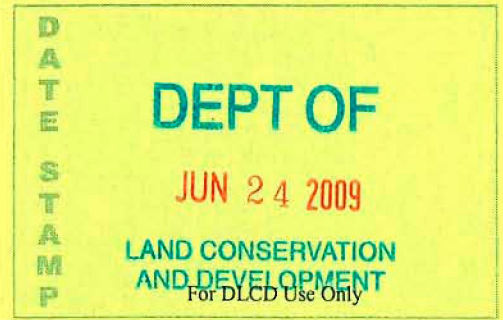


NR01 **2** **Notice of Adoption**

THIS FORM MUST BE MAILED TO DLCD
WITHIN 5 WORKING DAYS AFTER THE FINAL DECISION
PER ORS 197.610, OAR CHAPTER 660 - DIVISION 18



Jurisdiction: City of Fairview Local file number: 09-07-ZC

Date of Adoption: 6/17/2009 Date Mailed: 6/23/2009

Date original Notice of Proposed Amendment was mailed to DLCD: 3/18/2009

- Comprehensive Plan Text Amendment
- Land Use Regulation Amendment
- New Land Use Regulation
- Comprehensive Plan Map Amendment
- Zoning Map Amendment
- Other: _____

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".

Map and text amendments to the Comprehensive Plan and amendments to Fairview Municipal Code Sections 19.85 General Industrial (land division standards, size limits for multi-unit commercial projects and freight network impact study) and 19.162 Access and Circulation (freight network impact study). These amendments bring land use regulations and comprehensive plan into compliance with Metro Title 4.

Describe how the adopted amendment differs from the proposed amendment. If it is the same, write "SAME". If you did not give Notice for the Proposed Amendment, write "N/A".

Inclusion of amendment to restrict multi-building commercial service use developments to 20,000 square feet on Metro Title 4 industrial lands.

Plan Map Changed from: _____ to: _____

Zone Map Changed from: _____ to: _____

Location: Citywide Acres Involved: _____

Specify Density: Previous: _____ New: _____

Applicable Statewide Planning Goals: 1, 2, 9 & 12

Was an Exception Adopted? YES NO

DLCD File No.: 001-09 (17386) [15584]

Did the Department of Land Conservation and Development receive a Notice of Proposed Amendment.....

Forty-five (45) days prior to first evidentiary hearing? Yes No

If no, do the statewide planning goals apply? Yes No

If no, did Emergency Circumstances require immediate adoption? Yes No

Affected State or Federal Agencies, Local Governments or Special Districts:

Local Contact: Erika Rence Phone: (503) 674-6242 Extension: _____

Address: 1300 NE Village Street City: Fairview

Zip Code + 4: 97024-3817 Email Address: rencee@ci.fairview.or.us

ADOPTION SUBMITTAL REQUIREMENTS

This form **must be mailed** to DLCD **within 5 working days after the final decision**
per ORS 197.610, OAR Chapter 660 - Division 18.

1. Send this Form and TWO (2) Copies of the Adopted Amendment to:

**ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540**

2. Submit **TWO (2) copies** the adopted material, if copies are bounded please submit **TWO (2) complete copies** of documents and maps.

3. Please Note: Adopted materials must be sent to DLCD not later than **FIVE (5) working days** following the date of the final decision on the amendment.

4. Submittal of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.

5. The deadline to appeal will not be extended if you submit this notice of adoption within five working days of the final decision. Appeals to LUBA may be filed within **TWENTY-ONE (21) days** of the date, the Notice of Adoption is sent to DLCD.

6. In addition to sending the Notice of Adoption to DLCD, you must notify persons who participated in the local hearing and requested notice of the final decision.

7. **Need More Copies?** You can copy this form on to 8-1/2x11 green paper only; or call the DLCD Office at (503) 373-0050; or Fax your request to:(503) 378-5518; or Email your request to **mara.ulloa@state.or.us** - ATTENTION: PLAN AMENDMENT SPECIALIST.

ORDINANCE

(4-2009)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAIRVIEW,
AMENDING THE COMPREHENSIVE PLAN FOR COMPLIANCE WITH
METRO'S URBAN GROWTH MANAGEMENT FUNCTIONAL PLAN TITLE 4.

