



# Scio Planning Commission

Scio City Hall - 38957 NW 1<sup>st</sup> Avenue, Scio, Oregon

## **AGENDA**

October 28, 2020 (7:00 PM)

### **ELECTRONIC MEETING**

The Scio Planning Commission will be meeting electronically and not hold a live meeting at the Scio City Hall due to the COVID-19 pandemic. The public may submit public comments on agenda items by email to [cityofscio@smt-net.com](mailto:cityofscio@smt-net.com) prior to 4:00 p.m. on September 30th.

The public can join the meeting from a computer or other electronic device by logging onto <https://us02web.zoom.us/j/89206385198> or dial in by phone US: 1.346.248.7799  
Webinar ID: 892-0638-5198

*Chairman - Beau Buganski*

*Commissioner Richard Androes  
Commissioner Ron Loewen*

*Commissioner Katrina Clouse  
Vacant*

*Commissioner Ellie Ferguson  
Commissioner Nicole Zedwick*

## **7:00 P.M. REGULAR SESSION**

### **CALL TO ORDER:**

### **ROLL CALL:**

### **APPROVAL OF PLANNING COMMISSION MINUTES:** September 30, 2020 Minutes

### **CORRESPONDENCE:**

### **BUSINESS:**

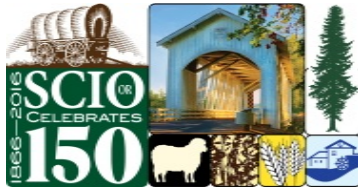
1. Public Hearing: *PL2020-08* – Scio Zoning Code Text Amendments

### **ADJOURNMENT:**

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### **NEXT SCHEDULED PLANNING COMMISSION MEETING(S)**

- Wednesday, TBA, 7:00 p.m. Scio City Hall



**SCIO PLANNING COMMISSION ELECTRONIC MEETING MINUTES  
WEDNESDAY, September 30, 2020**

**7:00 PM**

**COMMISSION MEMBERS PRESENT:** Chairman Beau Buganski, Commissioners Richard Androes, Katrina Clouse, Ron Loewen and Nicole Zedwick, were all present via video. Commissioner Ellie Ferguson was present via phone.

**STAFF PRESENT:** Planning Consultant Dave Kinney, Assistant City Attorney Jeffrey Clayson and Administrative Assistant Cathy Martin were present via video.

**CALL TO ORDER:** Planning Chairman Beau Buganski called the Scio Planning Commission to order at 7:02 p.m.

**ROLL CALL:** Roll call was taken with all members present. There is one vacancy.

**AUDIENCE MEMBERS IN ATTENDANCE:** Ray Rebmann

**APPROVAL OF MINUTES:** The minutes of the July 29, 2020 meeting were reviewed.

*Commissioner Clouse moved, Commissioner Androes seconded, to approve the July 29, 2020 minutes as presented. A voice and hand vote was taken. Motion passed 6/0.*

**CORRESPONDENCE:** A Letter was received from the Fair Housing Council of Oregon and will be included in tonight's public hearing.

**AUDIENCE IN ATTENDANCE:**

**BUSINESS:**

**1. Public Hearing: PL2020-08– City of Scio – Scio Zoning Code Text Amendments – Parking - Presented by Dave Kinney, Planning Consultant –**

Buganski asked if there was a script that he should be following for this hearing. Kinney stated that this is a Legislative amendment so the planning commission will go through a more normal hearing process, staff report, proponents, opponents, questions from the audience or planning commission members, and once the hearing is closed then the planning commission will go through the decision process.

Chairman Buganski open public hearing at 7:06 pm to consider Land Use File #2020-08, Scio Zoning Code amendments.

Planning Consultant, Dave Kinney presented the staff report. Kinney stated that this proposal is to amend the parking standards of the City of Scio Zoning Ordinance. The city received an inquiry from a property owner that operates a business on North Main Street regarding some of the parking requirements, in addition Ginger Allen, City Manager, has been working on some of the planning work with the consultants for the new City Hall facility. We have identified that the standards that are there really don't address properties that are in the commercial zone that are built on 80-100% of the lot. There is no space there to do "onsite parking". The code does not clearly permit there to be off-site parking or joint parking or clear standards to deal with those types of business opportunities. We took a look at the entire parking section of the City of Scio Zoning Code. This proposal was provided to the planning commission, posted on the city's website and notice of the hearing was sent to the entire community. Kinney stated that he used the City of Albany's code as well as the Model Development Code for Small Cities, to go through the city's regulations and develop this proposal.

Kinney stated that the biggest change is that it allows for more flexibility in the code and reduced for many of the commercial uses the number of spaces required for a single development. These changes are designed to try to get a more compact design in an urban area. In a small town, there is not the demand for retail space and more people are doing a lot more online shopping. Fewer parking space requirements are more realistic for a small town like Scio. The code does not change the parking requirements for residential developments. Where the city did not have requirements for different types of living centers, those regulations have been added. The other changes are the development standards, to change the definition of a parking space. The size has been removed from the definition, and allow for some compact parking spaces as well as larger spaces to handle pickups. We also added language requiring people to comply with ADA parking requirements, particularly having those spaces located close to an entry to a building as well as dimension requirements that are part of the federal standards. Lastly, for someone developing a larger parking lot they will have to provide some landscaping, lighting and striping of the parking spaces and buffers if the commercial property is located adjacent to a residential area. Also requires a performance guarantee that if someone has to put in a new parking lot, they have to either, install it before they take occupancy of the building or they have to provide the city with the performance guarantee that is a financial commitment to complete the project.

Commissioner Clouse asked if any of the changes would assist businesses during trash day, for no one to park in certain areas.

Kinney stated that this ordinance does not directly address this.

Clouse stated that the issue is that trash doesn't get picked up because of people parking in front of the places the receptacles are placed.

Kinney stated that the city could add in provisions for placement of trash receptacles in new development, so it doesn't compete with parking. Recognizing there is an issue with

existing buildings, he stated that this is not really a zoning issue, rather a parking regulatory issue. Kinney asked City Attorney Clayson if this was something that could be addressed from their office. Clayson stated that the city could look into the issue and possibly come up with something to address situation.

Loewen stated that the exception that goes on North Main Street does not include the auto parts store, ZCBJ Hall, the old laundry mat, telephone company, Macro Solutions, nor the old bus barn. The lot size for the old bus barn property is the same size as the building. Kinney asked if he was suggesting that the area be extended further. Loewen stated that he thought it should cover all of the old commercial buildings as they all have the same problem as the downtown core area.

Kinney stated that he would draft another map for review and comments. Martin interjected that there are currently exceptions in the code for North Main Street. Kinney stated that he would need to look at the code and the existing commercial area south of Thomas Creek to come up with the map.

Ray Rebmann, stated that Mr. Loewen addressed one of his questions which was why this proposal did not extend south of Thomas Creek. He further stated that he was trying to get an understanding of how the citizens feel about the area down in front of the Museum. The Historical Society owns a 20' strip of land on NE 1<sup>st</sup> between feed mill and Chapin Park. He is trying to determine they need to do something different for parking. Commissioner Androes asked if Mr. Rebmann could identify himself for the record. Mr. Rebmann gave his name and address and stated that he was the President of Scio Historical Society.

Mr. Rebmann stated that he doesn't disagree with the proposal he is just trying to make sure that the changes do not impact the Historical Society and the Museum, in regards to their parking strip. Part of that strip is in the paved street area.

Kinney stated that he does not anticipate that these changes will be detrimental to use. He thought that they might make things easier if the Museum is expanded in the future. However, Mr. Kinney stated that he would do some more checking to make sure that it was not detrimental to the use.

Mr. Rebmann asked about the striping requirement. Kinney stated that this requirement is only for new development, it would not be retroactive. Mr. Rebmann asked if they added a small storage facility, would this force them to changes. Kinney stated that because it is storage, and not publically accessible space it would not. However, he will make sure the proposed regulations address this concern.

Buganski stated that the commission members did not declare any Exparte contact at the beginning of the hearing and asked if they should go through this as well. Kinney stated that he could, that it does apply generically to any property owner within the city. So if you own property within the city it should be declared.

Commissioners Buganski and Clouse stated that they own commercial buildings on N Main Street, Loewen stated that he owns three buildings in the commercial and industrial zones on the south side of town. Androes stated that he has a home in the commercial zone and Zedwick stated that she owns residential property within the city. Kinney stated that for all of the commission members that own property which is zoned commercial or industrial property, that these regulations could apply, and asked if the fact that they own that property render it difficult or impossible for you to make an impartial decision. They all indicated that they could make an unbiased decision on this application.

Martin read the correspondence received from the Fair Housing Council of Oregon into the record. (see Attachment A)

Buganski asked what they are actually concerned with.

Kinney stated that FHCO raised the issue that cities are required to provide findings whenever they adopt plan amendment map change or a zoning map change. That is not what is being proposed here. Kinney stated that he doesn't believe that the housing needs analysis and the buildable lands inventory are issues that need to be addressed in detail. The city has to adopt findings that address all of DLCD's Goals when it take action to approve or amend the development code. Kinney stated that he did not provide the planning commission with a findings document that addressed all of the goal issues in the packet. He had anticipated that the planning commission would hold this first hearing and then he would develop a full set findings in anticipation of the council hearing. In light of two things: 1) The requested changes to the map area for the commercial exceptions for some of the standards; and 2) the need to develop a set findings that address all of the goal issues, Kinney stated that the FHCO letter raised legitimate comments.

Buganski asked if there were any additional comments or questions. There were no further questions at this time.

Kinney asked if there were issues with having a continuance on the hearing. Assistant City Attorney Clayson stated that he has no issues with a continuance, that it is a better way to go by leaving the hearing open to the next meeting.

Kinney recommended continuing the hearing to October meeting @ 7:00 pm.

Buganski stated that the hearing will be continued to the October 28<sup>th</sup> meeting, at which time the planning commission will consider any new testimony, review the findings and make a recommendation to the city council. The hearing was continued at 7:36 pm.

