



Oregon

Kate Brown, Governor

Department of Land Conservation and Development

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

Date: August 19, 2015

Jurisdiction: City of Gervais

Local file no.: LA 2015-01

DLCD file no.: 001-15

The Department of Land Conservation and Development (DLCD) received the attached notice of adopted amendment to a comprehensive plan or land use regulation on 08/17/2015. 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 |
| DEPT OF |
| File No.: |
| Received: AUG 17 2015 |

LAND CONSERVATION
AND DEVELOPMENT

Local governments are required to send notice of an adopted change to a comprehensive plan or **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 Gervais

Local file no.: LA-2015-01

Date of adoption: July 2, 2015

Date sent: August 13, 2015

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): May 1, 2015

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:

Yes, the City received comments from DLCD and 1000 Friends after the May 1 notice and changes were made to both the Development Code and Comprehensive Plan based upon their feedback and recommendations.

Local contact (name and title): Jim Jacks, City Planner

Phone: 503-540-1619

E-mail: jjacks@mwvcog.org

Street address: 100 High Street SE Suite 200

City: Salem

Zip: 97301-

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:

Population, Housing and Economic Element sections of the Gervais General Plan.

For a change to a comprehensive plan map:

Identify the former and new map designations and the area affected:

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

| | |
|---|--|
| 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.

| | |
|---|--|
| 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:

17.16 Definitions; 17.24 Residential District; 17.36 Commercial Retail Office; 17.84 Accessory Structures; 17.108 Manufactured Homes; 17.112 Manufactured Home Parks; 17.176 Administrative Procedures; and 17.200 Type IV Actions.

For a change to a zoning map:

Identify the former and new base zone designations and the area affected:

| | | |
|-------------|----|--------|
| 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:

| | | |
|---------------------------|--------------|----------------|
| 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: DLCD

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.

A copy of the City Council ordinance, staff report and Exhibit A (proposed changes) will be submitted upon ordinance adoption-ATTACHED.

ORDINANCE #15-001

AN ORDINANCE AMENDING THE GERVAIS COMPREHENSIVE PLAN TO ADOPT THE 2015 BUILDABLE LAND INVENTORY, HOUSING NEEDS ASSESSMENT, AND ECONOMIC OPPORTUNITIES ANALYSIS; AMENDING THE GERVAIS DEVELOPMENT CODE; ADOPTING THE 20-YEAR POPULATION PROJECTION COORDINATED WITH MARION COUNTY

WHEREAS, on June 4, 2015, the City Council conducted a public hearing regarding Planning File No. LA 2015-01, an application by the City of Gervais to amend the Comprehensive Plan to include data produced in a Buildable Lands Inventory, Housing Needs Analysis, and Economic Opportunities Analysis completed in 2015, at which time the public was given a full opportunity to be present and heard on the matter; and

WHEREAS, on June 4, 2015, the City Council conducted a public hearing regarding Planning File No. LA 2015-01, an application by the City of Gervais to amend the Gervais Development Code to include improvement standards and setbacks for dwellings and garages in residential zones, update various provisions to be consistent with state law, and correct typographical and citation errors, at which time the public was given a full opportunity to be present and heard on the matter; and

WHEREAS, on June 4, 2015, the City Council considered the information provided by City staff and the public, and upon deliberation, voted to approve the proposed amendments; and

NOW THEREFORE, THE CITY OF GERVAIS, OREGON, ORDAINS AS FOLLOWS:

Section 1. The City Council of the City of Gervais does hereby adopt the 2015 Buildable Land Inventory, Housing Needs Assessment and Economic Opportunities Analysis as part of the Gervais Comprehensive Plan in Exhibit "A" and by this reference made a part hereof.

Section 2. The City Council of the City of Gervais does hereby adopt amendments to the Gervais Development Code in Exhibit "B" and by this reference made a part hereof.

Section 4. The City Council of the City of Gervais does hereby readopt the 2010 Marion County coordinated population projection for Marion County and the incorporated cities in Marion County and adopt an updated City of Gervais population projection of 4,781 persons in the year 2034 for Population, Housing, and Economic Element purposes.

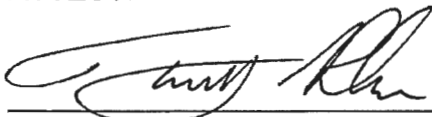
Section 5. The City Council of the City of Gervais does hereby adopt those certain findings of fact, conclusionary findings and supporting documentation shown in Exhibit "A" and Exhibit "B" and the staff report from Legislative Amendment 2015-01 (file LA-2015-01) and by this reference made a part hereof.