WHEREAS, Title 4 of the Metro Urban Growth Management Functional Plan requires local governments to provide and protect the supply of sites for jobs as well as to protect the capacity and efficiency of the region's transportation system to move goods and services, and

WHEREAS, Metro requires cities to review and revise land use regulations and comprehensive plans to ensure compliance with Title 4, and

WHEREAS, an analysis of the Fairview Comprehensive Plan was completed to determine compliance needs for Metro Title 4, and


WHEREAS, it was found that there is no reference to Metro Title 4 in the Fairview Comprehensive Plan, and,

WHEREAS, the purpose of this ordinance to include a policy statement in the economic development chapter of the Fairview Comprehensive Plan for compliance with Title 4 and the addition of a map identifying Title 4 properties in the City of Fairview.

NOW, THEREFORE; The City of Fairview ordains as follows:

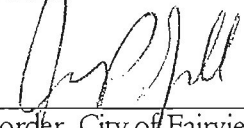
- Section 1. Comprehensive Plan Chapter 9 Economic Development is amended as shown in Attachment 1.
- Section 2. Comprehensive Plan Chapter 9 Economic Development is amended by adoption of "Figure 9-C Fairview Title 4 Lands" as shown in Attachment 2.

Motion adopted by the City Council of the City of Fairview this 17th day of June 2009.



Mayor, City of Fairview
Mike Weatherby

ATTEST



Recorder, City of Fairview
Joseph Gall

ATTACHMENT 1

(Ordinance 4-2009)

Underlined words to be inserted.

Section 1: City of Fairview Comprehensive Plan Chapter 9 Economic Development is amended as follows:

POLICIES

1. Encourage commercial development commensurate with the products and service needs of planning area residents and other residents of the local economic market area.
2. Focus commercial development at sites along arterial and collector streets as identified on the Plan Map.
3. All commercial development will have off-street parking consistent with local and mandated regional standards.
4. Existing commercial establishments located in areas the Comprehensive Plan Map designated as non-commercial will be permitted to continue but not expand.
5. All industrial uses which, abut residential uses, shall be screened from the residential uses. Where possible, access to industrial uses will be prohibited from residential streets.
6. The City shall emphasize the enhancement of the tax base in its economic development activities in order to better provide adequate services to its population.
7. The "Commercial Core" along Halsey Street and 223rd Avenue is to be reflective of a "Main Street" design. This area is part of the overall Regional Town Center commercial development that includes both Fairview's Town Center along Market and Village Streets and Wood Villages' Town Center focused near the intersection of Park Lane and Wood Village Boulevard.
8. Commercial development along Sandy Boulevard will be focused in three centers at 207th, 223rd and approximately 233rd. The focus of the first two centers is on providing services to the neighboring residential and industrial activities. The final center near 233rd may include services, but may also reflect a more regional market given the character of uses that already exist in the area.

9. Compatible light industry will be allowed in the Sandy Boulevard Corridor Commercial Areas. Heavier industrial development shall be reviewed through the conditional use process and must demonstrate an ability to meet City standards and policies for locating near residential development.
10. Consistent with the Blue Lake Master Plan a recreationally oriented commercial development that serves visitors and neighbors may be located in the Blue Lake Park area.
11. Further reduction of the wetlands area near Halsey, to the west of Target, to provide for commercial development shall not be permitted.
12. A “gateway” concept for commercial development near I-84 will be considered. No development that substantively changes the existing quality of life in adjoining neighborhoods will be approved.
13. Fairview will continue to be an active partner in the coordinated and compatible development of the commercial and industrial lands in East County.
14. City land use regulations will comply with Title 4 of Metro’s Urban Growth Management Functional Plan, which serves to preserve and protect industrial and employment lands throughout the region. See Figure 9-C Fairview Adopted Title 4 Industrial and Employment lands map for an illustration of all Title 4 lands in Fairview.

Attachment 2
(Ordinance 4-2009)