**2. Scio Planning Commission Approval to Vacate City Owned Properties – Presented by Dave Kinney, Planning Consultant –**

Planning Consultant, Dave Kinney stated that the planning commission had looked at the vacation of various alley's and sections of Right-of-ways that were not being used by the city at the February 22, 2017 meeting. This was forwarded on to the council, however the minutes from meeting not as clear at what they should have been to pass on a recommendation that the council proceed with vacation. City Manager Allen is requesting that the original motion be amended to add the words "as needed" to properly reflect the decision of the commission at that time, as recommendation was forwarded on to the council for final decision.

Kinney asked Clayson if a simple motion would suffice to correct the minutes. Clayson stated that it would.

***Commissioner Clouse moved, Commissioner Loewen seconded, to amend the minutes of the February 22, 2017, in order for the motion to read "recommend that the city council keep or vacate the 16 parcels as needed per the consensus of the Commission." Motion passed 6/0.***

Next meeting is October 28, 2020, at 7:00 p.m.

Meeting Adjourned at 7:42 p.m.

Cathy Martin  
Administrative Assistant



September 30, 2020

City of Scio Planning Commission  
38957 NW 1st Ave  
Scio, OR 97374

**Re: Revision of Parking Standards (PL2020-08)**

Dear Commissioners:

This letter is submitted jointly by Housing Land Advocates (HLA) and the Fair Housing Council of Oregon (FHCO). Both HLA and FHCO are non-profit organizations that advocate for land use policies and practices that ensure an adequate and appropriate supply of affordable housing for all Oregonians. FHCO's interests relate to a jurisdiction's obligation to affirmatively further fair housing. Please include these comments in the record for the above-referenced proposed amendment.

As you know, all amendments to the City's Comprehensive Plan and Zoning map must comply with the Statewide Planning Goals. ORS 197.175(2)(a). When a decision is made affecting the residential land supply, the City must refer to its Housing Needs Analysis (HNA) and Buildable Land Inventory (BLI) in order to show that an adequate number of needed housing units (both housing type and affordability level) will be supported by the residential land supply after enactment of the proposed change. Further, adequate Goal 10 findings are also required for housing related code amendments, including development code changes such as parking standards that have an impact on development type and feasibility. We have reviewed the Planning Commission packet and observed no written findings for Ordinance PL2020-08, despite the impact it may have on the ability of the City to meet its housing needs. Therefore, we are obligated to submit a comment letter raising concerns about the failure to analyze Goal 10 in a manner that allows us to provide useful comments, and will ultimately preserve our right to appeal the City's decision on the basis of the lack of, or inadequate, findings.

[Attachment A](#)  
[September 30, 2020](#)  
[Planning Commission Minutes](#)



Thank you for your consideration. Please provide written notice of your decision to, FHCO, c/o Louise Dix, at 1221 SW Yamhill Street, #305, Portland, OR 97205 and HLA, c/o Jennifer Bragar, at 121 SW Morrison Street, Suite 1850, Portland, OR 97204. Please feel free to email Louise Dix at [ldix@fhco.org](mailto:ldix@fhco.org) or reach her by phone at (541) 951-0667.

Thank you for your consideration.

A handwritten signature in black ink that reads "Louise Dix".

Louise Dix  
AFFH Specialist  
Fair Housing Council of Oregon

/s/ Jennifer Bragar

Jennifer Bragar  
President  
Housing Land Advocates

cc: Kevin Young ([kevin.young@state.or.us](mailto:kevin.young@state.or.us))

**David W. Kinney**  
*Community Development Consultant*  
791 E. Hollister St., Stayton, OR 97383  
Office: (503) 769-2020 Cell: (503) 551-0899  
Email: [dwkinney@wvi.com](mailto:dwkinney@wvi.com)

**October 21, 2020**

**To: Chairman Beau Buganski and Planning Commissioners**

**From: David W. Kinney, Planning Consultant**

**In RE: Scio Zoning Code Text Amendments**

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## **Issue Summary**

The City Manager and Planning Consultant recommend the City update the city's parking standards in Sections 5.200 to 5.250 of the Scio Zoning Ordinance 561.

The City's parking standards make it difficult to develop/redevelop property in the City's commercial zone. Standards developed in the 1970's and 1980's do not encourage a compact development form and require more off-street parking than is necessary for "small-town" retail or service uses. Several property owners on N. Main Street have inquired about the City's parking standards.

- Existing commercial buildings on N. Main Street occupy 80%-100% of the lot area. If businesses expand or change uses, it is impossible to provide on-site parking.
- The City of Scio plans to redevelop the City Hall site at the corner of NW 1<sup>st</sup> Avenue and NW Alder Street. It cannot comply with the current off-street parking standards for a new building.
- Parking standards do not allow an on-street parking credit for spaces on the frontage next to a building, parking in an alley, or for location of off-street in another parking lot located within 500' of a commercial use.
- Design and construction standards for parking lots have not been updated in more than 20 years. New standards are needed to address ADA requirements, standard & compact spaces, loading zones, lighting, landscaping and access driveways.

## **Proposed Scio Zoning Ordinance Amendments**

DLCD and ODOT have prepared a "Model Development Code for Small Cities" (2015 edition)". The Model Code includes updated parking standards and design requirements for Oregon's small towns.

The City staff has prepared a DRAFT ordinance to amend the parking standards in Sections 5.200 to 5.250 of the Scio Zoning Ordinance (Ordinance 561). The Draft ordinance dated October 2020 includes an explanation of each change in a text box under each proposed amendment. The Ordinance was submitted to DLCD as a proposed post-acknowledge plan amendment (PAPA) on August 24, 2020, 35-days prior to the Planning Commission public hearing.

## *Proposed Scio Zoning Code Amendments*

### *Section 1.010 -- Definitions*

1.010	“Parking Space”	Remove the 9’ x 20’ parking space dimension from the definition. This allows the City to allow for standard size spaces, compact parking spaces, on-street parking spaces and specialty loading areas with larger dimensions.
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### *Sections 5.200 to 5.250 -- Parking Standards*

#### *5.210 Applicability*

5.210.A	Where Parking Regs Apply	Parking standards apply in all zones. Parking must be provided with new construction or expansion of a use.
5.210.B	N. Main Commercial Zone	Exempts the N. Main Commercial District from off-street parking requirements, as shown on map.  <b>The map has been revised to expand this area, as recommended by the Planning Commission at the September 30, 2020 meeting.</b>
5.210.D	Calculating Parking Needs	Describes how City determines the # of parking spaces needed for a new building or expanded use.

#### *5.220 Vehicle Parking Standards*

5.220.A	Minimum Parking Standards	Updates Table 5.220.A for Residential, Public, Commercial and Industrial Uses. The City used the “Model Code” and “City of Albany” parking tables to modify the number parking spaces required.  Reduces parking requirements for many commercial and industrial uses.
5.210.B	N. Main Commercial Zone	Exempts the N. Main Commercial District from off-street parking requirements, as shown on map.
5.210.D	Calculating Parking Needs	Describes how City determines the # of parking spaces needed for a new building or expanded use.
5.220.B	Credits for On-Street Parking	Allows a credit for on-street parking in front of a business.

5.220.C	Parking Location	Allows off-site parking on another parcel of land within 500' of the use and for shared parking, when the times of use are different
5.220.D	Exceptions	Adds Section to enable the City to grant an exception to the minimum parking spaces required, based on a traffic engineering analysis.
5.220.F	Compact Cars	Allows for use of compact car parking spaces.
5.220.G	ADA Compliance	Requires provision of ADA parking spaces, signs & walks.
5.220.H	Design Standards	Updates parking stall design standards.

### ***5.230 Off-Street Loading***

5.230.A	Drop-off / Pickup Areas	Allows for pedestrian/student drop-off/pickup zones.
5.230.B	Loading Zones	Defines off-street loading zones – 12' x 20' loading area.

### ***5.240 Off-Street Parking Area – Maintenance & General Provisions***

5.240.A	Maintenance	Maintenance and continuous use of the parking lot “for parking” is required & the responsibility of the owner.
5.240.C	Storage Prohibited	Use of parking spaces for outdoor storage is prohibited.

### ***5.250 Design, Plan Review and Construction***

5.250.A	Parking Plan	Parking Plan submittal is required, including storm drainage system calculations and design.
5.250.B	Construction Standards	Describes hard surface pavement, storm drainage, wheel bumpers, curbs, driveway access (in/out), clear vision, lighting, striping and landscaping requirements.
5.250.C	Performance Bond	Requires property owner to build the parking lot at time of building construction and to provide a performance bond to guarantee completion of the parking lot improvement.

## Decision Process:

These are legislative amendments to the Scio Zoning Ordinance. Two public hearings are required.

Planning Commission review:

August 2020	Staff prepared and reviewed the DRAFT amendments to the Zoning Code.
August 24, 2020	Notice was provided to DLCD more than 35 days prior to the initial public hearing before the Planning Commission.
September 2020	Notice was provided to Linn County and private utilities asking for agency comments prior to the Public Hearing.
September 30, 2020	Planning Commission Hearing & Recommendation: The Planning Commission will hold a public hearing on September 30, 2020 and forward their recommendation to the City Council.
<b>October 28, 2020</b>	<b>PC Hearing (Continued) – Consider Changes recommended by PC members, public comments and findings of fact (to be prepared). Copies of the updated staff report with Findings will be available on the City website and will be provided to DLCD.</b>
<b>November 9, 2020</b>	City Council Hearing and Action. The City Council will hold a legislative hearing to consider the amendments. At the conclusion of the public hearing, the City Council may:  <ol style="list-style-type: none"><li>(1) Approve the code amendments as submitted,</li><li>(2) Modify and approve code amendments as modified,</li><li>(3) Refer the issue back to the Planning Commission for reconsideration, or</li><li>(4) Reject the code amendments.</li></ol>

**Staff Recommendation:**                      **Approval**

## Options:

1. Continue the public hearing.
2. Close the public hearing and leave the record open for \_\_\_\_ days.
3. Close the public hearing and refer the amendments back to the Planning Commission to make modifications or reconsider the zoning code amendments.
4. Recommendation to approve the zoning code amendments as presented (or as modified) and forward them to the City Council for consideration.