Passed and adopted by the City Council of the City of Gervais this 2nd day of July, 2015, by the following votes.


| | Aye | Nay |
|---------------------------|----------|-------|
| Councilor John Harvey | <u>✓</u> | _____ |
| Councilor Michael Gregory | <u>✓</u> | _____ |
| Councilor Tony Miller | <u>✓</u> | _____ |
| Councilor Micky Wagner | <u>✓</u> | _____ |
| Councilor Wes Leiva | <u>✓</u> | _____ |

Approved by the Mayor on this 2nd day of July, 2015.

ATTEST:



Timothy Rhyne, City Recorder



Shanti M. Platt, Mayor

**CITY OF GERVAIS
CITY COUNCIL
STAFF REPORT**

Legislative Amendment (LA) 2015-01 Staff Report
Public Hearing Date: June 4, 2015

PROPOSAL: Approve amendments to the Gervais Development Code and Comprehensive Plan related to updates to the population projection, housing needs analysis, buildable lands inventory and economic opportunities analysis.

APPLICABLE CRITERIA: Consistency with the Gervais Comprehensive Plan and Statewide Planning Goals

EXHIBITS: Exhibit A: Comprehensive Plan proposed amendments.
Exhibit B: Development Code proposed amendments.

I. PROPOSAL

To amend the Gervais Comprehensive Plan by incorporating the results of the 2034 population projections, housing needs analysis, buildable lands inventory and economic opportunities analysis and amend portions of the Gervais Development Code.

II. BACKGROUND

The City of Gervais was awarded a Technical Assistance (TA) grant from the Oregon Department of Land Conservation and Development (DLCD) to assist in updating elements of the Gervais Comprehensive Plan related to population projections, housing needs, buildable land inventory and an economic opportunity analysis. Work on the project was initiated in October 2014 and the City Council has received periodic reports and updates on the project. Updates to Comprehensive Plans often lead to updates to the development code and this process includes a concurrent selective review of the Gervais Development Code to correct typos and address some discrepancies.

Legislative Amendment 2015-01 includes the adoption of the draft amendments to the Gervais Comprehensive Plan and Development Code. The revisions are attached and show proposed language to be added in underlining or blue and language to be deleted in ~~strike through~~ or red for review purposes (see Exhibits A and B).

III. SUMMARY OF SIGNIFICANT FIGURES

The 20 year population projection shows a base of 2,505 with an increase of 2,276 to give a total population of 4,781 in the year 2034.

The housing needs analysis and buildable lands inventory shows 77.2 acres are needed for residential uses and 19.3 acres needed for parks, public rights-of-way and utilities. The total need is 96.5 acres (77.2 + 19.3). They show 22.5 acres are available in the current UGB. The unmet need is 74.0 acres (96.5 - 22.5).

The economic opportunities analysis shows a need of 1.6 acres for commercial development with 3.76 acres available yielding a surplus of 2.16 acres (3.76 - 1.6).

The economic opportunities analysis shows a need of 1.2 acres for industrial development with 19.46 acres available yielding a surplus of 18.26 acres (19.46 - 18.26).

This Technical Assistance Grant process did not include changing the urban growth boundary, thus no expansion of the boundary is proposed.

IV. CODE AMENDMENT AUTHORITY & PROCEDURE

The Gervais Development Code, Section 17.132.040, states that text amendments to the Comprehensive Plan and Development Code are a Type IV action. Type IV actions are a legislative review (not quasi-judicial) in which the City considers and enacts or amends laws and policies. Private parties cannot apply for a Type IV action, instead they must be initiated by City staff, the Planning Commission or the City Council (Section 17.132.040). The City Council initiated the request for the Technical Assistance Grant and the resultant work effort. Public notice and hearings are provided in a Type IV process.

In accordance with Section 17.200.020, B, "Following initial public hearing, the council shall announce its decision on proposed amendments and hold a final public hearing to consider adoption of the proposed amendments by council ordinance. Notice shall be as specified in Chapter 17.180."

V. APPEAL

Appeals of City Council decisions regarding the Comprehensive Plan and the Development Ordinance are to the Oregon Department of Land Conservation and Development or the Oregon Land Use Board of Appeals (LUBA) depending on the amendments. An appeal to LUBA must be within 21 days of the Council's final written decision. Appeals to LUBA are governed by Oregon Revised Statute 197.805 - 197.860 and applicable Oregon Administrative Rules.

