cannabis Commission for a Limited On-Premises Sales liquor license. This license would allow the applicant to serve malt beverages (beer), wine and cider.

Background:

In 2020 our City adopted resolution #20-1541, which establishes criteria for screening liquor license applications. The police department was assigned the task to do initial reviews of each liquor license application. The police department then completes a staff report on those findings for the City Council review.

Analysis:

Angele Lindsay Darling, owner and operator of Southport Foods LLC has made application to the Oregon Liquor and Cannabis Commission for a Limited On-Premises Sales liquor license. Angela Darling has teamed up with Eden Olsen from Lucky Crow Farms to bring a farm to table experience through the Eat Crow Supper Club.

According to the Eat Crow Supper Club, the farming season is celebrated through preparation of a meal centered around what's growing on the farm. Included in the ticket price is often a glass of wine along with dinner. Drinks are included with dinner and are not sold for carry-out or off-premise consumption.

The Eat Crow Supper Club is not a new venture and operated last year at 154 S. Main Street, Indy Commons. Angele obtained temporary liquor licenses last year, but the number of temporary liquor licenses amounted to more than that of an annual license, which is why Angele has submitted this liquor license request.

A background was completed by the Independence Police Department and there was no information of concern uncovered. Additionally, the Independence Police Department did not receive any complaints and had no responses to any of the prior Eat Crow Supper Club events.

Fiscal Impact:

As of this date, City fees have been paid. OLCC instruction states their fees will be collected at a later time.

Options:

1. Council may recommend approval for this establishment.
2. Council may recommend denying the license for this establishment if reasonable grounds can be established.
3. Council may impose an option of its own choosing.

Recommended Motion:

Option 1. I move to recommend approval of the above liquor license request.

Memo prepared by: Lieutenant Lyle Gilbert



OREGON LIQUOR & CANNABIS COMMISSION

Local Government Recommendation – Liquor License

Annual Liquor License Types

Off-Premises Sales	Brewery-Public House
Limited On-Premises Sales	Brewery
Full On-Premises, Caterer	Distillery
Full On-Premises, Commercial	Grower Sales Privilege
Full On-Premises, For Profit Private Club	Winery
Full On-Premises, Non Profit Private Club	Wholesale Malt Beverage & Wine
Full On-Premises, Other Public Location	Warehouse
Full On-Premises, Public Passenger Carrier	

Section 1 – Submission – To be completed by Applicant:

License Information

Legal Entity/Individual Applicant Name(s): Southport Foods LLC

Proposed Trade Name: Eat Crow Supper Club

Premises Address: 154 S. Main St. Unit:

City: Independence County: Polk Zip: 97351

Application Type: ☒ New License Application ☐ Change of Ownership ☐ Change of Location

License Type: Limited On-Premises Sales ☐ Additional Location for an Existing License

Application Contact Information

Contact Name: Angele Lindsay Darling Phone: 5044531641

Mailing Address: 165 Warren St. S

City: Monmouth State: Or Zip: 97361

Email Address: lindsay@eatcrowsupperclub.com

Business Details

Please check all that apply to your proposed business operations at this location:

- ☐ Manufacturing/Production
- ☐ Retail Off-Premises Sales
- ☐ Retail On-Premises Sales & Consumption

If there will be On-Premises Consumption at this location:

- ☒ Indoor Consumption ☐ Outdoor Consumption
- ☐ Proposing to Allow Minors

Section 1 continued on next page



OREGON LIQUOR & CANNABIS COMMISSION

Local Government Recommendation – Liquor License

Section 1 Continued – Submission - To be completed by Applicant:

Legal Entity/Individual Applicant Name(s): Southport Foods LLC

Proposed Trade Name: Eat Crow Supper Club

IMPORTANT: You MUST submit this form to the local government PRIOR to submitting to OLCC.
Section 2 must be completed **by the local government** for this form to be accepted
with your CAMP application.

Section 2 – Acceptance - To be completed by Local Government:

Local Government Recommendation Proof of Acceptance

After accepting this form, please return a copy to the applicant with received and accepted information

City or County Name:

Optional Date Received Stamp

Date Application Received:

Received by:

Section 3 – Recommendation - To be completed by Local Government:

- ☐ Recommend this license be granted
- ☐ Recommend this license be denied (Please include documentation that meets [OAR 845-005-0308](#))
- ☐ No Recommendation/Neutral

Name of Reviewing Official:

Title:

Date:

Signature:

After providing your recommendation and signature, please return this form to the applicant.



CITY OF INDEPENDENCE MEMORANDUM

TO: Mayor and City Council
FROM: Kenna West, City Manager
MEETING DATE: March 11, 2025
SUBJECT: Budget Adjustment FY 2024-25

☐ Information Only

☒ Action Requested

Statement of Issue:

This budget adjustment is necessary to provide appropriation authority to cover cost of living adjustments (COLA) for non-represented City staff.

Background:

The City recently completed bargaining with the Independence Police Officers Association and the Teamsters Union. A COLA of 4% was awarded to represented members of the Police Association retroactive to July 1, 2024, plus a market adjustment of 0.5% for a total adjustment of 4.5%. No COLA has been awarded to date for non-represented City staff pending completion of bargaining.

To maintain internal equity within the Police Department, staff proposes a 4% COLA for non-represented positions (i.e., Sergeants, Lieutenant, Chief, and Office Manager). The COLA will allow supervisory positions to avoid being paid less than those they supervise and allows the City to retain talented individuals in key positions.

A COLA of 4% for other non-represented positions throughout the City also allows the City to retain these talented key individuals in a competitive market, and recognizes the work performed by each of them in contributing to the City's recent progress and advancement of important initiatives.

Staff has completed an analysis of the impacts of a COLA for non-represented staff on the General Fund, the Facilities and Vehicle Replacement Fund, the Transportation Fund, the Tourism and Events Fund, the Sewer Fund, the Water Fund, and the Storm Drain Fund. Through that analysis staff determined that a 4% COLA retroactive to July 1, 2024, for non-represented staff will have no impact on the General Fund, and manageable impacts on other funds.

Discussion:

The impacts of a 4% COLA to the General Fund are largely absorbed by vacancy savings in the Finance, Police, and Museum Departments. The proposed budget adjustment realigns personnel services savings in those departments across other departments to cover the costs of the COLA, resulting in no effect on General Fund contingency. These adjustments amount to transfers of budget appropriation between

departments and must be approved by the Council in accordance with Oregon Local Budget Law.

The cost of the COLA in each of the other funds is proposed to be offset by a reduction of contingency in each respective fund. The transfer from contingency to personnel services in each fund requires Council approval in accordance with Oregon Local Budget Law.

Fiscal Impact:

There is no fiscal impact on the General Fund overall. This resolution will reallocate Personnel services budget across departments with no reduction of contingency.

The impact of the COLA on funds other than the General Fund is summarized in the table below. The result of this Resolution is to increase the budget for personnel services, reduce materials and services in the Facilities and Vehicle Replacement Fund, and reduce of contingency in each of the other respective funds:

Facilities and Vehicle Replacement Fund (215)	\$2,000
Transportation Fund (220)	\$13,000
Tourism and Events Fund (235)	\$5,000
Sewer Fund (510)	\$15,000
Water Fund (530)	\$16,000
Storm Drain Fund (540)	\$5,000

Recommendation/Suggested Motion:

Staff recommends that the Council approve the attached resolution to amend the 2024-25 Adopted Budget for the City of Independence related to a 4% COLA for non-represented City staff.

"I move that Council approve Resolution No. 25-1628 to amend the fiscal year 2024-25 Adopted Budget."

Attachments:

- A. Resolution No. 25-1628

A Resolution Authorizing)
Budget Amendments for the)
Fiscal Year 2024-25 Budget)

NOW, THEREFORE, BE IT RESOLVED that the Independence City Council authorizes the following transfers of appropriations as listed below:

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PASSED by the City Council:

SIGNED by the Mayor:

KATE SCHWARZLER, MAYOR

ATTEST:

Myra Russell, City Recorder



INDEPENDENCE

Oregon's Story Begins Here

PUBLIC HEARING CHANGES ASSOCIATED WITH CENTRAL TALMADGE PLAN (FILE NO. LA | 2024-06) STAFF REPORT

MEETING DATE:	March 11, 2025
FILE NUMBER:	LA 2024-06
RE:	CHANGES ASSOCIATED WITH CENTRAL TALMADGE PLAN
CRITERIA:	Oregon State Planning Goals Independence Comprehensive Plan Independence Development Code (IDC) -Subchapter 10: General Provisions -Subchapter 11: Administrative Provisions
CONTENTS:	I. Summary II. What is the Problem? III. Proposed Change IV. Public Process V. Staff Recommendation VI. Staff Findings – Oregon State Planning Goals VII. Staff Findings – Independence Comprehensive Plan VIII. Staff Findings – Independence Development Code
ATTACHMENTS:	A. Future Land Use Map (2 pages) B. Draft Comprehensive Plan Revisions (12 pages) C. Zoning Map (2 pages) D. Draft Development Code Revisions (10 pages) E. Letter from Ahrens dated December 18, 2024 (4 pages)

I. SUMMARY

At the meeting of March 11, 2025, the Independence City Council will hold a public hearing on code, Comprehensive Plan and map changes that would incorporate the Central Talmadge Plan into city standards.

II. WHAT IS THE PROBLEM?

The Independence City Council adopted the Central Talmadge Plan by resolution on September 10, 2024. Several Comprehensive Plan and zoning changes were proposed as part of the document.

Suggested changes included:

- Revisions to the Future Land Use Map to change a small area that is envisioned for more intense development.
- Revisions to the Independence Comprehensive Plan Land Use, Urbanization and Transportation Elements to incorporate the Central Talmadge Plan by reference.
- Amendments to the Independence Zoning Map to align the zoning designations in the Central Talmadge area with the plan.
- Amendments to the Independence Development Code to incorporate the suggestions in the plan.

III. PROPOSED CHANGE

The Comprehensive Plan, code, and map amendments proposed as part of this land use action would integrate the proposed changes into current city planning documents.

Future Land Use Map Changes. The proposed change to the future land use map would switch a small area of land that is currently designated for residential development to the mixed-use designation. To see the change, please see Attachment A.

Comprehensive Plan Changes. The proposed changes to the Comprehensive Plan would adopt the Central Talmadge Plan by reference in the Land Use, Urbanization and Transportation Elements. Additional changes to better match the narrative of the Land Use Element to the future land use map are also proposed. To see the changes, please see Attachment B.

Zoning Map Changes. The proposed changes to the zoning map would change areas that are currently zoned for Medium-Density Residential (RM) to the Mixed-Use Pedestrian Friendly Commercial (MUPC) or High-Density Residential (RH) zones. Most of the changes would occur near Talmadge Road/16th Street, though another adjustment near 11th Street is also proposed. To see the changes, please review Attachment C.

Code Changes. The proposed changes to the Independence Development Code would modify the language in Subchapter 14 (Annexation), Subchapter 23 (Mixed-Density Residential Zone), Subchapter 30 (Allowed Uses in Commercial Zones), and Subchapter 33 (Mixed-Use Pedestrian Friendly Commercial (MUPC) & Downtown Overlay Zone) to accommodate the plan (see Attachment D). The proposed changes would:

- Require individuals to show conformance with the Central Talmadge Plan as part of future annexation requests (when the project is within the area).
- Allow standalone multifamily in some portions of the Mixed-Use Pedestrian Friendly Commercial (MUPC) Zones.
- Better define the difference between the Mixed-Use Pedestrian Friendly Commercial (MUPC) and the Mixed-Use Pedestrian Friendly Commercial – Transitional (MUPC-T) zones.

IV. PUBLIC PROCESS

The city and the consultant for the project, First Forty Feet, conducted a robust public process during the development of the Central Talmadge Plan. Several public comments were received and incorporated into the plan as part of the effort (the plan was adopted by the city on September 10, 2024).

To inform area landowners of the specific Comprehensive Plan, code and map changes that grew out of the plan and are proposed as part of this land use action, staff mailed additional notice to all property owners that would undergo a zoning change. Further, staff posted a notice of the amendments on the Oregon Department of Land Conservation "Post-Acknowledgement Plan Amendment (PAPA)" website on October 24, 2024, and published a Notice of the Public Hearings before the Planning Commission and City Council in the Polk County Itemizer-Observer on November 20, 2024. Details about the changes were also posted on the city website.

Based on these notices, the city received one comment, from Melissa Ahrens at Department of Land Conservation and Development (DLCD) (see Attachment E). This comment raised procedural issues with the PAPA submittal (including the requirement to add a list of properties that would be affected by the Comprehensive Plan and zoning code changes, and the requirement to include the Central Talmadge Plan in the PAPA submittal). The comment also encouraged the city to ensure that an appropriate analysis of statewide planning goals, including Goal 5 resources, was conducted.

Staff has worked to address each of these issues.

- As part of the original PAPA submittal, staff provided an email that included an Excel spreadsheet that listed the properties that would be impacted by the change. This list however was never incorporated into the public facing portion of the PAPA website. Following the comment, staff discussed the issue with DLCD and attached the original Excel file to the website.
- Following the comment, staff additionally made sure to add the Central Talmadge Plan to the PAPA submittal.
- Lastly, to address the necessary considerations and findings related to the statewide planning goals, staff has included a discussion of the relevant goals as part of this Staff Report (see Section VI).

Given these items, the concerns articulated in the letter should be satisfied.

V. STAFF AND PLANNING COMMISSION RECOMMENDATION

Based on these items and the findings below, staff and the Planning Commission recommend that the City Council approve of the proposed changes to the Independence Comprehensive Plan, Independence Development Code and Future Land Use and zoning maps.

VI. STAFF FINDINGS - OREGON STATE PLANNING GOALS

Updates to the Independence Comprehensive Plan, Development Code, and Future Land Use and Zoning Maps are required to meet the Oregon State Planning Goals. Among these goals include provisions related to Citizen Involvement (Goal 1), Land Use Planning (Goal 2), Natural Resources, Scenic and Historic Areas, and Open Spaces (Goal 5), Economic Development (Goal 9), Housing (Goal 10), and Urbanization (Goal 14). Combined these goals seek to “accommodate urban population and urban employment inside urban growth boundaries” and “ensure efficient use of land” (see Goal 14), while assuring that citizens are involved in the planning process and items related to future housing, economic development, transportation, and the natural landscape are adequately considered.

The Central Talmadge Plan and the associated Comprehensive Plan, code, and map changes have been drafted with these provisions in mind. Key findings related to the proposed changes are addressed below:

Goal 1. Citizen Participation. The city and consultant First Forty Feet conducted significant outreach as part of the development of the Central Talmadge Plan. Approaches utilized included open houses, an advisory committee, stakeholder interviews, presentations to schools and youth, and a variety of other methods. The proposed changes to the Comprehensive Plan, code and maps were generated out of the public process.

To offer notice for the specific changes suggested as part of this land use action, staff provided additional notice to:

- Every property that would undergo a zoning change.
- On the State Department of Land Conservation and Development “PAPA” website.
- On the City of Independence Planning Department website.
- In the Polk County Itemizer-Observer.

The proposed changes were also discussed by the Independence Planning Commission in a work session on November 4, 2024, and at a Public Hearing on December 2 (both of which were posted on YouTube).

Given these items, individuals have had several opportunities to learn about the proposed policy updates and be involved in the process. This goal has been achieved.

Goal 2. Land Use Planning. The development of the Central Talmadge Plan considered issues and problems in the area and identified a series of alternatives for how best to address the community’s goals and needs.

The amendments suggested as part of this land use action would help achieve those goals and:

- Promote additional opportunities for the development of business and places to gather in the Central Talmadge area.
- Encourage additional housing options near shopping, schools, transit, and non-motorized travel options.
- Support improvements to transportation infrastructure that would encourage safe travel by car, foot, bike and transit.

Together these items would effectively implement the Central Talmadge Plan.

This goal has been achieved.

Goal 5: Natural Resources, Scenic and Historic Areas, and Open Spaces. The amendments proposed as part of this land use action would effectively ensure the protection and preservation of Goal 5 resources. For portions of the city that would be rezoned (all of which were within the city Urban Growth Boundary when the growth boundary was established in 1979), the city would rezone the land and require future land use applicants to proceed through standard processes related to floodplain/riparian areas, wetlands and historic resources, including the required review of projects using the Department of State Lands Wetland Land Use Notice process, when applicable.

No new designation of a future land use or annexation of land would occur as part of this proposal for areas in the unincorporated Urban Growth Boundary. Before any future annexation occurs, especially in those areas of the unincorporated Urban Growth Boundary that were added in 2009, the city will conduct an analysis of Goal 5 resources prior to the annexation of the property.

This approach will appropriately satisfy Goal 5 requirements.

Goal 12: Transportation. Kittelson and Associates, a sub-consultant for the Central Talmadge project, evaluated the proposed amendments sought as part of this land use action for consistency with the Oregon Transportation Planning Rule. Their analysis found that:

The proposed zone change is expected to result in a net increase in the trip generation potential of Central Talmadge; however, the net increase is relatively small and not at levels that would trigger a more detailed assessment of the transportation system. Therefore, no further analysis is needed to support the proposed zone change. Also, no changes to the City's functional classifications are warranted by the change and the adjacent facilities are appropriate to support the proposed zoning designations. (Kittelson & Associates, Central Talmadge Recommended Transportation Changes – Technical Memorandum, August 8, 2024)

Given the assessment, Goal 12 would be achieved.

Goal 14: Urbanization. Finally, the amendments proposed as part of this action would ensure that the Central Talmadge area accommodates urban population and employment, ensures the efficient use of land, and promotes the development of a livable community. The procedures articulated within the documents are consistent with Goal 14 and help to implement other portions of the Independence Comprehensive Plan and Development Code.

Given these items, Goal 14 would be achieved.

Based on these considerations, the proposed changes have incorporated the public feedback received during the development of the Central Talmadge Plan, and promoted the efficient use of urban land, all while effectively balancing considerations about housing, economic development, transportation, and the natural environment. This holistic approach to promote housing near high-quality amenities and transportation infrastructure, while ensuring the protection of the environment, effectively achieves the Oregon State Planning Goals.

VII. STAFF FINDINGS – INDEPENDENCE COMPREHENSIVE PLAN

The proposed Comprehensive Plan, development code, and map changes are additionally required to conform with the goals and policies of the Independence Comprehensive Plan. Key goals and policies of the Comprehensive Plan are noted below:

Land Use

GOAL: To encourage efficient land use, maintain land use designations appropriate to the character of Independence and meet future land use needs.

Staff Response: Within the City of Independence, land use designations are meant to be consistent with the character of the community and to meet future land use needs. The proposed Comprehensive Plan, code and map changes support these intents.

The Central Talmadge Plan (adopted by resolution in September 2024) articulates a vision to transition the area around the Central Plaza Shopping Center and Central High School into a more vibrant center that supplements and is easily accessible from downtown. To achieve this vision, the plan suggests a variety of Comprehensive Plan and code changes that would encourage additional commercial growth and housing in the area, as well as infrastructure

improvements that would offer further options to travel through the area via car, walking, cycling or transit.

The mixture of activities proposed by the plan requires the city to “update and revise land use designations” (see Policy 1 of the Land Use Element), and the proposed code changes would address this need. Further, the revisions are meant to “zone annexed land consistent with the Comprehensive Plan designation, as well as any relevant Concept Plans adopted for the subject area” (see Policy 7). Given these factors, the adoption of the proposed revisions will help to satisfy the city’s Land Use Planning Goal.

Housing

GOAL: To ensure everyone the opportunity to live in safe, affordable, healthy housing and to provide a choice of housing types, densities, and locations.

Staff Response: The proposed Comprehensive Plan, code and map amendments would expand the ability for individuals to build and live in a variety of housing types in the Central Talmadge area. The following changes, in particular, would expand the housing options available:

- The existing Low-Density Residential (RS) zoning along Talmadge Road would be redesignated as Mixed-Use Pedestrian Friendly Commercial – Transitional (MUPC-T), the most flexible zone in the City of Independence. The proposed zone would allow a mixture of single-family and multifamily housing types as well as commercial uses.
- The existing Low-Density Residential (RS) zoning, south of E Street would be zoned High-Density Residential (RH), a zone that allows individuals to construct townhomes as well as standalone-apartment buildings. The zoning is proposed in part because nearby properties are zoned for multifamily.
- The existing Medium-Density Residential (RM) area between 10th and 11th Street would be rezoned as High-Density Residential (RH), to match the property to the south.

Beyond these revisions, the code changes would also allow for the development of standalone multifamily housing on properties in the Mixed-Use Pedestrian Friendly Commercial (MUPC) Zones in the Central Talmadge area, so long as the properties do not directly front Monmouth Street (see the proposed footnote 7 of IDC Subchapter 30 in Attachment D).

Given these changes, the amendments would promote additional housing options in the Central Talmadge area.¹ This goal would be achieved.

Transportation

The Independence Comprehensive Plan adopts the Independence Transportation System Plan by reference. The Transportation System Plan has six goals: Consistency with Community Vision; Smooth and Safe Traffic Flow; Increased Walking, Bicycling, Scooter, and Non-motorized Trips; Increased Transit Ridership; Future Focused; and Financial Stability.

The proposed Comprehensive Plan, development code and map changes would support these goals, adopting the Central Talmadge Plan by reference into the city’s transportation planning framework. The adopted changes would help refine the community vision for the

¹ Please note: While not addressed within this response, many new housing options in the Central Talmadge area would be located near pedestrian, bicycle and transit infrastructure. This proximity of housing to more affordable modes of travel would allow individuals the option to save money on transportation costs as part of their housing decisions and help to “ensure everyone (has) the opportunity to live in safe, affordable, healthy housing”, while providing “a choice of housing types, densities, and locations” in the city.

area around Central High School and the Central Plaza Shopping Center and promote the safe and smooth flow of traffic through the area, while encouraging additional trips by walking, cycling, transit, and other modes. Given these items, the proposed changes would help achieve these goals.

Citizen Participation

GOAL: To provide opportunities for citizen involvement and to encourage participation by area residents.

Staff Response: The city and consultant, First Forty Feet, conducted significant citizen participation as part of the development of the Central Talmadge Plan. A description of that outreach, and the subsequent outreach for this specific land use action are articulated earlier in this staff report.

VII. STAFF FINDINGS – INDEPENDENCE DEVELOPMENT CODE

Beyond the goals and policies of the Independence Comprehensive Plan, the proposed changes are required to conform with the standards of the Independence Development Code.

Subchapter 10: General Provisions

...

10.040 Amendment of Development Code

Any amendment of the text of this development code shall be accomplished by ordinance of the City Council. Proposals for such amendments shall be submitted to the Planning Commission for public hearing. The Planning Commission shall submit to the City Council its written recommendation regarding the proposed amendment. Such recommendation shall be submitted to the City Council within 30 days of the Planning Commission's action on the proposed amendment. Notice shall also be provided to state land use agencies in accordance with statutory requirements. This is a Type IV action – See 11.002 (D).

Staff Response: The Independence Planning Commission held a Public Hearing on the changes on December 2, 2024. Following the hearing, the Commission recommended that the City Council approve of the proposed changes.

The City Council will consider the proposed changes at a Public Hearing on March 11, 2025. At the meeting, the Council will be given a draft of an ordinance to potentially adopt the changes. Given this process, this standard will be met.

...

Subchapter 11: Administrative Provisions

11.002 Application Types and Review Procedures

All development permits and land use actions are processed under the City's administrative procedures. There are four types of actions, each with its own procedures.

...

D. Type IV Action

A Type IV action is a legislative review in which the City considers and enacts or amends laws and policies. Private parties may request a Type IV action; however, it must be initiated by the Planning Commission, or City Council. The City Council makes the final, local decision. Sections 11.025 and 11.030 list the notice and hearing requirements.

1. Amendments and Revisions of the Comprehensive Plan
2. City Plan Document Adoption, e.g. Water System Plan
3. Zoning Code Amendments

Staff Response: Staff has reviewed the amendment as a Type IV – Legislative Review, which was originally initiated by staff and the Independence Planning Commission. This standard has been met.

11.015 General Provisions

In order to provide for citizen review of the planning process and the orderly keeping of records of actions relating to this Ordinance, the City shall ensure that the following measures are maintained and available for public review.

...

Staff Response: Staff has taken appropriate steps to ensure compliance with the standards in Independence Development Code Section 11.015, including publishing a notice of the changes in the Polk County Itemizer-Observer, writing a staff report for the revisions, and keeping a file for the proposal. This standard has been achieved.

11.025 Notice of Public Hearings

...

B. Legislative Hearings (Type IV). Notice of Public Hearing by the Planning Commission or City Council relating to any legislative action shall be published in a newspaper of general circulation a minimum of 10 days prior to the date of the hearing. Notice shall be provided to the Department of Land Conservation and Development in conformance with DLCD rules prior to the first evidentiary hearing by the City for any legislative action.

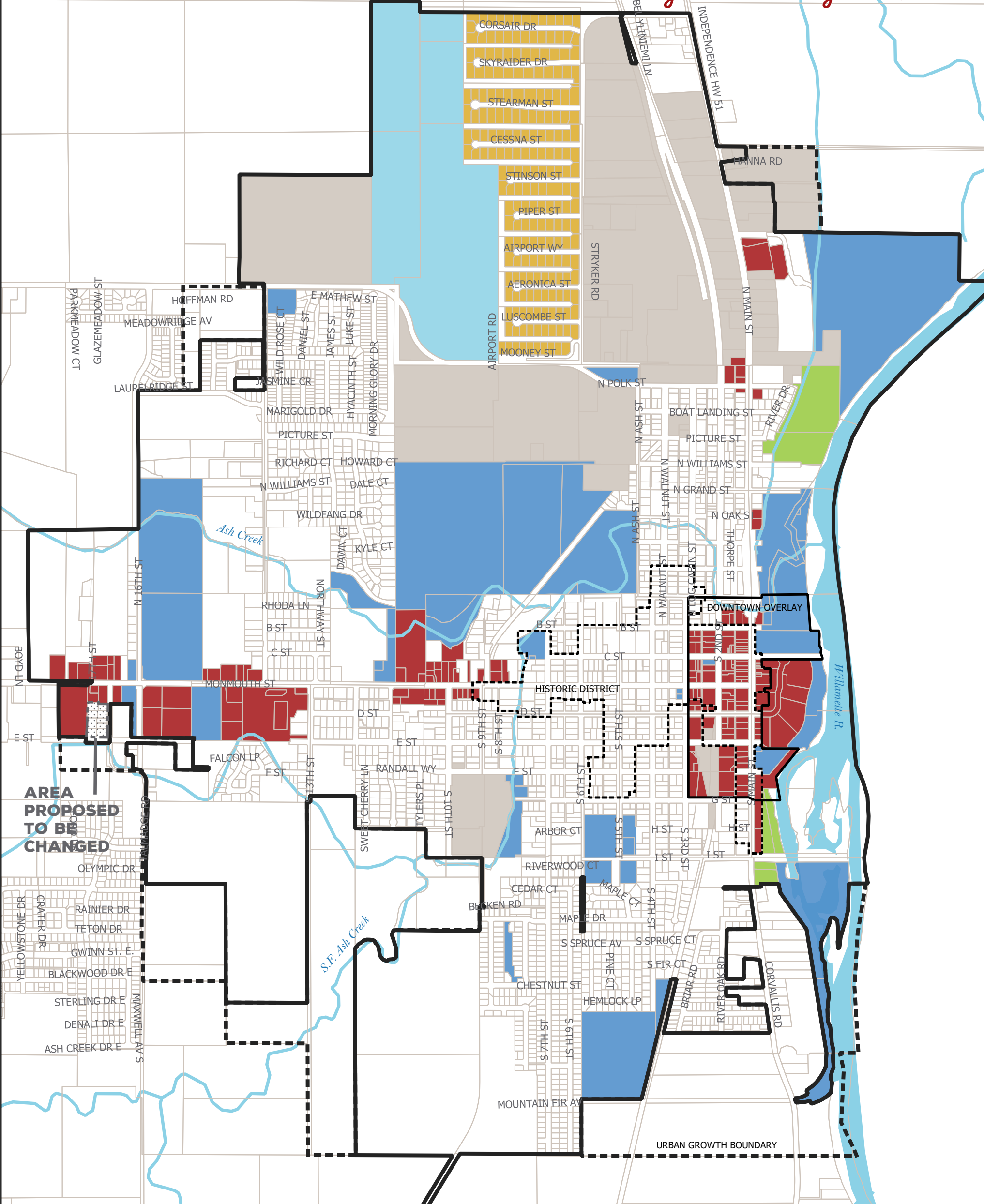
Staff Response: Staff sent notice of the changes to the Oregon Department of Land Conservation and Development on October 24, 2024, and included information about the changes on the City of Independence Planning Department website. Staff additionally published a notice of the Public Hearings in the Polk County Itemizer-Observer on November 20, 2024. This standard has been met.



CITY OF INDEPENDENCE

FUTURE LAND USE MAP

Existing with Changes Noted



LEGEND

FUTURE LAND USE

- Residential
- Residential - Airpark
- Mixed Use
- Industrial
- Airport
- Agriculture
- Public

- City Limits
- Urban Growth Boundary
- Downtown Overlay
- Historic District

Please note: Independence City Limits have slightly changed since the creation of this map.

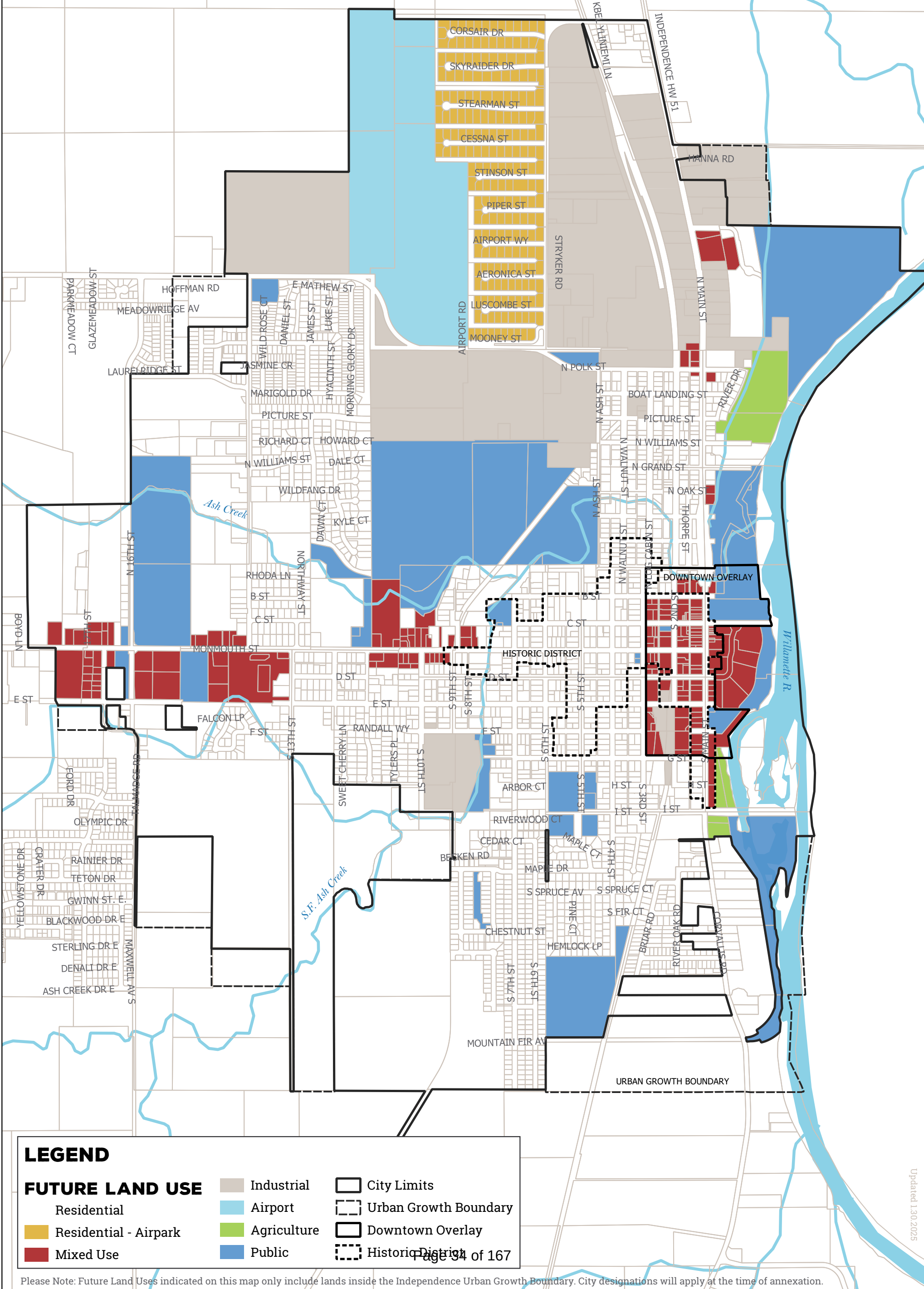
Please Note: Future Land Uses indicated on this map only include lands inside the Independence Urban Growth Boundary



CITY OF INDEPENDENCE

FUTURE LAND USE MAP

Proposed



LEGEND

FUTURE LAND USE

Industrial

Airport

Residential

Residential - Airpark

Mixed Use

Agriculture

Public

City Limits

Urban Growth Boundary

Downtown Overlay

Historic District

Please Note: Future Land Uses indicated on this map only include lands inside the Independence Urban Growth Boundary. City designations will apply at the time of annexation.