# ORDINANCE NO. 617

## AN ORDINANCE AMENDING ORDINANCE 561 – SCIO ZONING CODE

WHEREAS, the Planning Commission recommends various sections of the Scio Zoning Ordinance be amended to modify the parking standards that apply to a new development or expanded use as recommended in DLCD’s Model Development Code for Small Cities; and

WHEREAS, the Scio Planning Commission held a public hearing on September 30, 2020 to consider the amendments and continued the public hearing to October 28, 2020 in order to make modifications to the proposal; and

WHEREAS, the Scio Planning Commission recommends the City Council adopt the proposed amendments to the parking standards in the Scio Zoning Ordinance; and

WHEREAS, the City Council held a public hearing on \_\_\_\_\_, 2020; and

WHEREAS, at the conclusion of the public hearing, the City Council deliberated on the proposal, and concurred with the Planning Commission recommendations;

NOW, THEREFORE, the City Council of the City of Scio hereby ordains as follows:

**SECTION 1. Findings.** Findings of fact, attached hereto as Exhibit “A” and incorporated herein are adopted as a basis for the adoption of the amendments to the Scio Zoning Ordinance.

**SECTION 2. Definitions.** Section 1.030 of the Scio Zoning Ordinance is hereby amended to amend the following definition:

38. **Parking Space.** An enclosed or unenclosed surfaced area of exclusive of maneuvering and access area, permanently reserved for the parking of one van, truck or passenger vehicle.

1.030 Parking Space. Removes 20’ x 8’ dimension for a parking space. See new Section 5.220.H on pages 9 and 10 for parking space dimensions figure and Table 5.220.H for parking space dimensions and table.

**SECTION 3. Parking Standards.** Sections 5.200 to 5.250 of the Scio Zoning Ordinance are hereby amended to read as follows:

### **Section 5.200. Vehicle Parking and Loading.**

The design of parking areas and off-street loading areas is critically important to the viability of commercial uses, pedestrian and driver safety, the efficient and safe operation of adjoining streets, and community image and livability. The parking requirements are intended to be flexible. The standards provide for the number of parking spaces and for the location, size, and design of parking areas to ensure such areas can be accessed safely and efficiently.

### Section 5.210. Applicability.

- A. Where Parking Regulations Apply.** The regulations of Sections 5.210 to Section 5.250 apply to all parking areas in all zones, at all times, whether parking is required by this Code or put in for the convenience of property owners or users.

At the time of construction or expansion of a building or at the time of a change in use of an existing building to a use requiring additional parking spaces within any zone in the city, off-street parking spaces shall be provided in accordance with the requirements of this Code.

- B. Main Street Commercial District.** Off-street parking spaces are not required for **commercial, public or institutional** uses located within the North Main Street Commercial District, as shown Figure 5.210.B.

Main Street Commercial District. The Planning Commission may modify the boundary of the district. If approved, no new off-street parking will be required for new commercial uses.

PC Recommendation (9-30-2020). Increase area south of Thomas Creek. Expand the area to include “older commercial”. Extend down 226 – Modify the map, in consultation with city staff.

Scio Historical Society President. Concerned with parking issues next to the Museum. Provide parking and use of the museum; 200 sf storage area is being proposed. No negative impacts to the Museum are anticipated.

- C. Occupancy.** All required parking areas must be developed in accordance with the requirements of this Code prior to occupancy of any structure on the subject site. Landscaping, screening, lighting or other site improvements that are shown on the approved parking lot design plans must also be installed and approved by the City prior to occupancy.

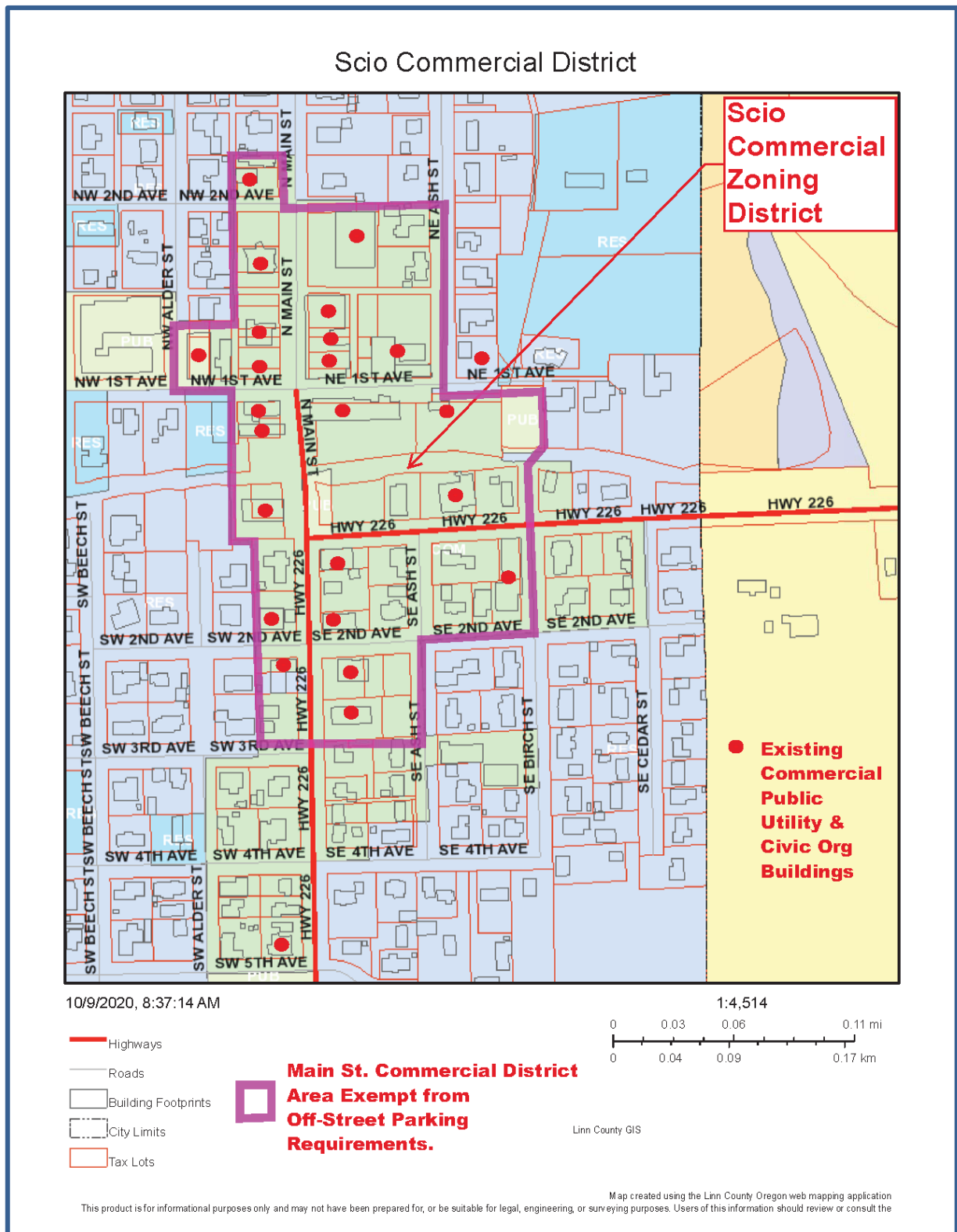
**D. Calculations of Amounts of Required and Allowed Parking.**

1. When computing parking spaces based on floor area, the area measured is the combined floor area of each level of a building, exclusive of vent shafts, stairwells, elevator shafts, restrooms, storage rooms, mechanical/equipment rooms and enclosed/covered parking areas.
2. The number of parking spaces is computed based on the primary uses on the site. When there are two or more primary uses, the minimum number of parking spaces for the site is the sum of the minimum required parking for the individual primary uses on the site and for each level of the building.

*Example: A 10,000 square foot building includes a 3,000 square foot retail area (Area 1) and a 7,000 square foot warehouse area (Area 2). The minimum number of required parking spaces is computed separately for the retail and warehouse uses. The required number of parking spaces is the sum for both uses (Parking Spaces for Area 1 + Parking Spaces for Area 2 = Total # of Required Parking Spaces).*

- E. Use of Required Parking Spaces.** Except as otherwise provided by this section, required parking spaces must be available for residents, customers, or employees of the use. Required parking spaces may not be assigned in any way to a use on another site, except for shared parking pursuant to Section 5.220.C.

Figure 5.210.B  
City of Scio North Main Commercial District



**F. Proximity of Parking to Use.**

1. Residential Uses. Required parking spaces for residential uses must be located on the site of the residential use or on a parcel or tract owned in common by all the owners of the properties that will use the parking area.
2. Non-Residential Uses. Required parking spaces for nonresidential uses must be located on the site of the use or in a parking area that has its closest pedestrian access point within 500 feet of the site [See Section 5.220.C – “Parking Location and Shared Parking”].

**G. Improvement of Parking Areas.** Vehicle parking is allowed only on streets with an improved (paved/PCC) shoulder of sufficient width; within garages, carports, and other approved structures; and on driveways or parking lots that have been developed in conformance with this Code.

**Section 5.220 Vehicle Parking Standards.**

The number of required off-street vehicle parking spaces shall be determined based on the minimum standards in Section 5.220.A.

