



City of Independence

Planning Commission
Monday, March 2, 2026 @ 7:00 PM
Civic Center - Council Chambers

(see agenda footer for meeting attendance information)

1. Call to Order
2. Roll Call
3. Minutes
 - 3.1. Regular Meeting 02/02/2026
4. Visitors/Public Comment
5. Reports/Presentations
6. Unfinished Business
7. New Business
 - 7.1. Potential Revisions to the Park Dedication Requirements
8. Other Discussion/Information Items
9. Adjournment

Meeting Attendance Information:

The Planning Commission 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/82648364527?pwd=bleTkplczhTtbLPujlQytHE4Bmbm0j.1>
- To participate in the meeting **by phone, dial US: +1-253-215-8782** and enter **Webinar ID: 826 4836 4527** and **Passcode: 104900**

Written comments are also welcome and may be delivered to City Hall or emailed to PlanningComments@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

Planning Commission Meeting
Monday, February 2, 2026

1. **Call to Order.** Chair Chappell called the meeting to order at 7:00 PM.
2. **Roll Call.**
 - Present: Commissioner Jose Oliveros
Commissioner Rebecca Jay
Commissioner/Chair Corby Chappell
Commissioner Sally Coen
Commissioner Alex Paraskevas
Commissioner John Southgate—Started meeting via Zoom by phone.
Arrived in person to the meeting at 8:20 PM
 - Absent: Commissioner Patrick Fugeman, Excused
 - City Staff Present: Fred Evander, City Planner
Gerald Fisher, Public Works Director
Myra Russell, City Recorder
3. **Minutes.**
 - 3.1. **Regular Meeting 01/05/2026.**
 - Action:**
Commissioner Jay moved to approve minutes with correction to Commissioner Jay's motion; Commissioner Paraskevas seconded. Discussion: Commissioner Jay wants wording of her motion changed. Commission approves minutes with this change.
 - Roll call vote. Motion 5-0-0
 - Ayes:** Jose Oliveros, Rebecca Jay, Corby Chappell, Sally Coen, Alex Paraskevas
 - Nays:** None
 - Abstentions:** None
4. **Visitors/Public Comment.** None.
5. **Unfinished Business.** None.
6. **New Business.**
 - 6.1. **Public Hearing - Park System Master Plan.**
Chair Chappell read the hearing script regarding how the meeting would be conducted. State Law Required Statements read.

- Declaration of Conflicts of Interest, Ex-Parte Contact, Bias: None
- Public Hearing opened at 7:03 pm by Chair Chappell.
- Staff Report as submitted in the agenda packet was reviewed by Planner Evander for the Parks System Master Plan update. The update includes a detailed inventory of various park lands, cost estimates of likely projects and a prioritized list of projects to pursue. The plan primarily focuses on existing parks. There are recommended code changes relating to park dedications. Evander covered the public outreach. Consultant Matt from Greenworks presented a slide show to give a high-level overview of the process. Consultant Matt from MIG talked about recommendations for land dedications for future parks in the PSMP. The consultants checked in with the Parks Board several times during the process and the Parks Board recommended moving the PSMP forward to the Planning Commissions for review.
- Discussion: Commissioner Jay noted some confusing labeling on some of the charts regarding the ages in the demographic numbers. The consultants will take a look to see if there is conflicting information and correct if needed. She also had questions about tree succession, salmon habitat and a path at Mt. Fir Park. The consultants explained that their inventory process started in October 2024, so some changes may have been made between now and then. PW Director Fisher addressed questions about ADA accessibility improvements, confirming that a project to upgrade the Mt. Fir parking lot and provide ADA-accessible access from F Street was identified, though specific sidewalk recommendations for the garden area were not included in the current plans. This would be part of the project refinement design. Commissioner Jay asked how to see where SDC funds were being used in Parks. Fisher said it is in the annual Budget document each year.
- Further questions from the Commission. None
- Objections or testimony received: None
- Public Testimony: None
- Discussion: Staff Response to testimony-Evander noted that recommendations for the recreation element is incorporated. They were added to the comprehensive plan so they can be adopted.
- Hearing closed at 7:50 PM.

Action:

Commissioner Coen moved to forward a recommendation of approval on LA 2026-02 to the Independence City Council; Commissioner Paraskevas seconded. Discussion: None

Roll call vote. Motion 5-0-0

Ayes: Jose Oliveros, Rebecca Jay, Corby Chappell, Sally Coen, Alex Paraskevas

Nays: None

Abstentions: None

6.2. **Discussion - More Housing, Same (Great) Neighborhood - Infill Code Draft.**

Planner Evander and Consultant Matt Hastie presented info that had been discussed at the joint planning commission and city council work session last

week. This idea would expand types of housing that can be added to existing neighborhoods, look at design and development standards, and try to address necessary infrastructure for infill housing. Matt Hastie presented the proposed code amendments, which include reducing minimum lot sizes, allowing a wider range of middle housing types, and improving standards for small and infill housing projects. The team also discussed allowing cottage clusters and procedures for middle housing land division. The group discussed challenges with cottage cluster developments, particularly regarding window design standards and front door orientation. They explored how to handle lots with street frontage and courtyard access, with Matt suggesting flexibility for units with street frontage while maintaining design standards. The discussion highlighted the need to balance practical functionality with aesthetic considerations, especially regarding window placement and entrance orientation. The group also discussed state requirements for developments with 20 or more units, including updates to make standards clear and objective, and incorporating recent state legislation. Commissioners were encouraged to submit typos and additional comments to staff via email in the next couple of weeks to be incorporated into the next draft in a couple of months.

6.3. Discussion - Upcoming Projects in 2026.

- Infill Code continuation
- Administrative code update to accommodate state land use procedures
- Park dedication standards
- FEMA flood information that was postponed from last year
- Usable Park space, usable public space
- Sidewalk Cafe permitting
- Signage, sandwich boards, enforcement

7. Other Discussion/Information Items.

- Commissioner Oliveros asked about new items coming out of the current legislative session. Evander wasn't sure yet but was invited to a housing rulemaking committee. He's excited to have a voice at the table for mandates that the state may force on small communities.
- Video: Acoustic Engineer Fixes NYC Subway, Parks and Buildings to Limit Noise | WSJ Pro Perfected. Commissioners watched an 8-minute video about acoustic engineering in cities. Discussion of sound in our city, including train and traffic. The higher the speed and volume of traffic increases the volume of sound.
- Introduction of John Southgate, the newest planning commissioner.