DRAFT REVISIONS ASSOCIATED WITH THE CENTRAL TALMADGE PLAN LAND USE ELEMENT

The following changes are proposed to the Land Use Element of the Independence Comprehensive Plan. The changes would adopt the Central Talmadge Plan by reference as part of the Comprehensive Plan and would make a variety of other small changes in the document.

LAND USE AND URBANIZATION

INTRODUCTION

A land use plan indicates the area into which various types of activities are expected to occur. Independence designates ~~seven-six (76)~~ categories of land uses to be described and located on the land use map.

1. ~~Low-Density Residential. Residential areas are anticipated to develop with housing, though incidental uses such as home occupations are sometimes present. The specific zoning designations in the Independence Development Code regulate the allowed uses. Areas designated as low density residential shall not exceed a density of eight (8) dwelling units per gross acre.~~
2. ~~Residential Single-Family Airpark. Residential Single-Family Airpark uses are located near the Independence State Airport in an area where the majority of homes have or will have aircraft hangars with access to an aircraft taxiway. Medium-Density Residential. Areas designated as medium density residential shall not exceed a density of twelve (12) dwelling units per gross acre.~~
3. ~~High Density Residential. Areas designated as high density shall not exceed a density of twenty (20) units per gross acre.~~
34. Commercial. Commercial uses include ~~all~~ activities of a commercial nature. There is no distinction between what kinds of commercial activities are allowed; the specific zoning regulates uses.
45. Industrial. Industrial use covers the range of manufacturing, warehousing, and wholesaling activities.
56. Public Services. Public Service uses include all government and semi-public lands and uses.
67. Agriculture. The Agriculture designation is intended to protect areas for the continued practice of agriculture and to permit the establishment of only those new uses that are compatible ~~to~~ with agricultural activities.

The land use designations in the Comprehensive Plan are of a general nature and are intended to indicate the expected community growth pattern. Implementation of the plan occurs through more specific actions

such as zoning, subdivision control, annexation review, Urban Growth Boundary administration and public facilities planning. Although the plan is designed to be somewhat flexible, it must be understood that it is a significant policy statement and a great deal of responsibility must be exercised in its use and updating.

BUILDABLE LANDS INVENTORY

Residential Land

In 2022, the city conducted a residential buildable lands inventory as part of a Housing Needs Analysis. The City of Independence Housing Needs Analysis (2023) is adopted by reference as a portion of this Comprehensive Plan. Please view the document for background information on the residential buildable land inventory and residential land needs.

Commercial and Industrial Land

In 2007, the city conducted a buildable lands inventory (see page 102, Figure 1, Buildable Lands Inventory Map).¹ For each land type (residential, commercial, and industrial), the analysis was broken into two parts. The first part of the inventory described the amount of net buildable land, by zoning district, within the existing city limits. Next the inventory included a description of the amount of buildable land located between the city limits and UGB. Land in this area is zoned by the county until it is annexed into the city. The City's Comprehensive Plan designates, in general, the future use (residential, commercial, or industrial) for such properties.

The following parameters were used to determine whether land was vacant or redevelopable.

- Vacant commercial or industrial land includes all parcels with improvement values of less than \$5,000.
- Redevelopable commercial and industrial land included parcels in commercial and industrial zones where some limited improvements have been made, but where potential for redevelopment for more intense uses was probable. For the purpose of this analysis, redevelopable land was defined as commercial or industrial parcels with improvement values of at least \$5,000, where the ratio of land value to improvement value was 1:1 or greater.

The analysis also includes an assessment of land that was not buildable due to physical constraints. These areas have been subtracted from the amount of gross acreage that was considered buildable. Land that was considered unbuildable due to physical constraints included the following:

- **Riparian areas** located within 25 feet of Ash Creek protected by Independence Development Code Subchapter 54.105(A).
- **Floodways** identified on the FEMA Flood Insurance Rate Map protected by Independence Development Code Subchapter 51.
- **Floodplain areas requiring two (2) feet or more of fill.** ~~In order for~~For development to occur within floodplain areas, the city's current flood hazard ordinance requires development to be located at least

¹ The residential portions of this analysis were superseded by the 2023 Residential Land Needs Analysis conducted as part of the Housing Needs Analysis.

one (1) foot above the base flood elevation level. This often requires bringing fill in to raise the elevation of the land ~~located in the floodplain area~~. Floodplain areas requiring two (2) feet or more of fill are financially impractical for development due to the large expense associated with transferring fill from one area of the floodplain to another.

- **Wetlands** as identified on the National Wetland Inventory (NWI) and protected by state and federal regulations.

Commercial Land

Table 2 shows that approximately 14.3 net vacant acres were available for commercial development within the Independence city limits. (No land designated for future commercial use was located between the city limits and urban growth boundary.) Approximately 2.5 acres designated for commercial use could be considered redevelopable.

**Land Use - Table 2
Buildable Commercial Land
Independence, 2007**

Zone/Plan Designation	Vacant (acres)	Redevelopable	Total
Within City Limits			
Commercial Office Zone (CO)	2.8	0.0	2.8
Commercial Retail Zone (CR)	8.1	1.8	9.9
Commercial Highway Zone (CH)	0.9	0.7	1.6
Net Buildable Acres Within the City Limits	11.8	2.5	14.3

Source: Polk County Assessor data, MWVCOG, 2007

Industrial Land

Table 3 shows the amount of buildable land for each industrial zoning district within the Independence urban area (both city limits and UGB). Approximately 90.4 net vacant acres were available for industrial development within the urban area. Of that amount, approximately 76.5 vacant acres were available within the city limits and an additional 13.9 acres were available between the city limits and UGB. Within the urban area, an additional 15.4 acres designated for industrial use could be considered redevelopable.

**Land Use - Table 3
Buildable Industrial Land
Independence, 2007**

Zone/Plan Designation	Vacant (acres)	Redevelopable	Total
Within City Limits			
Light Industrial Zone (IL)	47.1	8.1	55.2
Heavy Industrial Zone (IH)	29.4	7.3	36.7

Net Buildable Acres Within the City Limits	76.5	15.4	91.9
Between City Limits & UGB			
Industrial (I)	13.9	0.00	13.9
Net Buildable Acres Between the City Limits & UGB	13.9	0.00	13.9
Net Buildable Acres Within the Urban Area	90.4	15.4	105.8

Source: Polk County Assessor data, MWVCOG, 2007

LAND NEEDS ANALYSIS

The buildable lands inventory was used in conjunction with the 2029 population projection to determine if adequate land was available for future commercial, and industrial development.

Commercial and Industrial Land Needs

The Economics section of the Comprehensive Plan includes a 2029 forecast of local employment (see Economics). One purpose for forecasting local employment is to determine if sufficient land is currently designated in the Comprehensive Plan to accommodate projected commercial and industrial development.

Table 10-4 shows the forecasted 2029 employment growth by land use type. Different sectors of the economy will have different land needs. Employment growth was allocated to two land use types as follows:

- Commercial: Retail Trade, Real Estate and Services.
- Industrial: Agriculture, Forestry, Fishing & Hunting; Construction; Manufacturing; and Transportation, Warehousing and Wholesale Trade.

Land Use - Table 10-4
Total Employment Growth by Land Use Type
Independence, 2029

Land Use Type	2029
Commercial	1,160
Industrial	1,947
Total	3,106

Source: MWVCOG, 2008.

To convert the employment growth shown in **Table 10-4** above to the number of acres needed by land use type, an assumption must be made regarding the density of jobs per acre.

Table 11-5 shows in 2005, the City of Independence had 1,406 industrial jobs located on approximately 93 acres of developed industrial land for an average job density of 15.1 jobs per net acre. The table also shows in 2005 the City of Independence had 1,035 commercial jobs located on approximately 44 acres of developed commercial land for an average job density of 23.5 jobs per net acre. This analysis assumes

that the job density will remain largely the same over time because the types of businesses that the City of Independence is likely to will likely attract will be similar to the businesses located in Independence today.

Land Use -Table 115
Commercial and Industrial Job Density
Independence, 2005

Land Use Type	2005 Jobs	2005 Developed Acres	Job Density
Commercial	1,035	44	23.5
Industrial	1,406	93	15.1

Source: MWVCOG, 2007.

Table 12-6 shows the amount of land needed to accommodate new commercial and industrial employment growth through 2029. Approximately 49.4 acres will be needed to accommodate projected commercial employment growth through this period. Approximately 128.9 acres will be needed to accommodate projected industrial employment growth through this period.

Economics -Table 126
Land Need by Land Use Type
Independence, 2029

Land Use Type	Total Employment Growth	Job Density	Land Demand (acres)
Commercial	1,160	23.5	49.4
Industrial	1,947	15.1	128.9
Total	3,106		178.3

Source: MWVCOG, 2008.

Table 13-7 shows a comparison of land needed to accommodate new employment growth (demand) and the available supply of vacant and redevelopable land. The comparison shows that there is a need for approximately 72.7 acres to meet the forecasted commercial and industrial land demand. Site constraints, such as steep slopes, wetlands, or floodways, have been identified in the inventory and have been subtracted from the gross amount of buildable acreage.

Land Use - Table 137
Comparison of Supply and Demand for Commercial and Industrial Land
Independence, 2008

Land Use Type	Vacant/Redevelopable Acres
Supply	
Commercial	14.3
Industrial ¹	105.8
Total Supply	120.1
Demand	
Commercial	49.4
Industrial	128.9

Total Demand	178.3
Surplus (Deficit)	
Commercial	(35.1)
Industrial	(23.1)
Total	(58.2)
Additional land needed for public uses - streets, parks, etc. (25% of 20-year land needs)	14.5
Total Commercial and Industrial Land Needs	72.7

Source: MWVCOG, 2008.

The city's existing commercial development policies state the city will retain the downtown as the dominant retail activity center, while the Central Shopping Plaza and the north Independence commercial areas will serve in supporting roles. To avoid the threat of new commercial areas competing with the downtown area and drawing businesses away from the downtown, and to ensure an efficient use of land inside the UGB, no new commercial areas were designated as part of 2008 Comprehensive Plan update.

The city identified the following measures to ensure an adequate supply of commercial land is available through the year 2029:

- **Infill and Redevelopment** - Independence plans to accommodate all of the city's forecasted commercial retail and a majority of the city's forecasted commercial service needs through infill and redevelopment of existing commercial areas. In addition to existing Comprehensive Plan policies that support this type of development, Independence adopted a new Comprehensive Plan policy to encourage the redevelopment of existing shopping and service facilities.
- **Commercial Redesignations** - Independence rezoned approximately 7.9 acres in the downtown area to Commercial Retail (CR) to provide additional opportunities for commercial development and strengthen the downtown as the primary commercial area within the city.
- **Commercial Services in Industrial Zones** - A limited portion of the city's forecasted commercial service land needs (one-third) will be accommodated on industrial land that allows commercial services that are compatible and complimentary to industrial uses. One-third of the city's forecasted commercial service land needs is approximately 11.7 acres. Examples of these uses include construction installation and repair services; transportation and heavy equipment repair and sales; vocational schools teaching construction and equipment repair services; recreation facilities; and; commercial uses that are ancillary to uses permitted in industrial zones (e.g. building supply showroom).

Based upon these measures, the city's employment land needs do not ~~include-require~~ designating new commercial centers either in or outside of the UGB. ~~Upon a~~ Adding one-third of the projected commercial service land needs (11.7 acres) ~~that will be accommodated on to the~~ industrial land ~~requirements s to the projected industrial land needs (23.1 acres), there is a~~ however pushes the overall industrial need for to approximately 34.8 acres ~~of industrial land~~. **Table 14-8** shows that, upon considering the additional land needed for streets and utilities, there is a need for a total of 43.5 acres of industrial land through the year 2029.

Table 148
Summary of Industrial Land Needs
Independence, 2029

Total amount of additional land needed within the UGB for future industrial use.	34.8 acres
Additional land needed for public uses - streets, utilities, etc. (25% of 20-year land needs)	8.7 acres
Total amount of additional land needed within the UGB for employment development	43.5 acres

Source: MWVCOG, 2008.

The City identified 43.5 acres for inclusion in the Urban Growth Boundary that would meet all of the projected need for industrial land. The property is located northwest of the existing UGB, adjacent to the Independence Airport and identified as Tax Assessor Map Number 8420, tax lots 300 and 400. The area to be included in the UGB would be designated as Industrial on the Comprehensive Plan Map and zoned Industrial Park (IP) upon annexation. The IP zone district allows industrial uses, in addition to some limited commercial services, and provides the greatest flexibility in meeting projected employment land needs through 2029.

To support city policies to maintain the downtown as the focus of commercial activity, the city's remaining commercial land needs will be met through rezoning approximately 7.9 acres of land located adjacent to the downtown area to Commercial Retail (CR) in addition to, infill and redevelopment in existing commercial areas.

Public Land Needs

Public facilities and services needed for future residential and employment land needs were considered consistent with OAR 660-024-0040(9) which allows a local government to estimate the 20 year land needs for public uses (e.g. streets, parks, and schools) will require an additional amount of land equal to 25 percent of the net buildable acres determined for residential and employment land needs.

In addition to public land needs for future residential and employment areas, there is also a need for 41.1 acres of public land located west of the Independence State Airport to allow for airport expansion activities as indicated in the 1997 Independence State Airport Layout Plan.

The Independence State Airport, located on the northern edge of the city, is owned by the State of Oregon. The Independence State Airport is the only publicly-owned airport in Polk County. The airport serves an important role in economic development by providing an additional method of transport and opportunity for airport related businesses or industries requiring access to an airport facility.

In 1997, the Oregon Department of Aviation completed an Airport Layout Plan for the Independence State Airport. The Report provides for anticipated aviation facility needs over a twenty-year period. The improvements identified in the Report will allow the airport to continue to provide "safe, efficient, economical, and environmentally acceptable air transportation."

As indicated in the 1997 Airport Plan, all of the development on the airport is located on the east side of the runway-taxiway system, which abuts developed land to the east (residential airpark land). The airport is bounded by Hoffman Road to the south, leaving the only area for future airport expansion activities to the west. The 1997 Airport Layout Plan also notes that the airport is currently at capacity for land side facilities, with all available airport owned property utilized, including all available hangar space.

To protect the long-term viability of the airport, the Airport Plan Report identifies the need to acquire a 41.1-acre aviation development reserve on the west side of the airport. The Airport Plan Report states the west side development reserve is the best option available to preserve continued aviation use of the site. The reserve provides for future general aviation parking and hangar development.

To meet future public land needs associated with the Independence State Airport, the City identified 41.1 acres for inclusion in the Urban Growth Boundary, consistent with the location identified on the 1997 Independence State Airport Layout Plan. The property is located directly adjacent to the western boundary of the Independence State Airport and identified as Tax Assessor Map Number 8420, Tax Lot 300 and Map Number 8417, Tax Lot 700. The area to be included in the UGB would be designated Public on the Comprehensive Plan Map and zoned Airport Development District upon annexation.

LAND USE

GOAL: To encourage efficient land use, maintain land use designations appropriate to the character of Independence and meet future land use needs.

Policies

1. Independence shall update and revise land use designations when necessary to accommodate demonstrated need for changing circumstances.
2. Independence shall establish and utilize low, medium and high-density residential land use designations.
3. Independence shall establish and utilize a commercial land use designation.
4. Independence shall establish and utilize an industrial land use designation.
5. Independence shall insure that new industrial uses will be compatible with surrounding uses.
6. Independence shall, by use of land use designations and proper zoning techniques, establish the downtown central business district as the primary commercial area within the City and encourage its continuation as such.
7. Independence shall zone annexed land consistent with the Comprehensive Plan designation, as well as any relevant Concept Plans adopted for the subject area.
8. The City may require preparation of Master Plans during the annexation process to ensure development of land is consistent with Comprehensive Plan and/or Concept Plan policies and requirements.
9. The Southwest Independence Concept Plan and Central Talmadge Plan ~~have~~ been adopted as ~~an~~ ancillary documents of this Comprehensive Plan. Background information and policies within the ~~Southwest Independence Concept Planplans~~ will supersede information in this Comprehensive Plan in the event of any conflicts between the ~~two~~ documents.

URBANIZATION

GOAL: To provide for an orderly and efficient transition from rural to urban land.

Policies

1. Independence shall not extend urban services beyond city boundaries.
2. Independence shall provide public notice of any proposed annexation or land use action and shall provide to the public an assessment of potential impacts to public facilities and services.
3. Independence shall review the urban growth boundary at least every 5 years to determine its adequacy given changing circumstances and population.

4. Independence shall coordinate with Polk County and the City of Monmouth on growth management issues.
5. Independence shall coordinate with Polk County when considering any annexation and shall utilize the policies contained within the intergovernmental agreement between city and county regarding the management of the urbanizable area prior to any annexation or other development action.
6. Independence shall encourage new single-family residential development to achieve an average density of 5.5 dwelling units per net acre and new multi-family developments to achieve an average density of 12.0 dwelling units per net acre.
7. Independence shall zone annexed land consistent with the Comprehensive Plan designations, as well as any relevant Concept Plans adopted for the subject area.
8. The City may require preparation of Master Plans during the annexation process to ensure development of land is consistent with Comprehensive Plan and/or Concept Plan policies and requirements.
9. The Southwest Independence Concept Plan and Central Talmadge Plan ~~have~~ been adopted as ~~an~~ ancillary documents of this Comprehensive Plan. Background information and policies within the Southwest Independence Concept Plan plans will supersede information in this Comprehensive Plan in the event of any conflicts between the ~~two~~ documents.

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DRAFT REVISIONS ASSOCIATED WITH THE CENTRAL TALMADGE PLAN TRANSPORTATION ELEMENT

The following changes are proposed to the Transportation Element of the Independence Comprehensive Plan. The changes would adopt the Central Talmadge Plan by reference as part of the Transportation Element of the Comprehensive Plan. The proposed language would implement a small part of the recommendations in the Central Talmadge Plan.

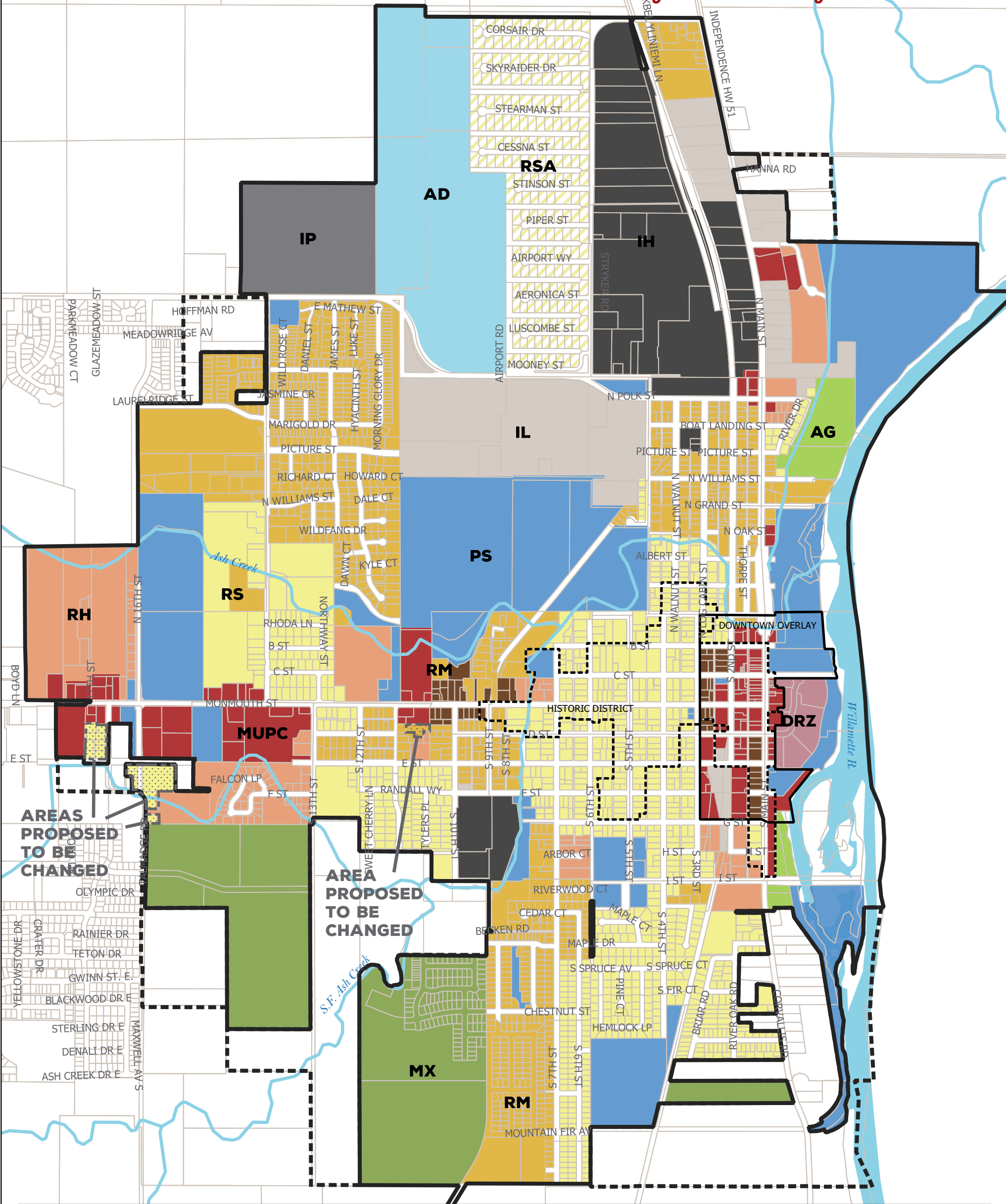
TRANSPORTATION

The City of Independence Transportation System Plan (2021) and Central Talmadge Plan (2024) ~~are~~is adopted by reference as a portion of this Comprehensive Plan. Please view the documents s for background information, as well as the goals and policies for ~~T~~ransportation.



CITY OF INDEPENDENCE ZONING MAP

Existing with Changes Noted



LEGEND

ZONE		
Low-Density Residential (RS)	Mixed-Use Pedestrian Friendly Commercial (MUPC)	Agricultural (AG)
Medium-Density Residential (RM)	MUPC-Transitional (MUPC-T)	Public Service (PS)
High-Density Residential (RH)	Downtown Riverfront Zone (DRZ)	City Limits
Residential Single-Family Airpark Overlay (RSA)	Light Industrial (IL)	Urban Growth Boundary
Mixed Residential (MX)	Heavy Industrial (IH)	Downtown Overlay
	Industrial Park (IP)	Historic District
	Airport District (AD)	

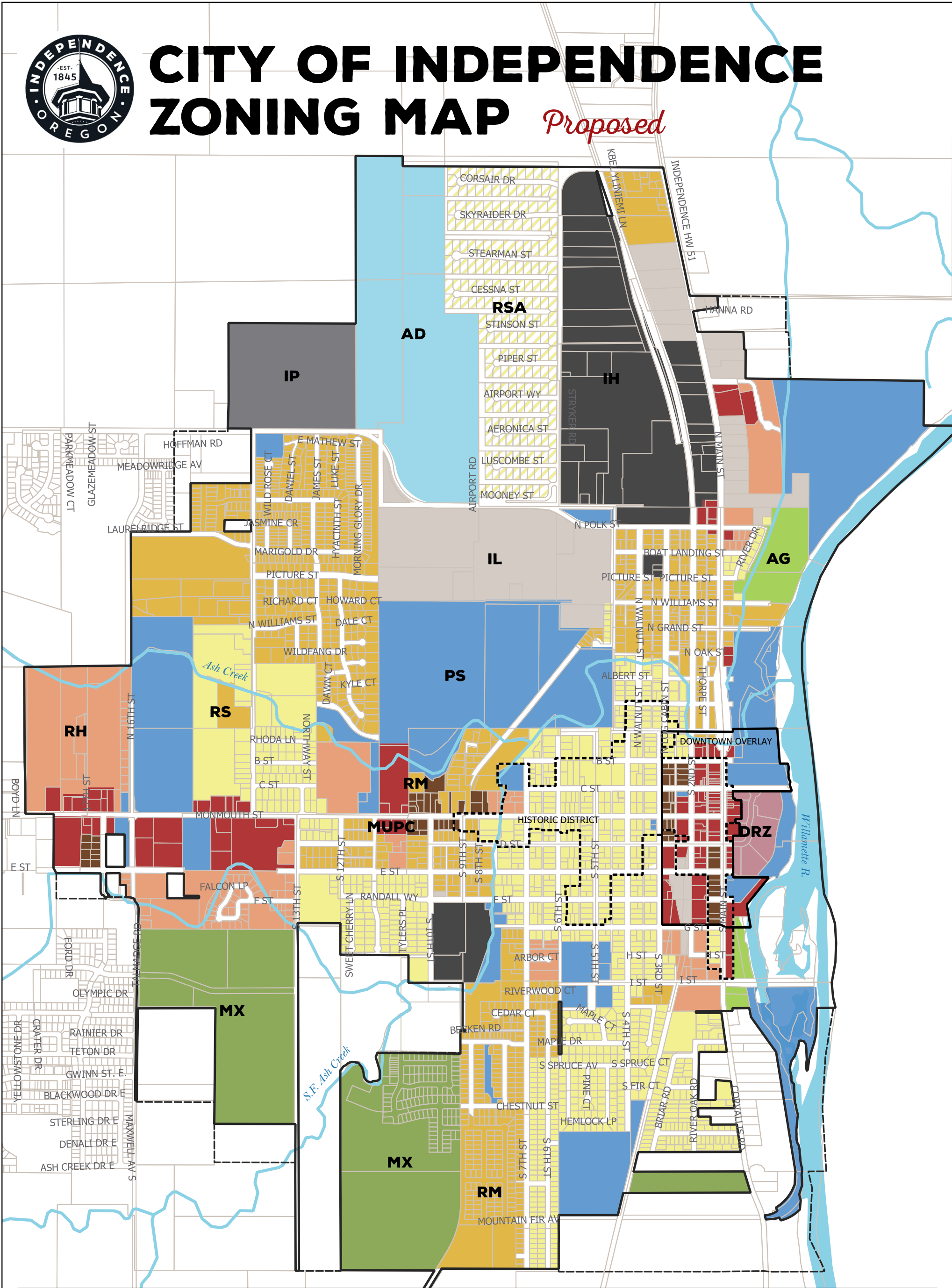
Please note: Independence City Limits have changed slightly since the creation of this map.



CITY OF INDEPENDENCE

ZONING MAP

Proposed



LEGEND

ZONE

- Low-Density Residential (RS)
- Medium-Density Residential (RM)
- High-Density Residential (RH)
- Residential Single-Family Airpark Overlay (RSA)
- Mixed Residential (MX)

- Mixed-Use Pedestrian Friendly Commercial (MUPC)
- MUPC-Transitional (MUPC-T)
- Downtown Riverfront Zone (DRZ)
- Light Industrial (IL)
- Heavy Industrial (IH)
- Industrial Park (IP)
- Airport District (AD)

- Agricultural (AG)
- Public Service (PS)
- City Limits
- Urban Growth Boundary
- Downtown Overlay
- Historic District

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Updated 01.30.2025

DRAFT REVISIONS ASSOCIATED WITH THE CENTRAL TALMADGE PLAN IDC SUBCHAPTER 14

The following changes are proposed to IDC Subchapter 14. The changes would require an applicant to consider and utilize the Central Talmadge Plan when preparing a master plan and annexation application. The proposed draft would work in tandem with related changes to IDC Subchapter 23.

SUBCHAPTER 14: ANNEXATIONS

14.000 – 14.020 Reserved for Expansion

14.030 Master Plan Requirement for Southwest Independence Concept Plan Area

A. Purpose. A master plan is required as part of the annexation of any property within the Southwest Independence Concept Plan Area. This requirement is intended to provide the City with a concept of the holistic development of the annexation area to ensure that the project meets the various standards included within this Section, while providing the applicant with a reasonable assurance that the various phases of the project are feasible.

The 2012 Southwest Independence Concept Plan establishes the overall vision and land use framework for the area in the Southwest Independence Concept Plan, which should form the basis of any Master Plan submitted-area. The Southwest Plan, however, has been refined in part by the 2024 Central Talmadge Plan. Where the Central Talmadge Plan addresses a site or a portion of a site, that plan shall govern.

~~However, the approved Concept Plan does not prescribe the specific location of new collector and local streets, the precise location and size of neighborhood parks or the intended mix of lot sizes.~~

~~The purpose of the Master Plan requirement is to provide the applicant with reasonable assurance of ultimate land division approval before expenditure of final design and engineering costs, while providing the City with assurances that the project will retain the character envisioned at the time of approval of the Concept Plan.~~

B. Applicability and Procedure.

1. A Master Plan approval is required concurrent with the annexation of any property within the Southwest Independence Concept Plan boundaries (see Figure 9 in the Concept Plan).
2. A Master Plan shall include the entire subject tax lot. At the option of the applicant, a Master Plan may include adjacent tax lots under the same or different ownership. All subject property owners must be listed as applicants and provide signatures on the application form.

3. Once approved, a Master Plan does not expire. The approved Master Plan shall replace and supersede the adopted Southwest Independence Concept Plan for the subject property or properties. An approved Master Plan may be amended pursuant to Section 14.030~~(-E)~~.
4. Once approved, subsequent land division and development review applications shall be reviewed for consistency with the Master Plan.

C. Submittal Requirements. A Master Plan shall be drawn at a minimum scale of 1" = 100 ft and may include multiple sheets. The following information shall be shown on the plan:

1. The general location of collector streets (within a corridor width of 100 feet);
2. The general size and location of any park land;
3. The general size and location of any trail/stormwater/drainage corridors, with potential off-site connections shown;
4. Identification of the required riparian corridor setback along South Fork Ash Creek, if applicable to the subject property or properties;
5. The general location and size of areas intended for low, medium and high-density housing, along with anticipated densities for each, and a description of how any high-density housing proposed is in the following locations.
 - a. In locations shown in the Central Talmadge Plan, if applicable.
 - b. At locations that meet one the following characteristics if the project is not located in the Central Talmadge Plan boundaries:
 - i. At gateways and along corridor and arterial streets.
 - ii. Closest to existing services and commercial areas.
 - iii. Adjacent to parks, natural areas, or other amenities.
6. TheAn indication of how the master plan must indicate howmeets the overall minimum average density of 9 units per acre ~~will be met.~~
7. Anticipated phasing of development, if applicable.

D. Approval Criteria. A Master Plan shall be approved as part of the annexation process if it meets the following criteria:

1. The Master Plan is generally consistent with the locations and amounts of low, medium and high-density residential development shown in Figure 9 of the Southwest Independence Concept Plan. Provided that, if the property is within both the Southwest Independence Concept Plan and the Central Talmadge Plan, the plan is consistent with Figure 33 of the Central Talmadge Plan.
2. The Master Plan achieves the minimum target density of an average 9 units per net acre.
3. The Master Plan demonstrates that at least 15 percent of all dwelling units will be either in multiple-family or attached single-family structures.