**A. Minimum Standards**

Table 5.220.A – Vehicle Parking – Minimum Standards	
The minimum number of required off-street vehicle parking spaces shall be determined in accordance with the following standards. Off-street parking spaces may include spaces in garages, carports, parking lots, and/or driveways if vehicles are not parked in a vehicle travel lane (including emergency or fire access lanes). Credit shall be allowed for “on-street parking”, as provided in Section 5.220 B. <b>Scio’s current parking standards are noted in RED</b>	
Residential Uses	
Single Family detached housing, including manufactured homes on individual lots	2 spaces for each home on an individual lot <b>(Same)</b>
Single-family attached housing and two-family housing (Duplex) units	2 spaces per dwelling unit <b>(Same)</b>
Multi-family housing (3 or more dwelling units), apartments or similar group living facilities.	1.5 spaces per dwelling unit <b>Scio requires 2 spaces per unit for a tri-plex; Scio requires 1.5 spaces for multi-family housing.</b>
Manufactured Home Parks	2 parking spaces for each manufactured home <b>(Same)</b>
Retirement center, nursing home, assisted living center or similar care facility	1 space/ 2 patient beds or 1 space/ apartment unit, or combination thereof. <b>Scio requires 1 space per two beds.</b>
Commercial Uses	
Auto, boat or trailer sales, retail nurseries and similar uses	1 space per 1,000 sq. ft. of gross land area (1 <sup>st</sup> 10,000 square feet), and 1 space per 5,000 sq. ft. of gross land area (after 1 <sup>st</sup> 10,000 sq. ft. of gross land area); and 1 space per 2 employees <b>(Scio requires 1 space per 600 sq. ft. of floor area)</b>

Table 5.220.A – Vehicle Parking – Minimum Standards	
Retail sales	1 space per 350 sq. ft. of gross floor area. <b>(Scio requires 1 space per 200 sf)</b>
Bulk retail sales – furniture, appliances or similar	1 space per 750 sq. ft. of gross floor area <b>(Scio requires 1 space per 600 sq. ft. of floor area)</b>
Medical/Dental Offices	1 space per 350 sq. ft. of gross floor area. <b>(Scio requires 1 space per 300 sq. ft. of floor area)</b>
Personal services (hair salons or similar)	1 space per 500 sq. ft. of gross floor area.
Professional, real estate, insurance, general office and financial institution	1 space/500 sq. ft. of gross floor area <b>(Scio requires 1 space per 300 sf of floor area plus 1 space per 2 employees)</b>
Repair shops	1 space per 600 sq. ft. of gross floor area. <b>Same</b>
Bed and Breakfast, hotels and motels	One space for each guest room, plus one space for the manager/owner <b>(Scio requires 1 space per 80% of guest rooms, plus one additional space (for owner or manager)).</b>
Restaurants, café, bar, eating establishment	1 space per 4 seats or 1 space per 200 sq. ft. gross floor area, whichever is less <b>(Scio requires 1 space per 200 sq. ft. gross floor area)</b>
Theaters, auditoriums, gymnasiums and similar assembly uses	1 space/4 seats <b>(Same)</b>
Industrial Uses	
Industrial uses, except warehousing	1 space/2 employees on the largest shift or for each 700 sq. ft. of gross floor area, whichever is less, plus one space per company vehicle <b>(Scio requires 1 space per employee plus 1 space per 600 sq. ft. of gross floor area).</b>
Self-service storage (Mini-Storage)	Two spaces plus adequate space for traffic circulation, loading and unloading.
Warehousing	1 space/ 1,000 sq. ft. of gross floor area or for each 2 employees, whichever is greater, plus one space per company vehicle. <b>(Scio requires 1 space per employee plus 1 space per 600 sq. ft. of gross floor area)</b>
Public Utilities (not including business offices)	1 space/ 2 employees on the largest shift, plus one space per company vehicle; a minimum of two spaces is required.
Public and Institutional Uses	
Pre-school, day care, or child-care centers	1 space per 2 employees plus 1 space per 10 children being cared for; plus, a designated drop-off/pickup parking space. A minimum of 2 spaces are required.
Churches and places of worship	1 space/ 6 seats <b>(Same)</b>
Libraries, reading rooms, museums and art galleries	1 space / 2 employees plus 1 per 500 sq. ft.
Public Assembly	1 space per 75 sq. ft. of public assembly area

Table 5.220.A – Vehicle Parking – Minimum Standards	
Schools, elementary and junior high	1.5 spaces/ classroom, plus 1 per 2 employees.
<b>Exceptions or Unspecified Uses:</b> Where a use is not specifically listed in this table or is not similar to a use listed in this table, an alternative parking requirement shall be determined and approved by the City. The City may determine the number of parking spaces based on either (1) existing parking standards from another city, the ITE Parking Generation Manual or other professional organization or (2) a parking demand analysis prepared by a traffic engineering professional that is submitted by the applicant for the proposed development.	
<b>Exemption for North Main Street Commercial Subdistrict.</b> No off-street parking spaces are required for commercial uses in the North Main Street Commercial Subdistrict, per Section 5.210.B. However, the “maximum parking” standards in Section 5.220.E apply if off-street parking spaces are provided for a commercial use.	

### Section 5.220 Vehicle Parking Standards. (Continued)

**B. Credit for On-Street Parking.** Within the Commercial Zoning District, the City may allow a credit for available on-street parking adjacent to the development. The amount of required off-street parking shall be reduced by one space for every on-street parking space adjacent to the development. On-street parking shall follow the established configuration of existing on-street parking, except that angled parking may be allowed for some streets, where permitted by City and the applicable roadway authority. The following constitutes an on-street parking space:

1. Parallel parking, each 22 feet of uninterrupted curb;
2. Diagonal, each with 9 feet of curb
3. 90-degree (perpendicular) parking, each with 9 feet of curb;
4. Curb space must be connected to the lot which contains the use;
5. Parking spaces that would not obstruct a required clear vision area, nor any other parking that violates any law or street standard; and
6. On-street parking spaces credited for a specific use may not be used exclusively by that use but shall be available for general public use at all times.

**C. Parking Location and Shared Parking.**

1. Location. Vehicle parking is allowed only on approved parking shoulders (streets), within garages, carports and other structures, or on driveways or parking lots that have been developed in conformance with this Code.
2. Off-site parking. Except for single family dwellings, the vehicle parking spaces required by this Chapter may be located on another parcel of land, provided the parcel is within 500 feet of the use it serves. The distance from the parking area to the use shall be measured from the nearest parking space to a building entrance following a sidewalk or other pedestrian route. The right to use the off-site parking must be evidenced by a recorded deed, lease, easement, or similar written instrument.
3. Mixed uses. If more than one type of land use occupies a single structure or parcel of land, the total requirements for off-street parking shall be the sum of the

requirements for all uses, unless it can be shown that the peak parking demands are actually less (i.e., the uses operate on different days or at different times of the day). In that case, the total requirements shall be reduced accordingly. [See Section 5.220.D “Calculation of Amounts of Required Parking”]

4. Shared parking. Required parking facilities for two or more uses, structures, or parcels of land may be satisfied by the same parking facilities used jointly, to the extent that the owners or operators show that the need for parking facilities does not materially overlap (i.e., uses primarily of a daytime versus nighttime nature), and provided that the right of joint use is evidenced by a recorded deed, lease, contract, or similar written instrument establishing the joint use.
5. Availability of facilities. Owners of off-street parking facilities may post a sign indicating that all parking on the site is available only for residents, customers and/or employees, as applicable.

**D. Exceptions and/or Reductions:** An applicant may propose a parking standard that is different than those listed in Table 5.220 for an administrative review and decision by the City Manager if the parking spaces are required as part of a building permit submittal or for review by the Planning Commission if the parking spaces are required as part of a quasi-judicial land use procedure.

1. The applicant’s proposal shall consist of a written request with an explanation why the parking space reduction is appropriate for the proposed use(s).
2. The City may require a parking analysis prepared by a qualified traffic engineering professional. The parking analysis shall assess the average parking demand for existing and proposed uses on the site, proposed # of parking spaces and opportunities for shared parking.
3. The City may approve the proposal or a partial reduction in the number of parking spaces, if it finds
  - a. the applicant will provide an adequate number of parking spaces to serve the proposed uses, and
  - b. the proposal will not negatively impact on-street parking for other uses in the area, and
  - c. the proposal will not create traffic circulations problems or safety hazards on adjacent streets.

**E. Maximum Number of Parking Spaces.** The number of off-street parking spaces provided shall not exceed the required minimum number of spaces required by this Section by more than 25%. Spaces provided on-street do not apply towards the maximum number of allowable spaces. Parking spaces provided through “shared parking” also do not apply toward the maximum number.

**F. Compact Car Parking.** No more than 40% of the parking spaces provided may be designated for compact cars. Compact car spaces must be signed and/or the space painted with the words “*Compact Car Only*”.

**G. American with Disabilities Act (ADA) Parking Requirements.** Accessible parking shall comply with ADA and Oregon Structural Specialty Code requirements, including, but not

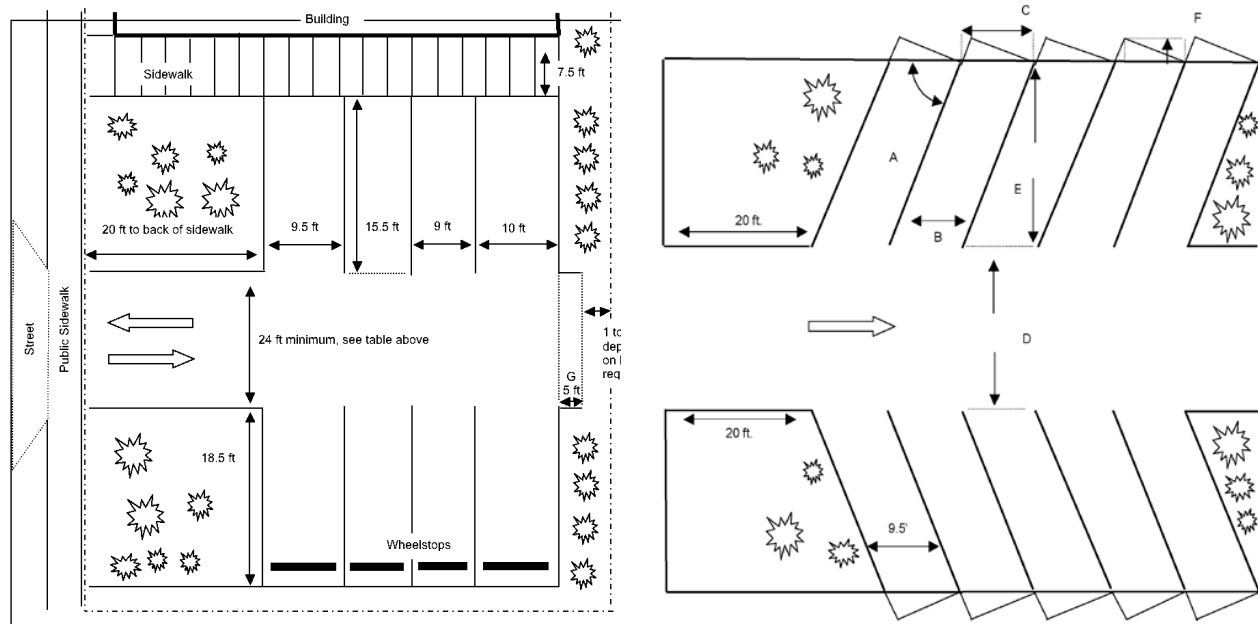
limited to, the minimum number of spaces for automobiles, van-accessible spaces, location of spaces relative to building entrances, accessible routes between parking areas and building entrances, striping, identification signs, lighting, and other design and construction requirements.