8. Adjournment. Action:

Commissioner/Chair Chappell moved to Adjourn; Commissioner Coen seconded.

Discussion: None

Roll call vote. Motion 6-0-0

Ayes: Jose Oliveros, Rebecca Jay, Corby Chappell, Sally Coen, Alex Paraskevas, John Southgate

Nays: None

Abstentions: None

Chair Chappell adjourned the meeting at 9:00 pm

Minutes submitted by:

Myra Russell, City Recorder

DRAFT



PARK DEDICATION REQUIREMENTS STAFF REPORT

FROM: Fred Evander, Community Planner

TO: Planning Commission

MEETING DATE: March 2, 2026

FILE NUMBER: No File Number Assigned

RE: **PARK DEDICATION REQUIREMENTS**

ATTACHMENT:

- A. Draft Park System Master Plan Excerpt (5 pages)
- B. IDC 90.90.060 – Land for Public Purposes (1 page)
- C. IDC 22.065 – Residential High-Density (RH) – Development Standards for Multifamily Development (2 pages)
- D. IDC 23.065 – Mixed Density Residential (MX) – Development Standards for Multifamily Development (3 pages)
- E. Southwest Independence Concept Plan (6 pages)

At the Independence Planning Commission meeting of March 2, 2026, the Commission will discuss potential revisions to the park dedication requirements in the Independence Development Code.

WHAT IS THE PROBLEM?

The Park System Master Plan update recommended revisions to the requirements for park dedications (see Attachment A). These recommendations were proposed in part to ensure that future parks were sized appropriately and included usable land to benefit surrounding development.

The existing standards in the Independence Development Code require 6.25 percent of land in new subdivisions to be dedicated for parks and open space purposes, or a fee-in-lieu of 13 percent of the market value of the land to be paid in lieu of the land dedication (see IDC 90.90.060 in Attachment B). As written, however, the requirements do not provide guidance about appropriate sizes or locations of parks that may be dedicated to the city, or detail any considerations regarding floodplains, wetlands, or stormwater ponds and whether they are considered “suitable and adaptable for park and recreation uses” (see IDC 90.90.060(A)).

Additionally, the standards in the Independence Development Code require a certain amount of open space for multifamily development. These standards vary depending on whether multifamily development is proposed in the High-Density Residential Zone (see Attachment C) or in the Mixed Density Residential Zone or Downtown Riverfront Zone (see Attachment D).

Considering how these requirements fit with the 6.25 percent requirement for subdivisions is particularly important in Southwest Independence, where the Southwest Independence Concept Plan calls for a mix of housing units and for stormwater, wetland protection and recreation to be provided in park facilities along the South Fork of Ash Creek (see Attachment E). The plan also calls for open space to be provided under the Bonneville Power Lines. What portion of

these areas is considered "suitable and adaptable for park and recreation uses" under IDC 90.90.060(A) however is not clear.

WHAT ARE OPTIONS TO PROCEED?

The Planning Commission will consider potential options to modify the park dedication requirements at the meeting of March 2. Key items that the Commission will consider include:

1. Defining acceptable sizes for park dedications.
2. Defining proper locations for park dedications.
3. Determining appropriate methods for open space dedications associated with multifamily housing.
4. Defining what classifies as park land in the dedication requirements. For instance, does a stormwater pond in a park qualify as park land in certain instances? Or does a wetland qualify in certain instances?

Staff will provide additional materials to guide the discussion at the meeting.

Following the discussion, staff will draft potential code language for the Commission to consider.

7.1 DEVELOPMENT CODE & LAND DEDICATION

The City's PSMP is intended to assess the current parks, trails, and recreational facilities within the City and its UGB, and to provide recommendations for future improvements to parks, trails, and amenities throughout the community.

Following adoption of this PSMP, the City anticipates updating selected sections of its Comprehensive Plan (see Appendix) and Development Code to support its implementation. One potential focus area involves revising Development Code provisions related to the future dedication of land or facilities by developers for park and recreation use. This section outlines the current Code requirements, identifies potential updates, and presents key discussion questions for consideration.

It should be noted that park land or park facility dedication is just one element of a larger set of strategies that can be used to acquire land and fund the development, maintenance, and operation of park and recreation facilities.

For example, park land dedication can work in concert with and must be coordinated with use of System Development Charges

("SDCs"), which are also used to pay for the development of facilities that serve new growth and development. In some cases, SDCs may be a more appropriate mechanism for funding such facilities, particularly for improvements to existing parks that serve larger areas or the community as a whole, compared to parks that serve a more discrete geographic area. The relationship between park land dedication and SDCs is noted in several cases in this section. The following graphic also illustrates the range of tools that cities in Oregon use to help achieve objectives related to acquisition of park land and development of park and recreation facilities.

Ultimately, park dedication requirements, in combination with other funding and land acquisition strategies, should be aimed at achieving the overall objectives of the PSMP and the City's vision and available resources for providing park and recreation facilities. The PSMP will articulate those issues to provide the foundation for the types of recommendations contemplated in this section.



EXISTING REQUIREMENTS

The City currently requires dedication of land for park and recreation purposes as part of its Subdivision requirements in Section 90 of the Development Code. Subsection 90.90.060 includes the following requirements.

90.90.060 Land for Public Purposes

A. The applicant shall dedicate to the City a tract of land within or adjacent to the proposed subdivision, not less than 6.25 percent of the gross area of said subdivision for public park and recreation purposes. Any tract of land dedicated shall be approved by the City as being suitable and adaptable for park and recreation uses.

B. At the option of the Planning Commission, the City may permit the applicant to pay a sum of money in lieu of dedication of land. Said sum shall equal 13.0 percent of the market value of the undivided land as of the date of final plat approval, as carried on the tax roll or as determined by the Polk County Assessor. Payment of said funds must be made at the time of approval of the final plat map.

C. All funds collected in lieu of land shall be credited to a public park and recreation development fund which may only be expended by resolution of the City Council for the purpose of acquiring land for park and recreation purposes or for the development of existing park lands.

