



Oregon

John A. Kitzhaber, M.D., Governor

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NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

Date: 10/24/2014
Jurisdiction: City of Fairview
Local file no.: 2014-29 ZA
DLCD file no.: 001-14

The Department of Land Conservation and Development (DLCD) received the attached notice of adopted amendment to a comprehensive plan or land use regulation on 10/23/2014. A copy of the adopted amendment is available for review at the DLCD office in Salem and the local government office.

Notice of the proposed amendment was submitted to DLCD less than 35 days prior to the first evidentiary hearing.

Appeal Procedures

Eligibility to appeal this amendment is governed by ORS 197.612, ORS 197.620, and ORS 197.830. Under ORS 197.830(9), a notice of intent to appeal a land use decision to LUBA must be filed no later than 21 days after the date the decision sought to be reviewed became final. If you have questions about the date the decision became final, please contact the jurisdiction that adopted the amendment.

A notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR chapter 661, division 10).

If the amendment is not appealed, it will be deemed acknowledged as set forth in ORS 197.625(1)(a). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

DLCD Contact

If you have questions about this notice, please contact DLCD's Plan Amendment Specialist at 503-934-0017 or plan.amendments@state.or.us

DLCD FORM 2



NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

FOR DLCD USE 2014
File No: LAND CONSERVATION AND DEVELOPMENT
Received:

Local governments are required to send notice of an adopted change to a comprehensive plan or land use regulation **no more than 20 days after the adoption.** (See [OAR 660-018-0040](#)). The rules require that the notice include a completed copy of this form. **This notice form is not for submittal of a completed periodic review task or a plan amendment reviewed in the manner of periodic review.** Use [Form 4](#) for an adopted urban growth boundary including over 50 acres by a city with a population greater than 2,500 within the UGB or an urban growth boundary amendment over 100 acres adopted by a metropolitan service district. Use [Form 5](#) for an adopted urban reserve designation, or amendment to add over 50 acres, by a city with a population greater than 2,500 within the UGB. Use [Form 6](#) with submittal of an adopted periodic review task.

Jurisdiction: City of Fairview

Local file no.: **2014-29 2C STREET TREES**

Date of adoption: October 15, 201

Date sent: 10/21/2014

Was Notice of a Proposed Change (Form 1) submitted to DLCD?

Yes: Date (use the date of last revision if a revised Form 1 was submitted): 8/20/14

No

Is the adopted change different from what was described in the Notice of Proposed Change? Yes No

If yes, describe how the adoption differs from the proposal:

Local contact (name and title): Erika Palmer, Development Analyst

Phone: 503-674-6242

E-mail: palmere@ci.fairview.or.us

Street address: 1300 NE Village Street

City: Fairview

Zip: 97024

PLEASE COMPLETE ALL OF THE FOLLOWING SECTIONS THAT APPLY

For a change to comprehensive plan text:

Identify the sections of the plan that were added or amended and which statewide planning goals those sections implement, if any: **N/A**

For a change to a comprehensive plan map:

Identify the former and new map designations and the area affected: **N/A**

- Change from _____ to _____ acres. A goal exception was required for this change.
- Change from _____ to _____ acres. A goal exception was required for this change.
- Change from _____ to _____ acres. A goal exception was required for this change.
- Change from _____ to _____ acres. A goal exception was required for this change.

Location of affected property (T, R, Sec., TL and address):

The subject property is entirely within an urban growth boundary

The subject property is partially within an urban growth boundary

If the comprehensive plan map change is a UGB amendment including less than 50 acres and/or by a city with a population less than 2,500 in the urban area, indicate the number of acres of the former rural plan designation, by type, included in the boundary. **N/A**

Exclusive Farm Use – Acres: Non-resource – Acres:
Forest – Acres: Marginal Lands – Acres:
Rural Residential – Acres: Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres: Other: – Acres:

If the comprehensive plan map change is an urban reserve amendment including less than 50 acres, or establishment or amendment of an urban reserve by a city with a population less than 2,500 in the urban area, indicate the number of acres, by plan designation, included in the boundary. **N/A**

Exclusive Farm Use – Acres: Non-resource – Acres:
Forest – Acres: Marginal Lands – Acres:
Rural Residential – Acres: Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres: Other: – Acres:

For a change to the text of an ordinance or code:

Identify the sections of the ordinance or code that were added or amended by title and number:

Fairview Municipal Code Sections:
19.107 South Fairview Lake Design Overlay
19.140 Village General Standards
19.155 Village Trail Systems Plan

For a change to a zoning map:

Identify the former and new base zone designations and the area affected: **N/A**

Change from to Acres:
Change from to Acres:
Change from to Acres:
Change from to Acres:

Identify additions to or removal from an overlay zone designation and the area affected: **N/A**

Overlay zone designation: Acres added: Acres removed:

Location of affected property (T, R, Sec., TL and address):

List affected state or federal agencies, local governments and special districts: **N/A**

Identify supplemental information that is included because it may be useful to inform DLCD or members of the public of the effect of the actual change that has been submitted with this Notice of Adopted Change, if any. If the submittal, including supplementary materials, exceeds 100 pages, include a summary of the amendment briefly describing its purpose and requirements.

The amendments to the Development Code included:

- 1) Removing the specific type of tree that needed to be planted as a street tree in both the Village Main Street area as depicted in Fairview Municipal Code (FMC) Section 19.155 2) adding additional language FMC 19.107 and 19.140 that would allow additional flexibility in the street tree planting spacing length if utilities or other obstructions are in their way -- allows for director approval.

ORDINANCE

11-2014

AN ORDINANCE OF THE FAIRVIEW CITY COUNCIL AMENDING FAIRVIEW MUNICIPAL CODE CHAPTER 19.107 SOUTH FAIRVIEW LAKE DESIGN OVERLAY, 19.140 VILLAGE GENERAL STANDARDS AND 19.155 VILLAGE TRAIL SYSTEM PLAN TO PROVIDE FLEXIBILITY FOR STREET TREE SPACING AND PLANTING TYPES

WHEREAS, public hearings were held by the Fairview Planning Commission on September 23, 2014 and the City Council on October 1, 2014; and October 15, 2014;

WHEREAS, the City provided notice of the hearings consistent with Fairview Municipal Code Chapter 19.416 and ORS 227.186; and

WHEREAS, the proposed amendments are consistent with Fairview's Municipal Code Chapter 19.416 and Comprehensive Plan Chapter 2; and

WHEREAS, current standards for tree spacing and types of trees to be planted have proven to be problematic because (1) they are often not the appropriate size for the planter strip in some areas and (2) replacing trees results in a lack of uniformity in areas where developers did not originally install the correct type of trees per City Code requirements; and

WHEREAS, the purpose of these amendments is to add language to the City's Sidewalk Maintenance Program Handbook to provide for city-wide consistency and additional flexibility in street tree spacing and placing tree types to be planted.

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

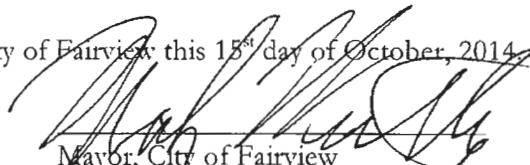
Section 1. FMC Chapter 19.107 is amended as shows in Exhibit 1.

Section 2. FMC Chapter 19.140 is amended as shown in Exhibit 2.

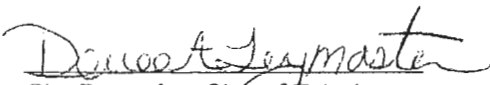
Section 3. FMC Chapter 19.155 is amended as shown in Exhibit 3.

Section 4. This ordinance is effective upon and from 30 days after its enactment by the Council.

Ordinance adopted by the City Council of the City of Fairview this 15th day of October, 2014.


Mayor, City of Fairview
Mike Weatherby

ATTEST


City Recorder, City of Fairview
Devree Leymaster

**ORD 11-2014 EXHIBIT 1
CODE AMENDMENTS- Chapter 19.107
SOUTH FAIRVIEW LAKE DESIGN OVERLAY**

CHANGES IN STRIKETHROUGH AND UNDERLINE

Sections:

19.107.010 Purpose.

19.107.020 Applicability.

19.107.030 Permitted uses.

19.107.040 Conditional uses.

19.107.050 Development standards – Density.

19.107.060 Design standards.

19.107.010 Purpose.

This design overlay zone is intended to offer design flexibility for properties adjacent to the south side of Fairview Lake which provide a variety of housing opportunities for city residents while maintaining the established single-family residential character of the area and protecting important environmental and scenic values of the lake. If during the administration of this chapter, standards or requirements create uncertainty or ambiguity, the city shall interpret these regulations according to the intent expressed in the record for the adoption and subsequent amendment to the South Fairview Lake design overlay zone. (Ord. 6-2001 § 1)

19.107.020 Applicability.

The South Fairview Lake design overlay zone designation may be requested at the discretion of the applicant at the time of subdivision, partition, or development permit review. (Ord. 6-2001 § 1)

19.107.030 Permitted uses.

The permitted uses in the R-7.5 zone shall continue to apply in the South Fairview Lake design overlay zone. In addition to single-family detached residences (Figure 19.107.030), the following single-family residential housing types are also permitted:

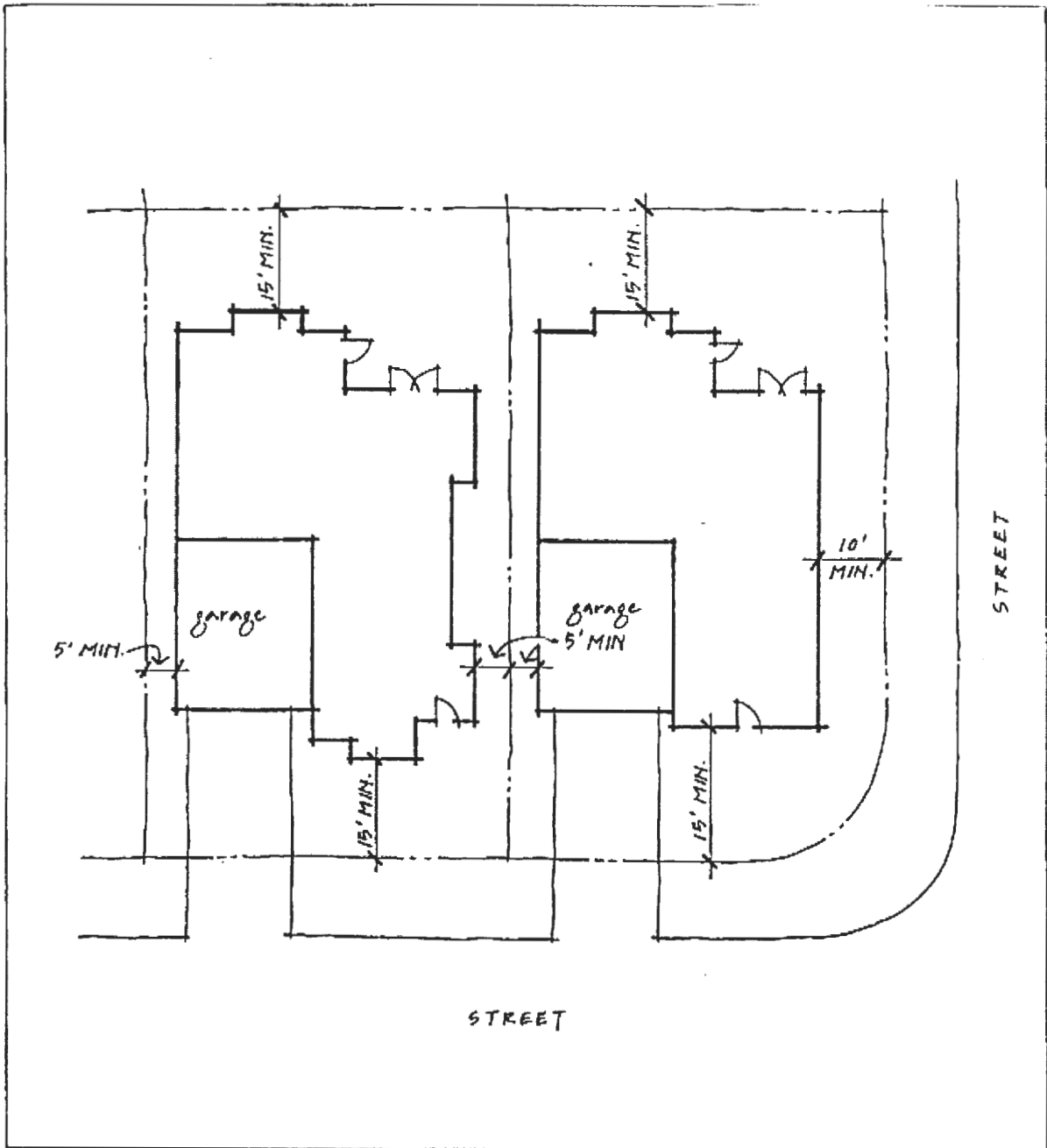
A. Charleston Row Houses. These are detached residences on relatively narrow lots. Each residence is typically located with a minimum zero-foot side yard setback on only one side of the lot and a minimum six-foot side yard setback on the opposite side of the lot with a total of at least six feet between the structures. The front and side yards serve

as the open space on the lot. Garages are at the rear of the building with access to an alley (Figure 19.107.030.A).