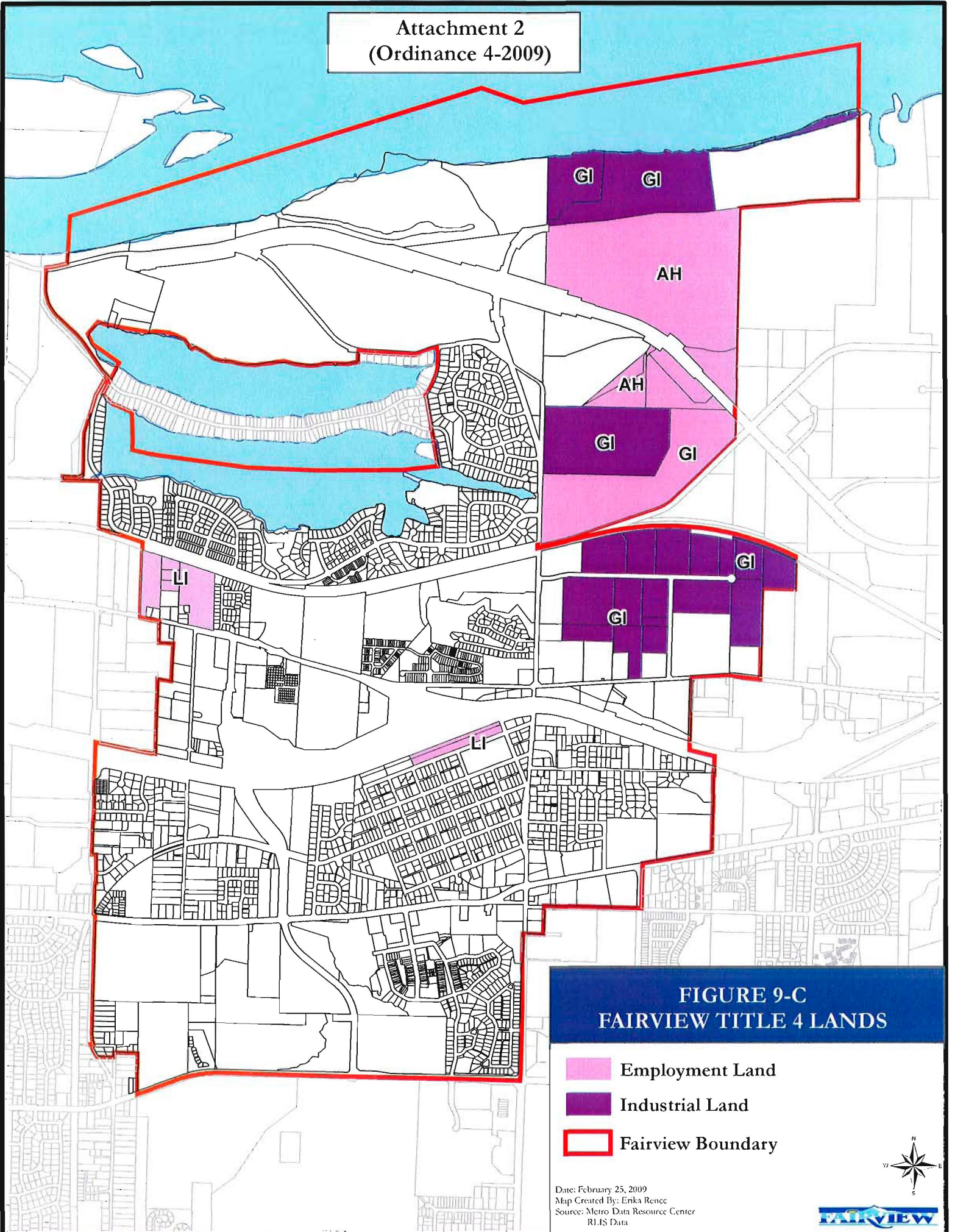
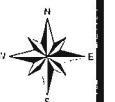


FIGURE 9-C
FAIRVIEW TITLE 4 LANDS

- Employment Land
- Industrial Land
- Fairview Boundary

Date: February 25, 2009
Map Created By: Enka Rence
Source: Metro Data Resource Center
RLIS Data



ORDINANCE
(5-2009)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAIRVIEW,
AMENDING THE MUNICIPAL CODE FOR COMPLIANCE WITH METRO'S
URBAN GROWTH MANAGEMENT FUNCTIONAL PLAN TITLE 4.

WHEREAS, Title 4 of the Metro Urban Growth Management Functional Plan requires local governments to provide and protect the supply of sites for jobs as well as to protect the capacity and efficiency of the region's transportation system to move goods and services, and

WHEREAS, Metro requires cities to review and revise land use regulations to ensure compliance with required limitations, and

WHEREAS, an analysis of the Fairview Municipal Code (FMC) was completed to determine if the development code is in compliance with the Title 4 limitations, and

WHEREAS, it was found that the Fairview Municipal Code (FMC) complies with all Title 4 restrictions except for the restriction of building size for multi-building retail commercial service projects, land division restrictions for industrial properties and traffic study requirements to determine impacts of new projects on the freight network system as identified in the Regional Transportation Plan and the Fairview Transportation System Plan, and

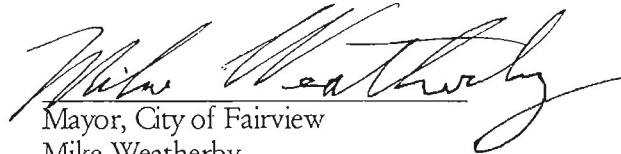
WHEREAS, the purpose of this ordinance is to bring the Fairview Municipal Code into compliance with Metro's Title 4.