VI. CRITERIA & FINDINGS

Amendments to the text of the Zoning Ordinance must be consistent with and not conflict with the goals and policies of the Gervais Comprehensive Plan and Statewide Land Use goals.

Statewide Planning Goals

Goal 1, Citizen Involvement. Public meetings and open houses were held during the process. Notice of the proposed legislative amendment (File No. LA-2015-01) followed Gervais Development Code, Section 17.180.030, A, for Type IV public notice requirements which included a published notice of the June 4, 2015 City Council public hearing in the Woodburn Independent on May 13, 2015. In accordance with ORS 197 a 35-day DLCD Form 1 notice was mailed to the Department of Land Conservation and Development on May 1, 2015. Notice was provided to Marion County in accordance with the Urban Growth Management Agreement between Marion County and the City of Gervais. Goal 1 is met.

Goal 2, Land Use Planning. The proposal does not involve exceptions to the Statewide Goals. The updates to the population projections, housing needs analysis, buildable lands inventory and economic opportunities analysis were based on inventory information and analysis of that information and an analysis of options. The adoption actions are consistent with the acknowledged Gervais Development Code for processing Type IV legislative amendments. Goal 2 supports clear and thorough local procedures. Goal 2 is met.

Goal 3, Agricultural Lands and Goal 4, Forest lands. Goals 3 and 4 are not applicable. The proposal does not involve or affect farm or forest lands.

Goal 5, Open Spaces, Scenic and Historic Areas, and Natural Resources. Goal 5 is not applicable. The proposal does not address Goal 5 resources.

Goal 6, Air, Water and Land Resource Quality. Goal 6 is not applicable. The proposal does not address Goal 6 resources.

Goal 7, Natural Hazards. Goal 7 is not applicable. The proposal does not address Goal 7 resources.

Goal 8, Recreation. Goal 8 is not applicable. The proposal does not address recreational needs.

Goal 9, Economic Development. The Gervais 2014 Economics Opportunity Analysis concluded that the economy in Region 3 (Marion, Polk and Yamhill Counties) will experience modest growth through 2034 and, under an optimistic development scenario, projected employment for Gervais is expected to increase by 134 new jobs during that time period. The Comprehensive Plan text amendments do not increase or decrease employment opportunities within the City but rather, help the City of Gervais better understand current and future employment needs to better plan to accommodate employment. Goal 9 is met.

The proposed Development Code amendments do not address economic development directly. The amendments will improve consistency and correct typographical errors.

Goal 10, Housing. The Gervais 2014 Housing Needs Analysis found the city does not have sufficient residential land to meet the project need through 2034. Adding land to the Gervais UGB will be needed to satisfy the projected 74.0 acre deficit. Measures to increase housing density, for example, decreasing the minimum lot size in the R-1 and R-2 Zones, would reduce the need for a 74.0 acre UGB expansion, but this process did not result in a proposal to reduce the minimum lot size in the R-1 or R-2 Zones. Another method of reducing the 74.0 acre UGB expansion would be to redesignate and rezone commercial and industrial lands to residential, but this process did not result in a proposal for such redesignations and rezonings. The proposed amendments will implement the Gervais Comprehensive Plan goals for Residential Development to encourage the development and maintenance of an adequate quantity, quality and variety of housing types. The proposed Comprehensive Plan update for housing needs and buildable land inventory complies with Goal 10.

Goal 11, Public Facilities and Services. Goal 11 is not applicable. The proposal does not address Goal 11 issues.

Goal 12, Transportation. Goal 12 is not applicable. The proposal does not address Goal 12 issues.

Goal 13, Energy Conservation. Goal 13 is not applicable. The proposal does not address Goal 13 resources.

Goal 14, Urbanization. The purpose of the Comprehensive Plan amendment is to update the Plan with current data for the city's population projection, buildable lands inventory, housing needs assessment and an economic opportunities analysis. Expansion of the urban growth boundary is not part of this Technical Assistance project. The proposed amendments update estimates of needed housing units by type, and land area by use, to meet projected demand through 2034. The updates to the housing needs analysis, buildable lands inventory and economic opportunities analysis will assist the City in planning for future growth. Goal 14 is met.