**H. Parking Stall Standard Dimensions and Compact Car Parking.** All off-street parking stalls shall conform to City standards for surfacing, storm water management and striping, and provide dimensions in accordance with the following Figure 5.220.H and Table 5.220.H.

**Ryan – Table and Drawings from DLCD Model Code & City of Albany Code – Modify as needed. Does the City want compact spaces to be a minimum of 8’ wide rather than 7.5’ wide?**

Table 5.220.H Minimum Parking Space and Aisle Dimensions								
Angle (A)	Type	Stall Width (B)	Curb Length (C)	1-Way Aisle Width (D)	2-Way Aisle Width (D)	Stall Depth (E)	Bumper Overhang (F)	Dead- End Backup (G)
0° (Parallel)	Standard	8 ft.	24 ft.	12 ft.	24 ft.	8 ft.	NA	NA.
30°	Standard Compact	9 ft. 7 ft. 6 in.	18 ft. 15 ft.	12 ft.	24 ft.	17 ft. 14 ft.	2 ft. 3 ft.	5 ft. 5 ft.
45°	Standard Compact	9 ft. 7 ft. 6 in.	12 ft. 6 in. 10 ft. 6 in.	13 ft.	24 ft.	19 ft. 16 ft.	2 ft. 3 ft.	5 ft. 5 ft.
60°	Standard Compact	9 ft. 7 ft. 6 in.	10 ft. 6 in. 8 ft. 6 in.	18 ft.	24 ft.	20 ft. 16 ft. 6 in.	2 ft. 3 ft.	5 ft. 5 ft.
90°	Standard Compact	9 ft. 7 ft. 6 in.	9 ft. 7 ft. 6 in.	24 ft.	24 ft.	19 ft. 15 ft.	3 ft. 3 ft.	5 ft. 5 ft.

**Figure 5.220.H – Parking Stall Dimensions**



## NOTES:

- (1) For one row of stalls, use “D” plus “E” as the minimum width.
- (2) When appropriate bumper overhang area is provided (extruded curbs), “F” can be subtracted from “E” to determine stall depth.
- (3) Backup areas identified as “G” must be at least five feet from the property line.

### **Section 5.230. Off-Street Loading.**

- A. Passengers Pickup/Drop-off Areas.** A driveway designed for continuous forward flow of passenger vehicles for the purpose of loading and unloading children shall be located on the site of any school having a capacity greater than 25 students.
- B. Merchandise, materials or supplies.** Buildings to be built or substantially altered which receive and distribute material or merchandise by truck shall provide and maintain off-street loading spaces in sufficient numbers and size to adequately handle the needs of the particular use. A standard off-street loading space will be 12' wide x 20' long.

### **Section 5.240. General Provisions - Off-Street Parking.**

- A. Provision and Maintenance of Off-Street Parking.** The provision and maintenance of off-street parking and loading spaces are continuing obligations of the property owner.
1. No building permit shall be issued until plans are presented that show property that is and will remain available for exclusive use as off-street parking and loading space. The subsequent use of property for which the building permit is issued shall be conditional upon the unqualified continuance and availability of the amount of parking and loading space required by this ordinance.
  2. Should the owner or occupant of a lot or building change the use to which the lot or building is put, thereby increasing off-street parking or loading requirements, it shall be unlawful and a violation of this ordinance to begin or maintain such altered use until the required increase in off-street parking or loading is provided.
- B. Exceptions or Unspecified Uses:** Where a use is not specifically listed Table 5.220, parking requirements shall be determined by the City. The City will determine the number of parking spaces required for the proposed use based on a review of (1) existing parking standards from another city or professional organization or (2) a parking analysis submitted by the applicant for the proposed development that is prepared by a traffic engineering professional.
- C. Use of Parking Spaces for Outdoor Storage Prohibited:** Required parking spaces shall be available for the parking of operable passenger automobiles of residents, customers, patrons and employees only, and shall not be used for storage of vehicles or materials.

### **Section 5.250. Off-Street Parking – Plan Review, Design and Performance Guarantee.**

- A. Parking Plan Submittal.** Plans for the parking lot(s) and loading area(s) shall be submitted concurrently with a land use application or a building permit application, whichever comes first. Parking lot design plans shall include storm drainage calculations and engineering plans as required by Section 13.050 of the Scio Zoning Ordinance, in compliance with the City of Scio Public Works Design standards.

**B. Design and Construction Requirements.** Design and construction requirements for parking lots shall include the following:

1. **Surfacing.** All required parking, driveways and access aisles shall be paved with a durable, dust-free surface of asphalt, cement concrete or other material approved by the City Engineer. Pervious pavements may be allowed by the City Engineer.
2. **Drainage.** All parking lots must provide a drainage system to dispose of the run-off generated by the impervious surface. Parking lots shall be drained to avoid flow of water across public sidewalks.
3. **Perimeter Curb.** Perimeter curbing is required for protection of landscaped areas, pedestrian walks and to prevent runoff onto adjacent properties. Parking spaces along the outer boundaries of a parking lot shall be contained by a curb at least four inches high and set back a minimum of five feet from the property line.
4. **Wheel Bumper.** All parking stalls fronting a sidewalk, alleyway, street or property line, except for those designed for a single-family or two-family dwelling, shall provide a secured wheel bumper at least six inches high and at least six feet long, set back from the front of the stall at least 2-1/2 feet, but no more than three feet. If the sidewalk is widened to 7-1/2 feet to allow for vehicle encroachment, no wheel bumpers are required.
6. **Driveways and Turnaround Requirements.**
  - a. Parking lots with five or more parking spaces shall be served by a driveway so that no backing movements or other maneuvering within a street other than an alley will be required.
  - b. Service drives to off-street parking areas shall be designed and constructed to facilitate the flow of traffic, provide maximum safety of traffic access and egress and maximum safety of pedestrians and vehicular traffic on the site.
  - c. The number of service drives shall be limited to the minimum that will allow the property to accommodate and service the traffic to be anticipated.
  - d. Service drives shall be clearly and permanently marked and defined through the use of rails, fences, walls, or other barriers or markers on frontage not occupied by service drives.
  - e. Access aisles shall be of sufficient width for all vehicle turning and maneuvering.
7. **Clear Vision at Driveway Entrance/Exit.** Service drives shall have a minimum vision clearance area formed by the intersection of the driveway center line, the street right of way line, and a straight line joining said lines through points 20 feet from their intersection.
8. **Lighting.** Parking lot lighting, shall be designed to dark-sky standards so that light is directed down and the light does not shine or glare into in a residential zone, an adjacent dwelling or create a traffic hazard.
9. **Striping.** Lots containing five or more parking spaces shall have all required spaces permanently and clearly striped. Stripes must be at least four inches wide.

10. **Parking Lot Landscaping.** A minimum of 5% of the gross area of the parking lot shall be landscaped. The purpose of landscaping in parking lots is to provide shade, reduce stormwater runoff, and direct traffic. Incorporation of vegetated post-construction stormwater quality facilities in landscaped areas is encouraged.
11. **Landscaping/Fencing Buffer Adjacent to Residential Uses.** Parking and loading areas for non-residential uses located within a residential zone or adjacent to residential uses shall be designed to minimize disturbance of residents by providing a minimum 5' wide landscaped buffer between the parking lot and the property line and by providing a sight-obscurer fence or evergreen hedge of not less than five feet in height (except where vision clearance is required).
12. **Trash Enclosures.** If provided, trash enclosures shall have clear access in front of the enclosure.

- C. Performance Bond Requirements.** A performance bond or its equivalent, in accordance with Section 13.120 of the Scio Zoning Ordinance, may be required to guarantee completion of required parking and loading areas prior to the issuance of a certificate of occupancy.
- D. Completion time for parking lots.** Required parking spaces shall be improved and available for use by the time the use served by the parking lot is ready for occupancy. One 6-month time extension may be granted by the City Manager to complete the parking lot improvements. In the event the parking improvements are not completed by the time a certificate of occupancy is issued or by the date stipulated in the time extension, the City may call upon performance bond or its equivalent and the improvements thenceforth constructed under the direction of the city.

**SECTION 4. Effective Date.** This ordinance shall be effective on February 15, 2021.

**SECTION 5. Emergency.** Whereas, the City Council of the City of Scio considers it necessary that the foregoing ordinance be enacted for the protection of the peace, health and safety of the residents of the City of Scio, Oregon an emergency is hereby declared to exist and this ordinance shall be in full force and effect from and after its passage by the City Council and its approval by the Mayor.