4. The Master Plan is consistent with the Concept Plan policies in Section 3 of the adopted Concept Plan.5. The Master Plan identifies trail/riparian/stormwater corridor easements along South Fork Ash Creek that are consistent with Figure 9 of the Concept Plan. The width of the corridor may vary from the Concept Plan depending on the results of wetland delineation and location of any wetland restoration or mitigation. At a minimum, the corridor must include the following:
 - a. The required 25-foot setback along Ash Creek as established in Subchapter 54.105;
 - b. Identified floodplain area;
 - c. Additional 40-foot-wide area for stormwater management and multi-use trail (can be inside floodplain but outside any established wetland); and
 - d. Wetland areas as follows:
 - ~~(1)~~i. Any delineated wetland area that will be protected and/or restored
 - ~~(2)~~ii. Any new wetland area created as mitigation for removal of wetlands in other areas of the site

E. Modifications to an Approved Master Plan. Any modifications to an approved Master Plan must be approved by the City through a Type I administrative review (Planning Director decision with no public hearing). Modifications to an approved Master Plan must meet the following criteria:

1. The plan demonstrates that medium and high-density housing is located in one or more of the following areas:
 - a. In locations shown in the Central Talmadge Plan, if applicable.
 - b. At locations that meet one the following characteristics if the project is not located in the Central Talmadge Plan boundaries:
 - ~~e.~~i. At gateways and along corridor and arterial streets.
 - ~~ii.~~ii. Closest to existing services and commercial areas.
 - ~~f.~~iii. Adjacent to parks, natural areas, or other amenities.
2. The plan achieves the target density of an average of 9 units per net acre.
3. The plan demonstrates that at least 15 percent of all dwelling units are either in multiple-family or attached single-family structures.
4. The plan identifies trail/riparian/stormwater corridor easements along Ash Creek that are consistent with Figure 9 of the Concept Plan. The width of the corridor may vary from the Concept Plan depending on the results of wetland delineation and location of any wetland restoration or mitigation. At a minimum, the corridor must include the following:

- a. The required 25-foot setback along Ash Creek as established in Subchapter 54.105;
- b. Identified floodplain area;
- c. Additional 40-foot-wide area for stormwater management and multi-use trail (can be inside floodplain but outside any established wetland); and
- d. Wetland areas as follows:

~~(1)~~i. Any delineated wetland area that will be protected and/or restored

~~iii~~.ii. Any new wetland area created as mitigation for removal of wetlands in other areas of the site.

DRAFT REVISIONS ASSOCIATED WITH THE CENTRAL TALMADGE PLAN IDC SECTION 23.005

The following change is proposed to IDC Subchapter 23. The change would add the implementation of the Central Talmadge Plan as part of the purpose of the Mixed Density Residential Zone. The proposed draft would work in tandem with related changes to IDC Subchapter 14.

SUBCHAPTER 23: MIXED DENSITY RESIDENTIAL (MX) ZONE

23.005 Purpose

The purpose of the Mixed Density (MX) Residential Zone is to allow a creative mixture of housing styles and types available to citizens of diverse ages and incomes. Development in the MX Zone should provide a coordinated and attractive living environment that responds to local conditions and emphasizes a range of good circulation opportunities for walking, bicycling, and driving personal vehicles. The MX Zone is also intended to implement the Southwest Independence Concept Plan ~~adopted by Independence on June 12, 2012~~ and the Central Talmadge Plan, where applicable. Consistency with the Southwest Independence Concept Plan and Central Talmadge Plan will be established through the Master Plan requirement during the annexation process.

...

DRAFT REVISIONS ASSOCIATED WITH THE CENTRAL TALMADGE PLAN IDC SUBCHAPTER 30

The following changes are proposed to IDC Subchapter 30. The changes would add a new footnote that makes it clear that the MUPC-T designation is considered a part of the MUPC zone (based on some confusion that individuals have expressed after the adoption of Ordinance 1598). The changes would also add the allowance of standalone apartment buildings in certain portions of the MUPC zone within the Central Talmadge area. The proposed draft would implement a small part of the recommendations in the Central Talmadge Plan.

SUBCHAPTER 30: ALLOWED USES IN COMMERCIAL ZONES

ALLOWED USES	ZONE	
COMMERCIAL USES	MUPC ¹	DRZ
A commercial activity involving retail sales and service and which is not listed as a conditional or prohibited use	P	P
A commercial activity involving personal or professional services and which is not listed as a conditional or prohibited use	P	P
Office	P	P
Hotel or Lodging Use	P	P
Bed and breakfast establishment, including Air BnB, VRBO, and other similar uses	P	
Recreational vehicle park	CU ⁴²	
Campground	CU ⁴²	
Vehicle Servicing/Repair	CU ⁴²	
Hospital	CU	CU
Veterinary clinic	CU	CU
Kennel	CU ⁴²	
Crematory	CU ⁴²	
Medical Marijuana Dispensary, subject to the special use limitations in the underlying zone	P	P
Recreational Marijuana Retailer, subject to the special use limitations in the underlying zone	P	P
Marijuana Research Facility, subject to the special use limitations in the underlying zone	P	P
Marijuana Testing Laboratory; subject to the special use limitations in the underlying zone	P	P
Transmitter station, towers, relay stations and similar facilities for electronic communications	CU	CU
MANUFACTURING/INDUSTRIAL USES	MUPC ¹	DRZ
Light industrial uses	P	

Freight forwarding facility	CU ⁴²	
Small scale manufacturing and production, including jewelry, candy, wine, beer, spirits, or other similar artisan products, less than 5,000 square feet, where at least 25% of the manufacturing area is dedicated to retail sales		P
PUBLIC/QUASI-PUBLIC USES	MUPC¹	DRZ
Structure or facility necessary for the City or for a public utility to provide service within the City. Such structures shall include, but not be limited to: construction, operation, maintenance, or repair of electric service meters, lines, transformers, and poles; natural gas lines; telephone lines and poles; water and sewer lines; streets, pathways and sidewalks including any project identified in the Transportation System Plan.	P	P
Buildings and structures operated by a governmental agency or by a public utility and necessary for public service. Such facilities shall include but not be limited to fire stations, libraries, electrical substations, and water storage tanks. Such facilities shall not include commercial plants for the generating of electrical power	CU	CU
Church	CU	CU
Community or neighborhood club building, swimming pool, and other allied facilities owned and operated by a nonprofit community club for the improvement of the neighborhood or recreation of the members	CU	CU
Playground or park	P	P
Child Care Facility	P ²³	P ²³
School (elementary, junior high, senior high)	CU	CU
Trade or commercial school	CU	CU
Bus terminal or depot	CU	
Heliport	CU ⁴²	
RESIDENTIAL USES	MUPC¹	
New single-family dwelling, with a floor area of not less than 1,000 square feet	P ^{3, 4, 5, 6}	
Existing single-family dwelling, with a floor area of not less than 1,000 square feet	P ^{4, 5, 6}	
Duplex	P ^{3, 4, 5, 6}	
Attached single family residential dwellings (townhomes, rowhouses)	P ^{3, 4, 5, 6}	P
Live/work unit	P	P
Residential use on the second or third-story of a commercial building.	P	P
Triplex or Quadplex	P ^{3, 4, 5, 6}	P
Multiple-family residential dwellings, all floors	P ⁷	P
Residential home, as defined in this ordinance	P	P

Accessory uses to multiple-family or lodging uses such as clubhouses, open roof coverings, decks or patios for gatherings, outdoor pools or spas, or outdoor activity space.	P	P
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Notes:

1. For the purposes of this code, the Mixed-Use Pedestrian Friendly Commercial (MUPC) zone includes both the standard Mixed-Use Pedestrian Friendly Commercial (MUPC) designation and the Mixed-Use Pedestrian Friendly Commercial-Transitional (MUPC-T) designation, unless otherwise specifically noted.
- 1.2. This use is allowed within the MUPC Zone as a Conditional ~~Use, but~~ Use but is not allowed in the Downtown Overlay Zone.
- 2.3. This use is allowed so long as the activity is licensed through the State of Oregon.
- 3.4. Only permitted in the Mixed-Use Pedestrian Friendly Commercial-Transitional (MUPC-T) ~~designation~~ Zone.
- 4.5. The accessory uses and structures allowed for residential uses in Subchapter 17 are allowed for residential uses in the MUPC-Zone.
6. Single-family dwellings, duplexes, triplexes, quadplexes, and accessory structures for residential uses within the MUPC Zone are subject to the dimension requirements for the High-Density Residential (RH) zone found in Subchapter 18, and the Residential Design Standards in Subchapter 19.
- 5.7. Standalone apartment buildings are allowed within the MUPC zone in the Central Talmadge subarea, so long as the subject property does not directly front Monmouth Street and the property is set along a secondary road such as E Street, 16th or 17th Street.

DRAFT REVISIONS ASSOCIATED WITH THE CENTRAL TALMADGE PLAN IDC SUBCHAPTER 33

The following change is proposed to the purpose section of IDC Subchapter 33. The change would add a sentence to the end of the section that would make it clear that the MUPC-T designation is considered a part of the MUPC zone (based on some confusion that individuals have expressed after the adoption of Ordinance 1598). The change is intended to work in tandem with IDC Subchapter 30, and the rest of the code changes proposed in the Central Talmadge Plan.

SUBCHAPTER 33: MIXED USE PEDESTRIAN FRIENDLY COMMERCIAL (MUPC) ZONE & DOWNTOWN OVERLAY ZONE

33.005 Purpose

The purpose of the Mixed Use Pedestrian Friendly Commercial (MUPC) zone is to:

- Allow a mixture of complimentary land uses that may include retail, offices, commercial services, housing, civic uses, to create economic and social vitality;
- Develop commercial and mixed-use areas that are safe, comfortable and attractive to pedestrians;
- Encourage pedestrian orientation while remaining accessible to automobiles within commercial areas located outside of the downtown area;
- Expand and strengthen the downtown commercial core while maintaining and enhancing the historic character of Independence;
- Encourage and promote the redevelopment of downtown, including housing, as a vibrant and successful mixed-use district;
- Emphasize bicycle and pedestrian connections along natural amenities, such as Ash Creek and the Willamette River, as a way of moving residents and visitors across town and improving connections to downtown;
- Create a strong link from the commercial core along Main Street to the amphitheater and the recreational land uses along the river and recognize key intersections as gateways and nodes of commercial activity;

- Maintain and improve natural areas as resources where possible and target environmental initiatives such as recycling programs and green building techniques; and
- Support the continued growth of local and living wage jobs and develop tools to market opportunities.

For the purposes of this code, the Mixed-Use Pedestrian Friendly Commercial (MUPC) zone includes both the standard Mixed-Use Pedestrian Friendly Commercial (MUPC) designation and the Mixed-Use Pedestrian Friendly Commercial-Transitional (MUPC-T) designation, unless otherwise specifically noted.



Oregon

Tina Kotek, Governor

Department of Land Conservation and Development

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www.oregon.gov/LCD

December 18, 2024

Fred Evander, City Planner
City of Independence
PO Box 7
555 Main Street
Independence
97351



By Email: Shawn Irvine irvine.shawn@ci.independence.or.us; Fred Evander
<fevander@ci.independence.or.us>

Subject: Comments on PAPA DLCD File No. 008-24, for Changes to the Independence Comprehensive Plan Map and text, the Independence Development Code, and the Zoning Map to adopt the Central Talmadge Plan and implement provisions within the plan.

Dear Mr. Evander,

Thank you for the opportunity to comment on the above referenced application. We have reviewed the materials submitted and would like to submit the following comments for the record:

Content of the Proposal

The PAPA submittal does not appear to include detail about which specific properties are changing land use designation categories and zoning designations. We recommend that the city specify which properties (address, tax lot) are changing (1) **from** which land use designation **to** which land use designation in the comprehensive plan and (2) which ones are changing **from** which zoning designation **to** which zoning designation in the zoning map. Associated consistency findings for comprehensive plan land use designation changes and zone changes are recommended, as required by the city's development code and relevant portions of the comprehensive plan.

Central Talmadge Plan

The PAPA description states that the proposal includes an action to: "adopt the Central Talmadge Plan and implement provisions within the plan." However, the plan itself was not included with the PAPA submittal. As such, there may be a question about whether the entire plan is being adopted as part of the city's acknowledged planning record via the PAPA process. For clarity, we recommend including the plan as part of the PAPA submittal and modifying the hearing dates to adhere to the 35-day noticing requirement. Please note that since the plan was not part of the PAPA submittal we are not

addressing its content in full as part of this comment letter, but rather only those changes proposed in the documents attached to the PAPA record.

Statewide Planning Goal Consistency Findings

Legislative decisions must be consistent with the statewide planning goals and substantive requirements in state statutes as required by the post-acknowledgment plan amendment process in ORS 197.610 to 197.625 or periodic review in ORS 197.628 to 197.644 and must be supported by an adequate factual base as required by Goal 2. The final decision must include findings of fact and conclusions of law that are adequate to explain the basis for the action. The staff report submitted to the PAPA data base on 10/24/24 does not appear to include findings demonstrating the proposed amendment's consistency with applicable statewide planning goals. As such, we recommend that the City include consistency findings to this effect. Recommendations for specific areas of focus for the City's consistency findings are included below:

Goal 5

Local governments are only required to update their inventories within a UGB with an acknowledged comprehensive plan when conducting periodic review. However, a PAPA must be consistent with the city's comprehensive plan policies for Goal 5. Policy 1 in the *Natural Resources, Scenic and Historic Areas, and Open Spaces* chapter of the *Independence Comprehensive Plan* states:

Independence will compile an inventory of wetlands and riparian corridors and complete the Goal 5 process when adequate information pertaining to location, quality and quantity becomes available. In the interim, an assessment of riparian and wetland resources and appropriate measures of protection shall be applied at the time of plan amendment and zone change approval.

Oregon Administrative Rule chapter 660, division 23 is the set of rules that describes the steps needed to apply local protection measures to Goal 5 resources. OAR 660-023-0090 and 660-023-0100 are the rules specific to riparian and wetland resources. Since the proposed comprehensive plan land use designation and zone changes appear to occur in areas with riparian resources¹, predominantly hydric soils, and wetlands per the statewide wetland inventory, we recommend that the city include appropriate findings to demonstrate consistency with Goal 5 and the city's comprehensive plan policy for riparian and wetland resources. Our Goal 5 resource specialist is available to provide support on this matter, as needed.

¹ It appears that the city's development code contains a 25 ft. riparian development setback requirement from top of bank, which was adopted before 1996.

It also appears that there are riparian resources adjacent to or within the areas proposed for comprehensive plan designation and zone changes. As such, Goal 5 riparian resource consistency findings are recommended.

Goal 7

The proposed comprehensive plan land use designation changes and zoning code changes appear to occur in an area with building limitations due to a seasonal high ground water table per the City's adopted comprehensive plan. We recommend that the city include Goal 7 consistency findings associated with the change in intensity of uses in the areas proposed for land use designation/zoning changes. Our natural hazards staff are available to provide support on this topic, as needed.

Goal 12

For plan amendments and zone changes, the local approval criteria needs to address the transportation planning rule (TPR), reference the appropriate portions of the local government's development ordinances, and tie their approval criteria to applicable sections of state law implementing Goal 12. In the case of TPR reviews, findings should provide details explaining whether or not, and, if not, how the proposed land use is inconsistent with the jurisdiction's adopted comprehensive plan, development code and/or transportation system plan. DLCD's Transportation Growth Management staff are available to help support the city in preparing such findings, as needed.

Goal 14

There are proposed changes to the city's annexation procedures included in the PAPA submittal. As such, the city may want to consider including consistency findings with Goal 14 for urbanization, as well as internal consistency findings with the city's comprehensive plan and the urban growth management agreement with Polk County.

Comments on proposed Annexation Code and Local Wetland Inventory Requirements

The record approving the City's Urban Growth Boundary amendment in 2009, included findings for protecting identified wetland and riparian resources in the UGB expansion area stating: "an assessment of riparian and wetland resources and appropriate measures of protection shall be applied at the time of plan amendment and zone change approval". This finding is consistent with OAR 660-023-0250 (3)(c), which requires the application of OAR chapter 660, division 23 rules at the time of a UGB expansion. OAR 660-023-0090 and 660-023-0100 describe procedures for assessing wetland and riparian resources. Compliance with 660-023-0100(3) requires a local wetland inventory for the area that was brought into the UGB in 2009 to be approved by the Department of State Lands (DSL) prior to city annexing land and assigning urban

zoning. Proceeding forward with an LWI would also ensure consistency with Policy 1 in the *Natural Resources, Scenic and Historic Areas, and Open Spaces* chapter of the *Independence Comprehensive Plan*, referenced above. If the city elects to hold off on pursuing a local wetland inventory in the near term, then DLCD recommends that the city adopt annexation code amendments that incorporate application of OAR 660-023-0090 and 660-023-0100 as part of the subject PAPA. DLCD specialists are available to talk through options for interim wetland protections measures, as needed.

Please enter this letter into the official record of proceedings for the land use application known as Local File No.: LA 2024-06 and DLCD PAPA File No.: 008-24.

Respectfully,

A handwritten signature in blue ink, appearing to read 'Melissa Ahrens', with a stylized flourish at the end.

Melissa Ahrens
Mid-Willamette Valley Regional Representative
Oregon Department of Land Conservation and Development



INDEPENDENCE

Oregon's Story Begins Here

PUBLIC HEARING CHANGES ASSOCIATED WITH CENTRAL TALMADGE PLAN (FILE NO. LA | 2024-06) STAFF REPORT (SUPPLEMENTAL)

MEETING DATE: March 11, 2025

FILE NUMBER: LA | 2024-06

RE: **CHANGES ASSOCIATED WITH CENTRAL TALMADGE PLAN**

ATTACHMENTS:

- A. Letter from Ahrens dated March 5, 2025 (4 pages)
- B. Letter from Bateman to Scharf dated February 14, 2025 (2 pages)

I. SUMMARY

The Independence City Council has received an additional public comment letter, from the Department of Land Conservation and Development, for the public hearing on the code, plan and map amendments associated with the Central Talmadge Plan. Many of the items raised within the letter received are addressed as part of the original staff report for the Public Hearing. This supplemental staff report is intended to further clarify items regarding Oregon State Planning Goals 5 and 7.

II. GOAL 5 – NATURAL RESOURCES, SCENIC AND HISTORIC AREAS, AND OPEN SPACES

In 2009, the City of Independence adopted Ordinance 1474 to expand its Urban Growth Boundary to include 268.8 acres in the Southwest Concept Area. At that time, the city adopted a policy, in part to satisfy the requirements for a Goal 5 analysis, that stated that:

Independence will compile an inventory of wetlands and riparian corridors and complete the Goal 5 process when adequate information pertaining to location, quality and quantity becomes available. In the interim, an assessment of riparian and wetland resources and appropriate measures of protection shall be applied at the time of plan amendment and zone change approval (Water Resources, Policy 1 of the Natural Resources Element)

Since that time, the city has conducted numerous plan amendments, rezones, and annexations, including many that have received concurrence about the location of wetlands from the Department of State Lands.

Among these projects include:

- The annexation of 80.74 acres associated with the Brandy Meadows development and the Department of State Lands concurrence about the wetlands in Phases 1 through 12.
- The annexation of 70.14 acres associated with the Southwest Crossing Development, and the Department of State Lands concurrence about the wetland locations throughout the entire site.

Given the concurrence of the Department of State Lands on these actions, the city assumed that the process used for the “assessment of wetland resources” required in Water Resources Policy 1 was appropriate.

With the two letters from the Department of Land Conservation and Development submitted in response to this action, however, it has become clear that the department expects the city to conduct a Goal 5 resource review and Local Wetland Inventory to ensure “appropriate measures of protection.”

To be clear, with the present proposal, there are no comprehensive plan amendments or rezones to any area that was part of the 2009 UGB expansion. The proposed plan amendment and rezone apply to land that was already within the city or UGB before the 2009 UGB expansion. The areas proposed for plan amendment and rezone as part of this action were previously evaluated for Goal 5 resources when the original Comprehensive Plan was adopted in 1979, were not affected as part of the 2009 UGB expansion, and will not be affected as a result of this action.

Given these considerations, Goal 5 will be achieved.

Regarding Water Resources Policy 1, consistent with DLCD’s February 14, 2025 letter to Representative Anna Scharf (see Attachment B), that policy would only be triggered if the city was annexing those portions of the city Urban Growth Boundary that were added in 2009.

III. GOAL 7 – AREAS SUBJECT TO NATURAL HAZARDS

With regard to Goal 7, the city is aware that much of the Central Talmadge Area includes soils that are poorly drained, some of which include high groundwater. Similar soil types exist throughout Independence (and indeed much of the Willamette valley) and may act as a limitation on the type of development that can occur.

To ensure that future development of the area will not create a natural hazard, the city will treat the areas in a manner similar to all other soils in the city. The city will require a geotechnical report, for all new subdivisions and larger projects such as multifamily developments. The report will ensure that foundations are designed to adequately ensure the long-term strength and integrity of the future construction. Similarly, engineering review will ensure that potential concerns such as pipe buoyancy are considered.

Given this approach, the proposed action will effectively address Natural Hazards.

IV. STAFF AND PLANNING COMMISSION RECOMMENDATION

Based on these items and the findings of the original Staff Report, staff and the Planning Commission recommend that the City Council approve of the proposed changes to the Independence Comprehensive Plan, Independence Development Code and Future Land Use and zoning maps.



Oregon

Tina Kotek, Governor

Department of Land Conservation and Development

635 Capitol Street NE, Suite 150

Salem, Oregon 97301-2540

Phone: 503-373-0050

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www.oregon.gov/LCD

March 5, 2025

Fred Evander, City Planner
City of Independence
PO Box 7
555 Main Street
Independence
97351



By Email: Shawn Irvine irvine.shawn@ci.independence.or.us; Fred Evander
<fevander@ci.independence.or.us>

Subject: Comments on PAPA DLCD File No. 008-24, for Changes to the Independence Comprehensive Plan Map and text, the Independence Development Code, and the Zoning Map to adopt the Central Talmadge Plan and implement provisions within the plan.

Dear Mr. Evander,

Thank you for the opportunity to comment on the above referenced application. We have reviewed the materials submitted and would like to submit the following additional comments for the record:

Statewide Planning Goal Consistency Findings for Proposed Comprehensive Plan Amendment Land Use Designation/Zone Changes

Legislative decisions must be consistent with the statewide planning goals and substantive requirements in state statutes as required by the post-acknowledgment plan amendment process in ORS 197.610 to 197.625 or periodic review in ORS 197.628 to 197.644 and must be supported by an adequate factual base as required by Statewide Planning Goal 2. The final decision must include findings of fact and conclusions of law that are adequate to explain the basis for the action. The staff report submitted to the PAPA data base on 10/24/24 does not appear to include findings demonstrating the proposed amendment's consistency with applicable statewide planning goals. As such, we recommend that the city include consistency findings to this effect. Recommendations for specific areas of focus for the city's consistency findings are included below:

Goal 5

A PAPA must be consistent with the city's comprehensive plan policies for Statewide Planning Goal 5. Policy 1 in the *Natural Resources, Scenic and*

Historic Areas, and Open Spaces chapter of the *Independence Comprehensive Plan* states:

Independence will compile an inventory of wetlands and riparian corridors and complete the Goal 5 process when adequate information pertaining to location, quality and quantity becomes available. In the interim, an assessment of riparian and wetland resources and appropriate measures of protection shall be applied at the time of plan amendment and zone change approval.

Oregon Administrative Rule chapter 660, division 23 is the set of rules that describes the steps needed to inventory Goal 5 resources and apply local protection measures. OAR 660-023-0090 and 660-023-0100 are the rules specific to riparian and wetland resources. Since the proposed comprehensive plan land use designation and zone changes are in areas with predominantly hydric soils and wetlands, per the statewide wetland inventory, we recommend that the city include appropriate findings to demonstrate consistency with Goal 5 and the city's comprehensive plan policy for wetland resources.

Also, there are riparian resources¹ adjacent to or within the areas proposed for comprehensive plan designation and zone changes. As such, we recommended that the city include appropriate findings to demonstrate consistency with Goal 5 and the city's comprehensive plan policy for riparian resources. Additionally, please note that OAR 660-046-0010(3)(a)(A)(iii) applies to cities with populations over 10,000 that have not adopted land use regulations pursuant to OAR 660-023-0090 for riparian corridors and requires application of a 100-foot setback along a riparian corridor for middle housing development.

Goal 7

The proposed comprehensive plan land use designation changes and zoning code changes appear to occur in an area with building limitations due to a seasonal high ground water table per the city's adopted comprehensive plan. We recommend that the city includes Statewide Planning Goal 7 consistency findings associated with the change in intensity of uses in the areas proposed for land use designation/zoning changes. Our natural hazards staff are available to provide support on this topic, as needed.

Goal 12

For plan amendments and zone changes, the city's review needs to address the transportation planning rule (TPR), reference the appropriate portions of the local

¹ It appears that the city's development code contains a 25 ft. riparian development setback requirement from top of bank, which was adopted before the current 660-023-0090 took effect in 1996 .

government's development ordinances, and tie approval criteria to applicable sections of state law implementing Statewide Planning Goal 12. In the case of TPR reviews, findings must explain whether the proposed land use is consistent with the jurisdiction's adopted comprehensive plan, development code and/or transportation system plan. If the finding is that the proposed land use is inconsistent, the findings should describe how the action can achieve consistency. DLCD's Transportation Growth Management staff are available to help support the city in preparing such findings, as needed.

Goal 14

There are proposed changes to the city's annexation procedures included in the PAPA submittal. As such, the city should include consistency findings with Statewide Planning Goal 14 for urbanization, as well as consistency findings with the city's comprehensive plan and the urban growth management agreement with Polk County.

Comments on the Central Talmadge Plan and Local Wetland Inventory Requirements

The record approving the city's Urban Growth Boundary amendment in 2009, included findings for protecting identified wetland and riparian resources in the UGB expansion area stating: "an assessment of riparian and wetland resources and appropriate measures of protection shall be applied at the time of plan amendment and zone change approval". This finding is consistent with OAR 660-023-0250 (3)(c), which requires the application of OAR chapter 660, division 23 rules at the time of a UGB expansion. OAR 660-023-0090 and 660-023-0100 describe procedures for assessing wetland and riparian resources. Compliance with 660-023-0100(3) requires a local wetland inventory (LWI) for the area that the city brought into the UGB in 2009 to be approved by the Department of State Lands (DSL) prior to city annexing land and assigning urban zoning. Completion of an LWI will also ensure consistency with Policy 1 in the *Natural Resources, Scenic and Historic Areas, and Open Spaces* chapter of the *Independence Comprehensive Plan*, referenced above. If the city elects to hold off on pursuing a local wetland inventory in the near term, then consistency with Goal 5 could be satisfied by including the following statement in the findings for this PAPA and/or adding this policy to the Central Talmadge Plan:

"For the future annexations called out in the Central Talmadge Plan "LAND USE & REGULATORY FRAMEWORKS" section, the city will ensure consistency with Goal 5 and Policy 1 in the Natural Resources, Scenic and Historic Areas, and Open Spaces chapter of the Independence Comprehensive Plan by requiring that the steps for achieving local riparian and wetland protections, described in OARs 660-023-0090 and 660-023-0100 are completed prior to adoption of the annexations."

Context on the Distinction between LWIs and Wetland Delineations

Based on correspondence with city staff, there seems to be some confusion between wetland delineation requirements and Goal 5 LWI requirements. Delineations are used to determine when a Department of State Land (DSL) wetland removal/fill permit is needed for the development stage of a project. While an LWI must be approved by DSL, they are an element of Statewide Planning Goal 5. An LWI is primarily a land use planning tool and supports local comprehensive planning objectives. **Delineations are not a substitute for an LWI that is required by Goal 5 and its implementing administrative rules.** To address wetlands and the important functions they provide in urban planning and community resiliency, the city would consider wetlands within a newly added UGB area following a UGB amendment, which in Independence's case occurred in 2009. As part of the urbanization phase, a city uses the LWI and its assessment of wetland functions to set priority areas for both resource conservation and urban development. From 2009 to now, the City of Independence did not initiate an LWI and did not complete this work as part of the planning for this 2009 UGB amendment area.

We recognize the capacity and budget challenges our local partners face and are committed to supporting Independence as the city plans for growth and the provision of housing in accordance with the Governor's priorities. To this end, DLCD staff have been actively working with our agency partners at DSL to find opportunities to lower the hurdle Goal 5 wetland requirements can pose to housing planning in Oregon. The Governor's Recommended Budget (POP #504) includes proposed funding to support completion of LWIs, and is currently being considered by the 2025 Legislature. If the Legislature does not appropriate additional funding for LWI work, DLCD's current capacity to provide Technical Assistance grants may be available to help offset the cost of the LWI.

Please enter this letter into the official record of proceedings for the land use application known as Local File No.: LA 2024-06 and DLCD PAPA File No.: 008-24.

Respectfully,



Melissa Ahrens
Mid-Willamette Valley Regional Representative
Oregon Department of Land Conservation and Development



Oregon

Tina Kotek, Governor

Department of Land Conservation and Development

Director's Office

635 Capitol Street NE, Suite 150

Salem, Oregon 97301-2540

Phone: 503-373-0050

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www.oregon.gov/LCD

February 14, 2025

Anna Scharf
State Representative - House District 23
900 Court Street NE H387
Salem, OR 97301



By Email: Rep.AnnaScharf@oregonlegislature.gov

Subject: Independence Inquiry

Dear Representative Scharf,

Thank you for reaching out to our department for guidance on the City of Independence inquiry received from City Manager Kenna West. From our review of the inquiry forwarded, there are concerns that the department has changed its interpretation of the rule regarding local wetland inventory (LWI) requirements as well as questions about Independence-specific annexations. DLCD staff have been coordinating closely with the city and partners at Department of State Lands (DSL) on this matter and we appreciate the opportunity to provide clarification.

Oregon Administrative Rule Division 23 and Division 14 rules¹ regarding LWIs become operative when wetlands are identified as an issue during an urban growth boundary (UGB) expansion process. For Independence, a 2009 UGB expansion added 268.8 acres of land for residential development. The Statewide Planning Goal 5 consistency findings on the record of the 2009 UGB amendment identified wetlands in the UGB expansion area and stated that "an assessment of riparian and wetland resources and appropriate measures of protection shall be applied at the time of plan amendment and zone change approval." The City's Comprehensive Plan also contains a policy² mirroring this requirement. As such, from DLCD's review, applicable rules would require the city to receive DSL approval of an LWI prior to annexation/application of urban zoning exclusively for the area added in the 2009 UGB expansion.

¹ Reference OAR 660-023-0250(3)(a-c), OAR 660-023-0100(3) and OAR 660-014-0060

² Policy 1 in the Natural Resources, Scenic and Historic Areas, and Open Spaces chapter of the Independence Comprehensive Plan states that:

"Independence will compile an inventory of wetlands and riparian corridors and complete the Goal 5 process when adequate information pertaining to location, quality and quantity becomes available. In the interim, an assessment of riparian and wetland resources and appropriate measures of protection shall be applied at the time of plan amendment and zone change approval."

It is unfortunate that the Independence comprehensive plan policy doesn't use the words "local wetland inventory" to describe the work the city needs to accomplish, but this is the standard accepted in the state for a comprehensive review of wetlands issues in a particular area where the city has identified wetland issues.

Based on correspondence from the city, there seems to be some confusion about wetland delineation requirements (which are development/subdivision specific) and Goal 5 LWI requirements (which are a broader scope comprehensive planning exercise). Process wise, the city would start looking at urbanization of a newly added UGB area following a UGB amendment, which in Independence's case occurred in 2009. As part of the urbanization phase, a city would determine whether an LWI is needed for the newly added (but not annexed) UGB area. Development/subdivision specific wetland delineations cannot serve as a substitute for an LWI, when required, per applicable rule and Goal 5. From 2009 to now, it does not seem that the City of Independence initiated preparation of an LWI and did not check off this box as part of the planning for this 2009 UGB amendment area.

There have been no changes to applicable rules on this topic since the 1996 Goal 5 rulemaking. Staff's interpretation and application of this rule has remained consistent. For context, the annexation process is a local land use decision that is noticed to the department through the Post-Acknowledgment Plan Amendment (PAPA) database, but does not come to the department (or LCDC) for direct action. As such, our role in any annexations that come through the PAPA system is to review the proposal and provide guidance and support to our local partners. This ensures consistency with statewide land use planning goals and state laws, and ensures defensibility of the local action. Our guidance to Independence on the LWI matter and annexation proposals has been exclusively in this context. We recognize the capacity and budget challenges our local partners face and are committed to supporting them as they plan and grow their communities in accordance with the Governor's priorities.

To this end, DLCD staff have been actively working with our agency partners at DSL to see whether there are efficiency or streamlining opportunities for the Local Wetlands Inventory requirement. We are hopeful one of the department's budget requests in the Governor's Recommended Budget (POP #504), if passed this legislative session, can be applied to this case. If funded as part of the department's budget, one of DLCD's planning Technical Assistance grants could also be applied to help offset the cost of the LWI.

Please feel free to reach out if you have any follow-up questions.

Respectfully,

A handwritten signature in black ink that reads "Brenda D Bateman". The signature is written in a cursive, flowing style.

Brenda Bateman, Ph.D.
Director



CITY OF INDEPENDENCE MEMORANDUM

TO: Mayor and City Council
FROM: City Manager Kenna West
MEETING DATE: March 11, 2025
SUBJECT: Council Bill #2025-01, to Adopt Changes Associated with Central Talmadge Plan

☐ Information Only

☒ Action Requested

Statement of Issue:

At the meeting of March 11, 2025, the Independence City Council will hold a public hearing on code, Comprehensive Plan and map changes that would incorporate the Central Talmadge Plan into city standards.