B. Courtyard Cluster Homes. These are detached residences developed in groups of five to seven lots. Each residence is typically located with a minimum zero-foot side yard setback on only one side of the lot, and a minimum five-foot side yard setback on the opposite side, with a total of at least five feet between the structures. The lots are clustered around a common driveway, which provides pedestrian and vehicle access to all or the majority of the homes (Figure 19.107.030.B).

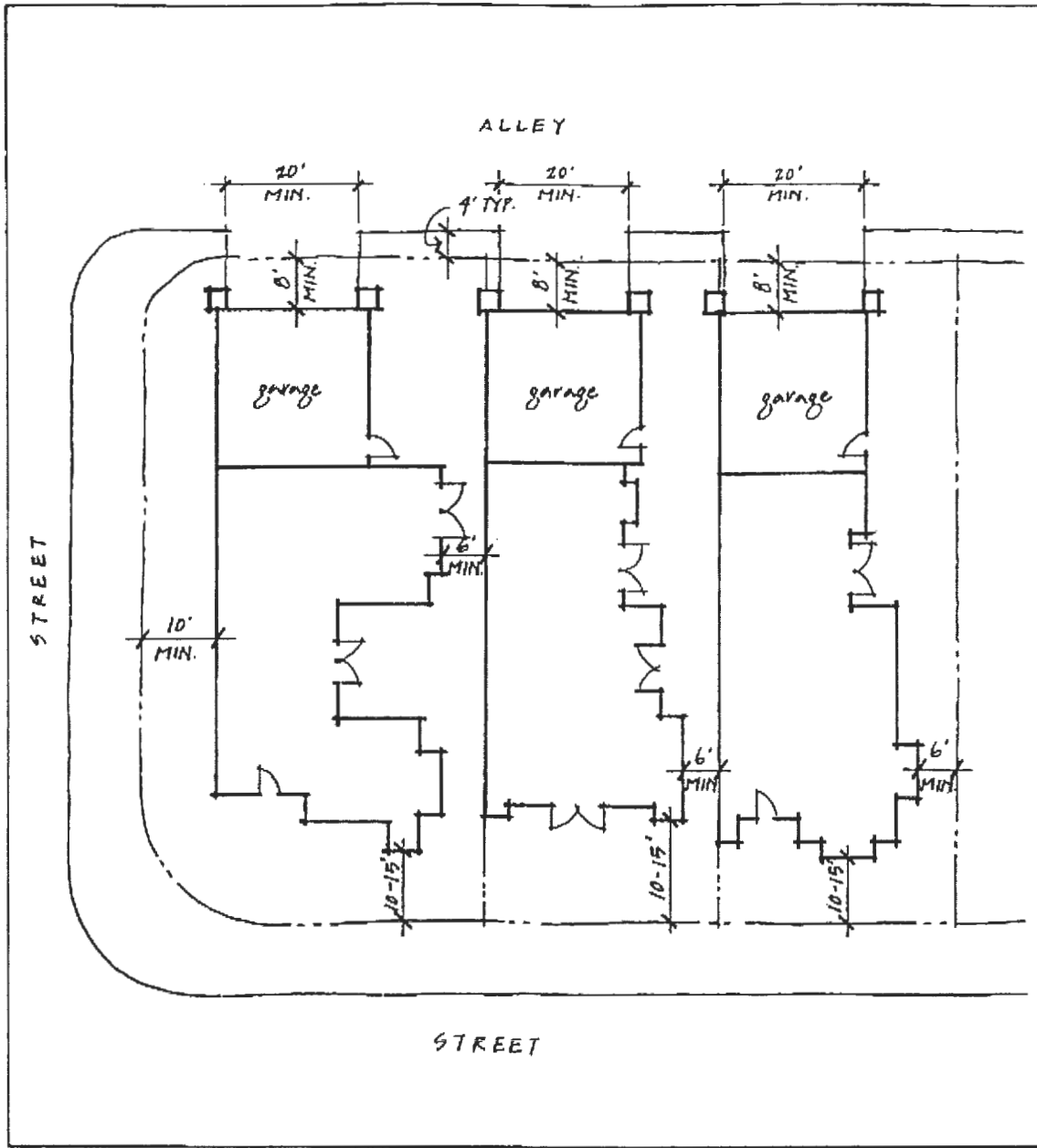
C. Attached Townhomes. These are attached residences which typically have zero-foot side yard setbacks on one or both sides. Each townhome is located on a separate lot and arranged in clusters of three to seven units (Figure 19.107.030.C).

Figure 19.107.030 – Fairview Lake Way Design Overlay
Detached Single-Family Home



LEGEND 1"=20'-0"

Figure 19.107.030.A – Fairview Lake Way Design Overlay
Charleston Row House Home



LEGEND 1"=20'-0"

Figure 19.107.030.B – Fairview Lake Way Design Overlay
Courtyard Cluster Home

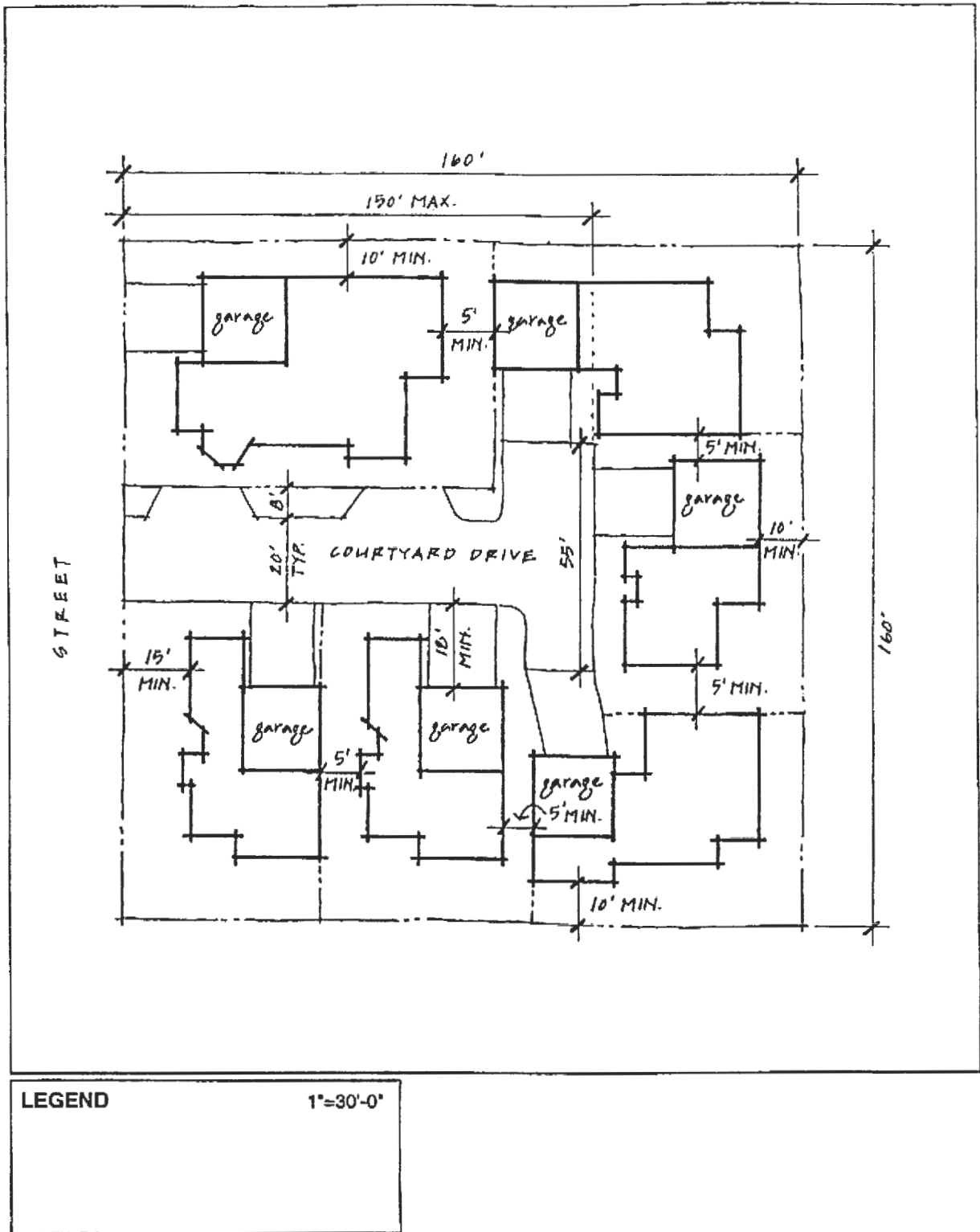
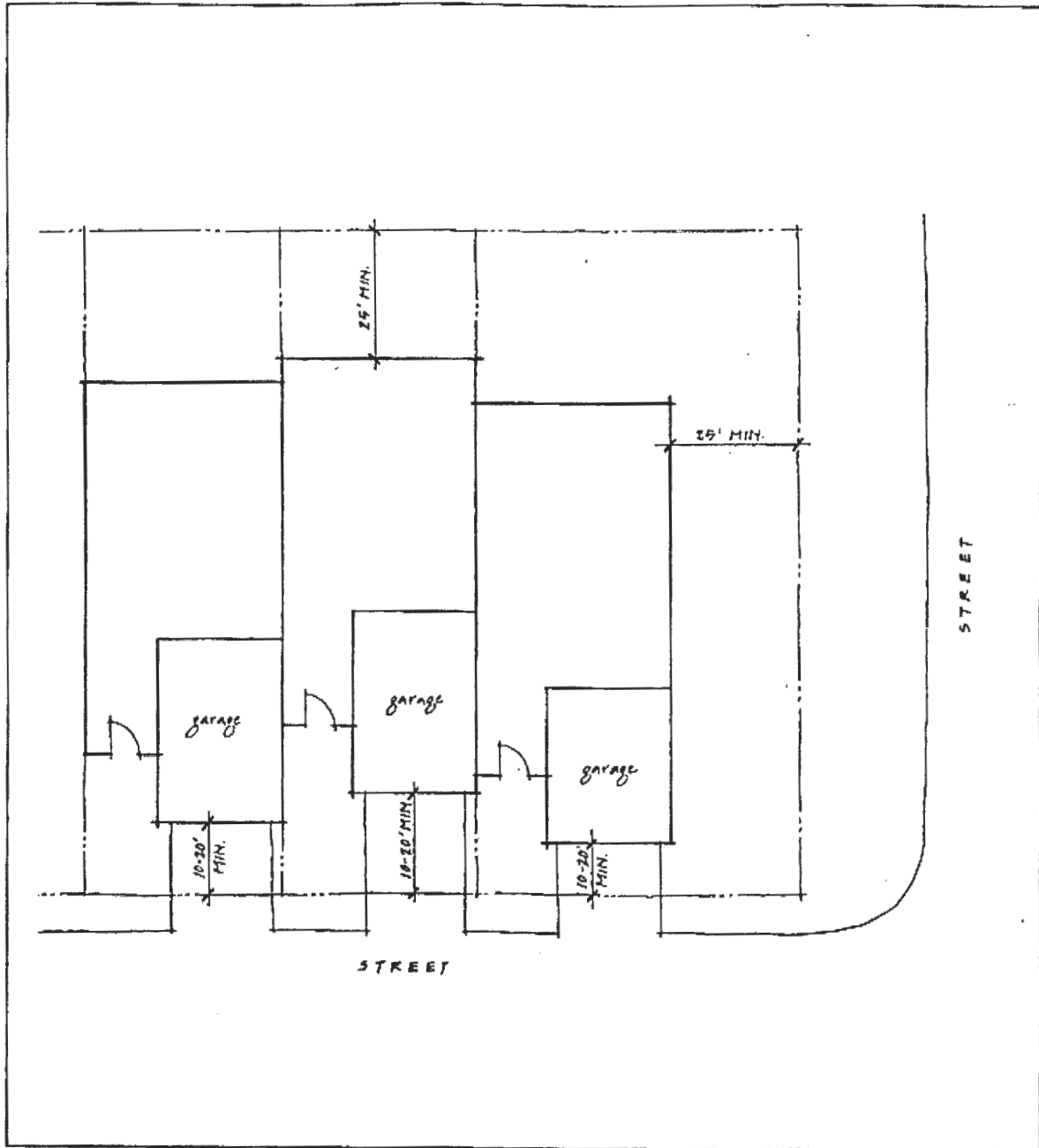