The proposed amendments to the Gervais Comprehensive Plan and Development Code are consistent with Statewide Planning Goals 1, 2, 9, 10, and 14. The remaining Goals are not applicable because the amendments do not affect issues addressed by Goals 3-8 and 11-13.

Gervais Comprehensive Plan Policies

The Comprehensive Plan Goals and Policies were reviewed and carefully considered. The proposed Comprehensive Plan and Development Code amendments are consistent with the Gervais Comprehensive Plan goals and policies for Commercial and Industrial Development. The updated population projection, housing needs analysis, buildable lands inventory and economic opportunity analysis will assist the City in meeting the Comprehensive Plan's goals and policies.

VII. RECOMMENDED ACTION

Staff recommends the City Council pass a motion directing staff to prepare an ordinance adopting the staff report, including the findings, and approving Legislative Amendment 2015-01 to amend portions of the Gervais Comprehensive Plan and Development Code, including a population projection out to the year 2034, the housing needs analysis, the buildable lands inventory, the economic opportunities analysis, and the proposed amendments to the Development Code. If the motion is approved by the City Council, staff will draft an Ordinance amending the Comprehensive Plan and Development Code for the City Council to consider at its next meeting.

VIII. CITY COUNCILSAMPLE MOTIONS

The City Council has the following options:

- A. Motion to direct staff to prepare an ordinance adopting the staff report, including the findings, and approving Legislative Amendment 2015-01 to amend portions of the Gervais Comprehensive Plan and Development Code:
 - 1. As presented by staff; or
 - 2. As amended by the City Council (stating revisions).
- B. Recommend the City Council take no action on Legislative Amendment 2015-01.
- C. Continue the public hearing to a date and time certain.

PROPOSED AMENDMENTS TO THE GERVAIS DEVELOPMENT CODE

17.16.020 - Definitions.

The following words and phrases, when used in this title, shall have the meanings set forth in this chapter, except in those instances where the context clearly indicates a different meaning.

"Access" means the way or means by which pedestrians and/or vehicles shall have safe, adequate and usable ingress and egress to property. A private access is an access not in public ownership and is controlled by means of deed, dedications or easement.

"Access classification" means a ranking system for streets used to determine the appropriate degree of access management. Factors considered include functional classification, the adopted plan for the roadway, subdivision or abutting properties, and existing level of access control.

"Access management" means the process of providing and managing access to land development while preserving the regional flow of traffic in term of safety, capacity, and speed.

"Accessory structure" means a detached, subordinate building or portion of a main structure, the use of which is incidental to that of the main structure or to the use of the land, but does not include dwellings or living quarters. ~~In residential zones, the design, appearance, and construction of accessory structures shall be consistent with residential development. Cargo or shipping containers are not allowed for use as accessory structures in residential zones.~~

"Accessory use" means a use incidental, appropriate and subordinate to the main use of the parcel, lot or structure.

"Addition" means a modification to an existing building or structure, which increases the site coverage.

"Adjoining" means contiguous or abutting, exclusive of street width. It shall include the terms adjacent, abutting, or contiguous.

"Administrative review" means a decision affecting land use within the city, which is based on the application and/or enforcement of existing standards contained in this title.

"Alteration, structural" means any change in the exterior dimensions of a building or a change or repair which would affect or materially change a supporting member of a building, such as a bearing wall, column, beam, or girder.

"Annexation" means the incorporation of a land area into the city with a resulting change in the boundaries of the city.

"Appeal" means a request for a review of the decision-making authority's action on an application or interpretation.

"Applicant" means the owner of record or contract purchaser who submits an application for approval of a permit or land use action.

"Basement" means that portion of a building between floor and ceiling which is partly below and partly above grade, but so located that the vertical distance from grade to the floor below is equal to or greater than the vertical distance from grade to ceiling. If such portion of a building is not a basement, it shall be considered a story.

"Bed and breakfast" means a structure designed and occupied as a residence and in which sleeping rooms are provided on a daily or weekly basis for use by travelers or transients for a charge or fee paid for the rental or use of the facilities. An operator of a bed and breakfast must be a permanent, full time resident of the structure where the use takes place.

"Bike lane" means a four to six foot portion of a roadway that has been designated by striping and pavement markings for the preferential or exclusive use of bicyclists.

"Block" means a parcel of land bounded by three or more streets, railroad right-of-ways, waterways, or combination thereof.