Background:

Following the Public Hearing, the Council will potentially act on the amendments proposed, integrating the proposed changes into the current City planning documents.

Fiscal Impact:

No direct fiscal impacts are anticipated to occur because of the adoption of the amendments.

Options:

The Council may:

- A. Approve CB #2025-01 as submitted
- B. Approve CB #2025-01 with amendments
- C. Take no action

Recommendation/Suggested Motion:

Staff and the Planning Commission recommend approval of Option A.

Suggested Motions:

"I move to read the proposed Ordinance, Council Bill #2025-01 to adopt LA 2024-06 in full as the text is contained in the Council packet, for the first time."

Should the motion pass unanimously, a second motion would be in order:

"I move to read the proposed Ordinance, Council Bill #2025-01 for the second time by title only."

Should the motion pass, a third motion would be in order:

"I move to adopt the proposed Ordinance, Council Bill #2025-01."

Attachment:

- A. CB #2025-01 and Exhibits

Memo prepared by Fred Evander, Community Planner

**BEFORE THE CITY COUNCIL OF THE CITY OF INDEPENDENCE
STATE OF OREGON, COUNTY OF POLK**

An Ordinance Amending the Independence Comprehensive	]	
Plan, Development Code, Future Land Use Map and Zoning	]	CB-2025-01
Map to Incorporate the Recommendations of the Central	]	
Talmadge Plan; and Declaring an Effective Date	]	

ORDINANCE NO. 1622

WHEREAS, the Independence City Council adopted the Central Talmadge Plan by resolution on September 10, 2024; **AND**

WHEREAS, the Central Talmadge Plan recommended changes to the Independence Future Land Use Map, Comprehensive Plan, Zoning Map and Development Code; **AND**

WHEREAS, the City of Independence sent a notice of the changes to reflect the Central Talmadge Plan to the Oregon Department of Land Conservation and Development on October 24, 2024; **AND**

WHEREAS, the Independence Planning Commission discussed the amendments at their meeting on November 4, 2024; **AND**

WHEREAS, the City published notice of hearings to be held by the Independence Planning Commission ("Commission") and the Independence City Council ("Council") in the local newspaper and the city's website on November 20, 2024; **AND**

WHEREAS, the Planning Commission conducted a properly noticed public hearing to consider adoption of the amendments on December 2, 2024, at which time interested parties and the general public had an opportunity to be heard; **AND**

WHEREAS, following the hearing, the Planning Commission unanimously recommended that the City Council approve of the proposed code amendments; **AND**

WHEREAS, on March 11, 2025, the Council conducted a properly noticed public hearing regarding the proposed amendments, at which time interested parties and the general public had an opportunity to be heard, and the Council reviewed the record and recommendations of the Commission and City Staff; **AND**

WHEREAS, following the close of the March 11, 2025 public hearing, the City Council found that the proposed amendments to the Independence Comprehensive Plan, code and maps comply with applicable provisions of the City of Independence Comprehensive Plan and the Independence Development Code, as shown in the findings contained in the Staff Report attached as Exhibit A, and are in the public interest of the residents of the City of Independence.

NOW THEREFORE, THE CITY OF INDEPENDENCE DOES ORDAIN AS FOLLOWS:

Section 1. The City of Independence hereby adopts the above recitals and the findings contained in the Staff Report, attached hereto as Exhibit A and incorporated herein by this reference, in support of the amendments to the Independence Development Code as specified herein.

Section 2. The Future Land Use Map of the Independence Comprehensive Plan is hereby amended as provided in Exhibit B.

Section 3. The Independence Comprehensive Plan Land Use and Urbanization Element is hereby amended as provided in Exhibit C.

Section 4. The Independence Comprehensive Plan Transportation Element is hereby amended as provided in Exhibit D.

Section 5. All unamended provisions of the Independence Comprehensive Plan shall remain unchanged and in full force and effect.

Section 6. The Independence Zoning Map is hereby amended as provided in Exhibit E.

Section 7. The Independence Development Code Subchapter 14 is hereby amended and re-stated in its entirety as provided in Exhibit F.

Section 8. Independence Development Code Section 23.005 is hereby amended and re-stated in its entirety as follows:

23.005 Purpose

The purpose of the Mixed Density (MX) Residential Zone is to allow a creative mixture of housing styles and types available to citizens of diverse ages and incomes. Development in the MX Zone should provide a coordinated and attractive living environment that responds to local conditions and emphasizes a range of good circulation opportunities for walking, bicycling, and driving personal vehicles. The MX Zone is also intended to implement the Southwest Independence Concept Plan and the Central Talmadge Plan, where applicable. Consistency with the Southwest Independence Concept Plan and Central Talmadge Plan will be established through the Master Plan requirement during the annexation process.

Section 9. Independence Development Code Subchapter 30 is hereby amended and re-stated in its entirety as provided in Exhibit G.

Section 10. Independence Development Code Section 33.005 is hereby amended and re-stated in its entirety as follows:

33.005 Purpose

The purpose of the Mixed Use Pedestrian Friendly Commercial (MUPC) zone is to:

- *Allow a mixture of complimentary land uses that may include retail, offices, commercial services, housing, civic uses, to create economic and social vitality;*
- *Develop commercial and mixed-use areas that are safe, comfortable and attractive to pedestrians;*
- *Encourage pedestrian orientation while remaining accessible to automobiles within commercial areas located outside of the downtown area;*
- *Expand and strengthen the downtown commercial core while maintaining and enhancing the historic character of Independence;*
- *Encourage and promote the redevelopment of downtown, including housing, as a vibrant and successful mixed-use district;*
- *Emphasize bicycle and pedestrian connections along natural amenities, such as Ash Creek and the Willamette River, as a way of moving residents and visitors across town and improving connections to downtown;*
- *Create a strong link from the commercial core along Main Street to the amphitheater and the recreational land uses along the river and recognize key intersections as gateways and nodes of commercial activity;*
- *Maintain and improve natural areas as resources where possible and target environmental initiatives such as recycling programs and green building techniques; and*
- *Support the continued growth of local and living wage jobs and develop tools to market opportunities.*

For the purposes of this code, the Mixed-Use Pedestrian Friendly Commercial (MUPC) zone includes both the standard Mixed-Use Pedestrian Friendly Commercial (MUPC) designation and the Mixed-Use Pedestrian Friendly Commercial-Transitional (MUPC-T) designation, unless otherwise specifically noted.

Section 11. All unamended provisions of the Independence Development Code shall remain unchanged and in full force and effect.

Section 12. Severability. The sections, subsections, paragraphs, and clauses of

this ordinance and the attached code provisions are severable. The invalidity of one section, subsection, paragraph, or clause shall not affect the validity of the remaining sections, subsections, paragraphs, and clauses.

Section 13. Codification. Provisions of this Ordinance shall be incorporated into the City Development Code, and the words "ordinance" or "section" may be changed to "code," "article," "chapter," "division," or another word, and the sections of this Ordinance may be renumbered or re-lettered, provided however, that any recital clause and boiler plate provisions of this Ordinance need not be codified, and the City Recorder is authorized to correct any cross-references and any typographical errors.

Section 14. Effective Date. This ordinance will take effect thirty (30) days after the date of passage and signature by the Mayor.

First Reading to the Council, this _____ day of _____, 2025
Second Reading to the Council, this _____ day of _____, 2025
Adopted, this _____ day of _____, 2025
Signed by the Mayor, this _____ day of _____, 2025

ATTEST:

KATE SCHWARZLER, MAYOR

Myra Russell, City Recorder



INDEPENDENCE

Oregon's Story Begins Here

PUBLIC HEARING CHANGES ASSOCIATED WITH CENTRAL TALMADGE PLAN (FILE NO. LA | 2024-06) STAFF REPORT

MEETING DATE:	March 11, 2025
FILE NUMBER:	LA 2024-06
RE:	CHANGES ASSOCIATED WITH CENTRAL TALMADGE PLAN
CRITERIA:	Oregon State Planning Goals Independence Comprehensive Plan Independence Development Code (IDC) -Subchapter 10: General Provisions -Subchapter 11: Administrative Provisions
CONTENTS:	I. Summary II. What is the Problem? III. Proposed Change IV. Public Process V. Staff Recommendation VI. Staff Findings – Oregon State Planning Goals VII. Staff Findings – Independence Comprehensive Plan VIII. Staff Findings – Independence Development Code
ATTACHMENTS:	A. Future Land Use Map (2 pages) B. Draft Comprehensive Plan Revisions (12 pages) C. Zoning Map (2 pages) D. Draft Development Code Revisions (10 pages) E. Letter from Ahrens dated December 18, 2024 (4 pages)

I. SUMMARY

At the meeting of March 11, 2025, the Independence City Council will hold a public hearing on code, Comprehensive Plan and map changes that would incorporate the Central Talmadge Plan into city standards.

II. WHAT IS THE PROBLEM?

The Independence City Council adopted the Central Talmadge Plan by resolution on September 10, 2024. Several Comprehensive Plan and zoning changes were proposed as part of the document.

Suggested changes included:

- Revisions to the Future Land Use Map to change a small area that is envisioned for more intense development.
- Revisions to the Independence Comprehensive Plan Land Use, Urbanization and Transportation Elements to incorporate the Central Talmadge Plan by reference.
- Amendments to the Independence Zoning Map to align the zoning designations in the Central Talmadge area with the plan.
- Amendments to the Independence Development Code to incorporate the suggestions in the plan.

III. PROPOSED CHANGE

The Comprehensive Plan, code, and map amendments proposed as part of this land use action would integrate the proposed changes into current city planning documents.

Future Land Use Map Changes. The proposed change to the future land use map would switch a small area of land that is currently designated for residential development to the mixed-use designation. To see the change, please see Attachment A.

Comprehensive Plan Changes. The proposed changes to the Comprehensive Plan would adopt the Central Talmadge Plan by reference in the Land Use, Urbanization and Transportation Elements. Additional changes to better match the narrative of the Land Use Element to the future land use map are also proposed. To see the changes, please see Attachment B.

Zoning Map Changes. The proposed changes to the zoning map would change areas that are currently zoned for Medium-Density Residential (RM) to the Mixed-Use Pedestrian Friendly Commercial (MUPC) or High-Density Residential (RH) zones. Most of the changes would occur near Talmadge Road/16th Street, though another adjustment near 11th Street is also proposed. To see the changes, please review Attachment C.

Code Changes. The proposed changes to the Independence Development Code would modify the language in Subchapter 14 (Annexation), Subchapter 23 (Mixed-Density Residential Zone), Subchapter 30 (Allowed Uses in Commercial Zones), and Subchapter 33 (Mixed-Use Pedestrian Friendly Commercial (MUPC) & Downtown Overlay Zone) to accommodate the plan (see Attachment D). The proposed changes would:

- Require individuals to show conformance with the Central Talmadge Plan as part of future annexation requests (when the project is within the area).
- Allow standalone multifamily in some portions of the Mixed-Use Pedestrian Friendly Commercial (MUPC) Zones.
- Better define the difference between the Mixed-Use Pedestrian Friendly Commercial (MUPC) and the Mixed-Use Pedestrian Friendly Commercial – Transitional (MUPC-T) zones.

IV. PUBLIC PROCESS

The city and the consultant for the project, First Forty Feet, conducted a robust public process during the development of the Central Talmadge Plan. Several public comments were received and incorporated into the plan as part of the effort (the plan was adopted by the city on September 10, 2024).

To inform area landowners of the specific Comprehensive Plan, code and map changes that grew out of the plan and are proposed as part of this land use action, staff mailed additional notice to all property owners that would undergo a zoning change. Further, staff posted a notice of the amendments on the Oregon Department of Land Conservation "Post-Acknowledgement Plan Amendment (PAPA)" website on October 24, 2024, and published a Notice of the Public Hearings before the Planning Commission and City Council in the Polk County Itemizer-Observer on November 20, 2024. Details about the changes were also posted on the city website.

Based on these notices, the city received one comment, from Melissa Ahrens at Department of Land Conservation and Development (DLCD) (see Attachment E). This comment raised procedural issues with the PAPA submittal (including the requirement to add a list of properties that would be affected by the Comprehensive Plan and zoning code changes, and the requirement to include the Central Talmadge Plan in the PAPA submittal). The comment also encouraged the city to ensure that an appropriate analysis of statewide planning goals, including Goal 5 resources, was conducted.

Staff has worked to address each of these issues.

- As part of the original PAPA submittal, staff provided an email that included an Excel spreadsheet that listed the properties that would be impacted by the change. This list however was never incorporated into the public facing portion of the PAPA website. Following the comment, staff discussed the issue with DLCD and attached the original Excel file to the website.
- Following the comment, staff additionally made sure to add the Central Talmadge Plan to the PAPA submittal.
- Lastly, to address the necessary considerations and findings related to the statewide planning goals, staff has included a discussion of the relevant goals as part of this Staff Report (see Section VI).

Given these items, the concerns articulated in the letter should be satisfied.

V. STAFF AND PLANNING COMMISSION RECOMMENDATION

Based on these items and the findings below, staff and the Planning Commission recommend that the City Council approve of the proposed changes to the Independence Comprehensive Plan, Independence Development Code and Future Land Use and zoning maps.

VI. STAFF FINDINGS - OREGON STATE PLANNING GOALS

Updates to the Independence Comprehensive Plan, Development Code, and Future Land Use and Zoning Maps are required to meet the Oregon State Planning Goals. Among these goals include provisions related to Citizen Involvement (Goal 1), Land Use Planning (Goal 2), Natural Resources, Scenic and Historic Areas, and Open Spaces (Goal 5), Economic Development (Goal 9), Housing (Goal 10), and Urbanization (Goal 14). Combined these goals seek to “accommodate urban population and urban employment inside urban growth boundaries” and “ensure efficient use of land” (see Goal 14), while assuring that citizens are involved in the planning process and items related to future housing, economic development, transportation, and the natural landscape are adequately considered.

The Central Talmadge Plan and the associated Comprehensive Plan, code, and map changes have been drafted with these provisions in mind. Key findings related to the proposed changes are addressed below:

Goal 1. Citizen Participation. The city and consultant First Forty Feet conducted significant outreach as part of the development of the Central Talmadge Plan. Approaches utilized included open houses, an advisory committee, stakeholder interviews, presentations to schools and youth, and a variety of other methods. The proposed changes to the Comprehensive Plan, code and maps were generated out of the public process.

To offer notice for the specific changes suggested as part of this land use action, staff provided additional notice to:

- Every property that would undergo a zoning change.
- On the State Department of Land Conservation and Development “PAPA” website.
- On the City of Independence Planning Department website.
- In the Polk County Itemizer-Observer.

The proposed changes were also discussed by the Independence Planning Commission in a work session on November 4, 2024, and at a Public Hearing on December 2 (both of which were posted on YouTube).

Given these items, individuals have had several opportunities to learn about the proposed policy updates and be involved in the process. This goal has been achieved.

Goal 2. Land Use Planning. The development of the Central Talmadge Plan considered issues and problems in the area and identified a series of alternatives for how best to address the community’s goals and needs.

The amendments suggested as part of this land use action would help achieve those goals and:

- Promote additional opportunities for the development of business and places to gather in the Central Talmadge area.
- Encourage additional housing options near shopping, schools, transit, and non-motorized travel options.
- Support improvements to transportation infrastructure that would encourage safe travel by car, foot, bike and transit.

Together these items would effectively implement the Central Talmadge Plan.

This goal has been achieved.

Goal 5: Natural Resources, Scenic and Historic Areas, and Open Spaces. The amendments proposed as part of this land use action would effectively ensure the protection and preservation of Goal 5 resources. For portions of the city that would be rezoned (all of which were within the city Urban Growth Boundary when the growth boundary was established in 1979), the city would rezone the land and require future land use applicants to proceed through standard processes related to floodplain/riparian areas, wetlands and historic resources, including the required review of projects using the Department of State Lands Wetland Land Use Notice process, when applicable.

No new designation of a future land use or annexation of land would occur as part of this proposal for areas in the unincorporated Urban Growth Boundary. Before any future annexation occurs, especially in those areas of the unincorporated Urban Growth Boundary that were added in 2009, the city will conduct an analysis of Goal 5 resources prior to the annexation of the property.

This approach will appropriately satisfy Goal 5 requirements.

Goal 12: Transportation. Kittelson and Associates, a sub-consultant for the Central Talmadge project, evaluated the proposed amendments sought as part of this land use action for consistency with the Oregon Transportation Planning Rule. Their analysis found that:

The proposed zone change is expected to result in a net increase in the trip generation potential of Central Talmadge; however, the net increase is relatively small and not at levels that would trigger a more detailed assessment of the transportation system. Therefore, no further analysis is needed to support the proposed zone change. Also, no changes to the City's functional classifications are warranted by the change and the adjacent facilities are appropriate to support the proposed zoning designations. (Kittelson & Associates, Central Talmadge Recommended Transportation Changes – Technical Memorandum, August 8, 2024)

Given the assessment, Goal 12 would be achieved.

Goal 14: Urbanization. Finally, the amendments proposed as part of this action would ensure that the Central Talmadge area accommodates urban population and employment, ensures the efficient use of land, and promotes the development of a livable community. The procedures articulated within the documents are consistent with Goal 14 and help to implement other portions of the Independence Comprehensive Plan and Development Code.

Given these items, Goal 14 would be achieved.

Based on these considerations, the proposed changes have incorporated the public feedback received during the development of the Central Talmadge Plan, and promoted the efficient use of urban land, all while effectively balancing considerations about housing, economic development, transportation, and the natural environment. This holistic approach to promote housing near high-quality amenities and transportation infrastructure, while ensuring the protection of the environment, effectively achieves the Oregon State Planning Goals.

VII. STAFF FINDINGS – INDEPENDENCE COMPREHENSIVE PLAN

The proposed Comprehensive Plan, development code, and map changes are additionally required to conform with the goals and policies of the Independence Comprehensive Plan. Key goals and policies of the Comprehensive Plan are noted below:

Land Use

GOAL: To encourage efficient land use, maintain land use designations appropriate to the character of Independence and meet future land use needs.

Staff Response: Within the City of Independence, land use designations are meant to be consistent with the character of the community and to meet future land use needs. The proposed Comprehensive Plan, code and map changes support these intents.

The Central Talmadge Plan (adopted by resolution in September 2024) articulates a vision to transition the area around the Central Plaza Shopping Center and Central High School into a more vibrant center that supplements and is easily accessible from downtown. To achieve this vision, the plan suggests a variety of Comprehensive Plan and code changes that would encourage additional commercial growth and housing in the area, as well as infrastructure

improvements that would offer further options to travel through the area via car, walking, cycling or transit.

The mixture of activities proposed by the plan requires the city to “update and revise land use designations” (see Policy 1 of the Land Use Element), and the proposed code changes would address this need. Further, the revisions are meant to “zone annexed land consistent with the Comprehensive Plan designation, as well as any relevant Concept Plans adopted for the subject area” (see Policy 7). Given these factors, the adoption of the proposed revisions will help to satisfy the city’s Land Use Planning Goal.

Housing

GOAL: To ensure everyone the opportunity to live in safe, affordable, healthy housing and to provide a choice of housing types, densities, and locations.

Staff Response: The proposed Comprehensive Plan, code and map amendments would expand the ability for individuals to build and live in a variety of housing types in the Central Talmadge area. The following changes, in particular, would expand the housing options available:

- The existing Low-Density Residential (RS) zoning along Talmadge Road would be redesignated as Mixed-Use Pedestrian Friendly Commercial – Transitional (MUPC-T), the most flexible zone in the City of Independence. The proposed zone would allow a mixture of single-family and multifamily housing types as well as commercial uses.
- The existing Low-Density Residential (RS) zoning, south of E Street would be zoned High-Density Residential (RH), a zone that allows individuals to construct townhomes as well as standalone-apartment buildings. The zoning is proposed in part because nearby properties are zoned for multifamily.
- The existing Medium-Density Residential (RM) area between 10th and 11th Street would be rezoned as High-Density Residential (RH), to match the property to the south.

Beyond these revisions, the code changes would also allow for the development of standalone multifamily housing on properties in the Mixed-Use Pedestrian Friendly Commercial (MUPC) Zones in the Central Talmadge area, so long as the properties do not directly front Monmouth Street (see the proposed footnote 7 of IDC Subchapter 30 in Attachment D).

Given these changes, the amendments would promote additional housing options in the Central Talmadge area.¹ This goal would be achieved.

Transportation

The Independence Comprehensive Plan adopts the Independence Transportation System Plan by reference. The Transportation System Plan has six goals: Consistency with Community Vision; Smooth and Safe Traffic Flow; Increased Walking, Bicycling, Scooter, and Non-motorized Trips; Increased Transit Ridership; Future Focused; and Financial Stability.

The proposed Comprehensive Plan, development code and map changes would support these goals, adopting the Central Talmadge Plan by reference into the city’s transportation planning framework. The adopted changes would help refine the community vision for the

¹ Please note: While not addressed within this response, many new housing options in the Central Talmadge area would be located near pedestrian, bicycle and transit infrastructure. This proximity of housing to more affordable modes of travel would allow individuals the option to save money on transportation costs as part of their housing decisions and help to “ensure everyone (has) the opportunity to live in safe, affordable, healthy housing”, while providing “a choice of housing types, densities, and locations” in the city.

area around Central High School and the Central Plaza Shopping Center and promote the safe and smooth flow of traffic through the area, while encouraging additional trips by walking, cycling, transit, and other modes. Given these items, the proposed changes would help achieve these goals.

Citizen Participation

GOAL: To provide opportunities for citizen involvement and to encourage participation by area residents.

Staff Response: The city and consultant, First Forty Feet, conducted significant citizen participation as part of the development of the Central Talmadge Plan. A description of that outreach, and the subsequent outreach for this specific land use action are articulated earlier in this staff report.

VII. STAFF FINDINGS – INDEPENDENCE DEVELOPMENT CODE

Beyond the goals and policies of the Independence Comprehensive Plan, the proposed changes are required to conform with the standards of the Independence Development Code.

Subchapter 10: General Provisions

...

10.040 Amendment of Development Code

Any amendment of the text of this development code shall be accomplished by ordinance of the City Council. Proposals for such amendments shall be submitted to the Planning Commission for public hearing. The Planning Commission shall submit to the City Council its written recommendation regarding the proposed amendment. Such recommendation shall be submitted to the City Council within 30 days of the Planning Commission's action on the proposed amendment. Notice shall also be provided to state land use agencies in accordance with statutory requirements. This is a Type IV action – See 11.002 (D).

Staff Response: The Independence Planning Commission held a Public Hearing on the changes on December 2, 2024. Following the hearing, the Commission recommended that the City Council approve of the proposed changes.

The City Council will consider the proposed changes at a Public Hearing on March 11, 2025. At the meeting, the Council will be given a draft of an ordinance to potentially adopt the changes. Given this process, this standard will be met.

...

Subchapter 11: Administrative Provisions

11.002 Application Types and Review Procedures

All development permits and land use actions are processed under the City's administrative procedures. There are four types of actions, each with its own procedures.

...

D. Type IV Action

A Type IV action is a legislative review in which the City considers and enacts or amends laws and policies. Private parties may request a Type IV action; however, it must be initiated by the Planning Commission, or City Council. The City Council makes the final, local decision. Sections 11.025 and 11.030 list the notice and hearing requirements.

1. Amendments and Revisions of the Comprehensive Plan
2. City Plan Document Adoption, e.g. Water System Plan
3. Zoning Code Amendments

Staff Response: Staff has reviewed the amendment as a Type IV – Legislative Review, which was originally initiated by staff and the Independence Planning Commission. This standard has been met.

11.015 General Provisions

In order to provide for citizen review of the planning process and the orderly keeping of records of actions relating to this Ordinance, the City shall ensure that the following measures are maintained and available for public review.

...

Staff Response: Staff has taken appropriate steps to ensure compliance with the standards in Independence Development Code Section 11.015, including publishing a notice of the changes in the Polk County Itemizer-Observer, writing a staff report for the revisions, and keeping a file for the proposal. This standard has been achieved.

11.025 Notice of Public Hearings

...

B. Legislative Hearings (Type IV). Notice of Public Hearing by the Planning Commission or City Council relating to any legislative action shall be published in a newspaper of general circulation a minimum of 10 days prior to the date of the hearing. Notice shall be provided to the Department of Land Conservation and Development in conformance with DLCD rules prior to the first evidentiary hearing by the City for any legislative action.

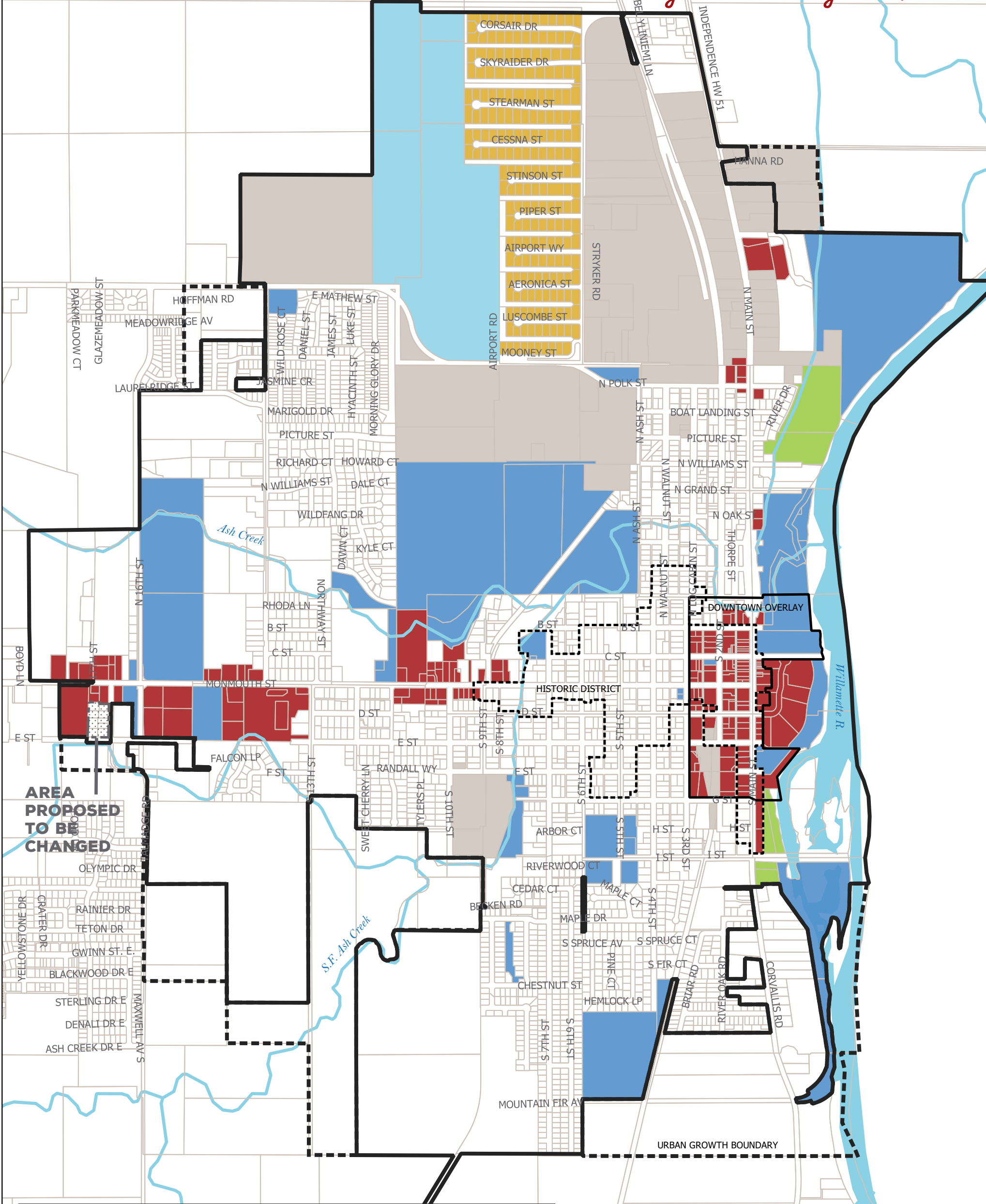
Staff Response: Staff sent notice of the changes to the Oregon Department of Land Conservation and Development on October 24, 2024, and included information about the changes on the City of Independence Planning Department website. Staff additionally published a notice of the Public Hearings in the Polk County Itemizer-Observer on November 20, 2024. This standard has been met.



CITY OF INDEPENDENCE

FUTURE LAND USE MAP

Existing with Changes Noted



LEGEND

FUTURE LAND USE

- Residential
- Residential - Airpark
- Mixed Use

- Industrial
- Airport
- Agriculture
- Public

- City Limits
- Urban Growth Boundary
- Downtown Overlay
- Historic District

Please note: Independence City Limits have slightly changed since the creation of this map.

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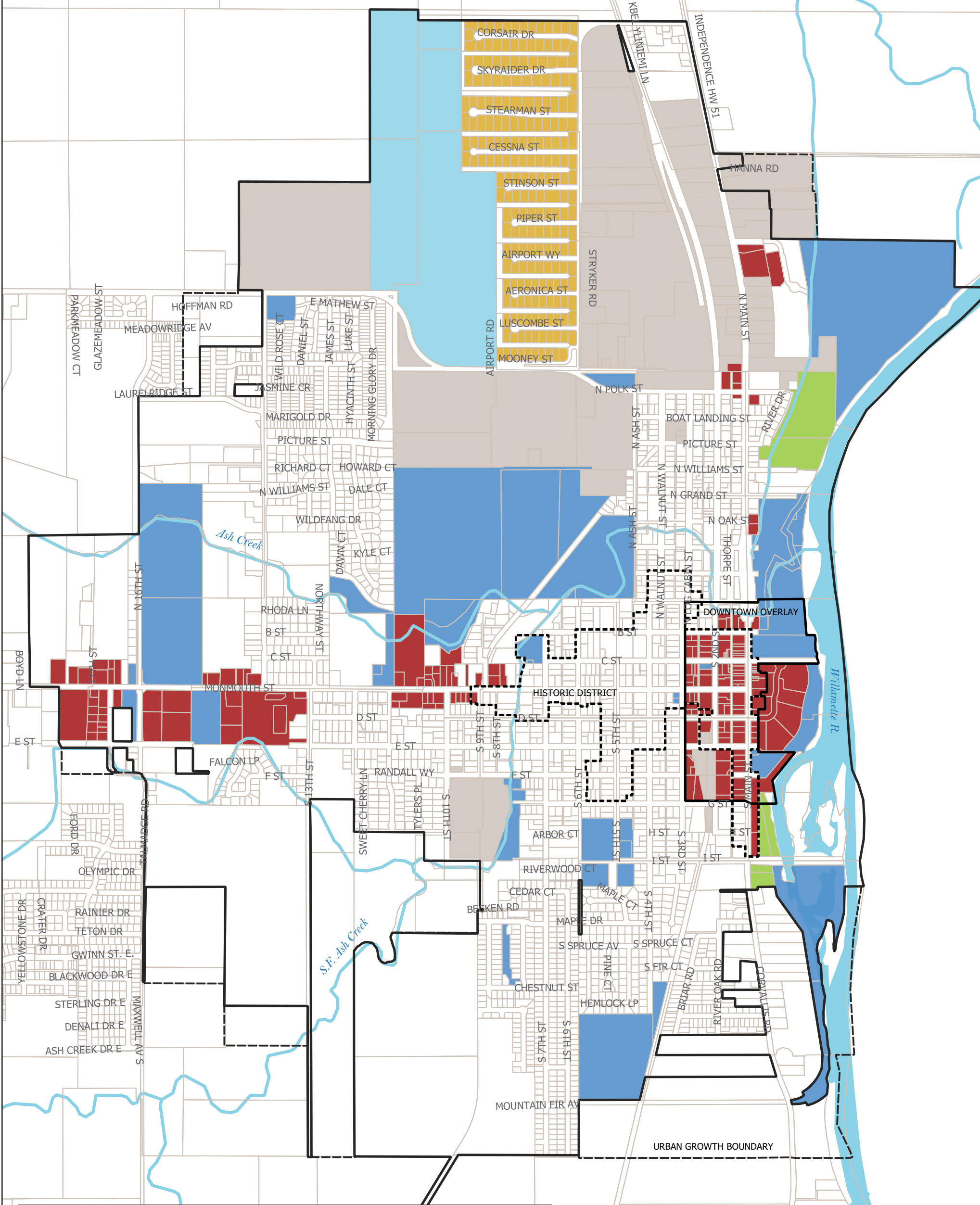
Please Note: Future Land Uses indicated on this map only include lands inside the Independence Urban Growth Boundary



CITY OF INDEPENDENCE

FUTURE LAND USE MAP

Proposed



LEGEND

FUTURE LAND USE
Residential
Residential - Airpark
Mixed Use

Industrial
Airport
Agriculture
Public

City Limits
Urban Growth Boundary
Downtown Overlay
Historic District

Please Note: Future Land Uses indicated on this map only include lands inside the Independence Urban Growth Boundary. City designations will apply at the time of annexation.