POTENTIAL UPDATED REQUIREMENTS AND DISCUSSION QUESTIONS

The City may want to update its existing requirements based on current best practices and findings from other communities which utilize similar code provisions. Project staff have reviewed requirements from several jurisdictions and identified a set of best practices and questions for the City. They include the following topics and preliminary recommendations.

// THRESHOLD(S) FOR APPLICATION

Currently there is no minimum size threshold for application of the park dedication requirements. The City should determine whether it wants to establish a minimum threshold for the size of a subdivision (in terms of acres or dwelling units) to which these requirements apply. Below a certain threshold, the amount of land dedicated for a park likely will not be manageable or practical for creating a park. For example, a 20-lot subdivision with 6,000 square foot lots, would result in a dedication of 7,500 sf of land – possibly enough for a pocket park or small playground but not much more than that.

RECOMMENDATIONS

- Establish a threshold for the size of land dedicated to construct developed park facilities (e.g., neighborhood or mini-neighborhood parks) as described in the Tiered Approach summarized below.
- Ensure that land dedication or easement requirements are applied to high priority trail corridors as part of the development process.

// FEE-IN-LIEU PROVISIONS

The City's current requirements incorporate a fee-in-lieu provision. It states that: "At the option of the Planning Commission, the City may permit the applicant to pay a sum of money in lieu of dedication of land. Said sum shall equal 13.0 percent of the market value of the undivided land as of the date of final plat approval, as carried on the tax roll or as determined by the Polk County Assessor. Payment of said funds must be made at the time of approval of the final plat map." Fee-in-lieu provisions are considered a best practice for park dedication requirements and are important to ensure that smaller developments contribute to the cost of land acquisition to support development of new, future parks.

RECOMMENDATIONS

- Retain the fee-in-lieu provision in the dedication requirements.
- Incorporate thresholds for the fee-in-lieu provisions in the Tiered Approach described below.
- Reassess the percentages associated with these provisions to ensure that they accurately reflect the amount of land needed to support the park system.

// TIERED APPROACH

A tiered approach is recommended for the dedication requirements. The recommended structure is as follows:

- **Small developments.** For developments where the required dedication will be less than 0.25 acres, the development will contribute a fee-in-lieu of land dedication that would be used to pay for land acquisition by the City to build needed parks.
- **Medium size developments.** For developments of where the required dedication will be between 0.25 and 1.5 acres, the development will dedicate land for and potentially construct a small park or recreation facility, such as a pocket park, play area, or plaza with recreational amenities. This facility can be dedicated to the public and managed by the City or can be managed and maintained by the property owner or associated homeowner's association or similar organization. It will be used primarily by residents of the development but if it fronts a public street, it will be open to and accessible by the general public.
- **Large developments.** For developments where the required dedication will be greater than 1.5 acres, the development will dedicate land consistent with the updated land dedication requirements. The developer can develop the facility with amenities identified in the PSMP and receive SDC credits for their costs where eligible or the required facility can be developed by the City. In either case, the park will be dedicated to and maintained by the City and would be open and accessible to all city residents.

In addition to this set of requirements, the Development Code should also require dedication of land or easements needed to create trails or trail connections that are identified in the City's PSMP or local area plans such as the SouthWest Independence Concept Plan.

// SITE REQUIREMENTS FOR DEDICATED LAND

Currently, the City requires that any tract of land dedicated be "suitable and adaptable for park and recreation uses." We note that does not meet the state requirement for residential code standards to be clear and objective. It also opens the door for significant variations in how the requirements are applied, with potentially disparate results for different subdivisions and neighborhoods. As a result, the City may want to consider including additional, more specific requirements that describe the condition of the land to be dedicated, such as:

- Relatively flat (average slope of no more than a certain percent).
- Relatively unconstrained by natural resources (e.g., no more than a certain percent may be subject to riparian, wetland, or similar constraints).
- Minimum width requirements (to ensure that a dedicated piece of land isn't too narrow for development of desired facilities or amenities)

RECOMMENDATIONS

Incorporate more specific requirements associated with future land dedications, including the following:

- **Topography:** The average slope of the portion of the site located outside a natural resource area may not exceed five (5) percent.
- **Constraints:** Any dedicated property must include a minimum of 25,000 square feet of land or 60 percent of the total site area (whichever is greater) that is free of natural resource constraints.
- **Access and safety barriers:** Land area must be contiguous and uninterrupted by vehicular circulation or other obstacles that pose safety or access issues to the general public.
- **Trail Corridors:** Land or easements to be used for trail corridors must include a minimum width of 20 feet to accommodate trails and setbacks located outside the boundaries of any adjacent riparian area floodways or other natural resource feature. For best long-term durability, locate outside of the 100-year floodplain.
- **Minimum width or length:** The minimum shortest dimension of a park site shall be no less than 100 feet to ensure that it is adequate to accommodate the types of amenities required for a given park category (e.g., playground, open turf area, or other larger component of the facility).
- **Combined facilities:** For any facility that is required to provide more than one public facility function (e.g., a stormwater detention facility combined with a developed park or trail), the portion dedicated to the park facility must meet the minimum park dedication standards.

// MULTI-FAMILY DEVELOPMENT DEDICATION REQUIREMENTS

The City also currently only applies its dedication standards to subdivisions. However, the City also requires multi-family residential facilities in certain zones to provide recreation areas as part of the development. These standards could require development and dedication of active recreation facilities to multi-family developments over a certain size to ensure that they include outdoor recreation areas. In the City's High-Density Residential (RH) Zone, multi-family residential uses are required to provide 300 square feet of recreation area per dwelling unit (see IDC 22.065(D)). The Mixed Density Residential Zone (MX) also requires 15 percent of the site to be permanently reserved as usable common open space in developments that are at least three acres in size (see IDC 23.065(A)(1)). These provisions could be updated to require certain types of amenities be included (e.g., play structure, seating, shade trees, etc.). The City also may want to specify if these facilities should be dedicated to the City or owned and maintained by the private development.