"Boarding, lodging, or rooming house" means a building where lodging with or without meals is provided for compensation for not more than five persons in addition to members of the family occupying such building.

"Building" means a structure having a roof and built for the support, shelter, or enclosure of persons, animals, or property of any kind.

"Building height" means the vertical distance from a reference datum measured to the highest point of the coping of a flat roof or the deck line of a mansard roof or to the average height of the highest gable of a pitched or hipped roof. The reference datum shall be selected by either of the following; whichever yields a greater height of building:

1. The elevation of the highest adjoining sidewalk or ground surface within five-foot horizontal distance of exterior wall of building when such sidewalk or ground surface is not more than ten feet above lowest grade.
2. An elevation ten feet higher than the lowest grade when the sidewalk or ground surface described in (1) of this subsection is more than ten (10) feet above lowest grade. The height of a stepped or terraced building is the maximum height of any segment of the building.

"Building line" means a line established by plat or ordinance a certain distance from a lot line or the street right-of-way beyond which a building cannot extend. The equivalent of a setback line

"Building official" means an individual empowered by the city council to administer and enforce the State Building Code [ORS 455.7156-806 (1)](Building Code - Municipal Review & Inspection - Definitions).

"Building, primary" means a building in which a principal or main use of the building site on which it is situated is conducted.

"Cabana" means a stationary structure that may be prefabricated or demountable, with two or more walls, used in conjunction with a manufactured home to provide additional living space and meant to be moved with the manufactured home.

"Carport" means a stationary structure consisting of a roof with its supports and not more than one wall or storage cabinet substituting for a wall and used for covering a vehicle parking space.

"Cemetery" means land used or intended to be used for the burial of the dead, and dedicated for cemetery purposes, including a columbarium, crematory, mausoleum, or mortuary, when operated in conjunction with and within the boundary of such cemetery.

"Change of use" means any use that differs from the previous use.

"City" refers to and means the city of Gervais, Oregon.

"Club" means an organization, group, or association supported by the members thereof, the purpose of which is to render a service primarily for members and their guests, but shall not include any organization, group, or association the primary activity of which is to render a service customarily carried on as a business for profit.

"Common area" means an area, feature, or building or other facility within a development designed and intended for the use or enjoyment of all occupants of the development or for the use and enjoyment of the general public.

"Communication antennas" refers to and means devices used for sending and receiving information via different forms of transmission.

"Communication towers" refers to and means structures used for sending and receiving information via different forms of transmission.

"Community building" means a publicly owned and operated facility used for meetings, recreation, or education.

"Comprehensive plan" refers to and means the general plan. See "General Plan."

"Conditional use" means a use that requires a conditional use permit. See Chapter 17.140.

"Condominium" means property submitting to the provisions of ORS 94.004 to 94.480, and 94.994-100.005 (Condominiums - General Provisions, 100.910 (Condominiums - Payment & utilization of monies received), and 100.991 (Condominiums - Penalties for criminal behavior).

"Conforming" means in compliance with the regulations of this title.

"Conservation easement" means an option available to the local landowner that conditions the use of a riparian buffer and provides perpetual protection for the resource. The landowner has the option of donating the easement to a land trust as a charitable contribution to reduce the owner's income tax burden or donating it to a local government for reduction or elimination of property tax on the parcel.

"Council" means the city council of Gervais, Oregon.

"Cross access" means a service drive providing vehicular access between two or more contiguous sites so the driver need not enter the public street system.

"Day care facility" means an institution, establishment or place, not a part of a public school system, in which three or more children not of common parentage under the age of fourteen (14) years are commonly received for a period not exceeding twelve (12) hours per day for the purpose of being given board, care, or training apart from their parents or guardians for compensation or reward.

"Dedication" means the limited grant by a property owner allowing the use of property by the public for specified purposes, and its acceptance for such use by the governmental agency in charge of the public function for which it will be used.

"Density" means a measure of the number of dwelling units per gross acre.

"Density compensation" means a process to grant a developer of a subdivision or planned unit development compensation for developable land that has been lost due to a riparian buffer requirement.