DRAFT REVISIONS ASSOCIATED WITH THE CENTRAL TALMADGE PLAN LAND USE ELEMENT

The following changes are proposed to the Land Use Element of the Independence Comprehensive Plan. The changes would adopt the Central Talmadge Plan by reference as part of the Comprehensive Plan and would make a variety of other small changes in the document.

LAND USE AND URBANIZATION

INTRODUCTION

A land use plan indicates the area into which various types of activities are expected to occur. Independence designates ~~seven-six (76)~~ categories of land uses to be described and located on the land use map.

1. ~~Low-Density Residential. Residential areas are anticipated to develop with housing, though incidental uses such as home occupations are sometimes present. The specific zoning designations in the Independence Development Code regulate the allowed uses. Areas designated as low density residential shall not exceed a density of eight (8) dwelling units per gross acre.~~
2. ~~Residential Single-Family Airpark. Residential Single-Family Airpark uses are located near the Independence State Airport in an area where the majority of homes have or will have aircraft hangars with access to an aircraft taxiway. Medium-Density Residential. Areas designated as medium density residential shall not exceed a density of twelve (12) dwelling units per gross acre.~~
3. ~~High Density Residential. Areas designated as high density shall not exceed a density of twenty (20) units per gross acre.~~
34. Commercial. Commercial uses include ~~all~~ activities of a commercial nature. There is no distinction between what kinds of commercial activities are allowed; the specific zoning regulates uses.
45. Industrial. Industrial use covers the range of manufacturing, warehousing, and wholesaling activities.
56. Public Services. Public Service uses include all government and semi-public lands and uses.
67. Agriculture. The Agriculture designation is intended to protect areas for the continued practice of agriculture and to permit the establishment of only those new uses that are compatible ~~to~~ with agricultural activities.

The land use designations in the Comprehensive Plan are of a general nature and are intended to indicate the expected community growth pattern. Implementation of the plan occurs through more specific actions

such as zoning, subdivision control, annexation review, Urban Growth Boundary administration and public facilities planning. Although the plan is designed to be somewhat flexible, it must be understood that it is a significant policy statement and a great deal of responsibility must be exercised in its use and updating.

BUILDABLE LANDS INVENTORY

Residential Land

In 2022, the city conducted a residential buildable lands inventory as part of a Housing Needs Analysis. The City of Independence Housing Needs Analysis (2023) is adopted by reference as a portion of this Comprehensive Plan. Please view the document for background information on the residential buildable land inventory and residential land needs.

Commercial and Industrial Land

In 2007, the city conducted a buildable lands inventory (see page 102, Figure 1, Buildable Lands Inventory Map).¹ For each land type (residential, commercial, and industrial), the analysis was broken into two parts. The first part of the inventory described the amount of net buildable land, by zoning district, within the existing city limits. Next the inventory included a description of the amount of buildable land located between the city limits and UGB. Land in this area is zoned by the county until it is annexed into the city. The City's Comprehensive Plan designates, in general, the future use (residential, commercial, or industrial) for such properties.

The following parameters were used to determine whether land was vacant or redevelopable.

- Vacant commercial or industrial land includes all parcels with improvement values of less than \$5,000.
- Redevelopable commercial and industrial land included parcels in commercial and industrial zones where some limited improvements have been made, but where potential for redevelopment for more intense uses was probable. For the purpose of this analysis, redevelopable land was defined as commercial or industrial parcels with improvement values of at least \$5,000, where the ratio of land value to improvement value was 1:1 or greater.

The analysis also includes an assessment of land that was not buildable due to physical constraints. These areas have been subtracted from the amount of gross acreage that was considered buildable. Land that was considered unbuildable due to physical constraints included the following:

- **Riparian areas** located within 25 feet of Ash Creek protected by Independence Development Code Subchapter 54.105(A).
- **Floodways** identified on the FEMA Flood Insurance Rate Map protected by Independence Development Code Subchapter 51.
- **Floodplain areas requiring two (2) feet or more of fill.** ~~In order for~~For development to occur within floodplain areas, the city's current flood hazard ordinance requires development to be located at least

¹ The residential portions of this analysis were superseded by the 2023 Residential Land Needs Analysis conducted as part of the Housing Needs Analysis.

one (1) foot above the base flood elevation level. This often requires bringing fill in to raise the elevation of the land ~~located in the floodplain area~~. Floodplain areas requiring two (2) feet or more of fill are financially impractical for development due to the large expense associated with transferring fill from one area of the floodplain to another.

- **Wetlands** as identified on the National Wetland Inventory (NWI) and protected by state and federal regulations.

Commercial Land

Table 2 shows that approximately 14.3 net vacant acres were available for commercial development within the Independence city limits. (No land designated for future commercial use was located between the city limits and urban growth boundary.) Approximately 2.5 acres designated for commercial use could be considered redevelopable.

**Land Use - Table 2
Buildable Commercial Land
Independence, 2007**

Zone/Plan Designation	Vacant (acres)	Redevelopable	Total
Within City Limits			
Commercial Office Zone (CO)	2.8	0.0	2.8
Commercial Retail Zone (CR)	8.1	1.8	9.9
Commercial Highway Zone (CH)	0.9	0.7	1.6
Net Buildable Acres Within the City Limits	11.8	2.5	14.3

Source: Polk County Assessor data, MWVCOG, 2007

Industrial Land

Table 3 shows the amount of buildable land for each industrial zoning district within the Independence urban area (both city limits and UGB). Approximately 90.4 net vacant acres were available for industrial development within the urban area. Of that amount, approximately 76.5 vacant acres were available within the city limits and an additional 13.9 acres were available between the city limits and UGB. Within the urban area, an additional 15.4 acres designated for industrial use could be considered redevelopable.

**Land Use - Table 3
Buildable Industrial Land
Independence, 2007**

Zone/Plan Designation	Vacant (acres)	Redevelopable	Total
Within City Limits			
Light Industrial Zone (IL)	47.1	8.1	55.2
Heavy Industrial Zone (IH)	29.4	7.3	36.7

Net Buildable Acres Within the City Limits	76.5	15.4	91.9
Between City Limits & UGB			
Industrial (I)	13.9	0.00	13.9
Net Buildable Acres Between the City Limits & UGB	13.9	0.00	13.9
Net Buildable Acres Within the Urban Area	90.4	15.4	105.8

Source: Polk County Assessor data, MWVCOG, 2007

LAND NEEDS ANALYSIS

The buildable lands inventory was used in conjunction with the 2029 population projection to determine if adequate land was available for future commercial, and industrial development.

Commercial and Industrial Land Needs

The Economics section of the Comprehensive Plan includes a 2029 forecast of local employment (see Economics). One purpose for forecasting local employment is to determine if sufficient land is currently designated in the Comprehensive Plan to accommodate projected commercial and industrial development.

Table 10-4 shows the forecasted 2029 employment growth by land use type. Different sectors of the economy will have different land needs. Employment growth was allocated to two land use types as follows:

- Commercial: Retail Trade, Real Estate and Services.
- Industrial: Agriculture, Forestry, Fishing & Hunting; Construction; Manufacturing; and Transportation, Warehousing and Wholesale Trade.

Land Use - Table 10-4
Total Employment Growth by Land Use Type
Independence, 2029

Land Use Type	2029
Commercial	1,160
Industrial	1,947
Total	3,106

Source: MWVCOG, 2008.

To convert the employment growth shown in **Table 10-4** above to the number of acres needed by land use type, an assumption must be made regarding the density of jobs per acre.

Table 11-5 shows in 2005, the City of Independence had 1,406 industrial jobs located on approximately 93 acres of developed industrial land for an average job density of 15.1 jobs per net acre. The table also shows in 2005 the City of Independence had 1,035 commercial jobs located on approximately 44 acres of developed commercial land for an average job density of 23.5 jobs per net acre. This analysis assumes

that the job density will remain largely the same over time because the types of businesses that the City of Independence is likely to will likely attract will be similar to the businesses located in Independence today.

Land Use -Table 115
Commercial and Industrial Job Density
Independence, 2005

Land Use Type	2005 Jobs	2005 Developed Acres	Job Density
Commercial	1,035	44	23.5
Industrial	1,406	93	15.1

Source: MWVCOG, 2007.

Table 12-6 shows the amount of land needed to accommodate new commercial and industrial employment growth through 2029. Approximately 49.4 acres will be needed to accommodate projected commercial employment growth through this period. Approximately 128.9 acres will be needed to accommodate projected industrial employment growth through this period.

Economics -Table 126
Land Need by Land Use Type
Independence, 2029

Land Use Type	Total Employment Growth	Job Density	Land Demand (acres)
Commercial	1,160	23.5	49.4
Industrial	1,947	15.1	128.9
Total	3,106		178.3

Source: MWVCOG, 2008.

Table 13-7 shows a comparison of land needed to accommodate new employment growth (demand) and the available supply of vacant and redevelopable land. The comparison shows that there is a need for approximately 72.7 acres to meet the forecasted commercial and industrial land demand. Site constraints, such as steep slopes, wetlands, or floodways, have been identified in the inventory and have been subtracted from the gross amount of buildable acreage.

Land Use - Table 137
Comparison of Supply and Demand for Commercial and Industrial Land
Independence, 2008

Land Use Type	Vacant/Redevelopable Acres
Supply	
Commercial	14.3
Industrial ¹	105.8
Total Supply	120.1
Demand	
Commercial	49.4
Industrial	128.9

Total Demand	178.3
Surplus (Deficit)	
Commercial	(35.1)
Industrial	(23.1)
Total	(58.2)
Additional land needed for public uses - streets, parks, etc. (25% of 20-year land needs)	14.5
Total Commercial and Industrial Land Needs	72.7

Source: MWVCOG, 2008.

The city's existing commercial development policies state the city will retain the downtown as the dominant retail activity center, while the Central Shopping Plaza and the north Independence commercial areas will serve in supporting roles. To avoid the threat of new commercial areas competing with the downtown area and drawing businesses away from the downtown, and to ensure an efficient use of land inside the UGB, no new commercial areas were designated as part of 2008 Comprehensive Plan update.

The city identified the following measures to ensure an adequate supply of commercial land is available through the year 2029:

- **Infill and Redevelopment** - Independence plans to accommodate all of the city's forecasted commercial retail and a majority of the city's forecasted commercial service needs through infill and redevelopment of existing commercial areas. In addition to existing Comprehensive Plan policies that support this type of development, Independence adopted a new Comprehensive Plan policy to encourage the redevelopment of existing shopping and service facilities.
- **Commercial Redesignations** - Independence rezoned approximately 7.9 acres in the downtown area to Commercial Retail (CR) to provide additional opportunities for commercial development and strengthen the downtown as the primary commercial area within the city.
- **Commercial Services in Industrial Zones** - A limited portion of the city's forecasted commercial service land needs (one-third) will be accommodated on industrial land that allows commercial services that are compatible and complimentary to industrial uses. One-third of the city's forecasted commercial service land needs is approximately 11.7 acres. Examples of these uses include construction installation and repair services; transportation and heavy equipment repair and sales; vocational schools teaching construction and equipment repair services; recreation facilities; and; commercial uses that are ancillary to uses permitted in industrial zones (e.g. building supply showroom).

Based upon these measures, the city's employment land needs do not ~~include~~ require designating new commercial centers either in or outside of the UGB. ~~Upon a~~ Adding one-third of the projected commercial service land needs (11.7 acres) ~~that will be accommodated on to the industrial land requirements s to the projected industrial land needs (23.1 acres), there is a~~ however pushes the overall industrial need for to approximately 34.8 acres ~~of industrial land~~. **Table 14-8** shows that, upon considering the additional land needed for streets and utilities, there is a need for a total of 43.5 acres of industrial land through the year 2029.

Table 148
Summary of Industrial Land Needs
Independence, 2029

Total amount of additional land needed within the UGB for future industrial use.	34.8 acres
Additional land needed for public uses - streets, utilities, etc. (25% of 20-year land needs)	8.7 acres
Total amount of additional land needed within the UGB for employment development	43.5 acres

Source: MWVCOG, 2008.

The City identified 43.5 acres for inclusion in the Urban Growth Boundary that would meet all of the projected need for industrial land. The property is located northwest of the existing UGB, adjacent to the Independence Airport and identified as Tax Assessor Map Number 8420, tax lots 300 and 400. The area to be included in the UGB would be designated as Industrial on the Comprehensive Plan Map and zoned Industrial Park (IP) upon annexation. The IP zone district allows industrial uses, in addition to some limited commercial services, and provides the greatest flexibility in meeting projected employment land needs through 2029.

To support city policies to maintain the downtown as the focus of commercial activity, the city's remaining commercial land needs will be met through rezoning approximately 7.9 acres of land located adjacent to the downtown area to Commercial Retail (CR) in addition to, infill and redevelopment in existing commercial areas.

Public Land Needs

Public facilities and services needed for future residential and employment land needs were considered consistent with OAR 660-024-0040(9) which allows a local government to estimate the 20 year land needs for public uses (e.g. streets, parks, and schools) will require an additional amount of land equal to 25 percent of the net buildable acres determined for residential and employment land needs.

In addition to public land needs for future residential and employment areas, there is also a need for 41.1 acres of public land located west of the Independence State Airport to allow for airport expansion activities as indicated in the 1997 Independence State Airport Layout Plan.

The Independence State Airport, located on the northern edge of the city, is owned by the State of Oregon. The Independence State Airport is the only publicly-owned airport in Polk County. The airport serves an important role in economic development by providing an additional method of transport and opportunity for airport related businesses or industries requiring access to an airport facility.

In 1997, the Oregon Department of Aviation completed an Airport Layout Plan for the Independence State Airport. The Report provides for anticipated aviation facility needs over a twenty-year period. The improvements identified in the Report will allow the airport to continue to provide "safe, efficient, economical, and environmentally acceptable air transportation."

As indicated in the 1997 Airport Plan, all of the development on the airport is located on the east side of the runway-taxiway system, which abuts developed land to the east (residential airpark land). The airport is bounded by Hoffman Road to the south, leaving the only area for future airport expansion activities to the west. The 1997 Airport Layout Plan also notes that the airport is currently at capacity for land side facilities, with all available airport owned property utilized, including all available hangar space.

To protect the long-term viability of the airport, the Airport Plan Report identifies the need to acquire a 41.1-acre aviation development reserve on the west side of the airport. The Airport Plan Report states the west side development reserve is the best option available to preserve continued aviation use of the site. The reserve provides for future general aviation parking and hangar development.

To meet future public land needs associated with the Independence State Airport, the City identified 41.1 acres for inclusion in the Urban Growth Boundary, consistent with the location identified on the 1997 Independence State Airport Layout Plan. The property is located directly adjacent to the western boundary of the Independence State Airport and identified as Tax Assessor Map Number 8420, Tax Lot 300 and Map Number 8417, Tax Lot 700. The area to be included in the UGB would be designated Public on the Comprehensive Plan Map and zoned Airport Development District upon annexation.

LAND USE

GOAL: To encourage efficient land use, maintain land use designations appropriate to the character of Independence and meet future land use needs.

Policies

1. Independence shall update and revise land use designations when necessary to accommodate demonstrated need for changing circumstances.
2. Independence shall establish and utilize low, medium and high-density residential land use designations.
3. Independence shall establish and utilize a commercial land use designation.
4. Independence shall establish and utilize an industrial land use designation.
5. Independence shall insure that new industrial uses will be compatible with surrounding uses.
6. Independence shall, by use of land use designations and proper zoning techniques, establish the downtown central business district as the primary commercial area within the City and encourage its continuation as such.
7. Independence shall zone annexed land consistent with the Comprehensive Plan designation, as well as any relevant Concept Plans adopted for the subject area.
8. The City may require preparation of Master Plans during the annexation process to ensure development of land is consistent with Comprehensive Plan and/or Concept Plan policies and requirements.
9. The Southwest Independence Concept Plan and Central Talmadge Plan ~~have~~ been adopted as ~~an~~ ancillary documents of this Comprehensive Plan. Background information and policies within the ~~Southwest Independence Concept Planplans~~ will supersede information in this Comprehensive Plan in the event of any conflicts between the ~~two~~ documents.

URBANIZATION

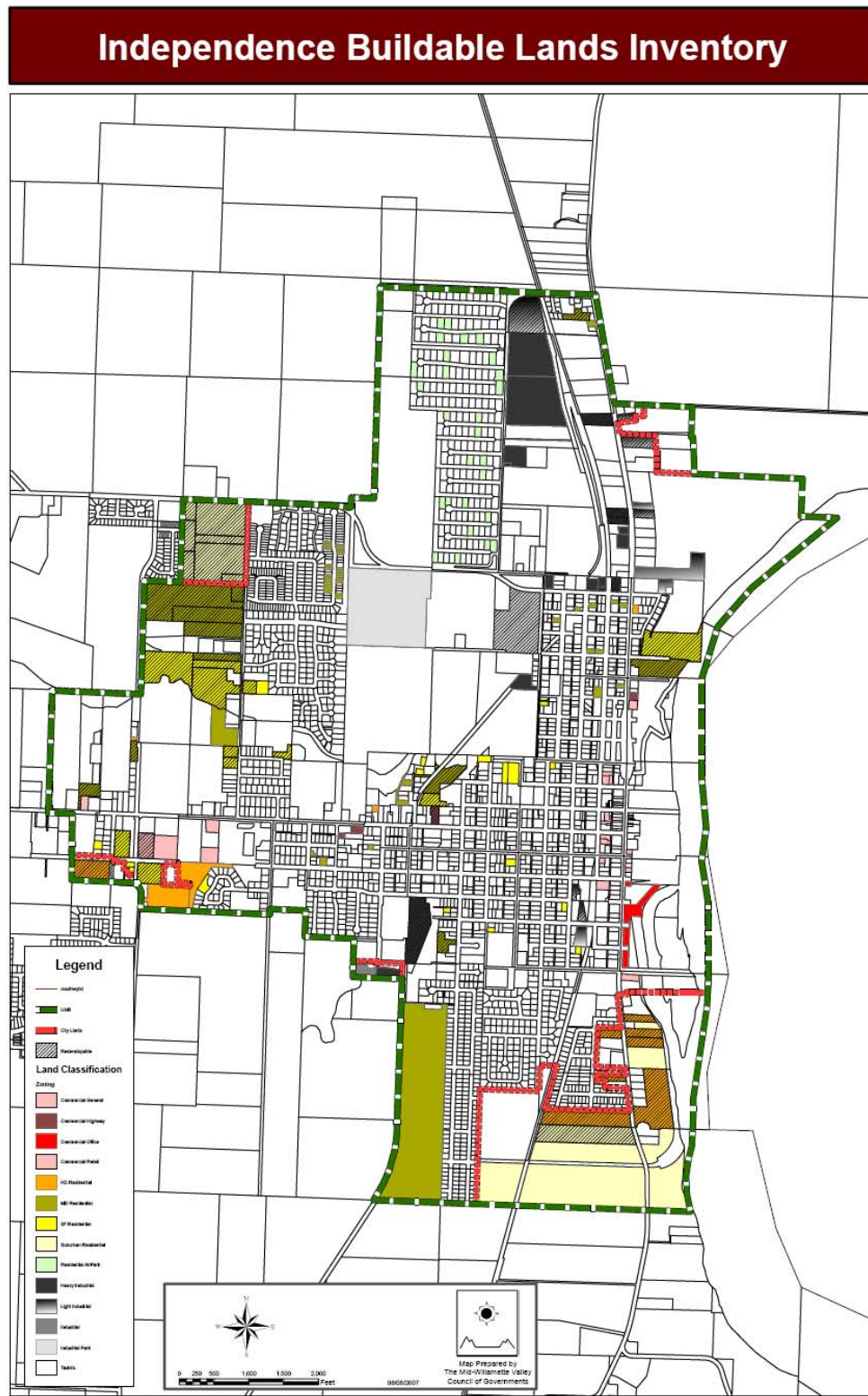
GOAL: To provide for an orderly and efficient transition from rural to urban land.

Policies

1. Independence shall not extend urban services beyond city boundaries.
2. Independence shall provide public notice of any proposed annexation or land use action and shall provide to the public an assessment of potential impacts to public facilities and services.
3. Independence shall review the urban growth boundary at least every 5 years to determine its adequacy given changing circumstances and population.

4. Independence shall coordinate with Polk County and the City of Monmouth on growth management issues.
5. Independence shall coordinate with Polk County when considering any annexation and shall utilize the policies contained within the intergovernmental agreement between city and county regarding the management of the urbanizable area prior to any annexation or other development action.
6. Independence shall encourage new single-family residential development to achieve an average density of 5.5 dwelling units per net acre and new multi-family developments to achieve an average density of 12.0 dwelling units per net acre.
7. Independence shall zone annexed land consistent with the Comprehensive Plan designations, as well as any relevant Concept Plans adopted for the subject area.
8. The City may require preparation of Master Plans during the annexation process to ensure development of land is consistent with Comprehensive Plan and/or Concept Plan policies and requirements.
9. The Southwest Independence Concept Plan and Central Talmadge Plan ~~have~~ been adopted as ~~an~~ ancillary documents of this Comprehensive Plan. Background information and policies within the Southwest Independence Concept Plan plans will supersede information in this Comprehensive Plan in the event of any conflicts between the ~~two~~ documents.

Figure 1: Independence Buildable Lands Inventory Map 2007



DRAFT REVISIONS ASSOCIATED WITH THE CENTRAL TALMADGE PLAN TRANSPORTATION ELEMENT

The following changes are proposed to the Transportation Element of the Independence Comprehensive Plan. The changes would adopt the Central Talmadge Plan by reference as part of the Transportation Element of the Comprehensive Plan. The proposed language would implement a small part of the recommendations in the Central Talmadge Plan.

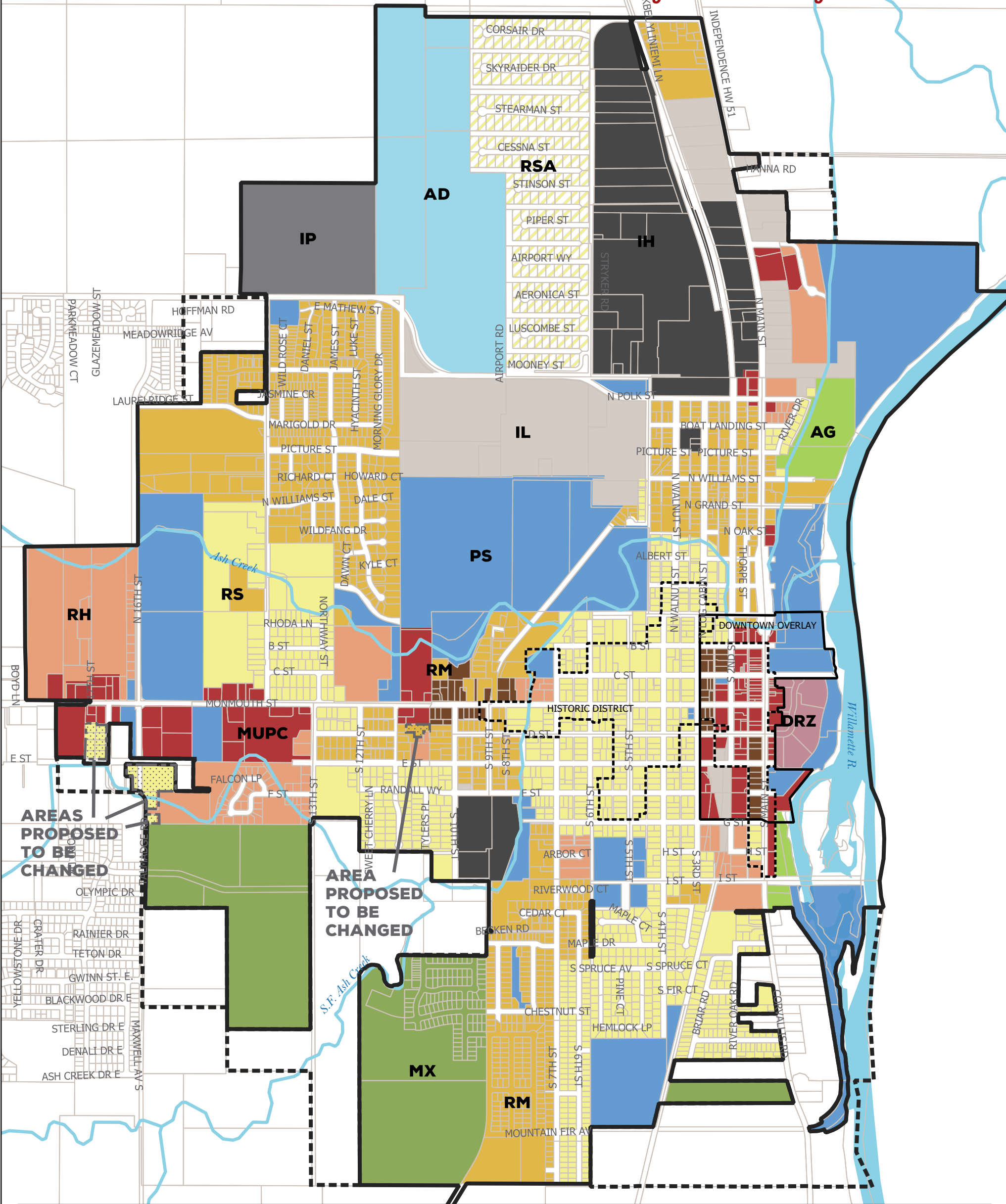
TRANSPORTATION

The City of Independence Transportation System Plan (2021) and Central Talmadge Plan (2024) ~~are~~is adopted by reference as a portion of this Comprehensive Plan. Please view the documents s for background information, as well as the goals and policies for ~~T~~ransportation.



CITY OF INDEPENDENCE ZONING MAP

Existing with Changes Noted



LEGEND

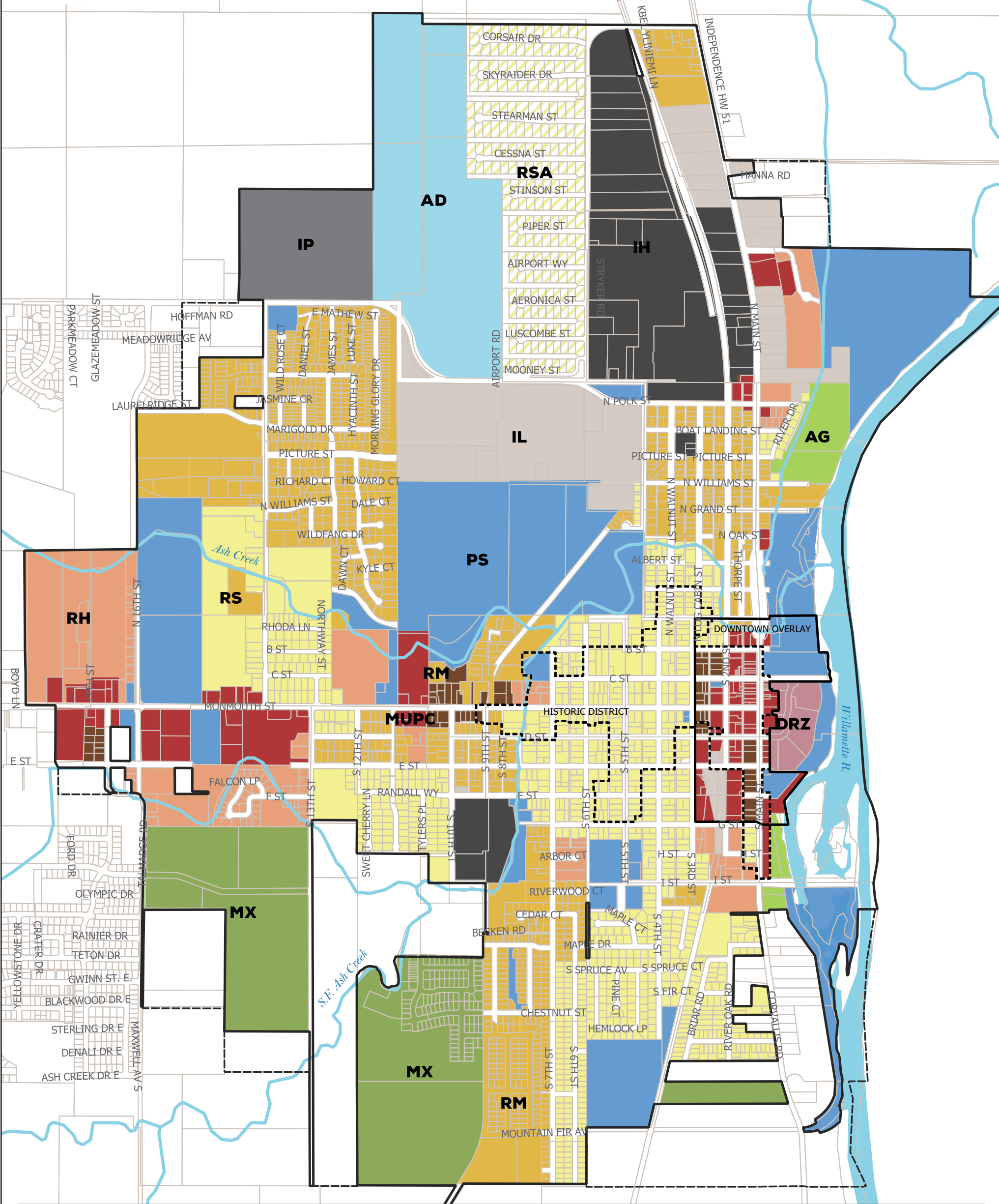
ZONE		Please note: Independence City Limits have changed slightly since the creation of this map.	
	Low-Density Residential (RS)		Mixed-Use Pedestrian Friendly Commercial (MUPC)
	Medium-Density Residential (RM)		MUPC-Transitional (MUPC-T)
	High-Density Residential (RH)		Downtown Riverfront Zone (DRZ)
	Residential Single-Family Airpark Overlay (RSA)		Light Industrial (IL)
	Mixed Residential (MX)		Heavy Industrial (IH)
			Industrial Park (IP)
			Airport District (AD)
			Agricultural (AG)
			Public Service (PS)
			City Limits
			Urban Growth Boundary
			Downtown Overlay
			Historic District



CITY OF INDEPENDENCE

ZONING MAP

Proposed



LEGEND

ZONE

Low-Density Residential (RS)	Mixed-Use Pedestrian Friendly Commercial (MUPC)	Agricultural (AG)
Medium-Density Residential (RM)	MUPC-Transitional (MUPC-T)	Public Service (PS)
High-Density Residential (RH)	Downtown Riverfront Zone (DRZ)	City Limits
Residential Single-Family Airpark Overlay (RSA)	Light Industrial (IL)	Urban Growth Boundary
Mixed Residential (MX)	Heavy Industrial (IH)	Downtown Overlay
	Industrial Park (IP)	Historic District
	Airport District (AD)	

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Updated 01.30.2025

DRAFT REVISIONS ASSOCIATED WITH THE CENTRAL TALMADGE PLAN IDC SUBCHAPTER 14

The following changes are proposed to IDC Subchapter 14. The changes would require an applicant to consider and utilize the Central Talmadge Plan when preparing a master plan and annexation application. The proposed draft would work in tandem with related changes to IDC Subchapter 23.

SUBCHAPTER 14: ANNEXATIONS

14.000 – 14.020 Reserved for Expansion

14.030 Master Plan Requirement for Southwest Independence Concept Plan Area

A. Purpose. A master plan is required as part of the annexation of any property within the Southwest Independence Concept Plan Area. This requirement is intended to provide the City with a concept of the holistic development of the annexation area to ensure that the project meets the various standards included within this Section, while providing the applicant with a reasonable assurance that the various phases of the project are feasible.

The 2012 Southwest Independence Concept Plan establishes the overall vision and land use framework for the area in the Southwest Independence Concept Plan, which should form the basis of any Master Plan submitted-area. The Southwest Plan, however, has been refined in part by the 2024 Central Talmadge Plan. Where the Central Talmadge Plan addresses a site or a portion of a site, that plan shall govern.

~~However, the approved Concept Plan does not prescribe the specific location of new collector and local streets, the precise location and size of neighborhood parks or the intended mix of lot sizes.~~

~~The purpose of the Master Plan requirement is to provide the applicant with reasonable assurance of ultimate land division approval before expenditure of final design and engineering costs, while providing the City with assurances that the project will retain the character envisioned at the time of approval of the Concept Plan.~~

B. Applicability and Procedure.

1. A Master Plan approval is required concurrent with the annexation of any property within the Southwest Independence Concept Plan boundaries (see Figure 9 in the Concept Plan).
2. A Master Plan shall include the entire subject tax lot. At the option of the applicant, a Master Plan may include adjacent tax lots under the same or different ownership. All subject property owners must be listed as applicants and provide signatures on the application form.