RECOMMENDATIONS

- Update requirements for multi-family and mixed use zones to include specific amenities within required recreational areas. The updated requirements would ensure that recreational areas within new developments include appropriate amenities as part of their design and construction. They may or may not include all baseline amenities identified for neighborhood parks or mini-parks, given the relatively small size of recreational areas within multi-family developments.
- Consider updating requirements for multi-family and mixed use zones to specify whether required recreation areas and amenities will be maintained by the City or the private developer or property owner.

// ADDITIONAL RECOMMENDATIONS

Other recommendations include the following.

- **Alternative Discretionary Path.** We recommend that the City provide for a more flexible, discretionary path (at the applicant's option) that allows the City and developer to negotiate for a land dedication that meets the intent but not all the specific requirements of the dedication process. Resulting decisions would require approval by the City Council.
- **Other standards or requirements.** We recommend the following types of provisions be incorporated in the land dedication provisions:
 - **Phasing** – specify when the dedication for new park land should occur during a multi-phase development (e.g., occur during the first phase or occur in pieces during each phase as long as each dedication contributes to the park concept in the annexation master plan).
 - **Site preparation** – require the site to be graded and that no spoils from construction activities be placed on the site.
 - **Contamination** – require the site to be free of contamination by hazardous materials.

// RELATED TOOLS AND STRATEGIES

As noted previously, development code provisions that require park land or facility dedication are just one mechanism for ensuring that the City can meet its goals for maintaining and enhancing its park and recreation system over the long term. Other tools and strategies include:

- **System Development Charges.** These can be used to pay for facilities necessitated by new growth, including to help pay for a portion of the cost of adding or upgrading amenities to existing parks where new residents will use them as long as they are identified in the master plan and are eligible projects in the capital improvement plan.
- **Area Plans.** The SouthWest Independence Concept Plan is an example of a local area plan that identifies the need and general locations for new parks and trails. The PSMP and local area plans should be used in conjunction with park land dedications to acquire land and build new parks and trails.
- **Development Agreements.** These also can be used in growth areas or as part of approval of individual new developments to define responsibilities for paying for the development and future maintenance of park facilities.
- **Park System Maintenance Fee.** These fees can be adopted by a City Council through an ordinance and applied to all households and/or businesses to help cover the cost of ongoing maintenance of park and recreation facilities.

B. Subdivision or Partition Adjacent to Right-of-Way. Where the subdivision or partition is adjacent to a railroad right-of-way, and the surrounding economic and physical conditions indicate such property may be used for industrial purposes in the normal growth of the community, all streets shall be located at a sufficient distance from said right-of-way to allow for reasonable sites for industrial use adjacent to said right-of-way or buffer facilities will be provided adjacent to the right-of-way to minimize conflict between the railroad and adjacent land uses.

90.90.055 Platting and Mapping Standards - Partial Development. Where the subdivision or partition includes only a part of the area owned by the applicant, the Planning Commission may require a sketch of a tentative layout of streets in the remainder of said ownership.

90.90.060 Land for Public Purposes

A. The applicant shall dedicate to the City a tract of land within or adjacent to the proposed subdivision, not less than 6.25 percent of the gross area of said subdivision for public park and recreation purposes. Any tract of land dedicated shall be approved by the City as being suitable and adaptable for park and recreation uses.

B. At the option of the Planning Commission, the City may permit the applicant to pay a sum of money in lieu of dedication of land. Said sum shall equal 13.0 percent of the market value of the undivided land as of the date of final plat approval, as carried on the tax roll or as determined by of the Polk County Assessor. Payment of said funds must be made at the time of approval of the final plat map.

C. All funds collected in lieu of land shall be credited to a public park and recreation development fund which may only be expended by resolution of the City Council for the purpose of acquiring land for park and recreation purposes or for the development of existing park lands.

90.90.065 Submitting Specification. The City shall adopt by ordinance specifications and amendments thereto for construction of streets and alleys, construction of curbs and gutters, dedication of slope easements for streets and alleys, construction of drainage facilities, and construction of pedestrian ways in subdivisions and partitions. Such specifications shall conform to proper engineering standards relevant thereto, and be so devised as to facilitate provision for the health, safety and welfare needs of the City and area affected, in accordance with the purpose of this chapter.

90.90.080 Improvements - Water Supply. All lots and parcels within subdivisions and partitions shall be served by the water system of the City of Independence.

90.90.090 Improvements - Land Surface Drainage. Such grading shall be done and such drainage facilities shall be constructed by the land divider as are adequate for the purpose

1. Garage. A garage is allowed subject to the design and setback requirements of the zone.
 2. Carport.
 - a. If an attached carport is proposed, the structure shall meet the setback and applicable design requirements for an attached garage.
 - b. If a detached carport is proposed, the structure shall meet the design and setbacks for detached garages, provided that the side yard setback shall be at least five (5) feet.
 3. No Carport or Garage. Where a garage or carport is not proposed, two paved, 10 by 20-foot off-street parking spaces are required for each single-family dwelling or duplex unit.
- C. Width of Paving. In no instance shall a paved portion of the front or side yard exceed more than 50 percent of the lot width.
- D. Manufactured dwellings located in manufactured dwelling parks are required to install either a garage or carport.

22.060 Residential Design Standards

Design standards for residential uses in the High-Density Residential Zone are presented in Subchapter 19.

22.065 Development Standards for Multiple-Family Development

All multiple-family residential developments in the RH Zone shall comply with the following specific standards:

- A. Signs. Signs shall be subject to the provisions of Subchapter 58.
- B. Landscaping. All development is subject to the landscaping provisions in Subchapter 54. Recreation areas may be included as part of the required landscaping.
- C. Screening. All exterior garbage collection areas, recycling areas, and mechanical equipment shall be screened with a sight obscuring fence, wall and/or sufficient landscaping. Unsightly garbage collection areas, recycling areas and mechanical equipment shall be located away from the street.
- D. Recreation Area. Each lot having a multiple-family residential building on it shall have at least 300 square feet of recreation area per dwelling unit. The required recreation area can be located within the required front or rear

yards. Such recreation areas shall be planted with grass or otherwise developed and landscaped in a manner suitable for pedestrian traffic and recreation.