Figure 19.107.030.C – Fairview Lake Way Design Overlay
Attached Townhomes



LEGEND Not to Scale

(Ord. 6-2001 § 1)

Ordinance 11-2014

19.107.040 Conditional uses.

All conditional uses in the R-7.5 zone shall continue to be allowed as conditional uses in the South Fairview Lake design overlay zone. (Ord. 6-2001 § 1)

19.107.050 Development standards – Density.

A. Development Standards. See Table 19.107.050.A – Development Standards – Density.

Table 19.107.050.A Development Standards – Density				
Development Standards	Single-Family Detached (Figure 19.107.030)	Charleston Row House (Figure 19.107.030.A)	Courtyard Cluster Homes (Figure 19.107.030.B)	Attached Townhouses (Figure 19.107.030.C)
Density				
Minimum lot size	5,000 square feet	3,000 square feet	3,000 square feet	2,500 square feet
Maximum lot size	25,000 square feet	4,500 square feet	6,500 square feet	4,000 square feet
Minimum average lot area per unit	6,000 square feet	3,000 square feet	4,000 square feet	3,000 square feet
Lot Dimensions				
Minimum average lot width	50 feet	30 feet	50 feet	20 feet
Maximum average lot depth	80 feet	90 feet	80 feet	80 feet
Lot Coverage				
Maximum lot coverage for all structures	60%	50%	2-story structures: 50% 1-story structures: 60%	50%
Height				
Maximum building height	35 feet	35 feet	35 feet	35 feet
Setbacks				

Table 19.107.050.A Development Standards – Density				
Development Standards	Single-Family Detached (Figure 19.107.030)	Charleston Row House (Figure 19.107.030.A)	Courtyard Cluster Homes (Figure 19.107.030.B)	Attached Townhouses (Figure 19.107.030.C)
Front – minimum	15 feet	10 feet	10 feet	5 feet (architectural projections, i.e., front porches, cannot encroach into this setback)
Front – maximum	20 feet	15 feet	15 feet	20 feet
Side – minimum	5 feet	Interior – 6 feet one side only/0 feet one side only. Corner lot – 10 feet on street side, minimum building separation – 6 feet. Builders will provide a site plan that indicates setbacks on adjoining lots at the time of application.	Interior – 5 feet on one or both sides/0 feet one side only is optional. Corner and between clusters – 10 feet on street side, minimum building separation – 5 feet.	0 feet
Rear – minimum	15 feet/adjacent to Fairview Lake conservation easement	8 feet from alley	10 feet	15 feet
Garage entrance – minimum	18 feet	Alley – 8 feet	Street and common driveway – 18 feet	18-foot public street – 5 feet private street or common driveway
Parking (off-street)	1 compact, 1 standard	1 compact, 1 standard	1 compact, 1 standard	1 compact, 1 standard

B. Allowed shall be three units per acre. (Ord. 6-2001 § 1)

Ordinance 11-2014

19.107.060 Design standards.

The following design standards shall apply to residential developments which are subject to the South Fairview Lake design overlay zone.

A. Street System. The proposed street system shall be designed to create a safe, aesthetically pleasing, and pedestrian-oriented neighborhood. Five of the six street types are narrower than the typical city standard minimizing the physical presence of paved areas, allowing for additional landscaping adjacent to streets and sidewalks, and effectively controlling traffic speeds. Specific applications of these street designs shall be approved by the city in consideration of anticipated traffic volumes, emergency access, and on-street parking demand. All streets are intended for traffic speeds of 25 miles per hour or less. Street design requirements are summarized in Table 19.107.060 and illustrated in cross-section in Figure 19.107.060.A.

1. Standard Local Street. Standard local streets shall constitute public streets with a 58-foot right-of-way consisting of two 11-foot travel lanes, two seven-foot parking lanes, two five-foot planter strips, and two five-foot sidewalks.

2. Narrow Local Street. Narrow local streets shall constitute public streets with a 50-foot right-of-way consisting of two 10.5-foot travel lanes, one seven-foot parking lane, two five-foot planter strips, and two five-foot sidewalks.

3. Local Street with Median. The local street with a median shall constitute a public street with a 58-foot right-of-way consisting of two 11-foot travel lanes, a seven-foot median, two five-foot planter strips, two five-foot sidewalks, and two four-foot landscaped buffers. No on-street parking will be allowed, to minimize the width of the right-of-way.

4. Alley. Alleys shall constitute public streets with a 24-foot public right-of-way consisting of a 16-foot travel lane and two four-foot buffers. The buffer shall be paved along the front of the garages and the remainder shall be landscaped with ground covers, shrubs, or a combination thereof. Alleys shall have rolled curbs with gutters draining to a storm sewer system.

5. Attached Townhomes Street. The attached townhomes street shall constitute a private street with a 35-foot-wide right-of-way consisting of two 10-foot travel lanes, two four-foot sidewalks, and two three-foot landscaped buffers. The buffer shall be landscaped with street trees, ground covers and shrubs. The rolled curbs shall have gutters draining to a storm sewer system.

6. Courtyard Street. Courtyard streets shall constitute private streets with a 28-foot right-of-way consisting of two 10-foot travel lanes, one eight-foot parking lane, and a maximum length of 150 feet. Landscape which extends from the edge of the paved surface to the house facade shall be planted with trees, ground covers and shrubs, or a combination thereof, and shall be maintained by a homeowners association.

Table 19.107.060 Street Design Requirements							
Street Types	Right-of-Way	Travel Lane	Parking	Planter Strip	Median	Sidewalk	Additional Landscaped Buffer
Standard local street	58'	11'/11'	7'/7'	5'/5'	no	5'/5'	no
Narrow local street	50'	10.5'/10.5'	7' one side	5'/5'	no	5'/5'	no
Local street with median	58'	11'/11'	no	5'/5'	6'	5'/5'	4'/4'
Alley	private tract 24'	8'/8'	no	no	no	no	4'/4'
Attached townhouses street (private)	private tract 35'	10'/10'	no	no	no	4'/4'	3'/3'
Courtyard street (private)	private tract 28'	10'/10'	8' one side	N/A	N/A	N/A	N/A

Figure 19.107.060.A – Fairview Lake Design Overlay Street Sections

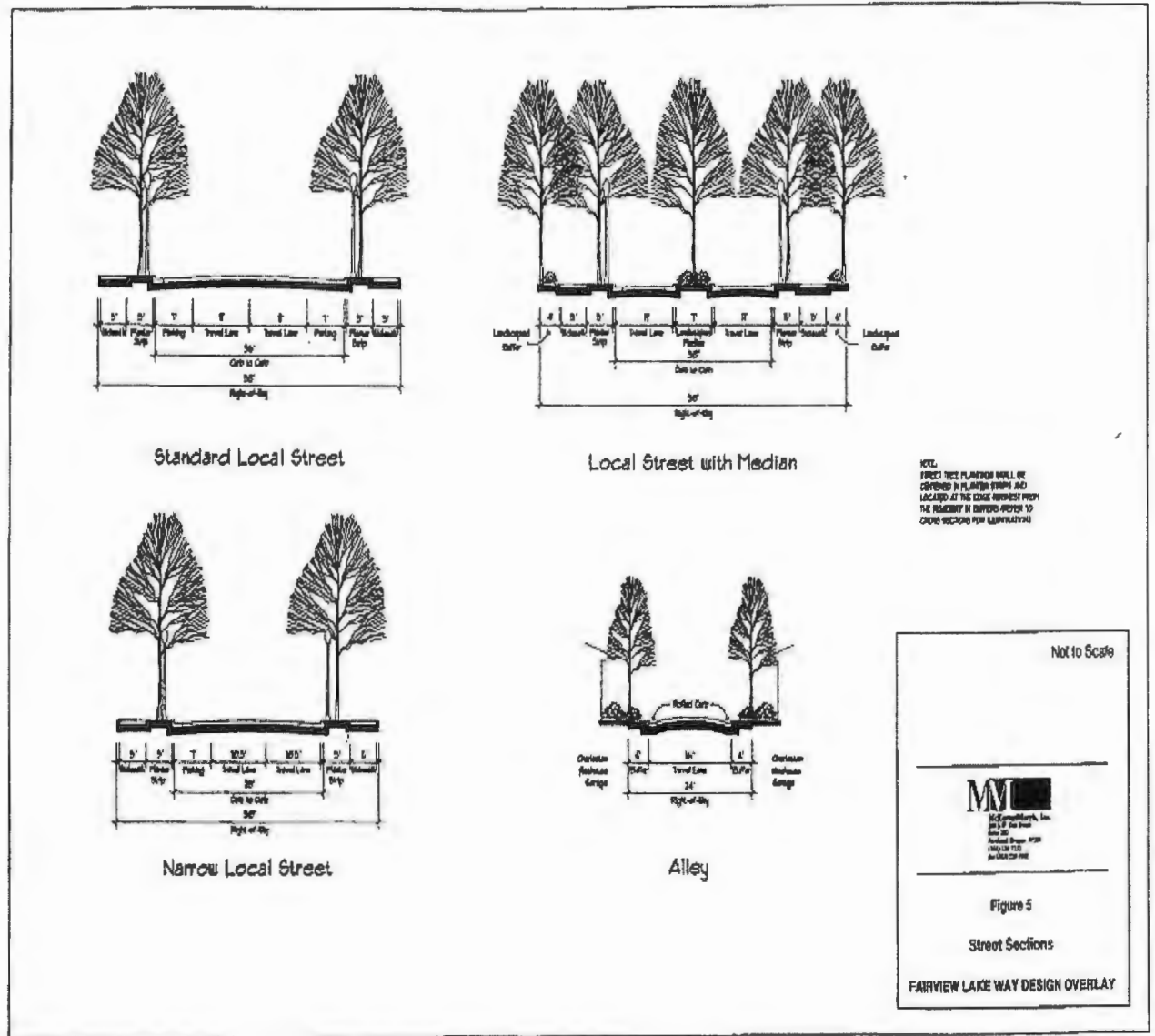
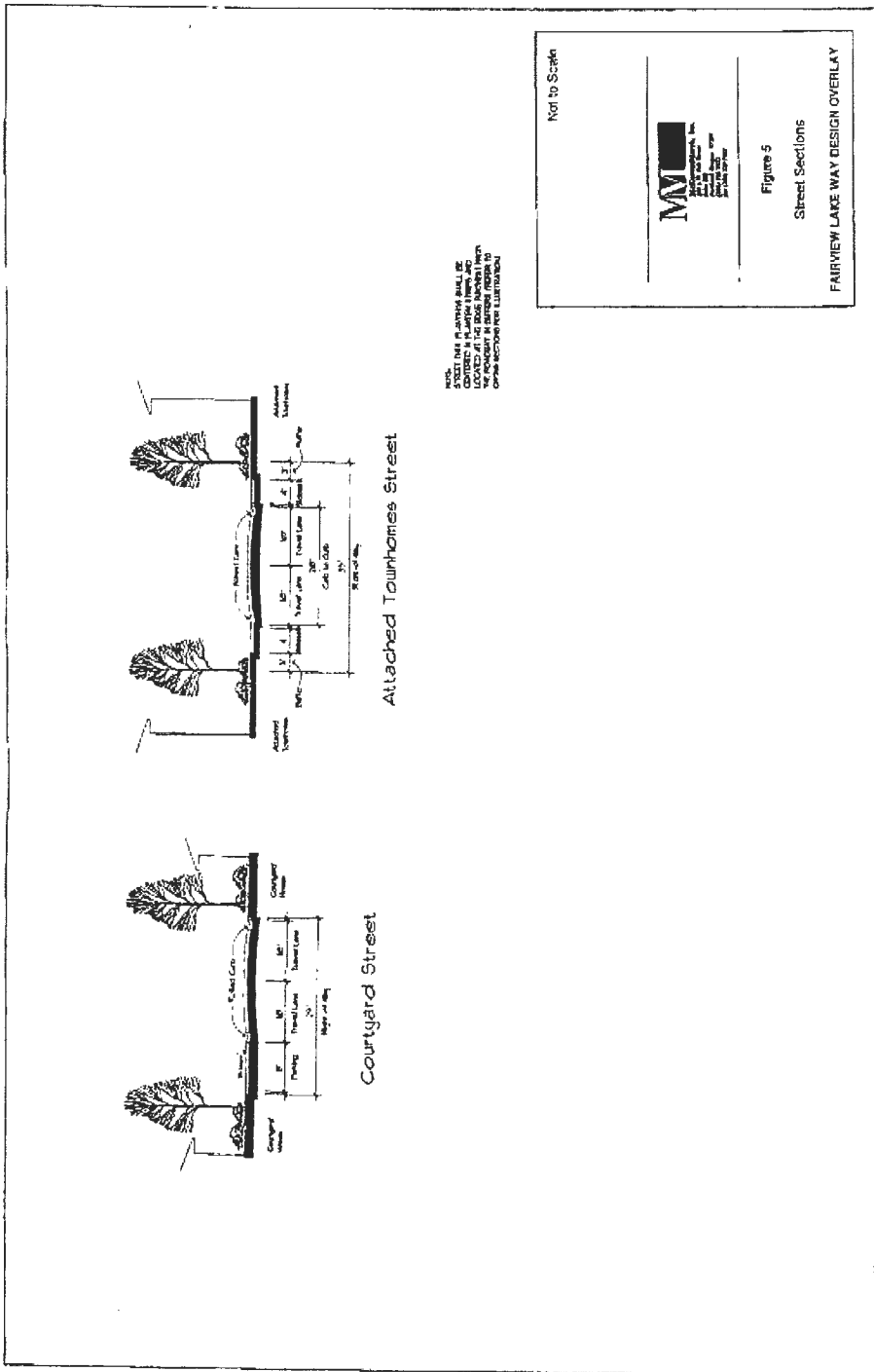


Figure 19.107.060.A – Fairview Lake Design Overlay
Street Sections (continued)



B. Fences. The maximum height for front yard and street side yard fences shall be four feet.

C. Intersections.

1. Vision Clearance Areas. Signage, structures and plant material 42 inches above grade shall be prohibited within the vision clearance area located at the intersection of streets and/or alleys. The area is defined by a triangle with two sides of the triangle extending 15 feet from the intersection.