3. Once approved, a Master Plan does not expire. The approved Master Plan shall replace and supersede the adopted Southwest Independence Concept Plan for the subject property or properties. An approved Master Plan may be amended pursuant to Section 14.030~~(-E)~~.
4. Once approved, subsequent land division and development review applications shall be reviewed for consistency with the Master Plan.

C. Submittal Requirements. A Master Plan shall be drawn at a minimum scale of 1" = 100 ft and may include multiple sheets. The following information shall be shown on the plan:

1. The general location of collector streets (within a corridor width of 100 feet);
2. The general size and location of any park land;
3. The general size and location of any trail/stormwater/drainage corridors, with potential off-site connections shown;
4. Identification of the required riparian corridor setback along South Fork Ash Creek, if applicable to the subject property or properties;
5. The general location and size of areas intended for low, medium and high-density housing, along with anticipated densities for each, and a description of how any high-density housing proposed is in the following locations.
 - a. In locations shown in the Central Talmadge Plan, if applicable.
 - b. At locations that meet one the following characteristics if the project is not located in the Central Talmadge Plan boundaries:
 - i. At gateways and along corridor and arterial streets.
 - ii. Closest to existing services and commercial areas.
 - iii. Adjacent to parks, natural areas, or other amenities.
6. TheAn indication of how the master plan must indicate howmeets the overall minimum average density of 9 units per acre ~~will be met.~~
7. Anticipated phasing of development, if applicable.

D. Approval Criteria. A Master Plan shall be approved as part of the annexation process if it meets the following criteria:

1. The Master Plan is generally consistent with the locations and amounts of low, medium and high-density residential development shown in Figure 9 of the Southwest Independence Concept Plan. Provided that, if the property is within both the Southwest Independence Concept Plan and the Central Talmadge Plan, the plan is consistent with Figure 33 of the Central Talmadge Plan.
2. The Master Plan achieves the minimum target density of an average 9 units per net acre.
3. The Master Plan demonstrates that at least 15 percent of all dwelling units will be either in multiple-family or attached single-family structures.

4. The Master Plan is consistent with the Concept Plan policies in Section 3 of the adopted Concept Plan.5. The Master Plan identifies trail/riparian/stormwater corridor easements along South Fork Ash Creek that are consistent with Figure 9 of the Concept Plan. The width of the corridor may vary from the Concept Plan depending on the results of wetland delineation and location of any wetland restoration or mitigation. At a minimum, the corridor must include the following:
 - a. The required 25-foot setback along Ash Creek as established in Subchapter 54.105;
 - b. Identified floodplain area;
 - c. Additional 40-foot-wide area for stormwater management and multi-use trail (can be inside floodplain but outside any established wetland); and
 - d. Wetland areas as follows:
 - ~~(1)~~i. Any delineated wetland area that will be protected and/or restored
 - ~~(2)~~ii. Any new wetland area created as mitigation for removal of wetlands in other areas of the site

E. Modifications to an Approved Master Plan. Any modifications to an approved Master Plan must be approved by the City through a Type I administrative review (Planning Director decision with no public hearing). Modifications to an approved Master Plan must meet the following criteria:

1. The plan demonstrates that medium and high-density housing is located in one or more of the following areas:
 - a. In locations shown in the Central Talmadge Plan, if applicable.
 - b. At locations that meet one the following characteristics if the project is not located in the Central Talmadge Plan boundaries:
 - e.i. At gateways and along corridor and arterial streets.
 - ~~ii.~~ ii. Closest to existing services and commercial areas.
 - f. iii. Adjacent to parks, natural areas, or other amenities.
2. The plan achieves the target density of an average of 9 units per net acre.
3. The plan demonstrates that at least 15 percent of all dwelling units are either in multiple-family or attached single-family structures.
4. The plan identifies trail/riparian/stormwater corridor easements along Ash Creek that are consistent with Figure 9 of the Concept Plan. The width of the corridor may vary from the Concept Plan depending on the results of wetland delineation and location of any wetland restoration or mitigation. At a minimum, the corridor must include the following:

- a. The required 25-foot setback along Ash Creek as established in Subchapter 54.105;
- b. Identified floodplain area;
- c. Additional 40-foot-wide area for stormwater management and multi-use trail (can be inside floodplain but outside any established wetland); and
- d. Wetland areas as follows:

~~(1)~~i. Any delineated wetland area that will be protected and/or restored

~~iii~~.ii. Any new wetland area created as mitigation for removal of wetlands in other areas of the site.

DRAFT REVISIONS ASSOCIATED WITH THE CENTRAL TALMADGE PLAN IDC SECTION 23.005

The following change is proposed to IDC Subchapter 23. The change would add the implementation of the Central Talmadge Plan as part of the purpose of the Mixed Density Residential Zone. The proposed draft would work in tandem with related changes to IDC Subchapter 14.

SUBCHAPTER 23: MIXED DENSITY RESIDENTIAL (MX) ZONE

23.005 Purpose

The purpose of the Mixed Density (MX) Residential Zone is to allow a creative mixture of housing styles and types available to citizens of diverse ages and incomes. Development in the MX Zone should provide a coordinated and attractive living environment that responds to local conditions and emphasizes a range of good circulation opportunities for walking, bicycling, and driving personal vehicles. The MX Zone is also intended to implement the Southwest Independence Concept Plan ~~adopted by Independence on June 12, 2012~~ and the Central Talmadge Plan, where applicable. Consistency with the Southwest Independence Concept Plan and Central Talmadge Plan will be established through the Master Plan requirement during the annexation process.

...

DRAFT REVISIONS ASSOCIATED WITH THE CENTRAL TALMADGE PLAN IDC SUBCHAPTER 30

The following changes are proposed to IDC Subchapter 30. The changes would add a new footnote that makes it clear that the MUPC-T designation is considered a part of the MUPC zone (based on some confusion that individuals have expressed after the adoption of Ordinance 1598). The changes would also add the allowance of standalone apartment buildings in certain portions of the MUPC zone within the Central Talmadge area. The proposed draft would implement a small part of the recommendations in the Central Talmadge Plan.

SUBCHAPTER 30: ALLOWED USES IN COMMERCIAL ZONES

ALLOWED USES	ZONE	
COMMERCIAL USES	MUPC ¹	DRZ
A commercial activity involving retail sales and service and which is not listed as a conditional or prohibited use	P	P
A commercial activity involving personal or professional services and which is not listed as a conditional or prohibited use	P	P
Office	P	P
Hotel or Lodging Use	P	P
Bed and breakfast establishment, including Air BnB, VRBO, and other similar uses	P	
Recreational vehicle park	CU ⁴²	
Campground	CU ⁴²	
Vehicle Servicing/Repair	CU ⁴²	
Hospital	CU	CU
Veterinary clinic	CU	CU
Kennel	CU ⁴²	
Crematory	CU ⁴²	
Medical Marijuana Dispensary, subject to the special use limitations in the underlying zone	P	P
Recreational Marijuana Retailer, subject to the special use limitations in the underlying zone	P	P
Marijuana Research Facility, subject to the special use limitations in the underlying zone	P	P
Marijuana Testing Laboratory; subject to the special use limitations in the underlying zone	P	P
Transmitter station, towers, relay stations and similar facilities for electronic communications	CU	CU
MANUFACTURING/INDUSTRIAL USES	MUPC ¹	DRZ
Light industrial uses	P	

Freight forwarding facility	CU ¹²	
Small scale manufacturing and production, including jewelry, candy, wine, beer, spirits, or other similar artisan products, less than 5,000 square feet, where at least 25% of the manufacturing area is dedicated to retail sales		P
PUBLIC/QUASI-PUBLIC USES	MUPC¹	DRZ
Structure or facility necessary for the City or for a public utility to provide service within the City. Such structures shall include, but not be limited to: construction, operation, maintenance, or repair of electric service meters, lines, transformers, and poles; natural gas lines; telephone lines and poles; water and sewer lines; streets, pathways and sidewalks including any project identified in the Transportation System Plan.	P	P
Buildings and structures operated by a governmental agency or by a public utility and necessary for public service. Such facilities shall include but not be limited to fire stations, libraries, electrical substations, and water storage tanks. Such facilities shall not include commercial plants for the generating of electrical power	CU	CU
Church	CU	CU
Community or neighborhood club building, swimming pool, and other allied facilities owned and operated by a nonprofit community club for the improvement of the neighborhood or recreation of the members	CU	CU
Playground or park	P	P
Child Care Facility	P ²³	P ²³
School (elementary, junior high, senior high)	CU	CU
Trade or commercial school	CU	CU
Bus terminal or depot	CU	
Heliport	CU ¹²	
RESIDENTIAL USES	MUPC¹	
New single-family dwelling, with a floor area of not less than 1,000 square feet	P ^{3, 4, 5, 6}	
Existing single-family dwelling, with a floor area of not less than 1,000 square feet	P ^{4, 5, 6}	
Duplex	P ^{3, 4, 5, 6}	
Attached single family residential dwellings (townhomes, rowhouses)	P ^{3, 4, 5, 6}	P
Live/work unit	P	P
Residential use on the second or third-story of a commercial building.	P	P
Triplex or Quadplex	P ^{3, 4, 5, 6}	P
Multiple-family residential dwellings, all floors	P ⁷	P
Residential home, as defined in this ordinance	P	P

Accessory uses to multiple-family or lodging uses such as clubhouses, open roof coverings, decks or patios for gatherings, outdoor pools or spas, or outdoor activity space.	P	P
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Notes:

1. For the purposes of this code, the Mixed-Use Pedestrian Friendly Commercial (MUPC) zone includes both the standard Mixed-Use Pedestrian Friendly Commercial (MUPC) designation and the Mixed-Use Pedestrian Friendly Commercial-Transitional (MUPC-T) designation, unless otherwise specifically noted.
- 1.2. This use is allowed within the MUPC Zone as a Conditional ~~Use, but~~ Use but is not allowed in the Downtown Overlay Zone.
- 2.3. This use is allowed so long as the activity is licensed through the State of Oregon.
- 3.4. Only permitted in the Mixed-Use Pedestrian Friendly Commercial-Transitional (MUPC-T) ~~designation~~ Zone.
- 4.5. The accessory uses and structures allowed for residential uses in Subchapter 17 are allowed for residential uses in the MUPC-Zone.
6. Single-family dwellings, duplexes, triplexes, quadplexes, and accessory structures for residential uses within the MUPC Zone are subject to the dimension requirements for the High-Density Residential (RH) zone found in Subchapter 18, and the Residential Design Standards in Subchapter 19.
- 5.7. Standalone apartment buildings are allowed within the MUPC zone in the Central Talmadge subarea, so long as the subject property does not directly front Monmouth Street and the property is set along a secondary road such as E Street, 16th or 17th Street.

DRAFT REVISIONS ASSOCIATED WITH THE CENTRAL TALMADGE PLAN IDC SUBCHAPTER 33

The following change is proposed to the purpose section of IDC Subchapter 33. The change would add a sentence to the end of the section that would make it clear that the MUPC-T designation is considered a part of the MUPC zone (based on some confusion that individuals have expressed after the adoption of Ordinance 1598). The change is intended to work in tandem with IDC Subchapter 30, and the rest of the code changes proposed in the Central Talmadge Plan.

SUBCHAPTER 33: MIXED USE PEDESTRIAN FRIENDLY COMMERCIAL (MUPC) ZONE & DOWNTOWN OVERLAY ZONE

33.005 Purpose

The purpose of the Mixed Use Pedestrian Friendly Commercial (MUPC) zone is to:

- Allow a mixture of complimentary land uses that may include retail, offices, commercial services, housing, civic uses, to create economic and social vitality;
- Develop commercial and mixed-use areas that are safe, comfortable and attractive to pedestrians;
- Encourage pedestrian orientation while remaining accessible to automobiles within commercial areas located outside of the downtown area;
- Expand and strengthen the downtown commercial core while maintaining and enhancing the historic character of Independence;
- Encourage and promote the redevelopment of downtown, including housing, as a vibrant and successful mixed-use district;
- Emphasize bicycle and pedestrian connections along natural amenities, such as Ash Creek and the Willamette River, as a way of moving residents and visitors across town and improving connections to downtown;
- Create a strong link from the commercial core along Main Street to the amphitheater and the recreational land uses along the river and recognize key intersections as gateways and nodes of commercial activity;

- Maintain and improve natural areas as resources where possible and target environmental initiatives such as recycling programs and green building techniques; and
- Support the continued growth of local and living wage jobs and develop tools to market opportunities.

For the purposes of this code, the Mixed-Use Pedestrian Friendly Commercial (MUPC) zone includes both the standard Mixed-Use Pedestrian Friendly Commercial (MUPC) designation and the Mixed-Use Pedestrian Friendly Commercial-Transitional (MUPC-T) designation, unless otherwise specifically noted.



Oregon

Tina Kotek, Governor

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December 18, 2024

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By Email: Shawn Irvine irvine.shawn@ci.independence.or.us; Fred Evander
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Subject: Comments on PAPA DLCD File No. 008-24, for Changes to the Independence Comprehensive Plan Map and text, the Independence Development Code, and the Zoning Map to adopt the Central Talmadge Plan and implement provisions within the plan.

Dear Mr. Evander,

Thank you for the opportunity to comment on the above referenced application. We have reviewed the materials submitted and would like to submit the following comments for the record:

Content of the Proposal

The PAPA submittal does not appear to include detail about which specific properties are changing land use designation categories and zoning designations. We recommend that the city specify which properties (address, tax lot) are changing (1) **from** which land use designation **to** which land use designation in the comprehensive plan and (2) which ones are changing **from** which zoning designation **to** which zoning designation in the zoning map. Associated consistency findings for comprehensive plan land use designation changes and zone changes are recommended, as required by the city's development code and relevant portions of the comprehensive plan.

Central Talmadge Plan

The PAPA description states that the proposal includes an action to: "adopt the Central Talmadge Plan and implement provisions within the plan." However, the plan itself was not included with the PAPA submittal. As such, there may be a question about whether the entire plan is being adopted as part of the city's acknowledged planning record via the PAPA process. For clarity, we recommend including the plan as part of the PAPA submittal and modifying the hearing dates to adhere to the 35-day noticing requirement. Please note that since the plan was not part of the PAPA submittal we are not

addressing its content in full as part of this comment letter, but rather only those changes proposed in the documents attached to the PAPA record.

Statewide Planning Goal Consistency Findings

Legislative decisions must be consistent with the statewide planning goals and substantive requirements in state statutes as required by the post-acknowledgment plan amendment process in ORS 197.610 to 197.625 or periodic review in ORS 197.628 to 197.644 and must be supported by an adequate factual base as required by Goal 2. The final decision must include findings of fact and conclusions of law that are adequate to explain the basis for the action. The staff report submitted to the PAPA data base on 10/24/24 does not appear to include findings demonstrating the proposed amendment's consistency with applicable statewide planning goals. As such, we recommend that the City include consistency findings to this effect. Recommendations for specific areas of focus for the City's consistency findings are included below:

Goal 5

Local governments are only required to update their inventories within a UGB with an acknowledged comprehensive plan when conducting periodic review. However, a PAPA must be consistent with the city's comprehensive plan policies for Goal 5. Policy 1 in the *Natural Resources, Scenic and Historic Areas, and Open Spaces* chapter of the *Independence Comprehensive Plan* states:

Independence will compile an inventory of wetlands and riparian corridors and complete the Goal 5 process when adequate information pertaining to location, quality and quantity becomes available. In the interim, an assessment of riparian and wetland resources and appropriate measures of protection shall be applied at the time of plan amendment and zone change approval.

Oregon Administrative Rule chapter 660, division 23 is the set of rules that describes the steps needed to apply local protection measures to Goal 5 resources. OAR 660-023-0090 and 660-023-0100 are the rules specific to riparian and wetland resources. Since the proposed comprehensive plan land use designation and zone changes appear to occur in areas with riparian resources¹, predominantly hydric soils, and wetlands per the statewide wetland inventory, we recommend that the city include appropriate findings to demonstrate consistency with Goal 5 and the city's comprehensive plan policy for riparian and wetland resources. Our Goal 5 resource specialist is available to provide support on this matter, as needed.

¹ It appears that the city's development code contains a 25 ft. riparian development setback requirement from top of bank, which was adopted before 1996.

It also appears that there are riparian resources adjacent to or within the areas proposed for comprehensive plan designation and zone changes. As such, Goal 5 riparian resource consistency findings are recommended.

Goal 7

The proposed comprehensive plan land use designation changes and zoning code changes appear to occur in an area with building limitations due to a seasonal high ground water table per the City's adopted comprehensive plan. We recommend that the city include Goal 7 consistency findings associated with the change in intensity of uses in the areas proposed for land use designation/zoning changes. Our natural hazards staff are available to provide support on this topic, as needed.

Goal 12

For plan amendments and zone changes, the local approval criteria needs to address the transportation planning rule (TPR), reference the appropriate portions of the local government's development ordinances, and tie their approval criteria to applicable sections of state law implementing Goal 12. In the case of TPR reviews, findings should provide details explaining whether or not, and, if not, how the proposed land use is inconsistent with the jurisdiction's adopted comprehensive plan, development code and/or transportation system plan. DLCD's Transportation Growth Management staff are available to help support the city in preparing such findings, as needed.

Goal 14

There are proposed changes to the city's annexation procedures included in the PAPA submittal. As such, the city may want to consider including consistency findings with Goal 14 for urbanization, as well as internal consistency findings with the city's comprehensive plan and the urban growth management agreement with Polk County.

Comments on proposed Annexation Code and Local Wetland Inventory Requirements

The record approving the City's Urban Growth Boundary amendment in 2009, included findings for protecting identified wetland and riparian resources in the UGB expansion area stating: "an assessment of riparian and wetland resources and appropriate measures of protection shall be applied at the time of plan amendment and zone change approval". This finding is consistent with OAR 660-023-0250 (3)(c), which requires the application of OAR chapter 660, division 23 rules at the time of a UGB expansion. OAR 660-023-0090 and 660-023-0100 describe procedures for assessing wetland and riparian resources. Compliance with 660-023-0100(3) requires a local wetland inventory for the area that was brought into the UGB in 2009 to be approved by the Department of State Lands (DSL) prior to city annexing land and assigning urban

zoning. Proceeding forward with an LWI would also ensure consistency with Policy 1 in the *Natural Resources, Scenic and Historic Areas, and Open Spaces* chapter of the *Independence Comprehensive Plan*, referenced above. If the city elects to hold off on pursuing a local wetland inventory in the near term, then DLCD recommends that the city adopt annexation code amendments that incorporate application of OAR 660-023-0090 and 660-023-0100 as part of the subject PAPA. DLCD specialists are available to talk through options for interim wetland protections measures, as needed.

Please enter this letter into the official record of proceedings for the land use application known as Local File No.: LA 2024-06 and DLCD PAPA File No.: 008-24.

Respectfully,

A handwritten signature in blue ink, appearing to read 'Melissa Ahrens', with a stylized flourish at the end.

Melissa Ahrens
Mid-Willamette Valley Regional Representative
Oregon Department of Land Conservation and Development



INDEPENDENCE

Oregon's Story Begins Here

PUBLIC HEARING CHANGES ASSOCIATED WITH CENTRAL TALMADGE PLAN (FILE NO. LA | 2024-06) STAFF REPORT (SUPPLEMENTAL)

MEETING DATE: March 11, 2025

FILE NUMBER: LA | 2024-06

RE: **CHANGES ASSOCIATED WITH CENTRAL TALMADGE PLAN**

ATTACHMENTS:

- A. Letter from Ahrens dated March 5, 2025 (4 pages)
- B. Letter from Bateman to Scharf dated February 14, 2025 (2 pages)

I. SUMMARY

The Independence City Council has received an additional public comment letter, from the Department of Land Conservation and Development, for the public hearing on the code, plan and map amendments associated with the Central Talmadge Plan. Many of the items raised within the letter received are addressed as part of the original staff report for the Public Hearing. This supplemental staff report is intended to further clarify items regarding Oregon State Planning Goals 5 and 7.

II. GOAL 5 – NATURAL RESOURCES, SCENIC AND HISTORIC AREAS, AND OPEN SPACES

In 2009, the City of Independence adopted Ordinance 1474 to expand its Urban Growth Boundary to include 268.8 acres in the Southwest Concept Area. At that time, the city adopted a policy, in part to satisfy the requirements for a Goal 5 analysis, that stated that:

Independence will compile an inventory of wetlands and riparian corridors and complete the Goal 5 process when adequate information pertaining to location, quality and quantity becomes available. In the interim, an assessment of riparian and wetland resources and appropriate measures of protection shall be applied at the time of plan amendment and zone change approval (Water Resources, Policy 1 of the Natural Resources Element)

Since that time, the city has conducted numerous plan amendments, rezones, and annexations, including many that have received concurrence about the location of wetlands from the Department of State Lands.

Among these projects include:

- The annexation of 80.74 acres associated with the Brandy Meadows development and the Department of State Lands concurrence about the wetlands in Phases 1 through 12.
- The annexation of 70.14 acres associated with the Southwest Crossing Development, and the Department of State Lands concurrence about the wetland locations throughout the entire site.

Given the concurrence of the Department of State Lands on these actions, the city assumed that the process used for the “assessment of wetland resources” required in Water Resources Policy 1 was appropriate.

With the two letters from the Department of Land Conservation and Development submitted in response to this action, however, it has become clear that the department expects the city to conduct a Goal 5 resource review and Local Wetland Inventory to ensure “appropriate measures of protection.”

To be clear, with the present proposal, there are no comprehensive plan amendments or rezones to any area that was part of the 2009 UGB expansion. The proposed plan amendment and rezone apply to land that was already within the city or UGB before the 2009 UGB expansion. The areas proposed for plan amendment and rezone as part of this action were previously evaluated for Goal 5 resources when the original Comprehensive Plan was adopted in 1979, were not affected as part of the 2009 UGB expansion, and will not be affected as a result of this action.

Given these considerations, Goal 5 will be achieved.

Regarding Water Resources Policy 1, consistent with DLCD’s February 14, 2025 letter to Representative Anna Scharf (see Attachment B), that policy would only be triggered if the city was annexing those portions of the city Urban Growth Boundary that were added in 2009.

III. GOAL 7 – AREAS SUBJECT TO NATURAL HAZARDS

With regard to Goal 7, the city is aware that much of the Central Talmadge Area includes soils that are poorly drained, some of which include high groundwater. Similar soil types exist throughout Independence (and indeed much of the Willamette valley) and may act as a limitation on the type of development that can occur.

To ensure that future development of the area will not create a natural hazard, the city will treat the areas in a manner similar to all other soils in the city. The city will require a geotechnical report, for all new subdivisions and larger projects such as multifamily developments. The report will ensure that foundations are designed to adequately ensure the long-term strength and integrity of the future construction. Similarly, engineering review will ensure that potential concerns such as pipe buoyancy are considered.

Given this approach, the proposed action will effectively address Natural Hazards.

IV. STAFF AND PLANNING COMMISSION RECOMMENDATION

Based on these items and the findings of the original Staff Report, staff and the Planning Commission recommend that the City Council approve of the proposed changes to the Independence Comprehensive Plan, Independence Development Code and Future Land Use and zoning maps.



Oregon

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March 5, 2025

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Subject: Comments on PAPA DLCD File No. 008-24, for Changes to the Independence Comprehensive Plan Map and text, the Independence Development Code, and the Zoning Map to adopt the Central Talmadge Plan and implement provisions within the plan.

Dear Mr. Evander,

Thank you for the opportunity to comment on the above referenced application. We have reviewed the materials submitted and would like to submit the following additional comments for the record:

Statewide Planning Goal Consistency Findings for Proposed Comprehensive Plan Amendment Land Use Designation/Zone Changes

Legislative decisions must be consistent with the statewide planning goals and substantive requirements in state statutes as required by the post-acknowledgment plan amendment process in ORS 197.610 to 197.625 or periodic review in ORS 197.628 to 197.644 and must be supported by an adequate factual base as required by Statewide Planning Goal 2. The final decision must include findings of fact and conclusions of law that are adequate to explain the basis for the action. The staff report submitted to the PAPA data base on 10/24/24 does not appear to include findings demonstrating the proposed amendment's consistency with applicable statewide planning goals. As such, we recommend that the city include consistency findings to this effect. Recommendations for specific areas of focus for the city's consistency findings are included below:

Goal 5

A PAPA must be consistent with the city's comprehensive plan policies for Statewide Planning Goal 5. Policy 1 in the *Natural Resources, Scenic and*

Historic Areas, and Open Spaces chapter of the *Independence Comprehensive Plan* states:

Independence will compile an inventory of wetlands and riparian corridors and complete the Goal 5 process when adequate information pertaining to location, quality and quantity becomes available. In the interim, an assessment of riparian and wetland resources and appropriate measures of protection shall be applied at the time of plan amendment and zone change approval.

Oregon Administrative Rule chapter 660, division 23 is the set of rules that describes the steps needed to inventory Goal 5 resources and apply local protection measures. OAR 660-023-0090 and 660-023-0100 are the rules specific to riparian and wetland resources. Since the proposed comprehensive plan land use designation and zone changes are in areas with predominantly hydric soils and wetlands, per the statewide wetland inventory, we recommend that the city include appropriate findings to demonstrate consistency with Goal 5 and the city's comprehensive plan policy for wetland resources.

Also, there are riparian resources¹ adjacent to or within the areas proposed for comprehensive plan designation and zone changes. As such, we recommended that the city include appropriate findings to demonstrate consistency with Goal 5 and the city's comprehensive plan policy for riparian resources. Additionally, please note that OAR 660-046-0010(3)(a)(A)(iii) applies to cities with populations over 10,000 that have not adopted land use regulations pursuant to OAR 660-023-0090 for riparian corridors and requires application of a 100-foot setback along a riparian corridor for middle housing development.

Goal 7

The proposed comprehensive plan land use designation changes and zoning code changes appear to occur in an area with building limitations due to a seasonal high ground water table per the city's adopted comprehensive plan. We recommend that the city includes Statewide Planning Goal 7 consistency findings associated with the change in intensity of uses in the areas proposed for land use designation/zoning changes. Our natural hazards staff are available to provide support on this topic, as needed.

Goal 12

For plan amendments and zone changes, the city's review needs to address the transportation planning rule (TPR), reference the appropriate portions of the local

¹ It appears that the city's development code contains a 25 ft. riparian development setback requirement from top of bank, which was adopted before the current 660-023-0090 took effect in 1996 .

government's development ordinances, and tie approval criteria to applicable sections of state law implementing Statewide Planning Goal 12. In the case of TPR reviews, findings must explain whether the proposed land use is consistent with the jurisdiction's adopted comprehensive plan, development code and/or transportation system plan. If the finding is that the proposed land use is inconsistent, the findings should describe how the action can achieve consistency. DLCD's Transportation Growth Management staff are available to help support the city in preparing such findings, as needed.

Goal 14

There are proposed changes to the city's annexation procedures included in the PAPA submittal. As such, the city should include consistency findings with Statewide Planning Goal 14 for urbanization, as well as consistency findings with the city's comprehensive plan and the urban growth management agreement with Polk County.

Comments on the Central Talmadge Plan and Local Wetland Inventory Requirements

The record approving the city's Urban Growth Boundary amendment in 2009, included findings for protecting identified wetland and riparian resources in the UGB expansion area stating: "an assessment of riparian and wetland resources and appropriate measures of protection shall be applied at the time of plan amendment and zone change approval". This finding is consistent with OAR 660-023-0250 (3)(c), which requires the application of OAR chapter 660, division 23 rules at the time of a UGB expansion. OAR 660-023-0090 and 660-023-0100 describe procedures for assessing wetland and riparian resources. Compliance with 660-023-0100(3) requires a local wetland inventory (LWI) for the area that the city brought into the UGB in 2009 to be approved by the Department of State Lands (DSL) prior to city annexing land and assigning urban zoning. Completion of an LWI will also ensure consistency with Policy 1 in the *Natural Resources, Scenic and Historic Areas, and Open Spaces* chapter of the *Independence Comprehensive Plan*, referenced above. If the city elects to hold off on pursuing a local wetland inventory in the near term, then consistency with Goal 5 could be satisfied by including the following statement in the findings for this PAPA and/or adding this policy to the Central Talmadge Plan:

"For the future annexations called out in the Central Talmadge Plan "LAND USE & REGULATORY FRAMEWORKS" section, the city will ensure consistency with Goal 5 and Policy 1 in the Natural Resources, Scenic and Historic Areas, and Open Spaces chapter of the Independence Comprehensive Plan by requiring that the steps for achieving local riparian and wetland protections, described in OARs 660-023-0090 and 660-023-0100 are completed prior to adoption of the annexations."

Context on the Distinction between LWIs and Wetland Delineations

Based on correspondence with city staff, there seems to be some confusion between wetland delineation requirements and Goal 5 LWI requirements. Delineations are used to determine when a Department of State Land (DSL) wetland removal/fill permit is needed for the development stage of a project. While an LWI must be approved by DSL, they are an element of Statewide Planning Goal 5. An LWI is primarily a land use planning tool and supports local comprehensive planning objectives. **Delineations are not a substitute for an LWI that is required by Goal 5 and its implementing administrative rules.** To address wetlands and the important functions they provide in urban planning and community resiliency, the city would consider wetlands within a newly added UGB area following a UGB amendment, which in Independence's case occurred in 2009. As part of the urbanization phase, a city uses the LWI and its assessment of wetland functions to set priority areas for both resource conservation and urban development. From 2009 to now, the City of Independence did not initiate an LWI and did not complete this work as part of the planning for this 2009 UGB amendment area.

We recognize the capacity and budget challenges our local partners face and are committed to supporting Independence as the city plans for growth and the provision of housing in accordance with the Governor's priorities. To this end, DLCD staff have been actively working with our agency partners at DSL to find opportunities to lower the hurdle Goal 5 wetland requirements can pose to housing planning in Oregon. The Governor's Recommended Budget (POP #504) includes proposed funding to support completion of LWIs, and is currently being considered by the 2025 Legislature. If the Legislature does not appropriate additional funding for LWI work, DLCD's current capacity to provide Technical Assistance grants may be available to help offset the cost of the LWI.

Please enter this letter into the official record of proceedings for the land use application known as Local File No.: LA 2024-06 and DLCD PAPA File No.: 008-24.

Respectfully,



Melissa Ahrens
Mid-Willamette Valley Regional Representative
Oregon Department of Land Conservation and Development



Oregon

Tina Kotek, Governor

Department of Land Conservation and Development

Director's Office

635 Capitol Street NE, Suite 150

Salem, Oregon 97301-2540

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www.oregon.gov/LCD

February 14, 2025

Anna Scharf
State Representative - House District 23
900 Court Street NE H387
Salem, OR 97301



By Email: Rep.AnnaScharf@oregonlegislature.gov

Subject: Independence Inquiry

Dear Representative Scharf,

Thank you for reaching out to our department for guidance on the City of Independence inquiry received from City Manager Kenna West. From our review of the inquiry forwarded, there are concerns that the department has changed its interpretation of the rule regarding local wetland inventory (LWI) requirements as well as questions about Independence-specific annexations. DLCD staff have been coordinating closely with the city and partners at Department of State Lands (DSL) on this matter and we appreciate the opportunity to provide clarification.

Oregon Administrative Rule Division 23 and Division 14 rules¹ regarding LWIs become operative when wetlands are identified as an issue during an urban growth boundary (UGB) expansion process. For Independence, a 2009 UGB expansion added 268.8 acres of land for residential development. The Statewide Planning Goal 5 consistency findings on the record of the 2009 UGB amendment identified wetlands in the UGB expansion area and stated that "an assessment of riparian and wetland resources and appropriate measures of protection shall be applied at the time of plan amendment and zone change approval." The City's Comprehensive Plan also contains a policy² mirroring this requirement. As such, from DLCD's review, applicable rules would require the city to receive DSL approval of an LWI prior to annexation/application of urban zoning exclusively for the area added in the 2009 UGB expansion.

¹ Reference OAR 660-023-0250(3)(a-c), OAR 660-023-0100(3) and OAR 660-014-0060

² Policy 1 in the Natural Resources, Scenic and Historic Areas, and Open Spaces chapter of the Independence Comprehensive Plan states that:

"Independence will compile an inventory of wetlands and riparian corridors and complete the Goal 5 process when adequate information pertaining to location, quality and quantity becomes available. In the interim, an assessment of riparian and wetland resources and appropriate measures of protection shall be applied at the time of plan amendment and zone change approval."