- E. Access. Access points to property from a street shall be located to minimize traffic congestion, and maximum effort shall be made to avoid directing traffic into residential areas. Existing access roads and access points shall be used to the maximum extent possible to serve the greatest number of uses. All access roads and driveways shall be surfaced with asphaltic concrete or similar permanent surfacing.

22.070 Reference to Additional Standards

Additional or alternative use and development standards may be found in the following chapters:

- A. Flood Damage Prevention Subchapter 51
- B. Willamette Greenway Development District Subchapter 52
- C. Buffering/Screening/Landscape/Ash Creek Setbacks Subchapter 54
- D. Planned Unit Developments Subchapter 60
- E. Manufactured Dwellings Subchapter 61
- F. Home Occupations Subchapter 72
- G. Parking Subchapter 73
- H. Accessory Structures Subchapter 74
- I. General Development Standards Subchapter 75

b. If a detached carport is proposed, the structure shall meet the design and setbacks for detached garages, provided that the side yard setback shall be at least five (5) feet.

3. No Carport or Garage. Where a garage or carport is not proposed, two paved, 10 by 20-foot off-street parking spaces are required for each single-family dwelling or duplex unit.

C. Width of Paving. In no instance shall a paved portion of the front or side yard exceed more than 50 percent of the lot width.

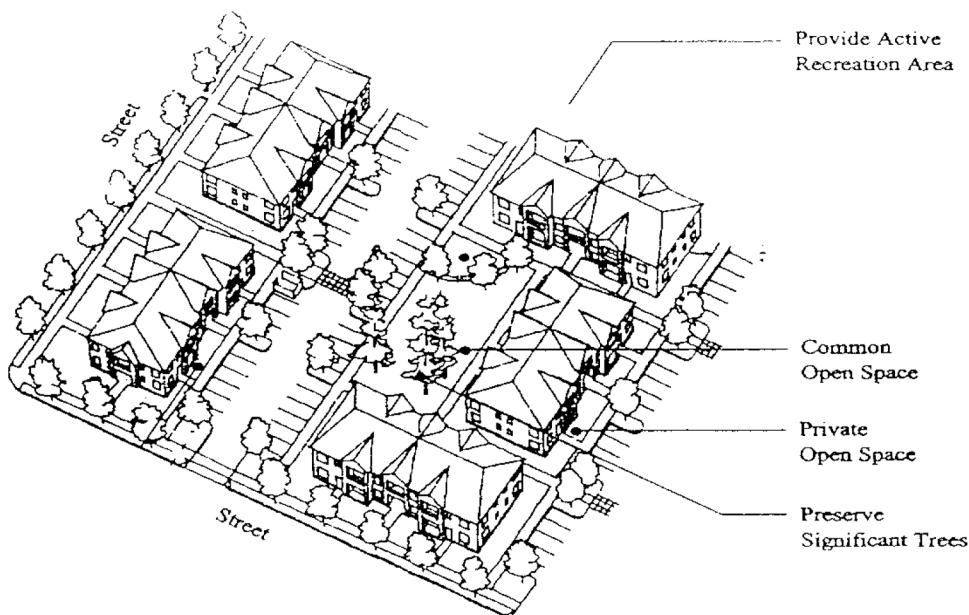
23.060 Residential Design Standards

Design standards for residential uses in the Mixed-Density Residential Zone are presented in Subchapter 19.

23.065 Development Standards for Multiple-Family Development

A. Multiple-family housing. Multiple-family housing is allowed per the Site Design Review process within the Mixed Residential (MX) Zone. Multiple-family housing means housing that provides three (3) or more dwellings on an individual lot. New multiple-family developments shall comply with all of the following standards:

Figure 23.050(3) – Multiple-family Housing (typical site layout)



1. Common open space standard. Inclusive of required setback yards, a minimum of 15 percent of the site area shall be designated and permanently reserved as usable common open space in developments that are at least three (3) acres in size with more than 10 multiple-family or attached single-

family dwellings as specified by Subsection 23.010(B). The site area is defined as the lot or parcel on which the development is planned, after subtracting any required dedication of street right-of-way and other land for public purposes (e.g., public park or school grounds, etc.). Sensitive lands and historic buildings or landmarks open to the public and designated by the Comprehensive Plan may be counted toward meeting the common open space requirements.

2. Private open space standard. Private open space areas shall be required for ground-floor and upper-floor housing units based on all of the following standards:
 - a. A minimum of 50 percent of all ground-floor housing units shall have front or rear patios or decks measuring at least 48 square feet. Ground-floor housing means the housing unit entrance (front or rear) is within 5 feet of the finished ground elevation (i.e., after grading and landscaping);
 - b. A minimum of 50 percent of all upper-floor housing units shall have balconies or porches measuring at least 24 square feet. Upper-floor housing means housing units that are more than 5 feet above the finished grade; and
 - c. Private open space areas shall be oriented toward common open space areas and away from adjacent single-family residences, trash receptacles, parking and drives to the greatest extent practicable.
3. Exemptions. Exemptions to the common open space standard may be granted for multi-unit developments of up to 10 units. Exemptions may be granted for the first 20 units of a larger project when these developments are within one-quarter mile (measured walking distance) of a public park; and there is a direct, accessible (i.e., Americans With Disabilities Act-compliant), lighted, and maintained pedestrian trail or sidewalk between the site and the park. An exemption shall be granted only when the nearby park provides active recreation areas such as play fields; children's play area, sports courts, walking/fitness course, or similar facilities.
4. Landscaping. All development is subject to the landscaping provisions in Subchapter 54. Recreation areas may be included as part of the required landscaping.
5. Screening. All exterior garbage collection areas, recycling areas, and mechanical equipment shall be screened with a sight obscuring fence, wall and/or sufficient landscaping. Unightly garbage collection areas, recycling areas and mechanical equipment shall be located away from the street.