2. Curb Extensions. Curb extensions shall be provided as required by the adopted Fairview Lake Way standards.

3. Paved Surface Details. Paving and curb cuts shall facilitate safe pedestrian crossing and meet all ADA requirements for accessibility. Textured accent paving shall be used at the main entry intersection to clearly define the pedestrian crosswalk. The pavers or pattern shall be of a level material which does not impede wheelchair accessibility or conflict with surfacing for sight-impaired individuals.

D. Landscape.

1. Landscape Plans and Installation.

a. Prior to issuance of building permits, the developer shall submit landscape plans and completion scheduled for:

i. All areas within the public right-of-way or common open spaces; and

ii. All private front yards which include lawn and/or other living ground cover.

b. Landscape materials shown on the approved plans for public right-of-way or common open space areas shall be installed prior to issuance of occupancy permits for more than 80 percent of the homes abutting these public areas.

c. Landscape materials shown on the approved plans for private front yards shall be installed prior to occupancy of the home.

2. Planter Strips.

a. All planter strips shall be a minimum of five feet wide and shall be planted with either lawn, ground cover or a combination of shrubs and ground cover such that the entire surface area is covered with plant material. Placement of plant material shall adhere to clear sight line requirements as provided in FMC 19.140.030(D), vision clearance areas.

b. Planter strips without adjacent parking shall have street trees in conjunction with low ground covers and/or shrubs to enhance visibility while still providing a psychological and physical barrier from passing traffic. Plantings shall be predominantly evergreen year-round, provide seasonal interest with fall color or blooms, and at maturity grow within the confines of the planter strip. Planter strips with adjacent parking shall have only street trees and lawn or low ground cover which adheres to the requirements of this section.

3. Medians.

a. All medians shall be a minimum of seven feet wide and shall be landscaped with a combination of street trees, shrubs, and/or ground covers.

b. Medians shall have low plant masses near intersections for the safety of pedestrians and motorists. The remaining median area shall have taller plant masses to block lights of oncoming traffic, decrease dust and heat, and to improve the aesthetics of the roadway. Plants shall be predominantly evergreen year-round, provide seasonal interest with fall color, blooms or fruits, and at maturity stay within the confines of the median. Placement of plant material shall adhere to clear sight line requirements as provided in FMC 19.140.030(D).

4. Traffic Diverters. Traffic diverters shall be landscaped with a combination of trees, and low shrubs and/or ground covers. Plantings shall be predominantly evergreen year-round, provide seasonal interest with fall color, blooms or fruits, and at maturity stay within the confines of the traffic diverter. Placement of plant material shall adhere to clear sight line requirements as provided in FMC 19.140.030(D), Vision clearance areas.

5. Street Trees.

a. Location. Street trees are required along both sides of streets and within medians and the traffic diverters. Street trees along the street edge, excluding the attached townhouse street, shall be planted within the planter strip at a frequency of 30 feet on center unless the Community Development Director approves a different distance due to constraints such as utilities. Street trees in the buffer strip of the attached townhouse street shall be planted an average of 20 feet on center to accommodate curb cuts for driveways unless the Community Development Director approves a different distance due to constraints such as utilities. Trees proposed for medians and the traffic diverters shall be spaced according to the size of tree and design intent.

b. Characteristics. ~~Street trees will provide climate control and serve as a unifying architectural feature in the streetscape. For all street types except the attached townhouse street, specimens shall be a minimum of 30 feet in height at maturity with a round, broad, oval or pyramidal canopy a minimum of 25 feet in diameter. Species selections may include: Red Sunset Maple (Acer rubrum 'Franksred'), Skyline Honeylocust (Gleditsia triacanthos 'Skycole') and Green Vase Zelkova (Zelkova serrata 'Green Vase'). For the attached townhouse street, specimens shall be a minimum of 15 feet in height at maturity with a columnar, oval, narrow, fastigiated or round canopy not to exceed 25 feet in diameter. Species selections may include: Corinthian Linden (Tilia cordata 'Corzam'), Bowhall Maple (Acer rubrum 'Bowhall'), and Canticleer Pear (Pyrus calleryana 'Glen's Form'). Leaf color shall be light to dark. Flowering trees without heavy nonleaf litter, i.e., catkins, fruit, may also be considered.~~

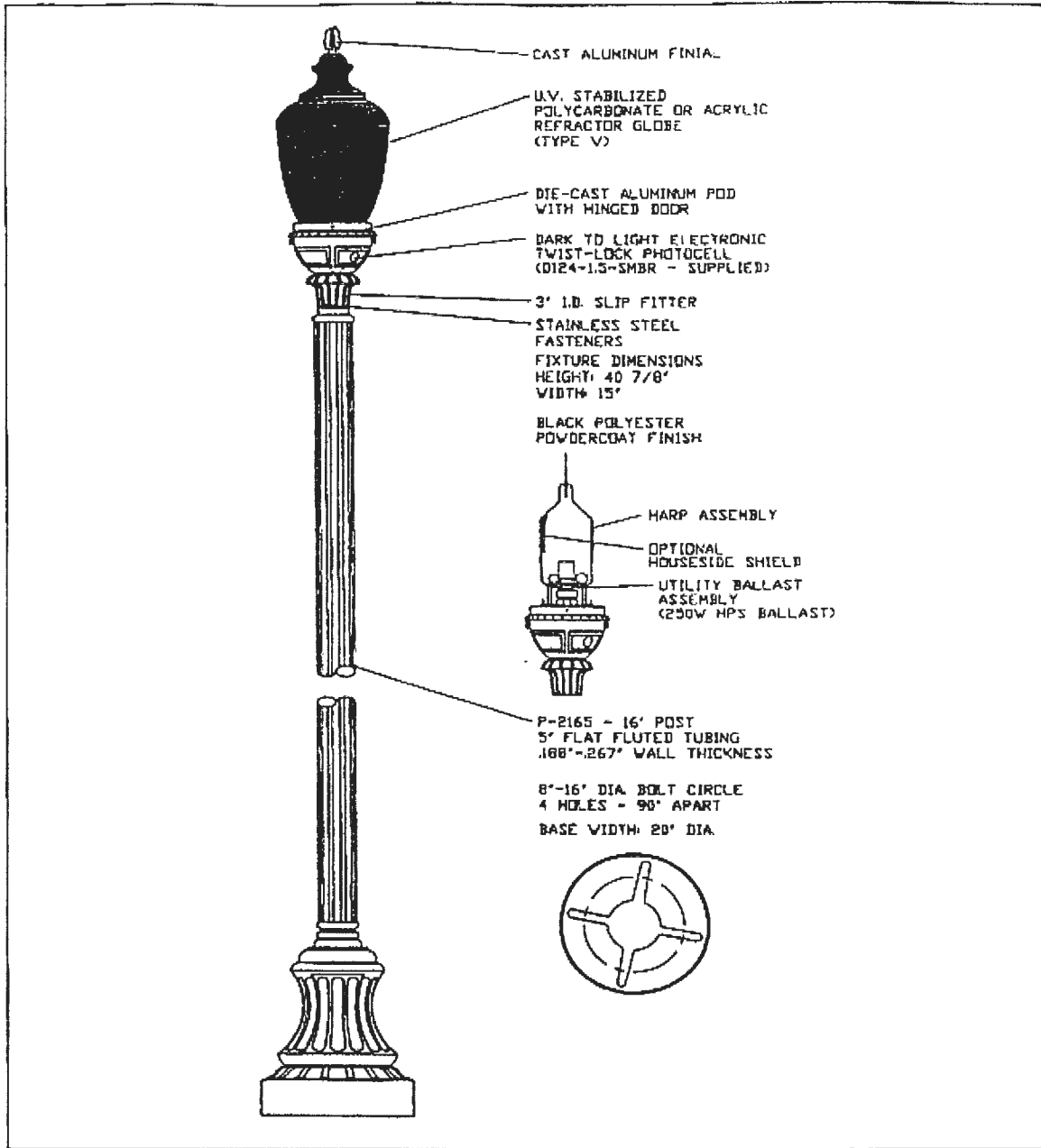
~~Specimens shall be well branched and have a two and one-half inch caliper prior to installation. All trees shall be staked at planting as directed by an arborist or a landscape architect.~~

Tree Types: The type of tree to be planted shall be in accordance with the approved street tree list in the City's Sidewalk Maintenance Program Handbook.

E. Erosion Control Standards. Site erosion and pollution and sedimentation of Fairview Lake must be prevented during and after construction activities. Appropriate erosion and sedimentation control measures shall be installed as required by the city of Fairview erosion control standards.

F. Lighting. Street lighting shall be provided for all public streets in the development, excluding private courtyard streets. Ornamental lighting shall be 12-foot to 14-foot tall "acorn" style fixtures consistent in style with the city of Fairview standard (Figure 19.107.060.F). Fixtures shall be sited within the planter strip at 150-foot to 200-foot intervals to provide a traditional image and consistent level of lighting.

Figure 19.107.060.F – Fairview Lake Way Design Overlay
 Typical Street Lighting Detail



LEGEND Not to Scale

G. Irrigation for and maintenance of landscaped areas within the public right-of-way shall be provided as required by the adopted Fairview Lake Way standards.

H. Fairview Lake Conservation Easements.

1. Shoreline Conservation Easements.

a. Shoreline conservation easements shall provide a 50-foot setback from top of bank or annual mean water level, in areas where there is no bank or break in the shoreline along Fairview Lake.

b. Trees and native vegetation shall be maintained or enhanced within the easement area.

c. Structures and landscaping may occur up to the southern edge of easement.

2. Wooded, Wetland, and SEC Area Conservation Easement.

a. Easement location varies according to existing treeline and wetland vegetation and the identified SEC (Chapter 19.106 FMC, Natural Resource Regulations).

b. Structures shall maintain a 15-foot setback from the edge of the easement.

c. Landscaping may occur up to the edge of the easement.

3. Allowed Activities within Conservation Easements. Within the protected area, development and resource alteration, excluding mitigation or enhancement, shall be prohibited. Enhancement shall be required in disturbed riparian and wetland areas providing revegetation with appropriate native species only. Planting non-native, ornamental vegetation in the easement shall be prohibited. Similarly, invasive, non-native ornamental plantings shall be maintained in private landscapes to prevent encroachment.

I. Minimum Common Space Area. All developments shall provide a minimum of five percent of the net development area as common public or private open space, excluding conservation easement areas.

J. Residential Housing Design Standards. In addition to the development standards in FMC 19.107.050, the following design standards shall apply:

1. Charleston Row Houses.

a. Stories: two.

b. Garages: access only to the alley.

c. Main entry: oriented toward the street or front corner of the house with a usable front porch.

d. Minimum building separation: six feet.

2. Courtyard Cluster Homes.

a. Stories: minimum of one one-story home for clusters of up to five homes and two one-story homes for clusters of six or seven homes.

b. Garages: one direct driveway access to the public street for each cluster.

c. Main entry: one main entry oriented to the public street for each cluster.

d. Minimum building separation: six feet.

3. Townhomes.

a. Stories: two.

b. Garages: direct driveway access to a private or public street.

c. Main entry: oriented toward a private or public street with a usable front porch or entry which has an equal or lesser front yard setback than the garage. (Ord. 3-2012 § 6; Ord. 6-2001 § 1)

**ORD 11-2014 Exhibit 2
CODE AMENDMENTS- Chapter 19.140
VILLAGE GENERAL STANDARDS**

CHANGES IN STRIKETHROUGH AND UNDERLINE

Sections:

- 19.140.010 Pedestrian ways and trails.
- 19.140.020 On-site pedestrian ways for commercial, multifamily (four or more units), institutional and office development.
- 19.140.030 Streets.
- 19.140.040 Minimum required off-street parking requirements.
- 19.140.050 Street trees.
- 19.140.060 Erosion control standards.
- 19.140.070 Landscape standards.
- 19.140.080 Repealed.
- 19.140.090 Bicycle parking.
- 19.140.100 Blank wall standard.
- 19.140.110 Repealed.