It is unfortunate that the Independence comprehensive plan policy doesn't use the words "local wetland inventory" to describe the work the city needs to accomplish, but this is the standard accepted in the state for a comprehensive review of wetlands issues in a particular area where the city has identified wetland issues.

Based on correspondence from the city, there seems to be some confusion about wetland delineation requirements (which are development/subdivision specific) and Goal 5 LWI requirements (which are a broader scope comprehensive planning exercise). Process wise, the city would start looking at urbanization of a newly added UGB area following a UGB amendment, which in Independence's case occurred in 2009. As part of the urbanization phase, a city would determine whether an LWI is needed for the newly added (but not annexed) UGB area. Development/subdivision specific wetland delineations cannot serve as a substitute for an LWI, when required, per applicable rule and Goal 5. From 2009 to now, it does not seem that the City of Independence initiated preparation of an LWI and did not check off this box as part of the planning for this 2009 UGB amendment area.

There have been no changes to applicable rules on this topic since the 1996 Goal 5 rulemaking. Staff's interpretation and application of this rule has remained consistent. For context, the annexation process is a local land use decision that is noticed to the department through the Post-Acknowledgment Plan Amendment (PAPA) database, but does not come to the department (or LCDC) for direct action. As such, our role in any annexations that come through the PAPA system is to review the proposal and provide guidance and support to our local partners. This ensures consistency with statewide land use planning goals and state laws, and ensures defensibility of the local action. Our guidance to Independence on the LWI matter and annexation proposals has been exclusively in this context. We recognize the capacity and budget challenges our local partners face and are committed to supporting them as they plan and grow their communities in accordance with the Governor's priorities.

To this end, DLCD staff have been actively working with our agency partners at DSL to see whether there are efficiency or streamlining opportunities for the Local Wetlands Inventory requirement. We are hopeful one of the department's budget requests in the Governor's Recommended Budget (POP #504), if passed this legislative session, can be applied to this case. If funded as part of the department's budget, one of DLCD's planning Technical Assistance grants could also be applied to help offset the cost of the LWI.

Please feel free to reach out if you have any follow-up questions.

Respectfully,

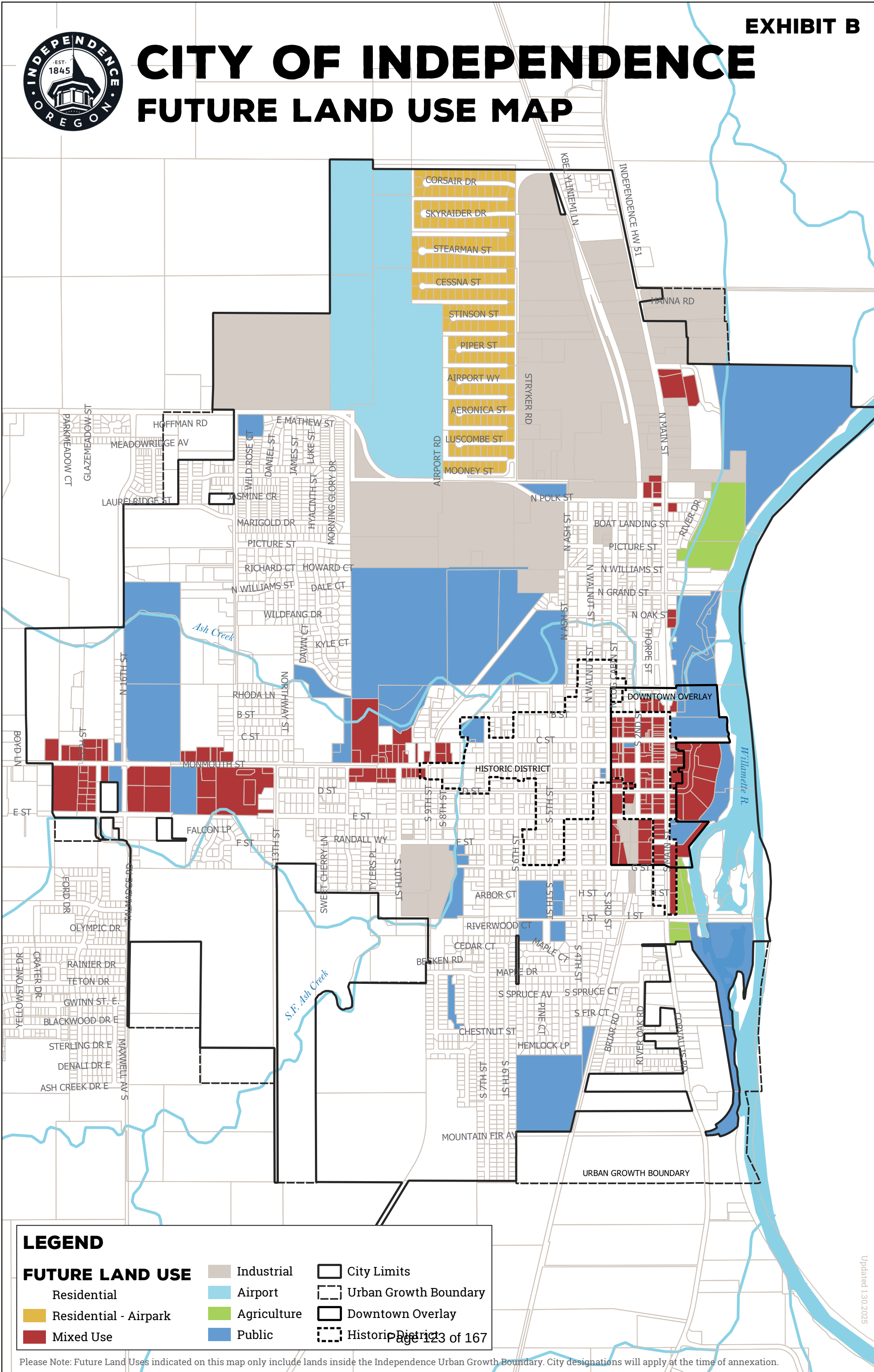
A handwritten signature in black ink that reads "Brenda D Bateman". The signature is written in a cursive, flowing style.

Brenda Bateman, Ph.D.
Director



CITY OF INDEPENDENCE

FUTURE LAND USE MAP



LEGEND

FUTURE LAND USE

- | | | |
|-----------------------|-------------|-----------------------|
| Residential | Industrial | City Limits |
| Residential - Airpark | Airport | Urban Growth Boundary |
| Mixed Use | Agriculture | Downtown Overlay |
| | Public | Historic District |

Please Note: Future Land Uses indicated on this map only include lands inside the Independence Urban Growth Boundary. City designations will apply at the time of annexation.

LAND USE AND URBANIZATION

INTRODUCTION

A land use plan indicates the area into which various types of activities are expected to occur. Independence designates six (6) categories of land uses to be described and located on the land use map.

1. Residential. Residential areas are anticipated to develop with housing, though incidental uses such as home occupations are sometimes present. The specific zoning designations in the Independence Development Code regulate the allowed uses.
2. Residential Single-Family Airpark. Residential Single-Family Airpark uses are located near the Independence State Airport in an area where the majority of homes have or will have aircraft hangars with access to an aircraft taxiway.
3. Commercial. Commercial uses include activities of a commercial nature. There is no distinction between what kinds of commercial activities are allowed; the specific zoning regulates uses.
4. Industrial. Industrial use covers the range of manufacturing, warehousing, and wholesaling activities.
5. Public Services. Public Service uses include all government and semi-public lands and uses.
6. Agriculture. The Agriculture designation is intended to protect areas for the continued practice of agriculture and to permit the establishment of only those new uses that are compatible with agricultural activities.

The land use designations in the Comprehensive Plan are of a general nature and are intended to indicate the expected community growth pattern. Implementation of the plan occurs through more specific actions such as zoning, subdivision control, annexation review, Urban Growth Boundary administration and public facilities planning. Although the plan is designed to be somewhat flexible, it must be understood that it is a significant policy statement and a great deal of responsibility must be exercised in its use and updating.

BUILDABLE LANDS INVENTORY

Residential Land

In 2022, the city conducted a residential buildable lands inventory as part of a Housing Needs Analysis. The City of Independence Housing Needs Analysis (2023) is adopted by reference as a portion of this Comprehensive Plan. Please view the document for background information on the residential buildable land inventory and residential land needs.

Commercial and Industrial Land

In 2007, the city conducted a buildable lands inventory (see page 10, Figure 1, Buildable Lands Inventory Map).¹ For each land type (residential, commercial, and industrial), the analysis was broken into two

¹ The residential portions of this analysis were superseded by the 2023 Residential Land Needs Analysis conducted as part of the Housing Needs Analysis.

parts. The first part of the inventory described the amount of net buildable land, by zoning district, within the existing city limits. Next the inventory included a description of the amount of buildable land located between the city limits and UGB. Land in this area is zoned by the county until it is annexed into the city. The City's Comprehensive Plan designates, in general, the future use (residential, commercial, or industrial) for such properties.

The following parameters were used to determine whether land was vacant or redevelopable.

- Vacant commercial or industrial land includes all parcels with improvement values of less than \$5,000.
- Redevelopable commercial and industrial land included parcels in commercial and industrial zones where some limited improvements have been made, but where potential for redevelopment for more intense uses was probable. For the purpose of this analysis, redevelopable land was defined as commercial or industrial parcels with improvement values of at least \$5,000, where the ratio of land value to improvement value was 1:1 or greater.

The analysis also includes an assessment of land that was not buildable due to physical constraints. These areas have been subtracted from the amount of gross acreage that was considered buildable. Land that was considered unbuildable due to physical constraints included the following:

- **Riparian areas** located within 25 feet of Ash Creek protected by Independence Development Code Subchapter 54.105(A).
- **Floodways** identified on the FEMA Flood Insurance Rate Map protected by Independence Development Code Subchapter 51.
- **Floodplain areas requiring two (2) feet or more of fill.** For development to occur within floodplain areas, the city's current flood hazard ordinance requires development to be located at least one (1) foot above the base flood elevation level. This often requires bringing fill in to raise the elevation of the land. Floodplain areas requiring two (2) feet or more of fill are financially impractical for development due to the large expense associated with transferring fill from one area of the floodplain to another.
- **Wetlands** as identified on the National Wetland Inventory (NWI) and protected by state and federal regulations.

Commercial Land

Table 2 shows that approximately 14.3 net vacant acres were available for commercial development within the Independence city limits. (No land designated for future commercial use was located between the city limits and urban growth boundary.) Approximately 2.5 acres designated for commercial use could be considered redevelopable.

Land Use - Table 2
Buildable Commercial Land
Independence, 2007

Zone/Plan Designation	Vacant (acres)	Redevelopable	Total
Within City Limits			
Commercial Office Zone (CO)	2.8	0.0	2.8
Commercial Retail Zone (CR)	8.1	1.8	9.9
Commercial Highway Zone (CH)	0.9	0.7	1.6
Net Buildable Acres Within the City Limits	11.8	2.5	14.3

Source: Polk County Assessor data, MWVCOG, 2007

Industrial Land

Table 3 shows the amount of buildable land for each industrial zoning district within the Independence urban area (both city limits and UGB). Approximately 90.4 net vacant acres were available for industrial development within the urban area. Of that amount, approximately 76.5 vacant acres were available within the city limits and an additional 13.9 acres were available between the city limits and UGB. Within the urban area, an additional 15.4 acres designated for industrial use could be considered redevelopable.

Land Use - Table 3
Buildable Industrial Land
Independence, 2007

Zone/Plan Designation	Vacant (acres)	Redevelopable	Total
Within City Limits			
Light Industrial Zone (IL)	47.1	8.1	55.2
Heavy Industrial Zone (IH)	29.4	7.3	36.7
Net Buildable Acres Within the City Limits	76.5	15.4	91.9
Between City Limits & UGB			
Industrial (I)	13.9	0.00	13.9
Net Buildable Acres Between the City Limits & UGB	13.9	0.00	13.9
Net Buildable Acres Within the Urban Area	90.4	15.4	105.8

Source: Polk County Assessor data, MWVCOG, 2007

LAND NEEDS ANALYSIS

The buildable lands inventory was used in conjunction with the 2029 population projection to determine if adequate land was available for future commercial, and industrial development.

Commercial and Industrial Land Needs

The Economics section of the Comprehensive Plan includes a 2029 forecast of local employment (see Economics). One purpose for forecasting local employment is to determine if sufficient land is currently designated in the Comprehensive Plan to accommodate projected commercial and industrial development.

Table 4 shows the forecasted 2029 employment growth by land use type. Different sectors of the economy will have different land needs. Employment growth was allocated to two land use types as follows:

- Commercial: Retail Trade, Real Estate and Services.
- Industrial: Agriculture, Forestry, Fishing & Hunting; Construction; Manufacturing; and Transportation, Warehousing and Wholesale Trade.

Land Use - Table 4
Total Employment Growth by Land Use Type
Independence, 2029

Land Use Type	2029
Commercial	1,160
Industrial	1,947
Total	3,106

Source: MWVCOG, 2008.

To convert the employment growth shown in **Table 4** to the number of acres needed by land use type, an assumption must be made regarding the density of jobs per acre.

Table 5 shows in 2005, the City of Independence had 1,406 industrial jobs located on approximately 93 acres of developed industrial land for an average job density of 15.1 jobs per net acre. The table also shows in 2005 the City of Independence had 1,035 commercial jobs located on approximately 44 acres of developed commercial land for an average job density of 23.5 jobs per net acre. This analysis assumes that the job density will remain largely the same over time because the types of businesses that the City of Independence will likely attract will be similar to the businesses in Independence today.

Land Use -Table 5
Commercial and Industrial Job Density
Independence, 2005

Land Use Type	2005 Jobs	2005 Developed Acres	Job Density
Commercial	1,035	44	23.5
Industrial	1,406	93	15.1

Source: MWVCOG, 2007.

Table 6 shows the amount of land needed to accommodate new commercial and industrial employment growth through 2029. Approximately 49.4 acres will be needed to accommodate projected commercial

employment growth through this period. Approximately 128.9 acres will be needed to accommodate projected industrial employment growth through this period.

**Economics -Table 6
Land Need by Land Use Type
Independence, 2029**

Land Use Type	Total Employment Growth	Job Density	Land Demand (acres)
Commercial	1,160	23.5	49.4
Industrial	1,947	15.1	128.9
Total	3,106		178.3

Source: MWVCOG, 2008.

Table 7 shows a comparison of land needed to accommodate new employment growth (demand) and the available supply of vacant and redevelopable land. The comparison shows that there is a need for approximately 72.7 acres to meet the forecasted commercial and industrial land demand. Site constraints, such as steep slopes, wetlands, or floodways, have been identified in the inventory and have been subtracted from the gross amount of buildable acreage.

**Land Use - Table 7
Comparison of Supply and Demand for Commercial and Industrial Land
Independence, 2008**

Land Use Type	Vacant/Redevelopable Acres
Supply	
Commercial	14.3
Industrial ¹	105.8
Total Supply	120.1
Demand	
Commercial	49.4
Industrial	128.9
Total Demand	178.3
Surplus (Deficit)	
Commercial	(35.1)
Industrial	(23.1)
Total	(58.2)
Additional land needed for public uses - streets, parks, etc. (25% of 20-year land needs)	14.5
Total Commercial and Industrial Land Needs	72.7

Source: MWVCOG, 2008.

The city's existing commercial development policies state the city will retain the downtown as the dominant retail activity center, while the Central Shopping Plaza and the north Independence commercial areas will serve in supporting roles. To avoid the threat of new commercial areas competing with the

downtown area and drawing businesses away from the downtown, and to ensure an efficient use of land inside the UGB, no new commercial areas were designated as part of 2008 Comprehensive Plan update.

The city identified the following measures to ensure an adequate supply of commercial land is available through the year 2029:

- **Infill and Redevelopment** - Independence plans to accommodate all of the city's forecasted commercial retail and a majority of the city's forecasted commercial service needs through infill and redevelopment of existing commercial areas. In addition to existing Comprehensive Plan policies that support this type of development, Independence adopted a new Comprehensive Plan policy to encourage the redevelopment of existing shopping and service facilities.
- **Commercial Redesignations** - Independence rezoned approximately 7.9 acres in the downtown area to Commercial Retail (CR) to provide additional opportunities for commercial development and strengthen the downtown as the primary commercial area within the city.
- **Commercial Services in Industrial Zones** - A limited portion of the city's forecasted commercial service land needs (one-third) will be accommodated on industrial land that allows commercial services that are compatible and complimentary to industrial uses. One-third of the city's forecasted commercial service land needs is approximately 11.7 acres. Examples of these uses include construction installation and repair services; transportation and heavy equipment repair and sales; vocational schools teaching construction and equipment repair services; recreation facilities; and commercial uses that are ancillary to uses permitted in industrial zones (e.g. building supply showroom).

Based upon these measures, the city's employment land needs do not require designating new commercial centers either in or outside of the UGB. Adding one-third of the projected commercial service land needs (11.7 acres) to the industrial land requirements however pushes the overall industrial need to approximately 34.8 acres. **Table 8** shows that, upon considering the additional land needed for streets and utilities, there is a need for a total of 43.5 acres of industrial land through the year 2029.

Table 8
Summary of Industrial Land Needs
Independence, 2029

Total amount of additional land needed within the UGB for future industrial use.	34.8 acres
Additional land needed for public uses - streets, utilities, etc. (25% of 20-year land needs)	8.7 acres
Total amount of additional land needed within the UGB for employment development	43.5 acres

Source: MWVCOG, 2008.

The City identified 43.5 acres for inclusion in the Urban Growth Boundary that would meet all of the projected need for industrial land. The property is located northwest of the existing UGB, adjacent to the Independence Airport and identified as Tax Assessor Map Number 8420, tax lots 300 and 400. The area to be included in the UGB would be designated as Industrial on the Comprehensive Plan Map and zoned Industrial Park (IP) upon annexation. The IP zone district allows industrial uses, in addition to some limited commercial services, and provides the greatest flexibility in meeting projected employment land needs through 2029.

To support city policies to maintain the downtown as the focus of commercial activity, the city's remaining commercial land needs will be met through rezoning approximately 7.9 acres of land located adjacent to the downtown area to Commercial Retail (CR) in addition to, infill and redevelopment in existing commercial areas.

Public Land Needs

Public facilities and services needed for future residential and employment land needs were considered consistent with OAR 660-024-0040(9) which allows a local government to estimate the 20 year land needs for public uses (e.g. streets, parks, and schools) will require an additional amount of land equal to 25 percent of the net buildable acres determined for residential and employment land needs.

In addition to public land needs for future residential and employment areas, there is also a need for 41.1 acres of public land located west of the Independence State Airport to allow for airport expansion activities as indicated in the 1997 Independence State Airport Layout Plan.

The Independence State Airport, located on the northern edge of the city, is owned by the State of Oregon. The Independence State Airport is the only publicly-owned airport in Polk County. The airport serves an important role in economic development by providing an additional method of transport and opportunity for airport related businesses or industries requiring access to an airport facility.

In 1997, the Oregon Department of Aviation completed an Airport Layout Plan for the Independence State Airport. The Report provides for anticipated aviation facility needs over a twenty-year period. The improvements identified in the Report will allow the airport to continue to provide "safe, efficient, economical, and environmentally acceptable air transportation."

As indicated in the 1997 Airport Plan, all of the development on the airport is located on the east side of the runway-taxiway system, which abuts developed land to the east (residential airpark land). The airport is bounded by Hoffman Road to the south, leaving the only area for future airport expansion activities to the west. The 1997 Airport Layout Plan also notes that the airport is currently at capacity for land side facilities, with all available airport owned property utilized, including all available hangar space.

To protect the long-term viability of the airport, the Airport Plan Report identifies the need to acquire a 41.1-acre aviation development reserve on the west side of the airport. The Airport Plan Report states the west side development reserve is the best option available to preserve continued aviation use of the site. The reserve provides for future general aviation parking and hangar development.

To meet future public land needs associated with the Independence State Airport, the City identified 41.1 acres for inclusion in the Urban Growth Boundary, consistent with the location identified on the 1997 Independence State Airport Layout Plan. The property is located directly adjacent to the western boundary of the Independence State Airport and identified as Tax Assessor Map Number 8420, Tax Lot 300 and Map Number 8417, Tax Lot 700. The area to be included in the UGB would be designated Public on the Comprehensive Plan Map and zoned Airport Development District upon annexation.

LAND USE

GOAL: To encourage efficient land use, maintain land use designations appropriate to the character of Independence and meet future land use needs.

Policies

1. Independence shall update and revise land use designations when necessary to accommodate demonstrated need for changing circumstances.
2. Independence shall establish and utilize low, medium and high-density residential land use designations.
3. Independence shall establish and utilize a commercial land use designation.
4. Independence shall establish and utilize an industrial land use designation.
5. Independence shall insure that new industrial uses will be compatible with surrounding uses.
6. Independence shall, by use of land use designations and proper zoning techniques, establish the downtown central business district as the primary commercial area within the City and encourage its continuation as such.
7. Independence shall zone annexed land consistent with the Comprehensive Plan designation, as well as any relevant Concept Plans adopted for the subject area.
8. The City may require preparation of Master Plans during the annexation process to ensure development of land is consistent with Comprehensive Plan and/or Concept Plan policies and requirements.
9. The Southwest Independence Concept Plan and Central Talmadge Plan have been adopted as ancillary documents of this Comprehensive Plan. Background information and policies within the plans will supersede information in this Comprehensive Plan in the event of any conflicts between the documents.

URBANIZATION

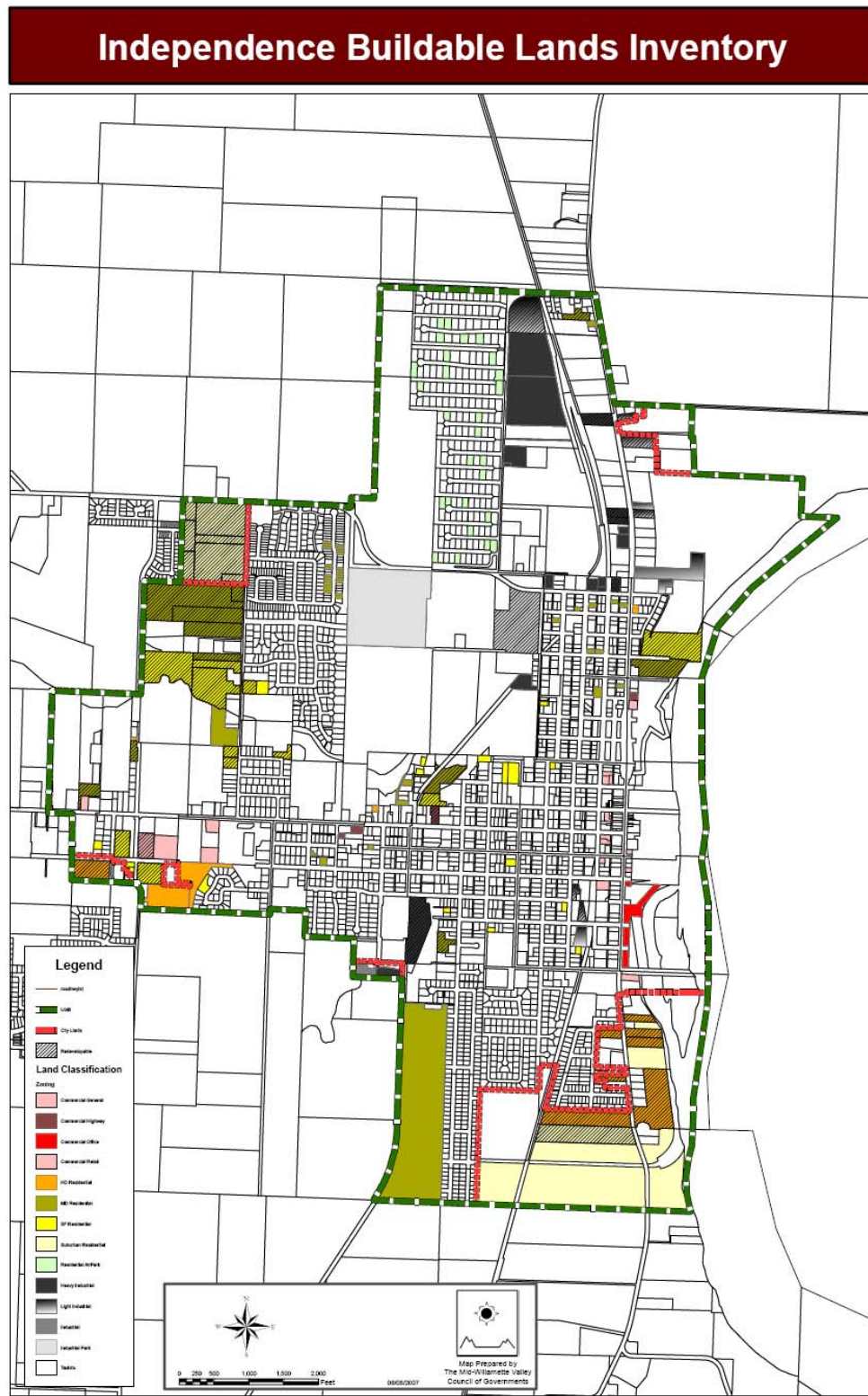
GOAL: To provide for an orderly and efficient transition from rural to urban land.

Policies

1. Independence shall not extend urban services beyond city boundaries.
2. Independence shall provide public notice of any proposed annexation or land use action and shall provide to the public an assessment of potential impacts to public facilities and services.
3. Independence shall review the urban growth boundary at least every 5 years to determine its adequacy given changing circumstances and population.

4. Independence shall coordinate with Polk County and the City of Monmouth on growth management issues.
5. Independence shall coordinate with Polk County when considering any annexation and shall utilize the policies contained within the intergovernmental agreement between city and county regarding the management of the urbanizable area prior to any annexation or other development action.
6. Independence shall encourage new single-family residential development to achieve an average density of 5.5 dwelling units per net acre and new multi-family developments to achieve an average density of 12.0 dwelling units per net acre.
7. Independence shall zone annexed land consistent with the Comprehensive Plan designations, as well as any relevant Concept Plans adopted for the subject area.
8. The City may require preparation of Master Plans during the annexation process to ensure development of land is consistent with Comprehensive Plan and/or Concept Plan policies and requirements.
9. The Southwest Independence Concept Plan and Central Talmadge Plan have been adopted as ancillary documents of this Comprehensive Plan. Background information and policies within the plans will supersede information in this Comprehensive Plan in the event of any conflicts between the documents.

Figure 1: Independence Buildable Lands Inventory Map 2007

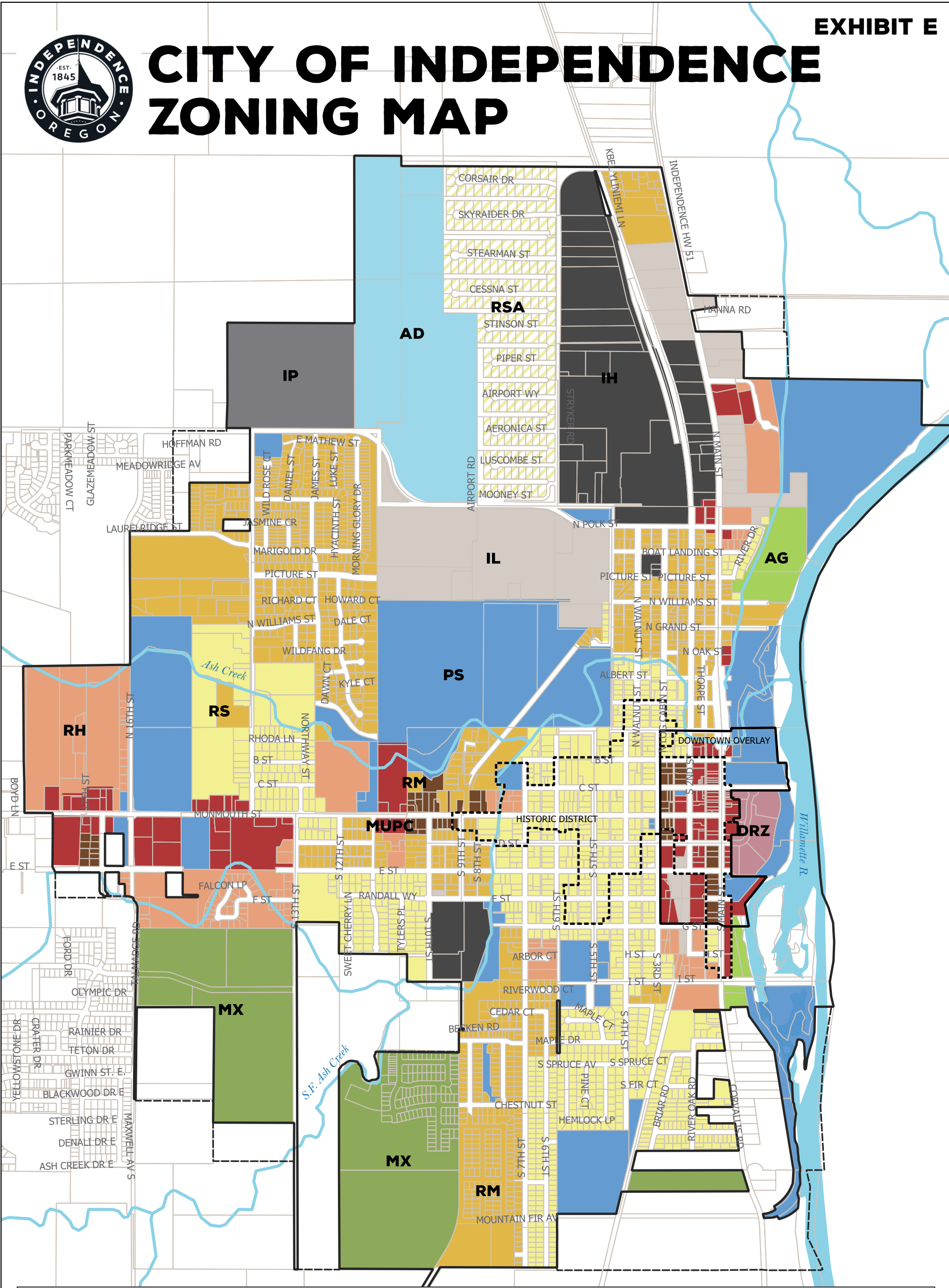


TRANSPORTATION

The City of Independence Transportation System Plan (2021) and Central Talmadge Plan (2024) are adopted by reference as a portion of this Comprehensive Plan. Please view the documents for background information, as well as the goals and policies for transportation.



CITY OF INDEPENDENCE ZONING MAP



LEGEND

ZONE		
Low-Density Residential (RS)	Mixed-Use Pedestrian Friendly Commercial (MUPC)	Agricultural (AG)
Medium-Density Residential (RM)	MUPC-Transitional (MUPC-T)	Public Service (PS)
High-Density Residential (RH)	Downtown Riverfront Zone (DRZ)	City Limits
Residential Single-Family Airpark Overlay (RSA)	Light Industrial (IL)	Urban Growth Boundary
Mixed Residential (MX)	Heavy Industrial (IH)	Downtown Overlay
	Industrial Park (IP)	Historic District
	Airport District (AD)	

SUBCHAPTER 14: ANNEXATIONS

14.000 – 14.020 Reserved for Expansion

14.030 Master Plan Requirement for Southwest Independence Concept Plan Area

- A. Purpose.** A master plan is required as part of the annexation of any property within the Southwest Independence Concept Plan Area. This requirement is intended to provide the City with a concept of the holistic development of the annexation area to ensure that the project meets the various standards included within this Section, while providing the applicant with a reasonable assurance that the various phases of the project are feasible.

The 2012 Southwest Independence Concept Plan establishes the overall vision and land use framework for the area in the Southwest Independence Concept Plan, which should form the basis of any Master Plan submitted. The Southwest Plan, however, has been refined in part by the 2024 Central Talmadge Plan. Where the Central Talmadge Plan addresses a site or a portion of a site, that plan shall govern.

B. Applicability and Procedure.

1. A Master Plan approval is required concurrent with the annexation of any property within the Southwest Independence Concept Plan boundaries (see Figure 9 in the Concept Plan).
2. A Master Plan shall include the entire subject tax lot. At the option of the applicant, a Master Plan may include adjacent tax lots under the same or different ownership. All subject property owners must be listed as applicants and provide signatures on the application form.
3. Once approved, a Master Plan does not expire. The approved Master Plan shall replace and supersede the adopted Southwest Independence Concept Plan for the subject property or properties. An approved Master Plan may be amended pursuant to Section 14.030(E).
4. Once approved, subsequent land division and development review applications shall be reviewed for consistency with the Master Plan.