**SECTION 6. Severability.** The provisions of this ordinance are severable. If a section, sentence, clause, or phrase of this ordinance is adjudged by a court of competent jurisdiction to be invalid, the decision shall not affect the validity of the remaining portions of this ordinance.

This Ordinance read by title only on the \_\_\_\_\_ day of \_\_\_\_\_, 2021.

This Ordinance passed on the \_\_\_\_ day of \_\_\_\_\_ 2021 by the City Council and executed by the Mayor.

Date: \_\_\_\_\_ By: \_\_\_\_\_  
GARY C. WEAVER, Mayor

Date: \_\_\_\_\_ Attest: \_\_\_\_\_  
VIRGINIA A. ALLEN, City Manager

APPROVED AS TO FORM

Date: \_\_\_\_\_ By: \_\_\_\_\_  
JOHN E. KENNEDY, City Attorney

Passed by the City Council: \_\_\_\_\_.

Signed by the Mayor: \_\_\_\_\_.

Attachments:  
Exhibit "A" - Findings

## Planning Timeline

Notify DLCD	August 25, 2020
a. Staff Report	
b. Draft Amendments (Ordinance)	
Post Notices	September 9, 2020
Provide Notice on Facebook or Newsletter	September 9, 2020
Post on City's website with staff report	September 9, 2020
PC Public Hearing	September 30, 2020
Post PC Revisions/Findings on City's website	October 14, 2020
PC Public Hearing (continued)	October 28, 2020
PC Recommendation to City Council	October 28, 2020
CC Public Hearing	January 11, 2021
1 <sup>st</sup> Reading at Council	January 11, 2021
2 <sup>nd</sup> Reading & Adoption	January 11, 2021 or February 8, 2021
Notify DLCD – Notice of Adoption	5 days after Mayor's execution of Ordinance

## **Exhibit “A”**

Findings in support of the

***Scio Zoning Ordinance Amendments***

***Sections 5.200 to 5.250 Parking Standards***

## Exhibit A

### Findings in support of the SCIO ZONING CODE AMENDMENTS Parking Standards

## I. Background Information

The Scio Zoning Ordinance Amendments update the city's parking standards in Sections 5.200 to 5.250 of the Scio Zoning Ordinance 561. The City concludes the proposal is in conformance with the following Statewide Planning Goals.

### **RATIONALE FOR AMENDING PARKING STANDARDS IN SCIO**

In Spring 2020 the City Manager recommended the Scio Planning Commission review and update the minimum parking space requirements for commercial and industrial developments in the City of Scio. The City Manager expressed concern that the parking standards in the Scio Zoning Ordinance 561 impose standards that make it difficult to develop/redevelop property in the City's commercial zone. Parking standards developed in the 1970's and 1980's do not encourage a compact development form and require more off-street parking than is necessary for "small-town" retail or service uses. Several property owners on N. Main Street have inquired about the City's parking standards and expressed concern that they impose an unrealistic burden on new commercial uses.

The City Manager reached several conclusions which led her to refer the issue to the Scio Planning Commission:

- Existing commercial buildings on N. Main Street occupy 80%-100% of the lot area. If businesses expand or change uses, it is impossible to provide on-site parking.
- The City of Scio plans to redevelop the City Hall site at the corner of NW 1<sup>st</sup> Avenue and NW Alder Street. It cannot comply with the current off-street parking standards for a new building.
- Parking standards do not allow an on-street parking credit for spaces on the frontage next to a building, parking in an alley, or for location of off-street in another parking lot located within 500' of a commercial use.
- Design and construction standards for parking lots have not been updated in more than 20 years. New standards are needed to address ADA requirements, standard & compact spaces, loading zones, lighting, landscaping and access driveways. The updated standards need to provide clear, object standards and design requirements for development. pa

### **DLCD'S MODEL DEVELOPMENT CODE FOR SMALL CITIES**

The Oregon Department of Land Conservation and Development (DLCD) and the Oregon Department of Transportation (ODOT) have prepared a "*Model Development Code for Small Cities*" (2015 edition)" that is intended to simplify land division and zoning administration for small cities. Article 3 "Community Design Standards" of the Model Code includes Chapter 3.5 "Parking and Loading".

The City staff prepared a DRAFT ordinance to amend the parking standards in Sections 5.200 to 5.250 of the Scio Zoning Ordinance (Ordinance 561) to be consistent with Chapter 3.5 of the Model Code. The City of Scio's draft ordinance dated August 2020 included an explanation of each proposed change in a text box under each Section that was proposed for amendment. The draft Ordinance was submitted to DLCD as a proposed post-acknowledge plan amendment (PAPA) on August 24, 2020, 35-days prior to the Planning Commission public hearing.

## II. Findings

The City of Scio submitted an application for a text amendment to the City of Scio Zoning Ordinance.

An amendment to the Scio Zoning Ordinance is reviewed based on applicable criteria found in the Statewide Planning Goals, Oregon Revised Statutes (ORS) and Oregon Administrative Rules (OAR) and the applicable goals and policies of the Scio Comprehensive Plan. The City's Planning Consultant has reviewed the proposal, including the applicant's submittals, to determine whether or not the proposal complies with the applicable standards and criteria.

### A. STATEWIDE PLANNING GOALS

The applicable ORS and OAR requirements are listed under each statewide planning goal below.

***GOAL 1: CITIZEN INVOLVEMENT: TO DEVELOP A CITIZEN INVOLVEMENT PROGRAM THAT ENSURES THE OPPORTUNITY FOR CITIZENS TO BE INVOLVED IN ALL PHASES OF THE PLANNING PROCESS.***

The Scio Planning Commission serves as the City's appointed Citizen Involvement Committee to review and update the existing comprehensive plan and development ordinances.

#### **Agency Coordination**

The City notified the following state, county and local agency representatives during the preparation of the zoning code amendments.

1. Department of Land Conservation and Development (DLCD): A 35-day Form 1 Notice of Proposed Plan/Implementation Ordinance Amendment was provided to DLCD on-line on August 20, 2020 in compliance with the post-acknowledgment plan amendment process. DLCD did not provide any written comments.
2. Fair Housing Council of Oregon (FHCO): The FHCO provided written testimony to the City of Scio prior to the September 30, 2020 Planning Commission public hearing. They requested a copy of the City's findings, and stated the City must address Goal 10 issues/impacts in written findings, including a discussion of the impact the proposal will have housing needs, costs and Goal 10 issues. The City notified FHCO of the Planning Commission's continuation of the initial public hearing and provided FHCO with a copy of the October 2020 DRAFT ordinance and findings.

#### **Local Citizen Involvement:**

Copies of the proposal were made available to the public for review on the City of Scio website ([ci.scio.or.us](http://ci.scio.or.us)) and at City Hall, 38957 NW 1st Avenue in Scio. The Zoning Ordinance amendments were available for public review on September 8, 2020, 22 days prior to the initial public hearing on September 30, 2020.

1. The City included information on the Scio Zoning Ordinance Amendments in a special notice mailed to all property owners on September 8, 2020. The City informed community members that the Zoning Ordinance amendments were available on the city's website and the City would hold two public hearings. The information was posted on the City's website on September 16, 2020.

2. The Scio Planning Commission held a public hearing on September 30, 2020 as part of its regularly scheduled meeting to consider the Scio Zoning Ordinance Amendments – Parking Standards. At the public hearing the City received the following public testimony:
  - Ray Rebbman, President of the Scio Historical Society, asked if the amendments will increase or change parking requirements for the Scio Depot Museum at 39004 NE 1<sup>st</sup> Avenue. He stated the museum board intends to construct a storage building on the museum site. The City's Planning Consultant responded no additional parking will be required for a small storage building and that the code amendments will likely reduce parking requirements for the museum if it expands or will allow the museum to count on-street parking in order to meet parking standards.
  - Planning Commissioner Ron Loewen proposed the Planning Commission consider expanding the map in Section 5.210 to exempt other commercial properties south of Thomas Creek from the minimum parking standards. He stated there are a number of parcels on Hwy 226 which have buildings occupying 75%-100% of the site and do not have land available for on-site parking.

#### **Public Hearings, Staff Reports and Findings:**

1. The Scio Planning Commission held the initial public hearing via a Zoom meeting on Wednesday, September 30, 2020 at 7:00 pm as part of its regularly scheduled meeting. After receiving a staff report and public testimony, the Commission continued the public hearing to October 28, 2020.
2. The Commission directed the Planning Consultant to provide information to address the FHCO written testimony, the Scio Depot Museum questions and to review existing commercial parcels south of Thomas Creek to determine if additional parcels should be added to the map in Section 5.210. A revised staff report, Ordinance and findings were posted on the City's website on October 14, 2020, two weeks prior to the continued public hearing.
3. The Scio Planning Commission continued the public hearing as part of its regularly scheduled meeting on October 28, 2020. The public hearing was completed and the record was closed. The Commission deliberated on the issue and unanimously recommended the City Council adopt the Scio Zoning Ordinance Amendments.
4. The Scio City Council held a public hearing on November 9, 2020 as part of a regularly scheduled city council meeting to consider the proposal. Public testimony provided at the public hearing is included in the meeting minutes.

***GOAL 2: LAND USE PLANNING: TO ESTABLISH A LAND USE PLANNING PROCESS AND POLICY FRAMEWORK AS A BASIS FOR ALL DECISIONS AND ACTIONS RELATED TO THE USE OF LAND AND TO ASSURE AN ADEQUATE FACTUAL BASE FOR SUCH DECISIONS AND ACTIONS.***

The proposed Zoning Ordinance is consistent with Goal 2 because the City followed the land use planning process established by the existing Scio Comprehensive Plan policies and OAR 660-018 regarding post-acknowledgement plan amendments.

#### **OAR 660-018 Post Acknowledgment Plan Amendments**

*660-018-0020 Notice of a proposed change to a Comprehensive Plan*

The City submitted the Scio Zoning Ordinance Amendments to DLCD in compliance with OAR 660-018-0020. The City’s submittal included (1) the proposed text of the Zoning Ordinance Amendments. In October 2020 additional documents were submitted to DLCD via PAPA On-line. These included (1) a revised notice of the city council public hearing and (2) findings demonstrating compliance with statewide planning goals, guidelines and administrative rules.