19.140.010 Pedestrian ways and trails.

A. Pedestrian ways shall be provided from subdivisions and multifamily developments to:

1. Commercial facilities and public amenities such as existing or planned transit stops or facilities, school, park, church, day care center, children's play area, outdoor activity areas, plazas, library, or similar facility;
2. A dead-end street, loop, or mid-block where the block is longer than 600 feet; and
3. Streets or pedestrian ways which abut the site.

B. Except as provided in FMC 19.140.020(B) and (H), pedestrian ways shall include at least a 10-foot right-of-way with a minimum five-foot wide paved surface and shall have a maximum slope of five percent wherever practical.

C. Pedestrian ways shall be illuminated so that they may be safely used at night and shall be direct with at least one end of the pedestrian way always visible from any point along the pedestrian way.

D. The maximum height of a fence along such a facility shall not exceed four feet.

E. Bollards or other similar treatments may be required in order to prevent cars from entering the pedestrian way.

F. All pedestrian ways shall be landscaped in conformance with FMC 19.140.070.

G. Pedestrian ways depicted on the Fairview Village trail system plan shall be constructed in conjunction with development of the same lot or parcel consistent with the provisions of Chapter 19.155 FMC. (Ord. 6-2001 § 1)

19.140.020 On-site pedestrian ways for commercial, multifamily (four or more units), institutional and office development.

A. Pedestrian ways shall provide direct connections to other portions of the site such as buildings, parking lots, child play areas and outdoor pedestrian-oriented activity areas such as plazas, resting areas and viewpoints.

B. Pedestrian ways shall be constructed of concrete or paving bricks and be at least five feet in unobstructed width. ADA certified curb ramps shall be provided where pedestrian ways intersect with streets.

C. Pedestrian ways shall be illuminated throughout the length with pedestrian scale lighting not to exceed 20 feet in height having a minimum of 0.5 foot-candle power average illumination and oriented so as not to shine directly upon adjacent residences.

D. Pedestrian ways and pedestrian areas shall be separated from automobile and truck circulation, parking, and loading whenever possible.

E. Where a pedestrian way crosses driveways, parking areas, or similar vehicle maneuvering areas, the pedestrian way shall be readily identifiable through the use of elevation changes, speed bumps, different paving materials, or other similar methods.

F. Where the pedestrian way is parallel and adjacent to an auto travel lane, the safety of the pedestrian shall be assured through a raised path or shall be separated from the auto travel lane by a raised curb, bollards, landscaping or other physical barrier. If a raised path is used, the ends of the raised portions shall be equipped with ADA certified curb ramps.

G. Pedestrian ways shall provide a direct connection between all new development and adjacent streets. Stub connections shall be required between developments and neighboring sites not yet developed or capable of being further subdivided or partitioned.

The connections shall be completed when the neighboring site is developed.

H. Pedestrian ways bordering parking spaces shall be at least seven feet in unobstructed width or a minimum of five feet in unobstructed width when concrete bumpers, bollards, curbing, landscaping, or other similar improvements are provided which prevent parked vehicles from obstructing the pedestrian way.

I. A reduction in the number of pedestrian connections may be granted by the review authority based on a determination that reducing the number of connections would not result in an increase in out of direction pedestrian travel from the street to any main building entrance. (Ord. 6-2001 § 1)

19.140.030 Streets.

Streets within Fairview Village shall comply with the design standards outlined in Figure V-3, following Chapter 19.155 FMC.

A. Cul-de-sacs are permitted only when topographic conditions or existing or planned street patterns preclude future extension of streets. The maximum cul-de-sac radius shall be 40 feet.

B. All alleys shall constitute public streets with a minimum right-of-way of 16 feet.

C. Intersection dimensions should be minimized to reduce pedestrian crossing distances and to reduce vehicle speeds. At intersections in all Fairview Village zones, curb radii shall be 15 feet with clear zone radii of 25 feet. (Figure V-4, following Chapter 19.155 FMC.)

D. Vision Clearance Areas.

1. Structures or signs may not be located within a vision clearance area as defined in subsection (D)(2) of this section. Support structures for a sign may be located in a vision clearance area only if the combined total width is 12 inches or less and the combined total depth is 12 inches or less.

2. Location of Vision Clearance Areas. Vision clearance areas are triangular-shaped areas located at the intersection of any combination of streets and/or alleys. The sides of the triangle extend 15 feet from the intersection of the vehicle travel areas. The height of the vision clearance area is from 42 inches above grade to 10 feet above grade (see Figure V-2, following Chapter 19.155 FMC). This standard shall not apply to public safety signage and street identification signage. (Ord. 6-2001 § 1)

19.140.040 Minimum required off-street parking requirements.

All base zone parking standards apply (see Chapter 19.164 FMC) except where expressly written otherwise.

A. Residential.

1. One-, two- and three-unit dwelling structures: two space per dwelling unit.
2. Attached dwellings containing four or more dwelling units including dwelling units above retail uses: one and one-half spaces per dwelling unit.

B. Commercial.

1. a. Supermarkets: one space per 250 square feet of floor area.
- b. Banks, offices: one space per 330 square feet of floor area.
- c. Barber shop/beauty parlor: one space per 250 square feet of floor area.
- d. Eating or drinking establishment: one space per 100 square feet of floor area.
- e. Retail trade: one space per 500 square feet of floor area.
- f. General office: one space per 500 square feet of floor area.

2. Parking Stall and Aisle Dimensions.

- a. Parking lot aisles shall have a minimum width of 24 feet.
- b. Standard parking lot stalls shall have a minimum width of nine feet and a minimum depth of 18 feet.
- c. Compact-vehicle parking stalls shall have a minimum width of eight feet and a minimum depth of 16 feet.

C. Joint Use. Off-street parking required by this code for any use shall not be considered as providing parking spaces for any other use except where a joint use facility exists. Such a facility, defined by legal instrument such as an easement, shall contain no less than the total number of spaces as determined individually by user, except that fewer spaces may be permitted where uses on adjoining sites have different hours of operation and the same parking spaces or loading berths can serve both without conflict. A determination of the extent, if any, to which joint use will achieve the purposes of this chapter shall be made by the planning director, who may require submission of a site development plan and a parking demand study or other data necessary to reach a decision.

D. On-Street Parking. In the VC, VMU, and VO zones, on-street parking which borders the property frontage shall apply toward satisfying the parking standards in this section.

E. In the event that a change in commercial use is proposed different than that in place as of March 9, 2004, a Type II modification of conditions permit shall be required. The permit will be granted upon demonstration that the requirements of subsection B of this section are met by the proposed use. (Ord. 4-2004 § 3; Ord. 6-2001 § 1)

19.140.050 Street trees.

A. Location. Street trees are required along both sides of all collector streets and local streets within the Village adjacent to new development and on at least one side of streets with a higher classification. The spacing requirement shall be on average one tree per 30 linear feet unless the Community Development Director approves a different distance due to constraints such as utilities, rights-of-ways, etc. Along collector streets or streets with a higher classification, metal grating, nonmortared brick, grasscrete, or similar material shall be installed at grade over the planting area around street trees, or raised planters shall be constructed to prevent soil compaction and damage to the trunk. Planting strips or tree wells are required along all remaining streets.

B. ~~Characteristics.~~ Tree Types: The type of tree characteristics of the street trees to be planted shall be in accordance with the approved street tree list in the City's Sidewalk Maintenance Program Handbook. ~~consistent with the criteria shown in Figure V-5, following Chapter 19.155 FMC. (Ord. 6-2001 § 1)~~

19.140.060 Erosion control standards.

The site must be contoured, planted, or developed to prevent erosion, pollution, and sedimentation into adjacent natural resource areas within six weeks of the issuance of the certificate of occupancy. Erosion control techniques must meet city of Fairview erosion control handbook standards. (Ord. 6-2001 § 1)

19.140.070 Landscape standards.

Where the area to be landscaped is less than 30 feet deep, the requirement shall be on average one tree per 30 linear feet. Where the area is 30 feet deep or greater, the requirement is one tree per 800 square feet and either two high shrubs or three low shrubs per 400 square feet of landscaped area. The shrubs and trees may be grouped; provided, that ground cover plants must fully cover the remainder of landscaped area. The landscaping details for the various, respective sectors of Fairview Village shall be presented in a landscape plan in design review or in a development permit application.

A. Trees may be deciduous or evergreen. Deciduous trees at the time of planting must be fully branched, have a minimum diameter of two inches, measured five feet above the ground, and have a minimum height of 10 feet. Evergreen trees at the time of planting must be fully branched and a minimum of six feet in height.

B. Low shrubs must form a continuous screen three feet high and 95 percent opaque year-round. High shrubs must form a screen six feet high and 95 percent opaque year-round.

C. Groundcover plants shall be installed on all areas where slopes are five to one or steeper and must be installed at a minimum of 18 inches on center and four-inch pots at time of planting.

D. All required groundcover plants and shrubs must be of sufficient size and quantity to meet the required standards within three years of planting. The use of mulch must be confined to areas underneath plants and shall not be considered a substitute for groundcover plants.

E. The required materials are shown in Figure V-6, following Chapter 19.155 FMC. (Ord. 6-2001 § 1)

19.140.080 Fairview Creek and Clear Creek conservation easements.

Repealed by Ord. 3-2012. (Ord. 6-2001 § 1)

19.140.090 Bicycle parking.

A. Number Required.

1. Multifamily dwelling: one space per unit (.25 per unit if occupancy restricted to 55 years or older).

2. Commercial use classifications: five percent of the requirement for automobile parking spaces, except for the following classifications, which are exempt:

a. Animal sales and service.

b. Auto-related uses.

c. Warehousing – Wholesale and distribution.

B. Bicycle Parking Space and Aisle Dimensions.

1. Uncovered spaces shall be at least six feet long and two feet wide.

2. Covered spaces shall be at least seven feet long and two feet wide.

3. A five-foot-wide aisle is required adjacent to each row of bicycle parking.

C. Required bicycle parking racks shall be located no further than the closest automobile parking space from the major building entrance.

D. When more than seven bicycle parking spaces are required, 50 percent of the spaces shall be covered.

E. When more than 15 covered bicycle parking spaces are required, 50 percent of the covered spaces shall be enclosed and offer a high level of security (i.e., bicycle lockers or a locked cage or room with locking facilities inside, to provide safe long-term parking). (Ord. 6-2001 § 1)

19.140.100 Blank wall standard.

Ordinance 11-2014

Windows must occupy at least 50 percent of the length and 25 percent of the ground level wall area. Ground level wall areas include all exterior wall areas up to nine feet above the finished grade. The window requirement applies to the ground level of exterior building walls which abut sidewalks, plazas, or other public open spaces. Walls may be recessed three feet in maximum increments of 15 feet with landscaping in lieu of windows. Recess landscaping shall obscure the wall year-round. (Ord. 6-2001 § 1)

19.140.110 Signs.

Repealed by 2-2010. (Ord. 8-2009 § 2; Ord. 6-2001 § 1)

**ORD 11-2014 Exhibit 3
CODE AMENDMENTS- Chapter 19.155
VILLAGE TRAIL SYSTEM PLAN**

CHANGES IN ~~STRIKETHROUGH~~ AND UNDERLINE

Sections:

- 19.155.010 Purpose.
- 19.155.020 Location – Generally.
- 19.155.030 Design.
- 19.155.040 Construction prior to occupancy.
- 19.155.050 Dedication.
- 19.155.060 Operation – Maintenance.
- 19.155.070 Location – Specifically.