"Density credit" means granting a developer proposing a subdivision or planned unit development a credit when more than five percent of the developable land is consumed by a riparian buffer. Credits are calculated using the following table. The density credit is accommodated at the development site by allowing greater flexibility in the setbacks, frontage distances or minimum lot sizes.

| Density Credit Calculations | |
|---------------------------------|-----------------|
| Percent of site lost to buffers | Density credit* |
| 5.1 to 50% | 1.0 unit |
| 51 to 70** | 1.0 unit |
| 71 to 100** | 2.0 units |

* Additional dwelling units allowed over base density

* Credit may be transferred to a different parcel

"Development" means any manmade change to improved or unimproved real estate, including but not limited to buildings or other structures, drilling, and site alteration such as that due to grading, paving, or excavation.

"Driveway" means a minor private way used by vehicles and pedestrians to gain access from an approved public access or right-of-way onto a lot or parcel of land.

" Dwelling" means a structure or portion thereof that is used for human habitation including permanent provisions for living, sleeping, eating, cooking and sanitation.

" Dwelling, duplex or two-family" means a detached building containing two dwelling units designed exclusively for occupancy by two families living independently of each other.

" Dwelling, multi-family" means a building containing three or more dwelling units designed for occupancy by three or more families living independently of each other.

" Dwelling, single-family" means a detached building containing one dwelling unit designed exclusively for occupancy by one family.

" Dwelling, triplex" means a detached building containing three dwelling units designed exclusively for occupancy by three families living independently of each other.

" Dwelling unit" means one or more habitable rooms designed for occupancy by one family.

" Easement" means an interest granted by deed or other legal instrument that is held by one person or entity in land owned by another and that entitles its holder to a specific limited use.

" Employees" means all persons normally working on the premises during the largest shift. The council shall determine the estimated number of employees of a new business and the number of employees of an established business shall be determined from an examination of the payroll.

" Evidence" means facts, documents, data or other information offered to demonstrate compliance or noncompliance with standards of this title.

" Face" means to front upon.

" Family" means an individual or two or more persons related or legally bound together by blood, domestic partnership or marriage, including adopted children or those pending adoption, or a group of not more than five persons who need not be related by blood or marriage living as one housekeeping unit. Up to four children cared for as foster children are permitted. All members of a family household shall have access to all parts of the dwelling.

" Farming" means the use of land for purposes defined in ORS Chapter 215. " Fence" means an unroofed barrier or an unroofed enclosing structure or obstruction constructed of any materials including but not limited to, wire, wood, cement, brick, and plastic.

" Fence, sight obscuring" means a fence or evergreen planting arranged in such a way as to obstruct vision.

" Fish use" refers to and means streams inhabited at any time of the year by anadromous or game fish species or fish that are listed as threatened or endangered species under the federal or state endangered species acts. Fish use is determined from Oregon Department of Forestry stream classification maps.

" Floor area" means the gross horizontal area under a roof of all floors of a building, measured from the exterior faces of the exterior walls or from the centerline of walls separating two buildings, but not including:

1. Attic space providing headroom of less than seven feet;
2. Basement, if the floor above is less than six feet above grade;

3. Uncovered steps or fire escapes;
4. Private garages, carports, or porches;
5. Accessory water towers or cooling towers; and
6. Off-street parking or loading spaces.

"Frontage" means that dimension of a property that abuts a public or private street right-of-way.

"Functional area (intersection)" means that area beyond the physical intersection of two streets that comprises decision and maneuver distance, plus any required vehicle storage length.

"Functional classification" means a system used to group public roadways into classes according to their purpose in moving vehicles and providing access.

"Garage, private" means an accessory building or portion of a main building used for the parking or temporary storage of automobiles in which no business, occupation, or service is provided.

"Garage, public" means a building, other than a private garage, used for the care, repair, or equipping of motor vehicles, or where such vehicles are parked or stored for compensation, hire, or sale.

"General plan" means the comprehensive plan of the city of Gervais, Oregon, including all adopted supporting documents as acknowledged by the Oregon Department of Land Conservation and Development.

"Grade" means the average elevation of the finished ground at the centers of all walls of a building, except that if a wall is parallel to and within five feet of a sidewalk, the sidewalk elevation opposite the center of the wall shall constitute the ground elevation.

"Group care home" means a home or private institution maintained and operated for the care, boarding or training of one or more persons.

"Guest house" means a detached accessory building used as sleeping quarters for guests of the occupants of the main dwelling on a non-commercial basis and having no cooking facilities.

"Habitat" means the sum total of all the environmental factors of a specific place that is occupied by an organism, population or community.

"Home occupation" means a lawful occupation carried on by a resident of a dwelling as a secondary use within the same dwelling, where no assistants are employed. The residential character of the property is maintained in a manner as not to give an outward appearance nor manifest any characteristic of a business in the ordinary meaning of the term. A home occupation shall not include the outside storage of equipment or materials.