NOW, THEREFORE; The City of Fairview ordains as follows:

Section 1. FMC 19.85 is amended by adoption of Section 19.85.080 as shown in Attachment 1.

Section 2. FMC Section 19.162.020(D) is amended as shown in Attachment 1.

Motion adopted by the City Council of the City of Fairview this 17th day of June 2009.



Mayor, City of Fairview
Mike Weatherby

ATTEST



Recorder, City of Fairview
Joseph Gall

ATTACHMENT 1

(Ordinance 5-2009)

Underlined words to be inserted.

Section 1. FMC 19.85 is amended as follows.

19.85.080 Special Standards for City of Fairview Adopted Metro Title 4 Industrial Properties

The purpose of this section is to impose special standards to protect and preserve the supply of industrial lands in Fairview in accordance with the limitations set out in Title 4 of Metro's Urban Growth Management Functional Plan (see Figure 9-C in the Comprehensive Plan for all Fairview Adopted Title 4 Industrial and Employment Lands).

A. Limitation on Retail/Commercial Service Land Uses. Retail and commercial service uses (in accordance with Section 19.85.020) are limited in size to a maximum of 5,000 square feet in gross floor area for a single outlet (e.g., convenience market, small restaurant, secondary use for wholesaler, similar use) and up to 20,000 square feet in gross floor area for a multi-building project.

B. Freight Network Analysis Required. A freight network impact statement is to be included in all traffic studies for proposed developments on properties identified as industrial lands in Title 4 of the Metro Urban Growth Management Functional Plan. The purpose of this statement is to analyze potential adverse effects of the proposed development on the regional freight system as identified in the Regional Transportation Plan (RTP) and the Fairview Transportation system Plan. Freight routes located in Fairview include Interstate 84, Marine Drive, 223rd Avenue, Fairview Parkway, Sandy Boulevard, and Glisan Street.

C. Land Division Standards. Properties in the general industrial district that are identified as industrial lands as shown on the Title 4 Properties Map in the Comprehensive Plan shall be subject to certain land division restrictions. All land divisions in the general industrial district shall be accordance with FMC 19.430 Land Divisions and Lot Line Adjustments.

The following standards shall apply to all general industrial properties included in the Fairview Title 4 industrial land inventory:

- A. Lots smaller than 50 acres may be divided into any number of smaller lots.
- B. Lots 50 acres or larger may be divided into smaller lots and parcels pursuant to a master plan approved by the city or county so long as the resulting division yields at least one lot or parcel of at least 50 acres in size.
- C. Lots 50 acres or larger may be divided (including those created pursuant to B. above) into any smaller lots or parcels pursuant to a master plan approved by the city or county so long as at least 40 percent of the area of the lot or parcel has been developed with industrial uses or uses accessory to industrial use.

Section 2. FMC 19.162.020(D) is amended as follows.

D. Traffic Study Requirements. The city may require a traffic study prepared by a qualified professional to determine access, circulation and other transportation requirements.

A traffic study must be provided for any proposed development that includes more than 10 dwellings or generates at least 100 vehicle trips per day. The traffic study shall include those adjacent intersections that will receive more than 50 vehicle trips per day.

A freight network impact statement is to be included in all traffic studies for proposed developments on properties identified as industrial lands in Title 4 of the Metro Urban Growth Management Functional Plan. The purpose of this statement is to analyze potential adverse effects of the proposed development on the regional freight system as identified in the Regional Transportation Plan (RTP) and the Fairview Transportation system Plan. Freight routes located in Fairview include Interstate 84, Marine Drive, 223rd Avenue, Fairview Parkway, Sandy Boulevard, and Glisan Street.



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City of Fairview



1300 NE Village Street
PO Box 337
Fairview, Oregon 97024
(503) 665-7929

Attention: Plan Amendment Specialist
Department of Land Conservation and Development
635 Capitol Street NE, Suite 150
Salem, OR 97301-2540