19.155.010 Purpose.

The public recreational trail requirements are intended to increase recreational opportunities within the city of Fairview, help create a pleasant, aesthetically pleasing urban environment, and provide consistent standards for trail development. (Ord. 6-2001 § 1)

19.155.020 Location – Generally.

The trail system will generally occur within the wetland and upland park/open space areas, and other selected alignments within the developed portions of the Village. The pedestrian ways and/or trail system will provide internal and external connections between the wetland and upland park/open space areas, other Village open spaces, and to adjacent commercial and residential development. (Ord. 6-2001 § 1)

19.155.030 Design.

The trail system shall be designed to provide multiple access points for the public. The trail surface itself and the associated access points shall satisfy ADA requirements and be suitable for walking, running, and bicycling. (Ord. 6-2001 § 1)

19.155.040 Construction prior to occupancy.

The portion of the trail system located on the site for new development shall be constructed by the developer prior to occupancy. The city of Fairview shall extend system development charge credit to the developer equal to the land costs and actual

costs for trail and park development as referenced in the city parks recreation/open space master plan. (Ord. 6-2001 § 1)

19.155.050 Dedication.

The trail system and associated pedestrian ways and access points within the wetland and upland park/open space areas shall either be dedicated to the city, an easement granted to the city, or funds provided to the city in lieu of dedication. A legal instrument or mechanism shall be developed that will allow the city to acquire park/open space sites through dedications or to receive funds in lieu of dedications that will allow the city to acquire park/open space sites in adjacent areas, in accordance with the city's parks and recreation/open spaces master plan. (Ord. 6-2001 § 1)

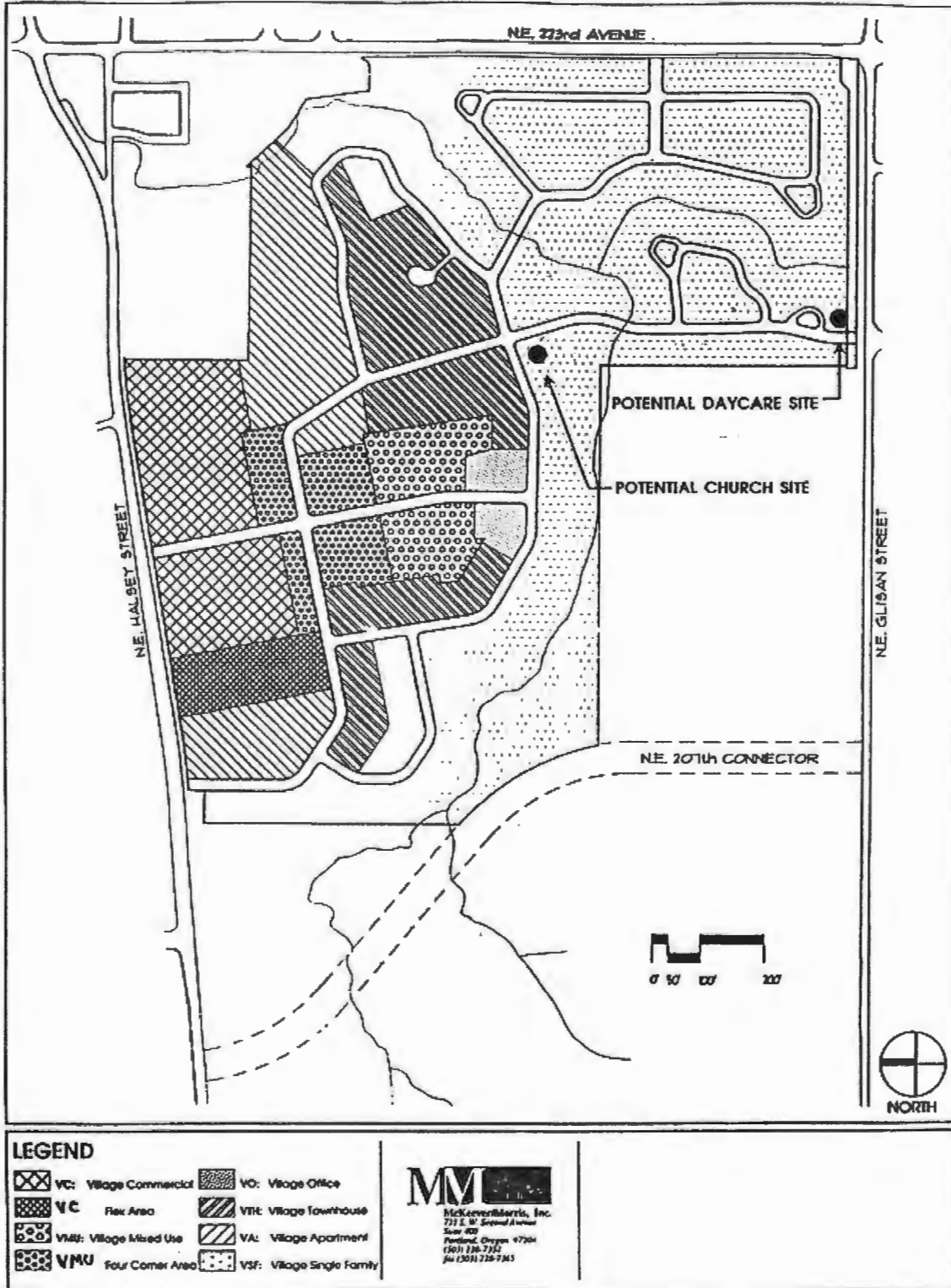
19.155.060 Operation – Maintenance.

Trails, pedestrian ways and access points within Fairview Village shall be operated and maintained by the city. (Ord. 6-2001 § 1)

19.155.070 Location – Specifically.

The location and distribution of planned parks and open spaces are shown on Figure V-10, following Chapter 19.155 FMC. (Ord. 6-2001 § 1)

Figure V-1 – Fairview Village Proposed Land Use Plan



LEGEND	
	VC: Village Commercial
	VO: Village Office
	VC: Park Area
	VTH: Village Townhouse
	VMI: Village Mixed Use
	VA: Village Apartment
	VMU: Four Corner Area
	VSF: Village Single Family

MM
 McKeeville & Harris, Inc.
 711 E. W. Second Avenue
 Ste 402
 Portland, Oregon 97204
 (503) 238-7352
 fax (503) 238-7363