*660-018-0035 DLCD Participation*

The City of Scio provided DLCD an opportunity to comment on the proposed Zoning Ordinance Amendments. Patrick Wingard, DLCD regional representative, was provided a copy of the proposed amendments and asked to provide suggestions or comments.

*660-018-0050 Notice of adoption of proposed change to a Comprehensive Plan or Implementation Ordinance*

The City Manager or designee will provide notice of the adopted changes to DLCD and persons who participated in the local government proceedings and requested a copy of the notice of adoption.

*Conclusions as to compliance with Goal 2 requirements:*

The City concludes it took appropriate steps to coordinate the Zoning Ordinance amendments with affected agencies and citizens.

The City also reviewed the proposed amendments to the Zoning Ordinance parking standards to be sure they are consistent with and do not conflict with the goals and policies of the *Scio Comprehensive Plan*.

Chapter 4 “Land Uses” of the *Scio Comprehensive Plan* includes three policies that apply to the proposal:

<b>DEVELOPMENT REGULATIONS</b>	
Policy LU-15:	Development regulations will include clear and objective standards and decision criteria for the review of development proposals or variances and minimize the use of subjective standards.
Policy LU-16:	The City will adopt land use regulations that require the provision of adequate public facilities and services as criteria for approval of development proposals.
Policy LU-17:	The City will adopt and periodically update its public works design and construction standards to promote consistent, high quality development in the community.

The City finds the updated code amendments add clarity and clear information for developers and property owners. As recommended by DLCD and ODOT, the proposed amendments provide clear, objective standards for the number of parking spaces, location of spaces, parking design standards and the provision of safe access points, landscaping and lighting.

The City concludes the proposal complies with Goal 2 and OAR 660-018.

**GOAL 3: AGRICULTURAL LANDS**

**GOAL 4: FOREST LANDS**

Goals 3 and 4 do not apply within adopted, acknowledged urban growth boundaries. The Scio Zoning Ordinance Amendments do not address any issues related to Goals 3 or 4.

**GOAL 5: OPEN SPACES, SCENIC AND HISTORIC AREAS, AND NATURAL RESOURCES: TO PROTECT NATURAL RESOURCES AND CONSERVE SCENIC AND HISTORIC AREAS AND OPEN SPACES.**

The Scio Zoning Ordinance Amendments do not include new inventories or protection measures for Goal 5 resources. The City has previously completed Goal 5 inventories and adopted appropriate protection measures for historic landmarks and significant local wetlands.

The City did not complete any other Goal 5 inventories in preparing the Scio Zoning Ordinance Amendments. The proposal is consistent with Goal 5 and the post acknowledgment plan amendment (PAPA) is consistent with OAR 660-023-0250 (3). The City finds it is not required to comply with the Goal 5 inventory process, significance determination and preparation of new Goal 5 protection measures because the plan update does not:

- (1) create or amend a Goal 5 resource list, update the plan in order to protect a Goal 5 resource or address specific requirements of Goal 5; or
- (2) allow new uses that conflict with a significant Goal 5 resource site or acknowledged resource list; or
- (3) amend an acknowledged UGB or provide new information showing a significant Goal 5 resource site exists inside the Scio UGB.

The City concludes the Scio Zoning Ordinance Amendments comply with Goal 5.

**GOAL 6: AIR, WATER AND LAND RESOURCES QUALITY: TO MAINTAIN AND IMPROVE THE QUALITY OF THE AIR, WATER, AND LAND RESOURCES OF THE STATE.**

Chapter 11 on public facilities includes inventory information, goals and policies regarding the City of Scio's wastewater collection system, wastewater treatment facilities and storm drainage system. The City of Scio has not prepared a storm drainage facility master plan. The City is not required to have a storm water permit from DEQ. Two policies in Chapter 11 "Public Facilities" of the Scio Comprehensive Plan apply to the parking standards amendments to the Scio Zoning Ordinance.

**STORM DRAINAGE FACILITIES**

- |               |  |
|---------------|--|
| Policy PF-21. | The City may require new development proposals to submit a storm drainage analysis, and proposed plans that protect water quality, ensure balanced cuts and fill, provide storm water detention or retention and comply with low impact storm water development standards. |
| Policy PF-22. | The City of Scio shall pursue funding to improve storm drainage facilities, reduce potential damage from shallow flooding in developed areas of Scio and/or install flood hazard mitigation measures.  |

The proposed parking standards include Section 5.250. Off-Street Parking – Plan Review, Design and Performance Guarantee. This section requires an applicant to submit engineering plans, storm drainage calculations and address surface runoff/water quality issues for any new parking lot.

Section 5.250 is also consistent with the Museum city's public works design and construction standards adopted in 2019, which required new development to utilize low impact development standards for storm drainage facilities in the City.

The City concludes the Scio Zoning Ordinance Amendments comply with Goal 6.

***GOAL 7 - AREAS SUBJECT TO NATURAL DISASTERS AND HAZARDS: TO PROTECT LIFE AND PROPERTY FROM NATURAL DISASTERS AND HAZARDS.***

Chapter 5 of the Scio Comprehensive Plan inventories existing natural hazards within the Scio UGB. A large section of the City is located in the Thomas Creek special flood hazard zone. In September 2010 the City adopted an updated flood management ordinance and the City issues flood development permits in compliance with the National Flood Insurance Program (NFIP).

The proposed Scio Zoning Code amendments to the City's parking standards do not modify the narrative, goals or policies in Chapter 5 of the Scio Comprehensive Plan or modify/change the adopted flood plain management standards in the Scio Flood Hazard Ordinance 579.

The City concludes the Scio Zoning Ordinance Amendments comply with Goal 7.

***GOAL 8 - RECREATIONAL NEEDS: TO SATISFY THE RECREATIONAL NEEDS OF THE CITIZENS OF THE STATE AND VISITORS AND, WHERE APPROPRIATE, TO PROVIDE FOR THE SITING OF NECESSARY RECREATIONAL FACILITIES INCLUDING DESTINATION RESORTS.***

The Scio Zoning Ordinance Amendments do not address any issues related to Goal 8.

***GOAL 9 - ECONOMIC DEVELOPMENT: TO PROVIDE ADEQUATE OPPORTUNITIES THROUGHOUT THE STATE FOR A VARIETY OF ECONOMIC ACTIVITIES VITAL TO THE HEALTH, WELFARE AND PROSPERITY OF OREGON'S CITIZENS.***

The Scio Zoning Ordinance Amendments modify the parking standards for new development in the Commercial, Industrial and Public zones.

***Section 5.210 Exemption from Off-Street Parking Space Requirements in N. Main Commercial Area***

The proposal adds a new standard exempting the North Main Commercial Area from off-street parking requirements. This commercial district includes many existing early 20<sup>th</sup> Century and mid-Century commercial buildings. The buildings occupy 75% to 100% of the parcels and do not have land available to add off-street parking. The new standard will eliminate the need for a developer/redeveloper to comply with the off-street parking standards in the Code. The City finds this change will encourage and reduce the cost of redeveloping existing commercial parcels.

***Section 5.220 Number of Parking Spaces Required, On-street Parking Credit and Shared Spaces.***

Section 5.220 and Table 5.220 reduce the number of required parking spaces for various permitted uses in the Commercial, Industrial and Public zones. The August 2020 DRAFT of the proposed code amendments identify the # of parking spaces required under the existing Ordinance 561 and the reductions

recommended for specific permitted uses. In addition, Table 5.220 adds a section to permit the City to more accurately determine the number of required parking spaces for a new use. It reads:

**Excerpt from Table 5.220:**

**Exceptions or Unspecified Uses:** Where a use is not specifically listed in this table or is not similar to a use listed in this table, an alternative parking requirement shall be determined and approved by the City. The City may determine the number of parking spaces based on either (1) existing parking standards from another city, the ITE Parking Generation Manual or other professional organization or (2) a parking demand analysis prepared by a traffic engineering professional that is submitted by the applicant for the proposed development.

In a small community, fewer parking spaces are needed for storefront commercial, public and industrial uses. The advent of on-line purchasing and FEDEX type delivery services has reduced the need for on-site or off-street parking spaces at the business location. Peak demands are lower. Customers use both on-street and off-street parking to meet their needs. The reduction in the number of required parking spaces will reduce the cost of development and may encourage investment in redevelopment/development of new commercial, public and industrial uses.

Section 5.220.B, Section 5.220.C and Section 5.220.D are new sections which provide credits for existing on-street parking, shared parking, location of non-residential parking within 500 feet of the use and a case-by-case reduction or exemption to the City's parking space standards. These options are recommended in DLCD's Model Code to promote more compact urban forms and to allow for small cities to more readily accommodate mixed uses and low demand commercial, public and industrial uses.

The City finds that the proposed Zoning Code Amendments will encourage economic development activities in a smaller city. The proposal complies with Goal 9.

***GOAL 10 - HOUSING: TO PROVIDE FOR THE HOUSING NEEDS OF CITIZENS OF THE STATE.***

Chapter 10 "Housing" is included as a chapter in the Scio Comprehensive Plan. Statewide Planning Goal 10 and OAR 660-008 require Oregon's cities to inventory the existing housing supply, assess housing needs and provide a 20-year supply of buildable residentially zoned land for future housing growth and plan for the provision of public facilities in a timely manner.

The City's buildable lands analysis shows the City has a need for 14.71 acres of buildable residential land through the year 2035 and a supply of 51.47 acres of buildable land designated for residential use. This proposal to update the Scio Zoning Ordinance parking standards does not change any residential plan designations or rezone any land for residential use. It does not affect the amount of available buildable residential land in Scio. It does not change the approval process for development of housing.

OAR 660-0015 states

"a local government may adopt and apply only clear and objective standards, conditions and procedures regulating the development of needed housing on buildable land. The standards, conditions and procedures may not have the effect, either in themselves or cumulatively, of discouraging needed housing through unreasonable cost or delay."