"Homeowners association" means an association operating under recorded land agreements through which each lot owner of a planned development, condominium development, subdivision or other described land are automatically subject to a charge for a proportionate share of the expenses for the organization's activities, such as maintaining a common property. Typically, membership in the association is automatic with the purchase of a dwelling unit or other property. The association's principal source of funds are an assessment levied against each dwelling unit or other property, which assessment shall be enforceable as a lien against the property.

"Hospital" means an establishment that provides sleeping and eating facilities to persons receiving medical, obstetrical, or surgical care with nursing service on a continuous basis.

"Hotel" means any building in which lodging is provided to guests for compensation and in which no provision is made for cooking in individual rooms.

"Hydric soils" means soils that are anaerobic and strongly associated with wetlands. Soils fitting this description are as noted in the comprehensive plan as part of the natural resources element.

"Impervious surface" means any material which reduces and prevents absorption of stormwater into previously undeveloped land.

"Improvement" means any permanent structure that becomes part of, placed upon, or is affixed to property.

"Industrial" means any enterprise involving the manufacturing, processing, or assembly of semi-finished or finished products from raw materials or similar treatment or packaging of previously prepared materials.

"Joint access (or shared access)" means a driveway connecting two or more contiguous sites to the public street system.

"Junk yard" means the use of more than two hundred (200) square feet of the area of any lot for the storage of salvage materials, including scrap metals or other scrap materials, or for the dismantling or "wrecking" of automobiles or other vehicles or machinery, whether or not such uses are conducted as a business for profit or otherwise.

"Kennel" means any lot or premises, on which four or more dogs and/or cats over the age of six months are kept for sale, lease, boarding, or training.

"Land division" means the process of dividing land to create lots or parcels.

"Lawn" means grass or similar materials maintained as a ground cover of less than six inches in height. For purposes of this ordinance, lawn is not considered native vegetation regardless of the species used. Annual or biannual mowing of native grasses, as a part of a vegetation management plan to prevent the incursion of undesirable non-native weed species, is allowed.

"Livestock" means domestic animals of types customarily raised or kept on farms.

"Loading space" means an off-street space on the same lot with a building, or contiguous to a group of buildings, used for the temporary parking of a commercial vehicle while loading or unloading merchandise or materials, and which abuts upon a street, alley or other appropriate means of access.

"Lot" means a unit of land created by a subdivision or partitioning of land. Except where otherwise stated, the term "lot" includes the term "parcel."

"Lot, corner" means a parcel abutting on two intersecting streets, other than an alley. In the event a street front lot line is a curve at its point of intersection with a side lot line, the tangent to the curve at that point shall be considered the direction of the front lot line.

"Lot flag" means a parcel of land taking access by a relatively narrow strip of land between the major portion of the parcel and the point of public access to the parcel, all of which is in the same ownership or title.

"Lot interior" means a parcel other than a corner lot.

"Lot, through" means an interior lot having frontage on two streets.

"Lot area" means the total area of a parcel, measured in a horizontal plane within the boundary lines. For flag lots, the access strip shall not be included in lot area for the purposes of minimum lot area requirements of this title.

"Lot coverage" means the portion of a parcel covered or occupied by buildings or other structures.

"Lot depth" means the horizontal distance measured from the midpoint of the front lot line to the midpoint of the rear lot line.

"Lot frontage" means the distance between the two side lot lines measured at the minimum front setback line, parallel to the street line.

"Lot line, front" means the property line separating the lot from a street, other than an alley. In the case of a corner lot, the shortest property line along a street, other than an alley.

"Lot line, rear" means a property line that is opposite and most distant from the front lot line. In the case of an irregular, triangular or other-shaped lot, a line ten (10) feet in length within the lot, parallel to and at a maximum distance from the front lot line.

"Lot line, side" means any property line that is not a front or rear lot line.

"Lot line adjustment" means the relocation of a common property line between two abutting properties that does not involve the creation of a new lot or parcel.

"Lot of record" means a lawfully created lot or parcel established by plat, deed, or contract as duly recorded in Marion County property records.

"Lot width" means the average horizontal distance between the side lot lines, ordinarily measured parallel to the front lot line.

"Manufactured dwelling" means a residential trailer, mobile home or manufactured home.