Figure V-2 – Fairview Village Vision Clearance

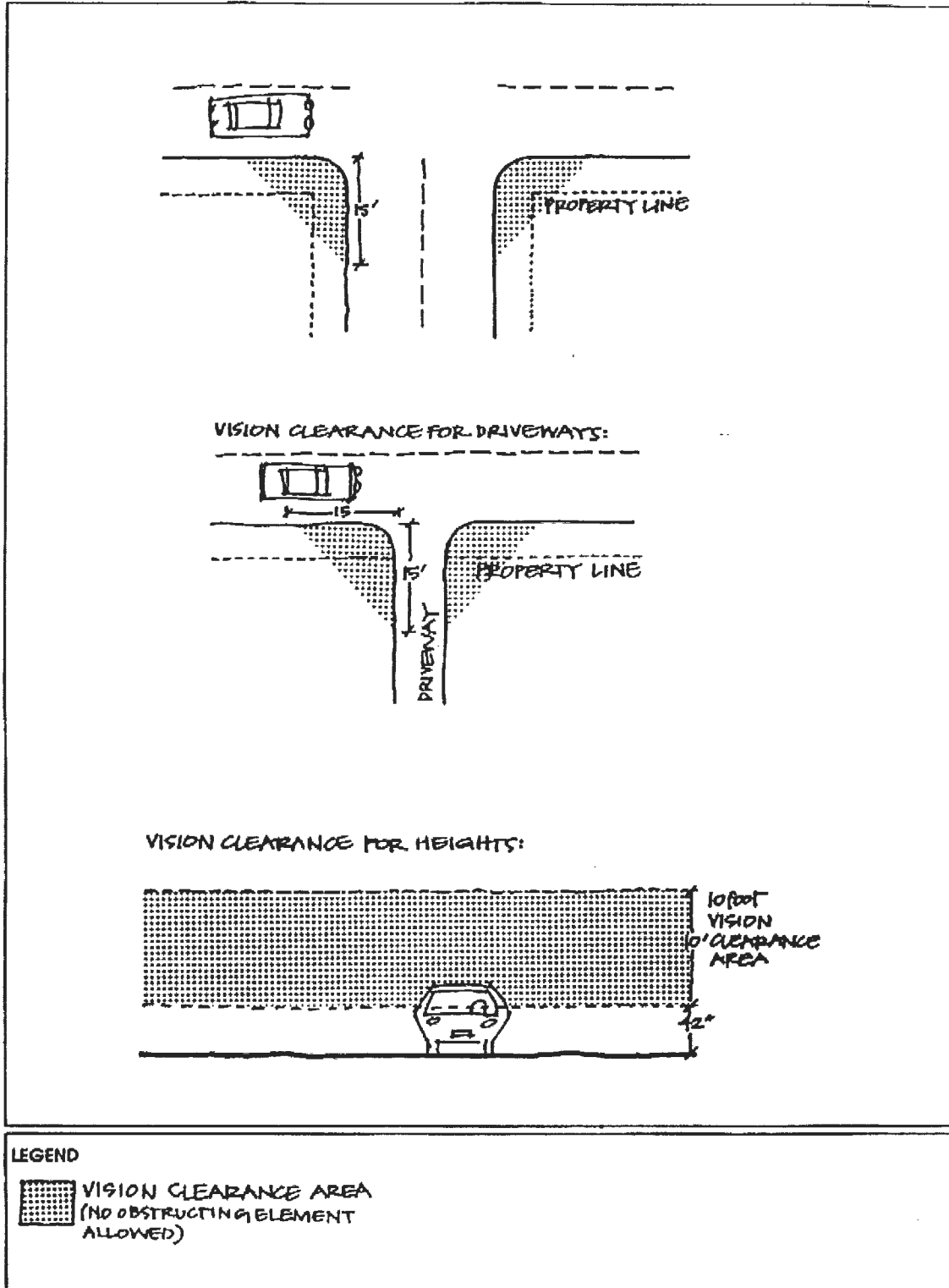


Figure V-3 – Fairview Village Street Plan and Section

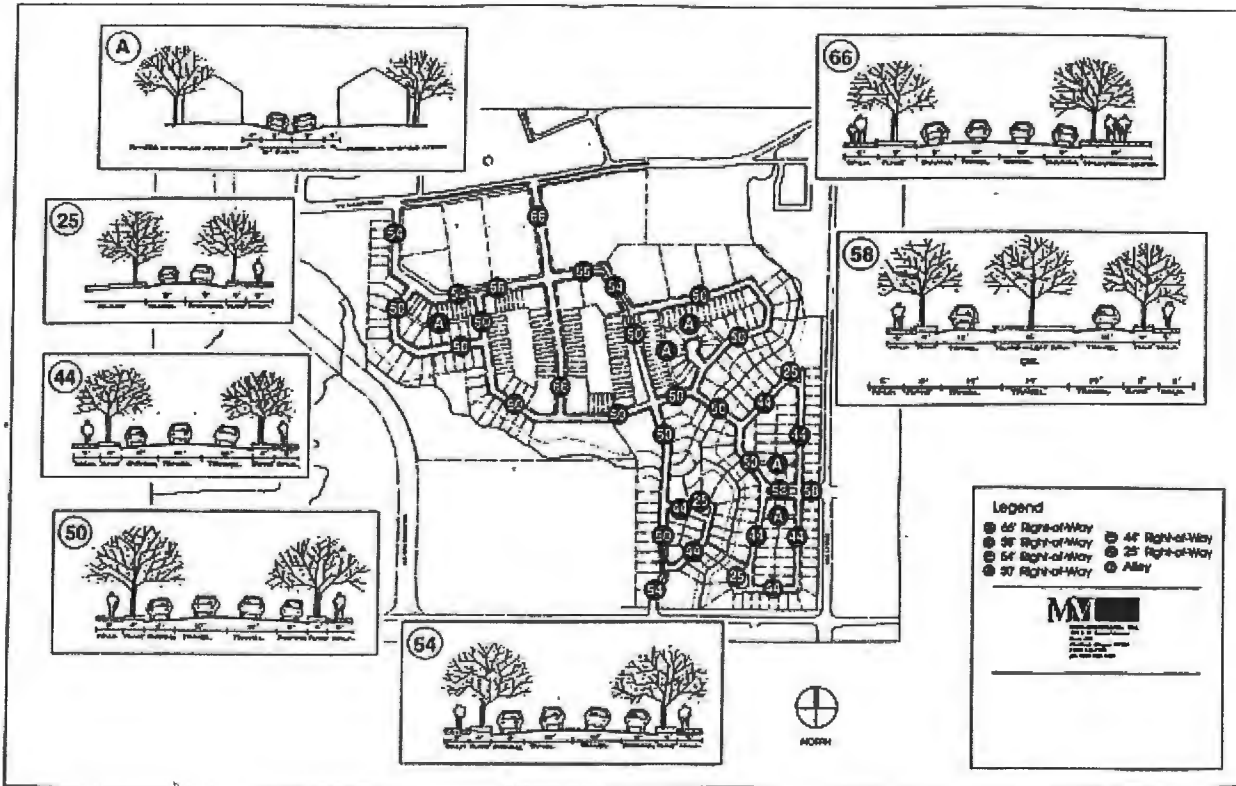


Figure V-4 – Fairview Village Intersection Dimensions

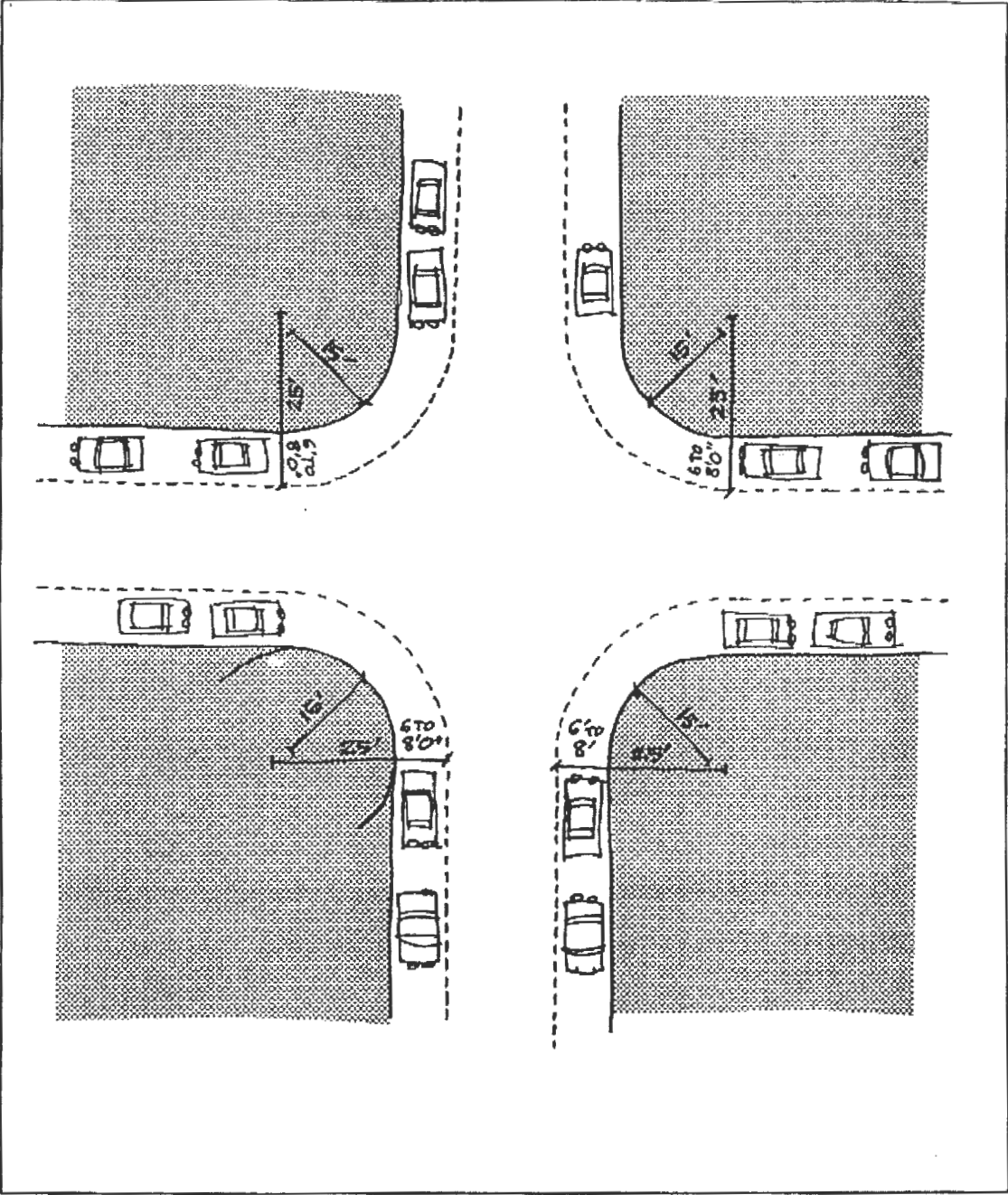


Figure V-5 Fairview Village Street Matrix and Selection

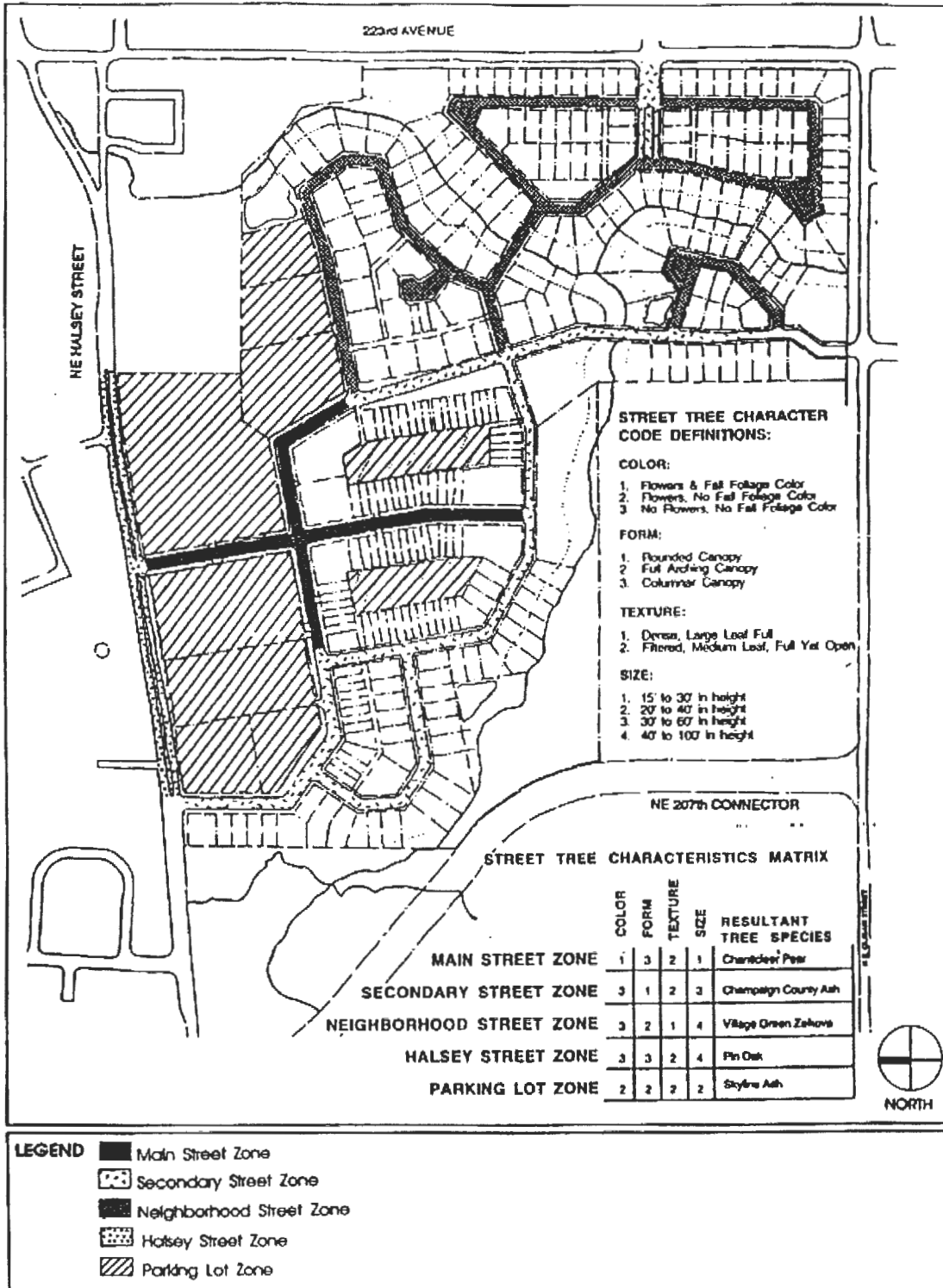


Figure V-6 – Fairview Village Plant List

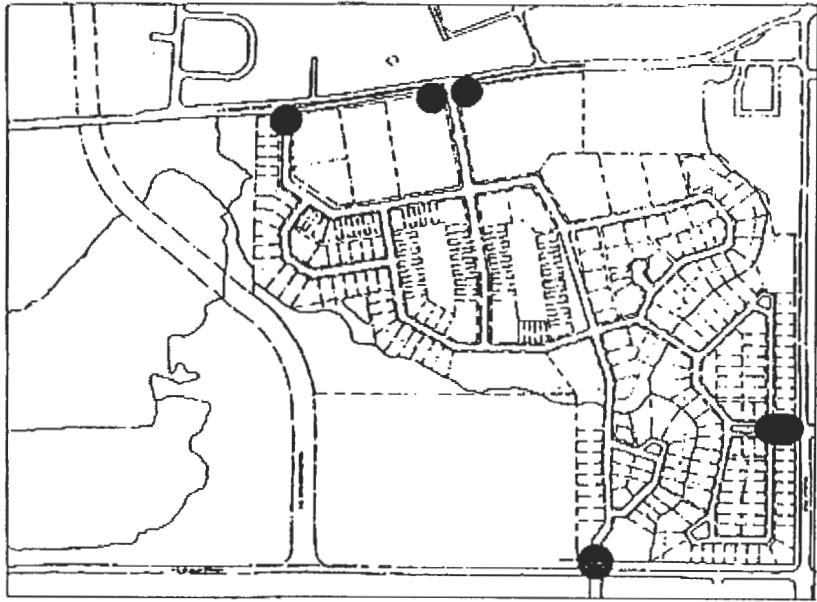
FAIRVIEW VILLAGE PLANT LIST								
Scientific Name	Common Name	Habitat Type						
		Wetland	Riparian	Forest	F. Slope	Thicket	Grass	Roaty
Abies grandis	Grand Fir							
Acer macrophyllum	Big-leaf Maple							
Alnus rubra	Red Alder							
Arbutus menziesii	Madrone							
Cornus nuttallii	Western Flowering Dogwood							
Crataegus douglasii douglasii	Black Hawthorn (wetland form)							
Crataegus douglasii sukadorffii	Black Hawthorn (upland form)							
Fraxinus latifolia	Oregon Ash							
Populus trichocarpa	Black Cottonwood							
Pseudotsuga menziesii	Douglas Fir							
Quercus garryana	Garry Oak							
Salix fluviatilis	Columbia River Willow							
Salix lasioandra	Pacific Willow							
Salix scouleriana	Scouler Willow							
Salix sitchensis	Sitka Willow							
Thuja plicata	Western Red Cedar							
Tsuga heterophylla	Western Hemlock							
Acer circinatum	Vine Maple							
Amelanchier alnifolia	Western Serviceberry							
Berberis aquifolium	Tall Oregongrape							
(Mahonia s)								
Berberis nervosa	Dull Oregongrape							
(Mahonia n)								
Cornus stolonifera	Red-osier Dogwood							
Corylus cornuta	Hazelnut							
Holodiscus discolor	Ocean-spray							
Oemleria cerasiformis	Indian Plum							
Physocarpus capillatus	Pacific Ninebark							
Prunus virginiana	Common Chokecherry							
Pyrus ussa	Western Crabapple							
Rhododendron macrophyllum	Western Rhododendron							
Ribes sanguineum	Red Currant							
Rosa nutkana v. nutkana	Nootka Rose							
Rosa posocarpa	Swamp Rose							
Rubus spectabilis	Salmonberry							
Sambucus carulea	Blue Elderberry							
Sambucus racemosa	Red Elderberry							
Spirea douglasii	Douglas's Spirea							
Symphoricarpos albus	Common Snowberry							
Vaccinium ovalum	Evergreen Huckleberry							
Alisma plantago-aquatica	American Water-plantain							
Alopecurus geniculatus	Water Foxtail, March Foxtail							
Asplenium trichomanes	Maidenhair Spleenwort							
Athyrium filix-femina -	Lady Fern							
Azolla filiculoides	Duckweed							
Bidens cernua	Nodding Beggars-tick							
Bidens frondosa	Leafy Beggars-tick							
Bidens vulgata	Western Beggars-tick							
Blechnum spicant	Deer Fern							
Brasenia schreberi	Water-shield							
Carex acuta	Columbia Sedge							
Carex deweyana	Dewey's Sedge							
Carex obnupta	Slough Sedge							
Carex rostrata	Beaked Sedge							
Carex stipata	Sawbeak Sedge							
Castilleja lyallae	Golden Indian-painbrush							
Delphinium leucophaeum	Pale Larkspur							
Delphinium menziesii pyramidale	Menzies' Larkspur							