The Scio Zoning Ordinance Amendments does not change the number of parking spaces required for residential uses. Two parking spaces are required for single-family dwellings and for each unit in a duplex. 1.5 parking spaces are required for each dwelling unit in a multi-family dwelling.

The amendments provide clear and objective standards for the number of parking spaces and the design standards for parking lots. Standards are added to allow compact spaces, ADA spaces, reduced sizes for parking stalls and aisles, landscaping and lighting. The amendments permit joint/shared parking facilities, off-site parking within 500 feet of a multi-family residential use, on-street parking in lieu of required off-street parking spaces and a process to allow for exemption or reduction of parking spaces. The amendments also require parking lots for commercial/industrial uses to add landscape buffers when located adjacent to a residential use.

The City concludes the proposed amendments provide clear, objective standards, will make it easier for a developer to plan for and provide needed parking for a residential use, and the standards will not discourage needed housing through unreasonable cost or delay. The City proposal complies with Goal 10.

***GOAL 11 - PUBLIC FACILITIES AND SERVICES: TO PLAN AND DEVELOP A TIMELY, ORDERLY AND EFFICIENT ARRANGEMENT OF PUBLIC FACILITIES AND SERVICES TO SERVE AS A FRAMEWORK FOR URBAN AND RURAL DEVELOPMENT.***

Statewide Planning Goal 11 “Public Facilities and Services” requires cities “*to plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.*” The purpose of Goal 11 is to ensure cities plan for and provide needed services and public facilities within the City’s urban growth area. The proposed Scio Zoning Ordinance Amendments will reduce the number of parking spaces required for public uses. See Goal 9 findings, which are incorporated as set forth in full herein. The proposal complies with Goal 11.

***GOAL 12 – TRANSPORTATION: TO PROVIDE AND ENCOURAGE A SAFE, CONVENIENT AND ECONOMIC TRANSPORTATION SYSTEM.***

The proposal does not address Goal 12 issues.

***GOAL 13 - ENERGY CONSERVATION: TO CONSERVE ENERGY.***

The proposal reduces the number of required parking spaces for commercial, industrial and public uses. It allows for the use of joint/shared parking, use of on-street parking spaces to meet minimal parking space requirements and the inclusion of landscaping as part of parking lot design. The proposal may reduce energy consumption by encouraging reduced reliance of fossil fuels. The proposal complies with Goal 13.

***GOAL 14: URBANIZATION: TO PROVIDE FOR AN ORDERLY AND EFFICIENT TRANSITION FROM RURAL TO URBAN USE.***

The proposal does not address Goal 14 issues.

## **B. SCIO COMPREHENSIVE PLAN GOALS AND POLICIES**

The applicable goals and policies of the City's Comprehensive Plan are also listed below.

### **Citizen Involvement**

**Goal CI-1:** To provide for ongoing citizen participation and involvement in the City of Scio's land use and community development programs.

**Finding:** The Scio Planning Commission serves as the City's appointed Citizen Involvement Committee to review and update the existing comprehensive plan and development ordinances. The City provided the public an opportunity to participate in the quasi-judicial land use proceeding, as describe in the findings for Statewide Planning Goal 1 on pages A-3 and A-4 above.

### **Land Use and Economic Development**

**Goal LU-1:** The City of Scio will adopt comprehensive plan goals and policies and associated land use regulations that promote the development of a livable community.

**Policy LU-8:** The City supports the revitalization of Scio's downtown core on Main Street and the development of a commercial area along Highway 226. These commercial areas will serve the economic needs of the residents of Scio and the surrounding rural area.

**Policy LU-15:** Development regulations will include clear and objective standards and decision criteria for the review of development proposals or variances and minimize the use of subjective standards.

**Policy LU-17:** The City will adopt and periodically update its public works design and construction standards to promote consistent, high quality development in the community.

**Goal ED-2:** To revitalize Scio's commercial districts along the Main Street and Hwy 226 corridor through the City.

**Findings:** The Scio Comprehensive Plan policies LU-8, LU-15 and LU-17 encourages the City to adopt and update land uses regulations and public works design standards to provide clear and objective standards for development. Goal LU-1 encourages the City to adopt regulations to promote a livable community. Economic development goal ED-2 and the written narrative in the Scio Comprehensive Plan, Section 9.3.2 "Commercial and Service Business Sectors" strongly encourage the City to support revitalization of the City's commercial areas on N. Main Street and Hwy 226. As discussed in the background discussion on page A-2, the City Manager recommends the City modify parking regulations to encourage revitalization of existing commercial properties.

The Scio commercial district includes many existing early 20<sup>th</sup> Century and mid-Century commercial buildings. Map 1 shows the Scio Commercial Zoning District along N. Main Street and the Hwy 226 corridor and identifies a portion of the commercial district as being exempt from off-street parking requirements.

Existing structures that are currently used for commercial, public, civic/fraternal organizations and utilities are marked with a red dot. The buildings occupy 75% to 100% of the parcels and do not have land available

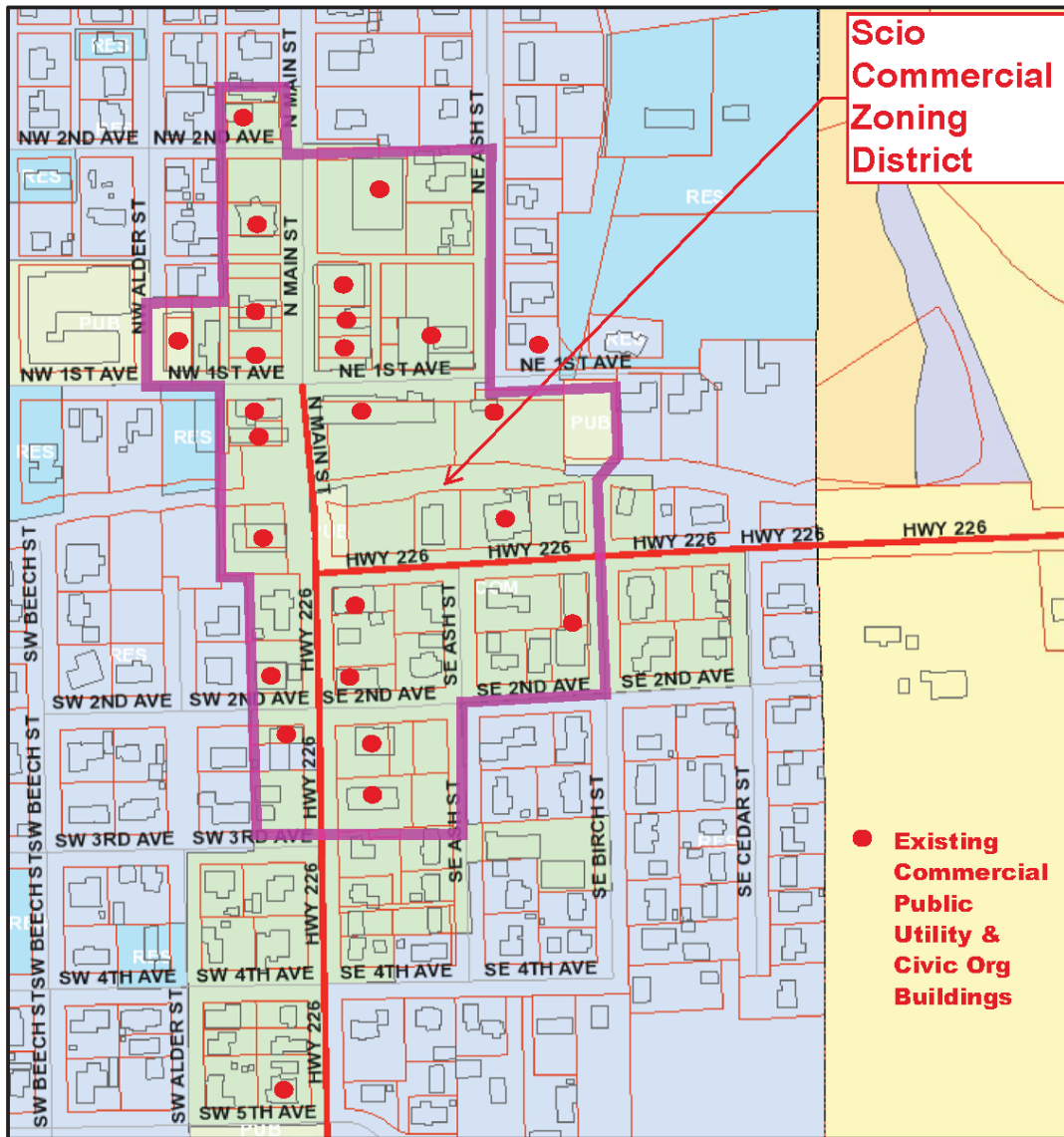
to add off-street parking. There are also twelve existing residences in the off-street parking exemption area. These existing homes/parcels may be redeveloped for either a mixed use or commercial use.

The new parking standards eliminate the need for a developer/redeveloper to comply with the off-street parking standards in the Code. The findings under Statewide Planning Goal 9 on pages A-7 and A-8 describe new parking standards and how they will provide greater flexibility to property owners, reduce the cost of development and encourage a more compact urban form.

The City concludes the proposed Scio Zoning Code amendments to the City's parking standards comply with the applicable goals and policies of the *Scio Comprehensive Plan*.

Map 1  
 Scio Commercial District  
 Main Street Commercial District – Off Street Parking Exemption Area

Scio Commercial District



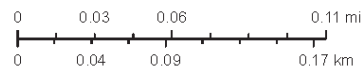
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- Highways
- Roads
- Building Footprints
- City Limits
- Tax Lots



**Main St. Commercial District  
 Area Exempt from  
 Off-Street Parking  
 Requirements.**



Linn County GIS

Map created using the Linn County Oregon web mapping application  
 This product is for informational purposes only and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the