6. Signs. Signs shall be subject to the provisions of Subchapter 58.

23.070 Reference to Additional Standards

Additional or alternative use and development standards may be found in the following chapters:

- | | |
|---|---------------|
| A. Flood Damage Prevention | Subchapter 51 |
| B. Willamette Greenway Development District | Subchapter 52 |
| C. Buffering/Screening/Landscape/Ash Creek Setbacks | Subchapter 54 |
| D. Planned Unit Developments | Subchapter 60 |
| E. Manufactured Dwellings | Subchapter 61 |
| F. Home Occupations | Subchapter 72 |
| G. Parking | Subchapter 73 |
| H. Accessory Structures | Subchapter 74 |
| I. General Development Standards | Subchapter 75 |

Figure 12. Approach to Natural Resources Management

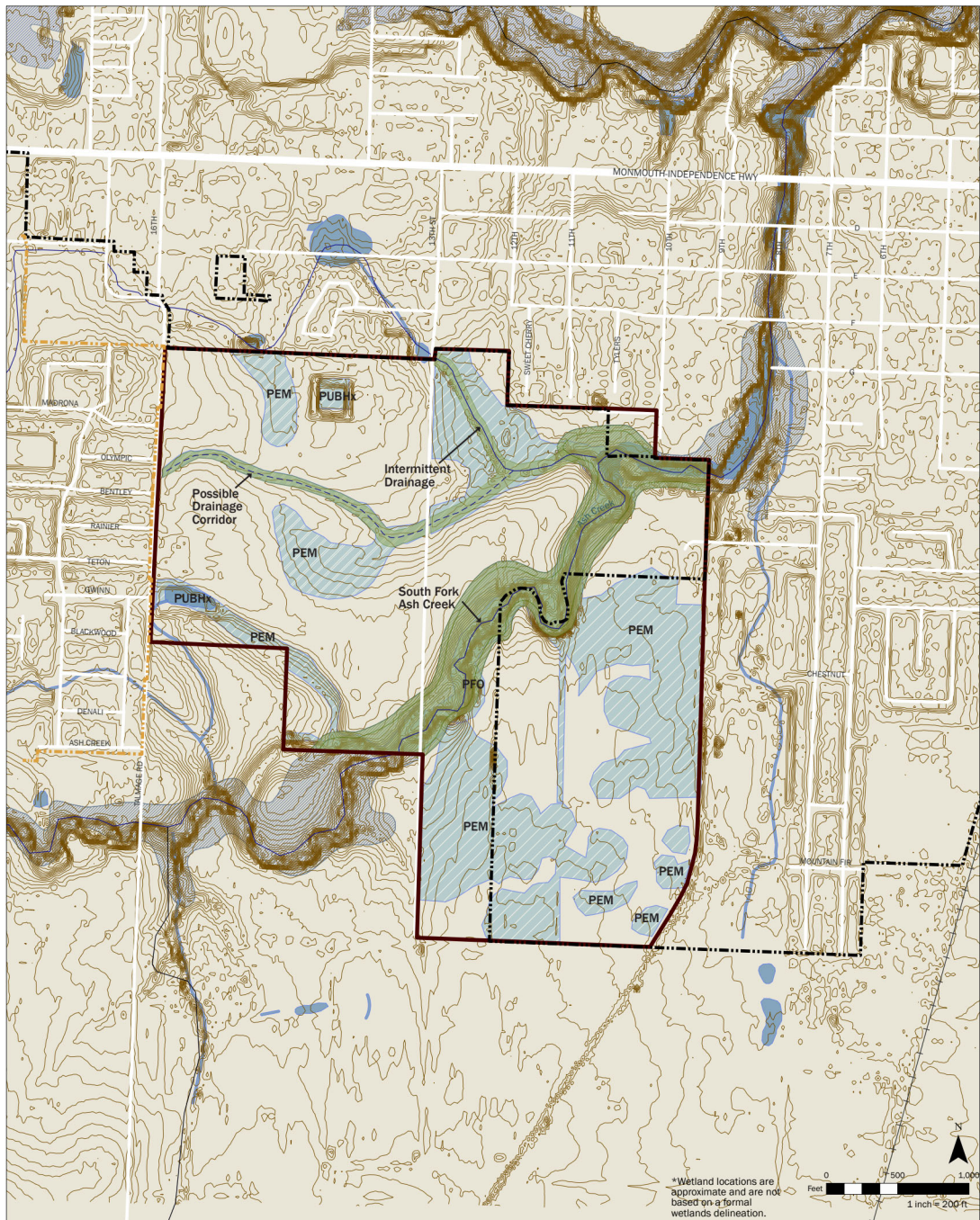
Open Space & Natural Resources Management

The Plan incorporates an open space system centered around the South Fork Ash Creek stream/floodplain/wetland corridor. This corridor would meet multiple purposes including protection of riparian and other natural resources, opportunities for wetland mitigation, flood storage, stormwater management, a multi-use trail, and linear and mini-neighborhood park areas.

The Plan also identifies two potential drainage/wetland corridors, the location of which is based on the location of potential wetlands and intermittent drainages identified during this planning process and previous studies. However, their location may change pending the results of future wetland delineations and proposals for wetland avoidance, restoration and enhancement.

The final amount of developable land will be determined by formal wetland delineation. Depending on how wetlands are treated on the site during development, some additional existing wetland areas may be further restored or enhanced and become part of the open space network.

The open space network identified in the Plan is an essential element of infrastructure for the future community. The combination of open space, parks, and trails as in this network can deliver vital services at the scale of a watershed while fostering a livable community. The planning and design approach for the parks, trails, and open space for the Planning Area considers the multiple functions that these spaces can serve:



Southwest Independence Concept Plan
Approach to Natural Resources Management



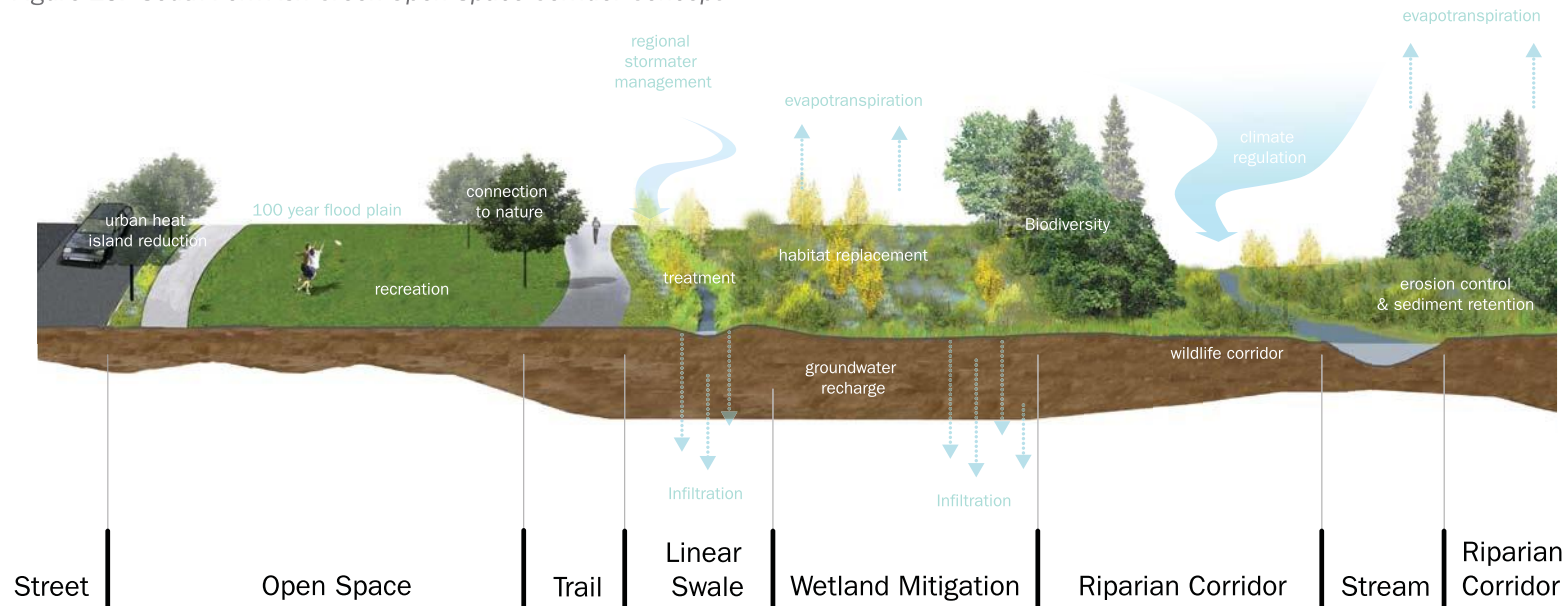
- Study area
- Independence city limit
- Monmouth city limit
- ~ Creek
- 1-foot contour
- Riparian corridor/floodplain/
stormwater drainage/trail
- 100-year floodplain
- Wetland (NWI)
- Approximate location
of potential wetland*

*Wetland locations are approximate and are not based on a formal wetlands delineation.

- **Active and Passive Recreation:** Connectivity, Alternative transportation choices, and Promoting a Healthy lifestyle
- **Natural Resources:** Protection of Natural Resources, Restoration of Riparian Buffers, Promotion of Habitat Corridors and Access to Nature
- **Stormwater Management:** Opportunities for regional low impact development strategies and Flood storage

The preferred design for the drainage/wetland areas is an 80-foot linear corridor consisting of a 50-foot wide drainage area, with an additional 30-foot wide trail/stormwater easement on one side (see Figure 13). Alternative approaches to these corridors may be proposed and potentially approved if they meet other city standards and requirements for stormwater management and any applicable state or federal agency coordination or other requirements.

Figure 13. South Fork Ash Creek Open Space Corridor Concept



The Plan also shows a mini-neighborhood park adjacent to 13th Street and the Ash Creek corridor (see “Figure 9. Concept Plan and Proposed Land Use” on page 14). This location allows for some overlap of with the Ash Creek floodplain, reducing the amount of land required for the park and responds to property owner and other public input.



A Mini Neighborhood Park is a hybrid category created for the Independence Parks Master Plan 1993. It fills the gap between a mini-park (one acre or less) and a neighborhood park/playground (15 or more acres). The Mini-Neighborhood Park must be accessible within ¼ mile radius of the community it serves. It would require not having to cross an arterial for access to the park. Independence’s Mount Fir Park, Pioneer Park and the proposed Mount Fir Village Park provide Mini-Neighborhood park service to part of the study area.

SIZE: 3 - 6 acres
 SERVICE DISTANCE: less than 1/4 mile radius

3. Implementation Approach

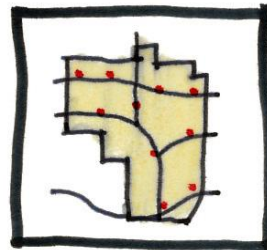
This section of the Plan includes policies specific to the Planning Area, a description of proposed planning and zoning requirements, and a summary of additional future actions needed to implement the Plan.

Plan Policies

Land Use

- **Siting Residential Density:** The Southwest Independence Concept Plan identifies the approximate location and acres of types and densities of residential land use. Through the detailed master plan and subdivision process, the applicant shall have the ability to propose minor changes to the locations of medium and higher density land uses, consistent with the overall target densities and distribution of housing types identified in the Concept Plan. However, medium and high density housing should be located in one or more of the following areas, consistent with Concept Plan diagrams and supporting narrative:

- * At gateways and along collector or arterial streets;
- * Closest to existing services and commercial areas; and/or
- * Adjacent to parks, natural areas or other amenities.



- **Master Planning:** During annexation of a property located inside the Southwest Independence Concept Planning area, a master plan shall be submitted by the property owner for

the entire property to show the proposed layout of streets and locations of low, medium and higher density housing for all residential development in the master planning area. The master plan will provide the tool to track target housing units and densities with the allocations identified in the Concept Plan.

- **Housing Types:** A mixture of different building types is encouraged within the residential areas (e.g. single family residential, duplex, attached single family residential, multifamily). Outside of the overall target number, density and general distribution of housing units, it is expected that the MX Zone will provide flexibility for a mix of housing types and lot sizes. The master plan shall identify lots intended for attached and multifamily housing. To ensure efficient use of land in the Concept Plan area, a minimum average net density of 9 units per acre is established within the Concept Plan area as a whole and to Master Planning areas. Lot sizes may be averaged and densities may be shifted between properties to provide flexibility to meet changing housing and market needs.