C. Submittal Requirements. A Master Plan shall be drawn at a minimum scale of 1" = 100 ft and may include multiple sheets. The following information shall be shown on the plan:

1. The general location of collector streets (within a corridor width of 100 feet);
2. The general size and location of any park land;
3. The general size and location of any trail/stormwater/drainage corridors, with potential off-site connections shown;
4. Identification of the required riparian corridor setback along South Fork Ash Creek, if applicable to the subject property or properties;

5. The general location and size of areas intended for low, medium and high-density housing, along with anticipated densities for each, and a description of how any high-density housing proposed is in the following locations.
 - a. In locations shown in the Central Talmadge Plan, if applicable.
 - b. At locations that meet one the following characteristics if the project is not located in the Central Talmadge Plan boundaries:
 - i. At gateways and along corridor and arterial streets.
 - ii. Closest to existing services and commercial areas.
 - iii. Adjacent to parks, natural areas, or other amenities.
6. An indication of how the master plan meets the overall minimum average density of 9 units per acre.
7. Anticipated phasing of development, if applicable.

D. Approval Criteria. A Master Plan shall be approved as part of the annexation process if it meets the following criteria:

1. The Master Plan is generally consistent with the locations and amounts of low, medium and high-density residential development shown in Figure 9 of the Southwest Independence Concept Plan. Provided that, if the property is within both the Southwest Independence Concept Plan and the Central Talmadge Plan, the plan is consistent with Figure 33 of the Central Talmadge Plan.
2. The Master Plan achieves the minimum target density of an average 9 units per net acre.
3. The Master Plan demonstrates that at least 15 percent of all dwelling units will be either in multiple-family or attached single-family structures.
4. The Master Plan is consistent with the Concept Plan policies in Section 3 of the adopted Concept Plan.
 5. The Master Plan identifies trail/riparian/stormwater corridor easements along South Fork Ash Creek that are consistent with Figure 9 of the Concept Plan. The width of the corridor may vary from the Concept Plan depending on the results of wetland delineation and location of any wetland restoration or mitigation. At a minimum, the corridor must include the following:
 - a. The required 25-foot setback along Ash Creek as established in Subchapter 54.105;
 - b. Identified floodplain area;
 - c. Additional 40-foot-wide area for stormwater management and multi-use trail (can be inside floodplain but outside any established wetland); and
 - d. Wetland areas as follows:
 - i. Any delineated wetland area that will be protected and/or restored

- ii. Any new wetland area created as mitigation for removal of wetlands in other areas of the site

E. Modifications to an Approved Master Plan. Any modifications to an approved Master Plan must be approved by the City through a Type I administrative review (Planning Director decision with no public hearing). Modifications to an approved Master Plan must meet the following criteria:

1. The plan demonstrates that medium and high-density housing is located in one or more of the following areas:
 - a. In locations shown in the Central Talmadge Plan, if applicable.
 - b. At locations that meet one the following characteristics if the project is not located in the Central Talmadge Plan boundaries:
 - i. At gateways and along corridor and arterial streets.
 - ii. Closest to existing services and commercial areas.
 - iii. Adjacent to parks, natural areas, or other amenities.
2. The plan achieves the target density of an average of 9 units per net acre.
3. The plan demonstrates that at least 15 percent of all dwelling units are either in multiple-family or attached single-family structures.
4. The plan identifies trail/riparian/stormwater corridor easements along Ash Creek that are consistent with Figure 9 of the Concept Plan. The width of the corridor may vary from the Concept Plan depending on the results of wetland delineation and location of any wetland restoration or mitigation. At a minimum, the corridor must include the following:
 - a. The required 25-foot setback along Ash Creek as established in Subchapter 54.105;
 - b. Identified floodplain area;
 - c. Additional 40-foot-wide area for stormwater management and multi-use trail (can be inside floodplain but outside any established wetland); and
 - d. Wetland areas as follows:
 - i. Any delineated wetland area that will be protected and/or restored
 - ii. Any new wetland area created as mitigation for removal of wetlands in other areas of the site.

SUBCHAPTER 30: ALLOWED USES IN COMMERCIAL ZONES

ALLOWED USES	ZONE	
COMMERCIAL USES	MUPC ¹	DRZ
A commercial activity involving retail sales and service and which is not listed as a conditional or prohibited use	P	P
A commercial activity involving personal or professional services and which is not listed as a conditional or prohibited use	P	P
Office	P	P
Hotel or Lodging Use	P	P
Bed and breakfast establishment, including Air BnB, VRBO, and other similar uses	P	
Recreational vehicle park	CU ²	
Campground	CU ²	
Vehicle Servicing/Repair	CU ²	
Hospital	CU	CU
Veterinary clinic	CU	CU
Kennel	CU ²	
Crematory	CU ²	
Medical Marijuana Dispensary, subject to the special use limitations in the underlying zone	P	P
Recreational Marijuana Retailer, subject to the special use limitations in the underlying zone	P	P
Marijuana Research Facility, subject to the special use limitations in the underlying zone	P	P
Marijuana Testing Laboratory; subject to the special use limitations in the underlying zone	P	P
Transmitter station, towers, relay stations and similar facilities for electronic communications	CU	CU
MANUFACTURING/INDUSTRIAL USES	MUPC ¹	DRZ
Light industrial uses	P	
Freight forwarding facility	CU ²	
Small scale manufacturing and production, including jewelry, candy, wine, beer, spirits, or other similar artisan products, less than 5,000 square feet, where at least 25% of the manufacturing area is dedicated to retail sales		P
PUBLIC/QUASI-PUBLIC USES	MUPC ¹	DRZ
Structure or facility necessary for the City or for a public utility to provide service within the City. Such structures shall include, but not be limited to: construction, operation, maintenance, or repair of electric service meters, lines, transformers, and poles; natural gas lines; telephone lines and poles; water and sewer lines; streets, pathways and	P	P

sidewalks including any project identified in the Transportation System Plan.		
Buildings and structures operated by a governmental agency or by a public utility and necessary for public service. Such facilities shall include but not be limited to fire stations, libraries, electrical substations, and water storage tanks. Such facilities shall not include commercial plants for the generating of electrical power	CU	CU
Church	CU	CU
Community or neighborhood club building, swimming pool, and other allied facilities owned and operated by a nonprofit community club for the improvement of the neighborhood or recreation of the members	CU	CU
Playground or park	P	P
Child Care Facility	P ³	P ³
School (elementary, junior high, senior high)	CU	CU
Trade or commercial school	CU	CU
Bus terminal or depot	CU	
Heliport	CU ²	
RESIDENTIAL USES	MUPC¹	
New single-family dwelling, with a floor area of not less than 1,000 square feet	P ^{4, 5, 6}	
Existing single-family dwelling, with a floor area of not less than 1,000 square feet	P ^{5, 6}	
Duplex	P ^{4, 5, 6}	
Attached single family residential dwellings (townhomes, rowhouses)	P ^{4, 5, 6}	P
Live/work unit	P	P
Residential use on the second or third-story of a commercial building.	P	P
Triplex or Quadplex	P ^{4, 5, 6}	P
Multiple-family residential dwellings, all floors	P ⁷	P
Residential home, as defined in this ordinance	P	P
Accessory uses to multiple-family or lodging uses such as clubhouses, open roof coverings, decks or patios for gatherings, outdoor pools or spas, or outdoor activity space.	P	P

Notes:

1. For the purposes of this code, the Mixed-Use Pedestrian Friendly Commercial (MUPC) zone includes both the standard Mixed-Use Pedestrian Friendly Commercial (MUPC) designation and the Mixed-Use Pedestrian Friendly Commercial-Transitional (MUPC-T) designation, unless otherwise specifically noted.
2. This use is allowed within the MUPC Zone as a Conditional Use but is not allowed in the Downtown Overlay Zone.
3. This use is allowed so long as the activity is licensed through the State of Oregon.
4. Only permitted in the Mixed-Use Pedestrian Friendly Commercial-Transitional (MUPC-T) designation.

5. The accessory uses and structures allowed for residential uses in Subchapter 17 are allowed for residential uses in the MUPC Zone.
6. Single-family dwellings, duplexes, triplexes, quadplexes, and accessory structures for residential uses within the MUPC Zone are subject to the dimension requirements for the High-Density Residential (RH) zone found in Subchapter 18, and the Residential Design Standards in Subchapter 19
7. Standalone apartment buildings are allowed within the MUPC zone in the Central Talmadge subarea, so long as the subject property does not directly front Monmouth Street and the property is set along a secondary road such as E Street, 16th or 17th Street.



CITY OF INDEPENDENCE MEMORANDUM

TO: Mayor and City Council
FROM: City Manager Kenna West
MEETING DATE: March 11, 2025
SUBJECT: Resolution to Support Applying for a Transportation and Growth Management – Quick Response Grant

☐ Information Only

☒ Action Requested

Statement of Issue:

At the City Council meeting on March 11, 2025, the Council will consider a resolution to apply for a Transportation and Growth Management – Quick Response Grant to identify strategies to reduce the travel time of the Monmouth-Independence Trolley on OR-51.

Background:

The Cities of Monmouth and Independence launched the Monmouth-Independence Trolley in April 2023. Since that time, the trolley has become a fixture of the community, averaging 10,000 riders per month. With this popularity, the service has received numerous requests to expand, including to the multifamily developments both north and west of the Western Oregon University campus, and to a future food bank that will be constructed on the north side of Independence. Given the configuration of the route, and the speed at which the trolley is able to travel along OR-51, however, none of the expansions are possible while maintaining the frequency of service and the headways that have contributed to the trolley's success.

Given these factors, staff at the cities of Monmouth and Independence believe that the only feasible method to extend the service is to reduce the time that it takes for the trolley to travel down OR-51.

This Transportation and Growth Management – Quick Response project would help the cities to model and strategize:

- How signal timing and other improvements could occur at the three signalized intersections along the route to speed the trolley's travel.
- How improving stops could speed trolley performance.
- How route extensions could potentially serve additional points in the community.

Fiscal Impact:

No direct fiscal impacts, beyond the minimal expenditure of staff time at the Cities of Monmouth and Independence, would occur because of the project.

Options:

The Council may:

- A. Make a motion to approve the resolution to apply for the Transportation and Growth Management - Quick Response Grant.
- B. Take no action.

Recommendation/Suggested Motion:

Staff recommend approval of Option A.

Suggested motion: I move to approve Resolution #25-1629, authorizing City Staff to apply for an Oregon Transportation and Growth Management – Quick Response Grant.

Memo prepared by: Fred Evander, Community Planner

BEFORE THE CITY COUNCIL OF THE CITY OF INDEPENDENCE

STATE OF OREGON, COUNTY OF POLK

A Resolution Authorizing City Staff to Apply]
for a Grant from the State Transportation]
and Growth Management Program to Fund a]
Trolley Rapid Transit Plan]

RESOLUTION #25-1629

WHEREAS, the Monmouth-Independence Trolley started operations in April 2023, and since that time has averaged 10,000 riders per month; and

WHEREAS, with the successful operation of the service, several individuals have requested extension of the route, either further north into Monmouth through the Western Oregon University campus or to serve the Ella Curran Food Bank in Independence; and

WHEREAS, with the speed of travel that can occur on OR-51, any expansion of the route would likely reduce the headways (or times between trolleys) and negatively impact overall ridership, unless the cities were able to find an equivalent amount of time that could be saved in the time of travel along the route (through items such as decreased wait times at traffic signals, or reduced need to travel around a block to serve a stop); and

WHEREAS, the Cities of Monmouth and Independence desire to work together to see if there are methods to enhance OR-51 to allow the Monmouth-Independence Trolley to travel more quickly along the route; and

WHEREAS, the Oregon Transportation and Growth Management ("TGM") program offers planning grants that may be used to address small-scale but pressing issues, and to assist in the development of transportation and land use plans that contribute to vital and economically successful communities; and

WHEREAS, the Cities of Monmouth and Independence could use TGM grant funds to hire a consultant to help analyze potential improvements to OR-51, which could speed the time of travel for the trolley on OR-51 and support route extensions that could expand the service to more riders in the communities;

NOW THEREFORE, the Independence City Council hereby resolves to apply to the TGM program to assist in funding the development of a Trolley Rapid Transit plan for the Monmouth-Independence Trolley.

PASSED by the City Council:

SIGNED by the Mayor:
Effective Date:

KATE SCHWARZLER, MAYOR

ATTEST:

Myra Russell, City Recorder

Management Team Notes
Wednesday, February 12, 2025

Present: Kenna, Myra, Juventino, Gerald, Fred, Shawn, Emmanuel, Amy, Amanda

- Pending agenda review.

Fred:

Key upcoming work:

- -Form Update – Would like to update and consolidate forms online.
- -5th Street Safe Routes to School Project – Plan to start outreach for the 5th Street Safe Routes to School Project soon. Not sure what outreach will include.

Other work:

- -Central Talmadge Project – Code and Comprehensive Plan changes associated with the Central Talmadge Plan have been drafted and been through a review by the Planning Commission. Continuing work to address a comment from the Department of Land Conservation and Development before the document is considered by Council (likely at the March 11 meeting).
- -Infill Housing Code Update – Had kickoff meeting for the project on February 10. Additionally discussed goals for the project at the Planning Commission meeting in February.
- -Trolley – Continuing to look for trolley funding and improve service. Have shifted to a new route tracking software and received replacements for signs that have been damaged. Also working to construct and install new shelters.
- -Historic Preservation Commission – Considering whether to hold a Historic Preservation Commission meeting on February 24. Have not received any urgent agenda items to date.
- -Project Review – Reviewing various development permits.

Juventino:

- Staffing Update - One applicant background should be done later today. Hope to make an offer in the coming days. Have a meeting on Friday with another who is interested in part-time work.
- First Neighborhood Watch meeting tonight.
- Had radio interview on February 4. Went well.

Gerald:

Project Updates

- **2018-03 Polk Well #4:** Waiting on Pacific Power. Anticipated construction completion and closeout by April 2025. Testing and acceptance of well by the state to start shortly after project completion.
- **2022-03 Polk Co Hoffman-Gun Club Rd SRTS:** Working with County on storm drainage issues.
- **2022-09 WWTP Upgrade:** 60% design in review, 90% design April 2025, bidding November 2025, and construction in February 2026.
- **2022-12 OR 51–5th St SRTS Crossing:** Waiting for scope of work. Received grant from the state.
- **2022-13 Sunset Park Improvements:** Waiting on Pacific Power for pathway lighting.
- **2022-17 9th St PS Ph 2-3:** Plans submitted to DEQ for review. Design on same schedule as WWTP upgrade.
- **2023-04 Surface Water Treatment Plant:** Design on hold pending property acquisition.
- **2023-06 Stormwater Master Plan Update:** Anticipate start of master plan in March 2025.
- **2023-09 Road Survey for Annexation-Juris Transfer:** Working with Polk County to transfer annexed roadways. Additional annexations to follow this year.
- **2023-11 Parks Master Plan Update:** Second open house scheduled for **06/12/25**, and virtual open house on 06/13/24. Parks Board review of documents scheduled for **04/25/26**, and 07/17/25.
- **2023-12 Chestnut St Bridge:** Project to be managed with the assistance of Marion County.
- **2023-13 Corvallis Rd Waterline:** Bidding in the late summer 2025.

- **2024-01 ODOT ADA Upgrades:** Constructing anticipated in 2025.
- **2024-04 Polk-Main Intersection Improvement:** Reviewing scope of work.
- **2024-05 Biosolids Removal (Lagoon 1):** Finalizing loan update. Anticipate RFP to go out in March 2025 and project completion by fall of 2025.
- **2024-07 F Street Water Tower Structural Assessment:** Submitted request for scope of work.
- **2024-08 Polk WTP Pump Upgrade:** Reviewing scope of work.
- **2024-09 Sludge Survey:** Submitted a scope of work request.
- **2024-10 Water Loss Survey:** Reviewing scope of work request.

Administrative Updates

- Working on FY 25-26 budget.
- Staff updating public works standards and detail drawings.
- Staff working on multiple development applications, design, and construction reviews. The following is a status update on larger projects still underway. Projects with no progress or plan approvals have been removed.
 - a. 2021-02 SW Crossing: Plans approved.
 - b. 2022-18 478 S Main Mixed-Use: Construction underway.
 - c. 2023-02 Brandy Meadows 5-6: Plan approval final extension to 08/27/25.
 - d. 2023-14 601 Stryker Rd Industrial: Plans approved.

Shawn:

- Responded to a couple statewide recruitments – Forest River expects to list their building for sale
- Working on FEMA BRIC grant with Kenna, Contract Engineer, Marshall, OEM and others. Lots of work but potentially a big payoff too. Would fund Drinking Water Treatment Plant
- Working on several funding requests to state and federal representatives
- Met with HUD (Federal Housing and Urban Development) staff. They have a technical assistance program that may be able to help us review budget choices, permitting processes, etc.
- Lots of conversations about infill development – ie: new construction/major rehab in an existing neighborhood.
- Courtney has been meeting with sponsors talking about all our summer events. Good response so far.
- AARP tax support has kicked off – seems to be going well. They did a great job tidying up for the Council meeting.

Emmanuel:

- Working on the Newsletter Campaign to expand the reach of city updates and community news.
- Working on outreach with the New Police Chief to strengthen community-police relations through transparent communication.
- Working on the Survey on Budget Shortfall to engage the public and gather feedback on financial challenges and priorities.
- Working on promoting the Touch a Truck event
- Working on coordinating communication efforts for Independence Days.
- Working on supporting outreach for The Wall That Heals.
- Working on producing Trolley impact stories
- Working on starting a newsletter for Polk Fire.

Amy:

- **New Hours Implemented:** The Museum has transitioned to our new hours of operation: Wednesday to Saturday, 10:00 AM - 4:30 PM.
- **Intern Onboard:** Our new intern has started helping with front desk operations as needed. The rest of her time is focused on developing a comprehensive collection inventory in preparation for potential changes to the museum.

- What Does the Fox Say Exhibit: Installation for the What Does the Fox Say exhibit has begun.
- Historic Newspapers Exhibit: Research and development for the upcoming Historic Newspapers exhibit is currently underway.

Management Team Notes
Wednesday, February 26, 2025

Present: Kenna, Myra, Juventino, Gerald, Fred, Shawn, Emmanuel, Amy, Jason, Patrick, Rob

- Pending agenda review.

Fred:

Discussion Topic

- Website – How can we best showcase our activities to make things easy to find and make us look like a unified organization? Example: forms and applications and various planning/engagement activities.

Other work:

- Central Talmadge Project – Code and Comprehensive Plan changes associated with the Central Talmadge Plan have been drafted and been through a review by the Planning Commission. Will be at the March 11 meeting.
- Annexation Hearings - The annexation public hearings originally scheduled for March 11 and March 25 have been rescheduled for April 8.
- Infill Housing Code Update – Had kickoff meeting for the project. Waiting to receive the anticipated schedule for the effort.
- Trolley – Continuing to look for trolley funding.
- Commission Meetings – Cancelled the Historic Preservation Commission meeting on February 24 and the Planning Commission meeting on March 3. Have not received any urgent agenda items to consider.
- Project Review – Reviewing various development permits.

Juventino:

- Final offer of Employment signed today by an applicant. Starts as a recruit police officer on Monday, March 3.
- 12 CHS Careers and Technical Education Students had their orientation at IPD last week.
- Successful joint night range with Monmouth PD last week.

Gerald:

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- **2024-04 Polk-Main Intersection Improvement:** Kick-off meeting on 3/3/25.
- **2024-05 Biosolids Removal (Lagoon 1):** RFP advertisement on 3/5/25 and award on **5/13/25**.

- **2024-07 F Street Water Tower Structural Assessment:** Submitted request for scope of work.
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 - d. 2023-14 601 Stryker Rd Industrial: Construction underway.

Shawn:

- Finalizing FEMA BRIC grant with Marshall – submission deadline Friday and then we get review comments and an opportunity to tweak. Will be asking for ~\$6M to fund design of the drinking water treatment plant.
- Prepping for another grant due Monday for design work on south arterial/access road for drinking water plant
- Legislative activities: submitting infrastructure requests, working with agencies and electeds on a wetland requirement that is holding up annexations, providing testimony in support of a couple bills.
- Based on last night's discussion, will start working out a new use agreement for the event center, ID any necessary upgrades to equipment.
- Meeting later this week with Primeros Pasos (childcare business development program) to discuss getting that project started

Emmanuel:

- Working on newsletter campaign
- Promoting Town Halls
- Working on City Budget outreach
- Filming and editing MI Trolley community impact stories
- Working on Wall that Heals promotions/communications
- Working on scheduling and filming next Curator's corner
- Attending Polk Fire awards banquet
- Working on APWA conference logistics
- Working on OPOA conference presentation

Amy:

- This month, Emmanuel and I will be interviewing "Rosie the Riveter" Clarice Lafreniere for a new episode of Curator's Corner. Stay tuned for this special feature!
- Join us at the Heritage Museum on March 7th at 6 PM for the opening reception of What Does the Fox Say? Local artist and museum volunteer, Torin Widhammer, will share insights about her artwork featured in the exhibit.
- A new mini exhibit, Historic Independence Newspapers, will also debut in time for the reception, offering a glimpse into our town's journalistic past.
- We are in the process of applying for an Oregon Museum Grant to support the preservation and online exhibition of our Irvine Family Collection. This funding would help cover intern hours dedicated to the project.
- Additionally, museum and library directors are continuing to explore ways to consolidate our departments to maximize general fund savings while maintaining services

Jason:

- New Osprey Nest parts are in to repair the live stream, Pacific Power has graciously agreed to loan us a bucket truck and crew for the installation.
- Continuing work on the workstation replacement cycle.
- Working on budget.
- Catching up from being out sick.
- Meeting with Monmouth tomorrow to discuss IT services.

Rob:

- Nikki back 3/10
- Invoice Cloud Cash Receipting implementation pushed back to 5/1 to allow for implementation of Court related system.
- Public Safety Fee collections coming in – working through exceptions as they arise. Worked through accounts for School District and with a customer that is outside the City limits (Corvallis Road).

Patrick:

- Received a grant from the Marion Polk Early Learning Hub to purchase more Wonderbooks for our collection and replace materials in our Backpack Kits. Thanks to Rob for helping get all the finance things set so we can spend the money!
- Finalized the book bike design with Ashely. She'll be cleaning up the design and files and we'll get them submitted to the company.
- Library computers were used 324 times in January - our second highest monthly use since I came here 5 years ago. Excited to see folks use the resources at the library.
- Upcoming Library Programs - Teen and Adult Paint Night (2/28 at 4pm); Family Coloring Club (3/6 at 4pm).

From: Shannon Corr

Sent: Tuesday, February 11, 2025 6:56:19 PM

To: Kenna West <kwest@ci.independence.or.us>; Myra Russell <mrussell@ci.independence.or.us>

Subject: Public Meetings definition for "grandstanding" and response to Councilor Roden's statement

Kenna/Myra:

Please forward this email to the entire Council. Also, please include it in the minutes from the Feb 11th meeting so that it can be available to the public.

"Grandstanding" in a public meeting refers to when someone deliberately acts or speaks in a way designed to attract attention and impress the audience, often by making dramatic statements or taking extreme positions, rather than contributing meaningfully to the discussion at hand; essentially, using the meeting as a platform for self-promotion and not focusing on the actual issue being debated.

Response to Councilor Roden's statement:

At the January 28th Council meeting, we agreed that bad behavior and grandstanding will not be tolerated, and that censure could be one way that Council deals with infractions.

Yet grandstanding is exactly what Councilor Roden did at the end of the last meeting, during the Announcements section, when she made public an ethics complaint, I filed against her.

I had kept the complaint private to prevent her from embarrassment and to safeguard her reputation. However, in her comments, she deliberately misrepresented the complaint to assign blame to me and to appeal for public sympathy.

It is our duty as public officials to not only follow the rules, but to identify when others seemingly do not. Councilor Roden has done this herself.

I filed the complaint because in nine years of reporting to the Ethics Commission, she had never identified any income source whatsoever.

My primary question to the Commission was regarding rental income on her second house. Something she failed to mention at the last meeting. Instead, she painted a picture of me going after a single mother trying to make ends meet on child support and VA benefits.

Going forward, it is my intent to make a motion for censure when any Councilor makes a statement that deliberately maligns another Councilor or a member of the staff for the purposes of inflating their public image.

Sincerely,
Shannon Corr
Councilor, City of Independence



March 4, 2025

BY EMAIL

Independence City Council
555 S. Main St.
Independence, OR 97351

Re: Housing Land Advocates' Comments - City of Independence Housing Production Strategy (HPS)

Dear Mayor Schwarzler and Council Members,

This letter is submitted by Housing Land Advocates, a non-profit organization that advocates for land use policies and practices that ensure an adequate and appropriate supply of affordable housing for all Oregonians. HLA supports the Oregon Legislative Assembly's stated goal of encouraging the "production of housing to meet the need of Oregonians at all levels of affordability."

HLA commends the staff of the City of Independence and the consultants from Cascadia Partners who worked so diligently to prepare the City's January 2025 Housing Production Strategy (HPS). The HPS lays out a clear path to reach the City's admirable goal of adding more than 2,000 housing units over the next 20 years. We appreciate the City's strategy of adjusting zoning to allow for, and tacitly encourage, the more efficient use of residential land.

However, we are disappointed with the City's slow rollout of the policies proposed in the HPS. All but five of the proposed actions are predicted to come into effect three years or later after adoptions of the HPS. This is especially true as many of the City's action items can be accomplished by the City Council on its own initiative. We strongly encourage the City to reevaluate the timeframe in which changes to the City's zoning ordinances and siting and design ordinances could reasonably be accomplished and to accelerate the process where possible. We also strongly encourage the City to take inspiration from HB 2001 (2023) to allow all types of Middle Housing in residential zones in Action 2.4.

We also suggest that Action 1.5, which proposes to provide more information and technical assistance to small developers, is feasible to implement in fewer than three or more years. HLA does appreciate the City's desire to make permitting and zoning more transparent in an effort to encourage housing development.

HLA would also like to draw the City's attention to Action 1.2 which looks to promote Accessory Dwelling Units (ADUs). In the HPS, the City suggests a three- to four-year timeline to complete this action, and that it will require engaging an architect or partnering with a higher education institution. However, given the widespread development of ADU ordinances across the State of Oregon we believe the city has access to the resources necessary to accelerate this action

March 4, 2025

Page 2

item and keep costs low for the city. We strongly suggest working with other municipalities which have developed their own ADU strategies to make this action item even more feasible in the short term.

Please provide written notice of your decision to, HLA, c/o Jennifer Bragar, at 121 SW Morrison Street, Suite 1850, Portland, OR 97204.

Thank you for your consideration.

Sincerely,



Jennifer Bragar
Board President

cc: (by email)
Board

Richmond Teacher
466 Richmond Ave. SE
Salem, Oregon, 97361
Biggs_kathleen@salekeiz.k12.or.us
503-399-3180
February 2025

Independence Heritage Museum
281 S. 2nd St.
Independence, Oregon, 97351

Dear Board Members,

We hope this letter finds you well. We are writing to express our deep support for the continued funding and operation of the Independence Heritage Museum. This museum is not just a wonderful opportunity for educational field trips, especially for elementary students, but a vital resource for the community and surrounding communities. The Heritage Museum should remain open to the public for the years to come.

The museum is special to us because it provides an immersive learning experience that showcases the history of our area in ways that textbooks simply cannot. The real historical artifacts on display offer an invaluable connection to the past, allowing visitors to touch and see pieces of history that tell the story of our local heritage. This hands-on approach fosters a deeper appreciation for the significance of our state, bringing it to life in a way that is both meaningful and memorable.

Beyond the artifacts, the knowledgeable and engaging hosts who lead the exhibits play an essential role in making each visit truly special. These individuals share their expertise with passion, guiding visitors through history with enthusiasm and skill. Their ability to connect with people, whether students or adults, helps to spark curiosity and enrich the learning experience for everyone who walks through the doors.

The Heritage Museum is more than just a place to visit; it is a space where people come together to learn about their shared history and to celebrate the rich diversity that shapes our communities. Keeping this museum open for the public will continue to serve as an educational hub, offering opportunities for cultural exchange, understanding, and growth. It is a place where history, knowledge, and culture intersect, making it a unique asset that benefits our entire community.

For all these reasons, we strongly believe that funding and support for places like the Independence Heritage Museum should be prioritized. Its ability to teach, inspire, and bring people together is invaluable, and it remains an important part of our local identity. We encourage you to keep this gem accessible to the public, ensuring future generations have the opportunity to learn from it just as we have.

Thank you for your consideration and continued support of this wonderful institution.

Sincerely,
Richmond Elementary School Teachers

Myra Russell

From: Shannon Nash <snash_21@hotmail.com>
Sent: Tuesday, February 25, 2025 2:02 PM
To: Council Comments
Subject: Tonight's work session on budget

Tonight, at the Independence City Council meeting is a work session about budget and finance. A work session allows no public comment period; therefore, I am expressing my concerns via email.

The levy for the library and museum was sent to the voters last November and the voters responded with a failure. The messaging from the city at that time said if the levy didn't pass, cuts were going to need to be made. Do not try and circumvent the process tonight by choosing to add "fees" to each utility bill like was already done (\$20 each month) but instead make some hard choices and cut spending. If you add more fees to the utility bills you are not listening to the voters as majority said no! You can always try for another levy next year, which would impose the levy based on property taxes. If you add a "fee" it is the same amount for everyone no matter if they live in a \$100,000 home or a multi-million dollar home so you would be impacting the lower income population at a higher rate. Times are tough and telling people to pay another \$20+ a month (on top of the \$20 they were already hit with) because you don't want to make a decision about what to cuts, is a harsh message to send to the people of Independence.

I encourage you tonight to not choose an option that requires additional "fees" (which are really a tax) imposed by the city council to Independence residence. With the building fees already one of the highest in the state, you will just give another reason why people won't want to move to Independence.

Thank you,
Shannon Ball

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MAR 11, 2025 - 6:30 PM	MAR 25, 2025 - 6:30 PM
Agenda items due: Noon, 03/05/2025 » Precouncil staff town hall-Budget (5:30) (West/Moody) » Council Liaison Appointments (Mayor Report) » Minet board (Mayor report) » Budget Adjustment 2024-25 Non Rep COLA (Moody) » CTP code change (Evander) » Trolley Grant Resolution (Evander) » » » » Liaison Reports: Traffic Safety, Historic Preservation, and Planning Commission » Minutes/Misc Corresp/Notes/PAC	Agenda items due: Noon, 03/19/2024 » Joint Work session w/ Planning- FEMA PICM » Council Work Session- Financial update » URA Work Session- Finance » » » » » » »
+ Urban Renewal Agency Meeting, if needed	+ Urban Renewal Agency Meeting, if needed
APR 8, 2025 - 6:30 PM	APR 22, 2025 - 6:30 PM
Agenda items due: Noon, 04/02/2025 » Brandt's rate adjustment (Josh Brandt/Estle Harlan) » Audit presentation (Moody) » Code Change-HB3395 (Evander) » Right of way annexation (Evander) » Public Hearing Annexation Corvallis Rd (Evander) » Board appointments (West) » » Liaison Reports: MINET, Parks Board, and Independence Days Commission » Minutes/Misc Corresp/Notes/PAC	Agenda items due: Noon, 04/16/2024 » Work Session- » » » » » » » »
+ Urban Renewal Agency Meeting, if needed	+ Urban Renewal Agency Meeting, if needed
MAY 13, 2025 - 6:63 PM	MAY 27, 2025 - 6:30 PM
Agenda items due: Noon, 05/07/2025 » Contract Award-Lagoon 1 Biosolids removal (Fisher) » Budget Adjustment (Moody) » Council Procedure-Council Bills, Public Hearing (West) » » » » » Liaison Reports: Library Board, Museum Board and Continuum of Care » Minutes/Misc Corresp/Notes/PAC	Agenda items due: Noon, 05/21/2024 » Work Session- » » » » » » »
+ Urban Renewal Agency Meeting, if needed	+ Urban Renewal Agency Meeting, if needed
Future Items: Update Fee Schedule (Events fees - parks) Franchise Agreements (updates ongoing) Resolution: Purchasing Authority (West) IGA - Mon/Indy Trolley Board (West/Evander) Work Session-Dusk to Dawn Future Council Work Sessions: Future PW Agenda Items: Code and Utility Billing	City Council Liaisons: Historic Preservation Commission: Councilor Corr Planning Commission: Councilor Corr Independence Days Commission: Councilor Library Board: Councilor Morton Museum Advisory Board: Councilor Morton Parks & Rec Committee: Councilor MINET: Councilor Traffic Safety Commission: Councilor Roden Continuum of Care: Councilor Martin-Willis