continued

continued

Scientific Name	Common Name	Habitat Type						
		Wetland	Alpines	Forest	F. Slope	Thicket	Grass	Rocky
<i>Delphinium nuttallii</i>	Nuttall's Larkspur							
<i>Deschampsia cespitosa</i>	Tufted Hair grass							
<i>Dicentra formosa</i>	Pacific Bleedingheart							
<i>Dryopteris austriaca</i>	Spreading Wood Fern							
<i>Echinochloa crusgalli</i>	Large Barnyard-grass							
<i>Eriocharta palustris</i>	Creeping Spike-rush							
<i>Epilobium glandulosum</i>	Common Willow-weed							
<i>Epilobium watsonii</i>	Watson's Willow-weed							
<i>Equisetum hyemale</i>	Common Scouring-rush							
<i>Equisetum palustre</i>	Marsh Horsetail							
<i>Festuca rubra v. rubra</i>	Red Fescue-grass							
<i>Galium aparine</i>	Cleavers							
<i>Galium triflorum</i>	Small Bedstraw							
<i>Glyceria occidentalis</i>	NW Manna-grass							
<i>Gnaphalium palustre</i>	Marsh Cudweed							
<i>Juncus balticus</i>	Baltic Rush							
<i>Juncus bufonius</i>	Toad Rush							
<i>Juncus effusus</i>	Common Rush							
<i>Juncus ensifolius</i>	Dagger-leaf Rush							
<i>Juncus tenuis</i>	Slender Rush							
<i>Lomatium utriculatum</i>	Common Lomatium							
<i>Lupinus bicolor</i>	Two-color Lupine							
<i>Lupinus latifolius</i>	Broadleaf Lupine							
<i>Lupinus laxiflorus</i>	Spurred Lupine							
<i>Lupinus lepidus</i>	Prairie Lupine							
<i>Lupinus micranthus</i>	Field Lupine							
<i>Lupinus microcarpus</i>	Chick Lupine							
<i>Lupinus polyphyllus</i>	Large-leaved Lupine							
<i>Lupinus rivularis</i>	Stream Lupine							
<i>Lupinus sulphureus</i>	Sulfur Lupine							
<i>Lysichiton americanum</i>	Skunk Cabbage							
<i>Monarda arvensis</i>	Field Mint							
<i>Monarda perfoliata</i>	Miner's Lettuce							
<i>Nuphar polysepalum</i>	Yellow Water-lily							
<i>Oenanthe sermentosa</i>	Pacific Water-parsley							
<i>Oxalis oregana</i>	Oregon Oxalis							
<i>Oxalis trilobifolia</i>	Trilium-leaved Wood-sorrel							
<i>Penstemon ovatus</i>	Broad-leaved Penstemon							
<i>Poa pratensis</i>	Kentucky Bluegrass							
<i>Polygonum amphibium</i>	Water Smartweed							
<i>Polygonum hydropiperoides</i>	Common Waterpepper							
<i>Polypodium glycyrrhiza</i>	Licorice Fern							
<i>Polypodium hesperium</i>	Licorice Fern							
<i>Potentilla palustris</i>	Marsh Cinquantfoil							
<i>Ranunculus flammula</i>	Creeping Buttercup							
<i>Rumex occidentalis</i>	Western Dock							
<i>Sagittaria latifolia</i>	Wapato							
<i>Scirpus acutus</i>	Hardstem Bulrush							
<i>Scirpus microcarpus</i>	Small-fruited Bulrush							
<i>Scirpus validus</i>	Softstem Bulrush							
<i>Smilacina racemosa</i>	Western False Solomon's Seal							
<i>Solidago canadensis</i>	Canada Goldenrod							
<i>Stachys palustris v. pilosa</i>	Swamp Hedge-nettle							
<i>Thelyptera nevadensis</i>	Wood Fern							
<i>Trillium chloropetalum</i>	Giant Trillium							
<i>Trillium ovatum</i>	Western Trillium							
<i>Typha latifolia</i>	Common Cattail							
<i>Viola adunca</i>	Early Blue Violet							
<i>Viola glabella</i>	Johnny jump up							
<i>Viola palustris</i>	Marsh Violet							
<i>Viola sempervirens</i>	Evergreen Violet							

Figure V-8 – Fairview Village Monument Entry Signage



FAIRVIEW VILLAGE ENTRY SIGNS:

- TOTAL AREA OF SIGNAGE FACE NOT TO EXCEED SEVENTY FIVE SQUARE FEET
- HEIGHT: MAX. TEN FEET
- WIDTH: MAX. FIFTEEN FEET
- MULTIPLE SIGNS ALLOWED IF TOTAL COMBINED SIGNAGE AREA DOES NOT EXCEED MAX. SEVENTY FIVE SQUARE FEET.
- INFORMATIONAL SIGNAGE ALLOWED ON BOTH SIDES OF MONUMENT IF THE SEVENTY FIVE FOOT MAX. IS NOT EXCEEDED
- MONUMENT BASE/FOUNDATION TO BE ON GRADE. MATERIALS OF CONSTRUCTION TO INCLUDE ...
 - STONE, AGGREGATE OR BRICK
 - TO BE CONSISTENT/COMPATIBLE IN FORM, MATERIAL & PATTERN WITH ALL FAIRVIEW VILLAGE MONUMENT SIGNAGE
 - INFORMATIONAL LETTERING = METAL OR WOOD

LEGEND

- REPRESENTS LOCATIONS & MAX. 75SQ OF ENTRY SIGNAGE

Figure V-9 – Fairview Village VA and Institutional Signage

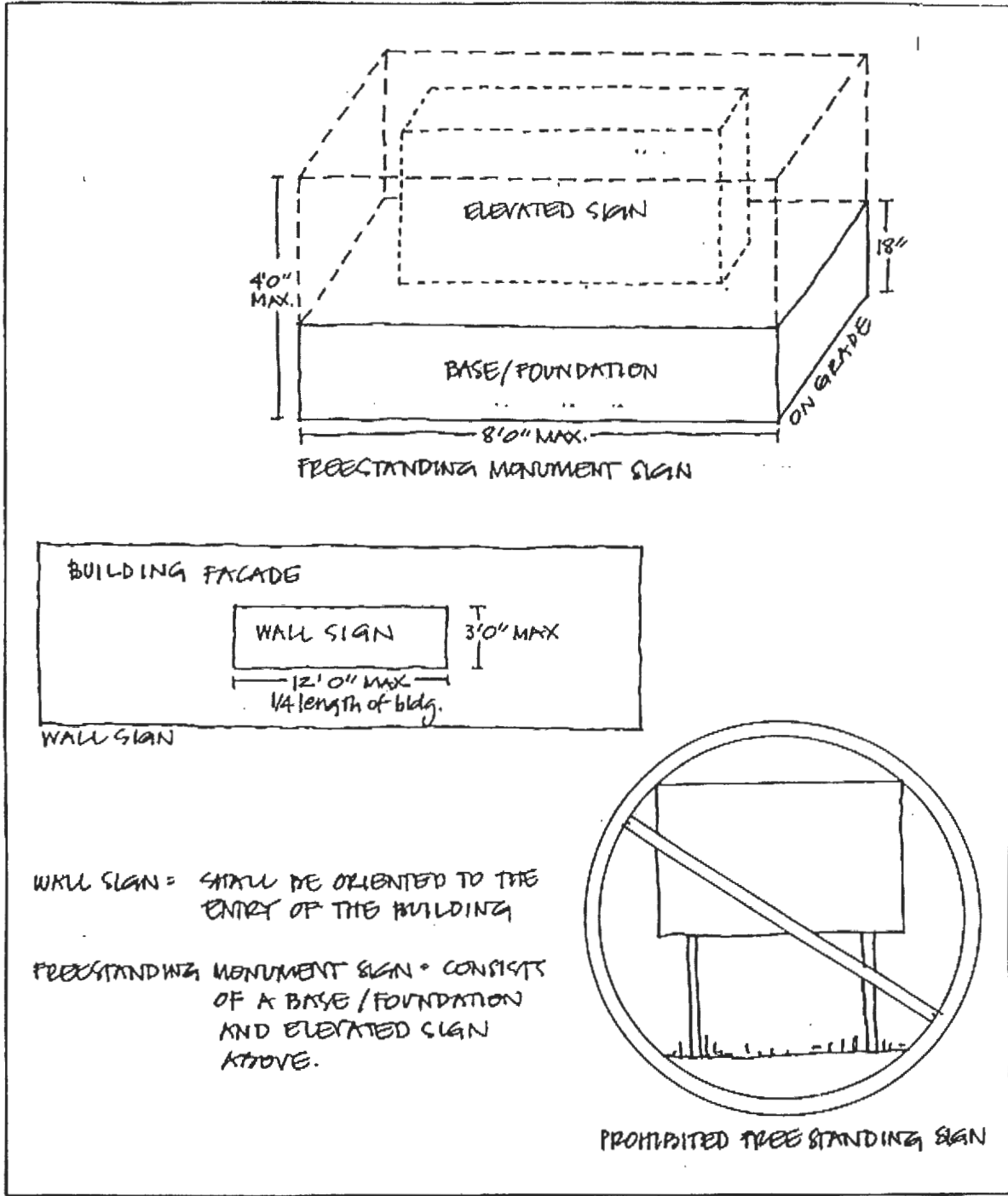
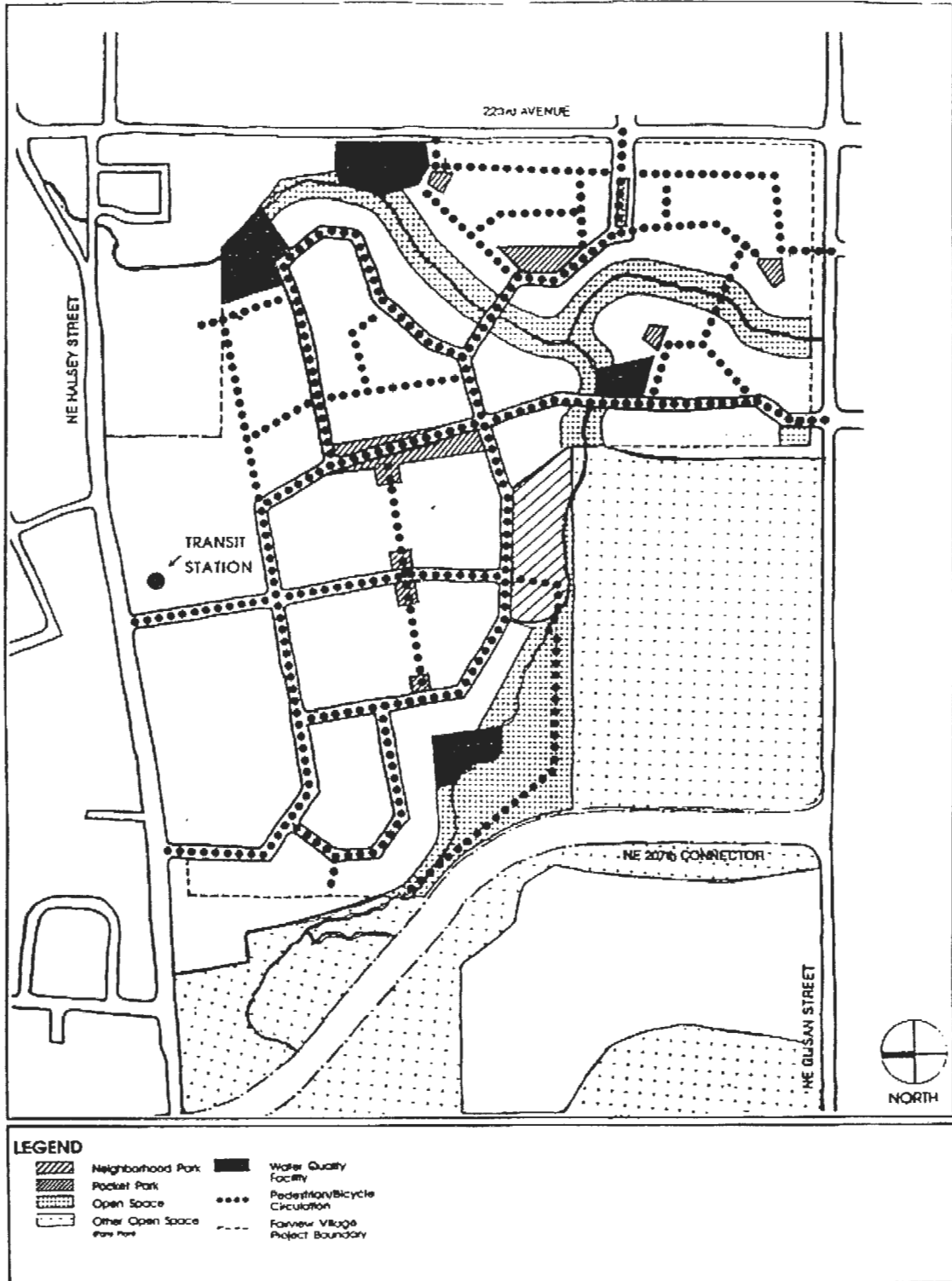
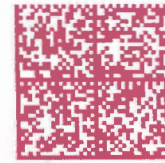


Figure V-10 – Fairview Village Parks, Open Spaces and Circulation





UNITED STATES POSTAGE
PITNEY BOWES
02 1P
\$ 002.45⁰
0003204511 OCT 21 2014
MAILED FROM ZIP CODE 97024

Attn: Plan Amendment Specialist
Dept. of Conservation & Development
635 Capitol Street, Suite # 150
Salem, Oregon 97301-2540

DEPT OF

OCT 23 2014

LAND CONSERVATION
AND DEVELOPMENT