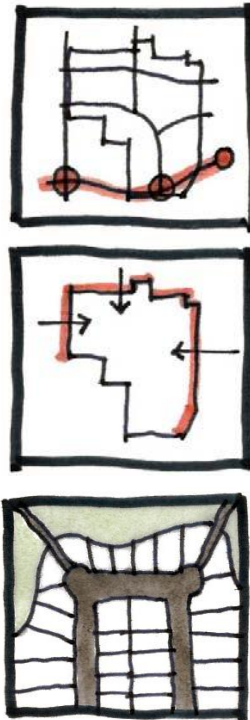


- **School Siting:** As of the date of adoption of this Plan, the Central School District had not identified the need for any specific school sites within the planning area. However, if the Central School District identifies a need for future school(s) within the Concept Plan area, appropriate site(s) shall be identified consistent with the policies of the Independence Comprehensive Plan and/or School District Facility Plan. The Southwest Independence

Concept Plan does not designate potential school sites and the transportation analysis did not assume development of a school in the Concept Plan area. At a minimum, development of a public school within the Concept Plan Area would require conditional use approval and a full traffic analysis.

Transportation

- Major Roadways:** New collector and arterial streets will connect to existing roadways as illustrated in Figure 10.
- Local Street Connections:** Local streets shall connect to adjacent local streets in existing neighborhoods except where impacts to natural features or other physical constraints make such connections infeasible or physical or other costs outweigh benefits associated with connectivity.
- Street Connectivity:** An interconnected street system shall be provided within and between individual residential areas within the Concept Plan area and between it and adjacent portions of the cities of Independence and Monmouth. All streets shall be built to established standards for street connectivity and block length as set forth in Section 90.90 of the city's Development Code. Street standards in the Southwest Independence Concept Plan shall supersede TSP or Development Code standards where they conflict. Because local streets may be extended on an incremental basis as development occurs, it may be necessary to accept temporary



dead-ends or “stub streets” that will be extended when future development occurs.

- Cul-de-sacs:** Where cul-de-sacs are constructed, they shall comply with the maximum length standards in Section 96.90 of the city's Development Code. A pedestrian and bicycle connection may be required between the end of the cul-de-sac and the nearest local street to provide connectivity.
- Green Street Design:** Developers will be allowed and encouraged to construct green street features on local and collector streets to reduce the amount of stormwater entering local rivers and streams, reduce demand on the city's infrastructure and improve water quality. Modifications to street standards will be allowed without a variance at the subdivision phase if a developer proposes green street features that are approved by the City Public Works Department and Planning Commission.



- Pedestrian Facilities:** Sidewalks shall be provided along both sides of all streets. Where a wider multi-use path is provided, the multi-use path shall replace the required sidewalk.
- Bicycle Facilities:** Bicycles shall be accommodated through a combination of bicycle lanes, off-street pathways and shared use of local streets as shown in Figure 11.

Public Facilities

- **Stormwater:** The City will encourage natural stormwater drainage systems designed to manage and filter as much stormwater on site as reasonably possible and to incorporate natural drainage and management techniques. Examples and illustrations of low impact development approaches that may be appropriate in the Planning Area are included in the Background Conditions Report and Charrette Report.

Parks, Open Space, Natural Areas and Trails

- **Ash Creek Riparian Corridor:** The city will establish an open space corridor along the South Fork of Ash Creek to provide for a combination of riparian area protection, flood storage capacity, wetland preservation and enhancement, stormwater management and linear park and trail development.
- **Park Development:** A minimum of one mini-neighborhood park shall be established within the Concept Plan area. The specific location and size of this park shall be refined through the master plan and subdivision process. However, as illustrated in the Concept Plan (Figure 9 on page 14), the park site shall be generally located adjacent to and/or partially within the South Fork Ash Creek riparian/floodplain/wetland corridor. The park shall meet standards for a mini-neighborhood park as detailed in the Independence Park and Recreation Master Plan.
- **Open Space and Natural Resources:** The City will support “green” development approaches, including co-location of stormwater swales in parks and along linear trail corridors to reduce land needs and costs and create opportunities for education, amenities, and recreational activities.
- **Wetlands:** The city will encourage mitigation of wetland impacts through a combination of avoidance, on-site enhancement or restoration of existing wetlands and

participation in the State of Oregon’s wetland mitigation payment-in-lieu program. Within the Concept Plan area, the city places a particularly high priority on enhancement or restoration of wetlands adjacent to the South Fork of Ash Creek, including the designated South Fork Ash Creek open space corridor identified in “Figure 12. Approach to Natural Resources Management” on page 17. The City considers other wetland areas such as those in areas historically used for agriculture, to be of a lower priority for enhancement, restoration or avoidance. However, property owners will address potential impacts to wetland areas through coordination and consistency with requirement of the Oregon Department of State Lands (DSL) and Army Corps of Engineers. Approval of development will be conditional on meeting these requirements.



- **Trails:** A linked trail system shall be developed within the planning area, including development of trails within the South Fork Ash Creek corridor, other open space corridors and within proposed stormwater management/trail corridors. Through



the subdivision and development permit process, the City of Independence may require dedication or easements to accommodate the development of the trail system.

- **Intermittent drainages:** In addition to the South Fork Ash Creek, the Concept Plan identifies two other potential open space corridors. They are located within an east-west drainage and potential wetlands area west of the South Fork Ash Creek and along an intermittent stream corridor and potential wetland area running northwest to southeast, west and north of South Fork Ash Creek as shown in Figure 12 on page 17. Impacts or alterations to these drainage corridors shall be addressed during the subdivision process as follows:

- * The exact location of these drainage corridors may vary from the locations shown in Figure 12, depending on the results of future wetland delineations and the potential approval of alternative approaches or facilities to address stormwater management and drainage in these areas.
- * Any proposed filling of existing drainage areas shall be coordinated with and comply with requirements of the Army Corps of Engineers.
- * The City encourages designs that provide a linear drainage corridor combined with stormwater management features and recreational trails that connect with the corridor along South Fork Ash Creek. At a minimum, a 50-foot wide drainage with a 30-foot wide stormwater/trail corridor on one side, for a total 80-foot wide corridor, is the preferred design for these areas.
- * An alternative approach to managing flood storage and drainage in this area may be proposed and approved if it meets the City's stormwater management standards and requirements and it is coordinated with and approved through consultation and coordination with the Army Corps of Engineers.