"Manufactured dwelling" does not include any building or structure constructed to conform to the State of Oregon Structural Specialty Code or the Low-Rise Residential Dwelling Code adopted pursuant to ORS 455.100 to 455.450 and 455.610 to 455.630 or any unit identified as a recreational vehicle by the manufacturer.

"Manufactured dwelling park" means any place where four or more manufactured dwellings are located within 500 feet of one another on a lot, tract or parcel of land under the same ownership, the primary purpose of which is to rent or lease space or keep space for rent or lease to any person for a charge or fee paid or to be paid for the rental or lease or use of facilities or to offer space free in connection with securing the trade or patronage of such person. "Manufactured dwelling park" does not include a lot or lots located within a subdivision being rented or leased for occupancy by no more than one manufactured dwelling per lot if the subdivision was approved by the local government unit having jurisdiction under an ordinance adopted pursuant to ORS 92.010 to 92.192.

"Manufactured home" means: a structure constructed for movement on the public highways that has sleeping, cooking and plumbing facilities, that is intended for human occupancy, that is being used for residential purposes and that was constructed in accordance with federal manufactured housing construction and safety standards and regulations in effect at the time of construction.

- ~~1. A residential trailer, a structure constructed for movement on the public highways that has sleeping, cooking and plumbing facilities, that is intended for human occupancy, that is being used for residential purposes and that was constructed before January 1, 1962;~~
- ~~2. A mobile home, a structure constructed for movement on the public highways that has sleeping, cooking and plumbing facilities, that is intended for human occupancy, that is being used for residential purposes and that was constructed between January 1, 1962 and June 15, 1976, and met the construction requirements of Oregon mobile home law in effect at the time of construction; or~~
- ~~3. A manufactured home, a structure with a Department of Housing and Urban Development label certifying that the structure is constructed in accordance with the National Housing Construction and Safety Standards Act of 1974 (42 U.S.C. 5401 et seq.), as amended August 22, 1981 and constructed after June 15, 1976.~~

~~"Manufactured home park" means any place where four or more manufactured homes are located within five hundred (500) feet of one another on a lot, tract, or parcel of land under the same ownership, the primary purpose of which is to rent or lease space or keep space for rent or lease to any person for a charge or fee paid or to be paid for the rental, lease, or use of facilities or to offer space free in connection with securing the trade or patronage of such person.~~

"Marginal access street" means a public or private drive that generally parallels a public street between the right-of-way and the front building setback line. The marginal access street provides access to private properties while separating them from the arterial street.

"Master plan" means a sketch or other presentation showing the ultimate location of lot lines and other details of layout such that future division may readily be made without violating the requirements of this title. It is intended that the lot lines and other details of future subdivision or partition be advisory only,

and shall not be binding on the applicant or city; however, restriction on building within future street right-of-ways, plus setbacks on each side of the future street right-of-way may be imposed and be set forth in recorded deed restrictions or easements. Easements of not less than ten (10) feet in width and precluding buildings may be required for the future location of public utilities.

"Mini-warehouse storage" means an area or areas located within an enclosed building or structure designed and intended to be used for the rental of storage units to individuals for the safekeeping of personal items.

"Mitigation" means and includes taking one or more of the following actions listed in order of priority:

1. Avoiding the impact altogether by not taking a certain development action or part of that action;
2. Minimizing impacts by limiting the degree or magnitude of the development action and its implementation;
3. Rectifying the impact by repairing, rehabilitating, or restoring the affected environment;
4. Reducing or eliminating the impact over time by preservation and maintenance operation during the life of the development action by monitoring and taking appropriate corrective measures; and/or
5. Compensating for the impact by replacing or providing comparable substitute resources or environments.

"Mobile home" means a structure constructed for movement on the public highways that has sleeping, cooking and plumbing facilities, that is intended for human occupancy, that is being used for residential purposes and that was constructed between January 1, 1962, and June 15, 1976, and met the construction requirements of Oregon mobile home law in effect at the time of construction.

"Mobile home park" means any place where four or more manufactured structures are located within 500 feet of one another on a lot, tract or parcel of land under the same ownership, the primary purpose of which is to rent space or keep space for rent to any person for a charge or fee paid or to be paid for the rental or use of facilities or to offer space free in connection with securing the trade or patronage of such person. "Mobile home park" does not include a lot or lots located within a subdivision being rented or leased for occupancy by no more than one manufactured dwelling per lot if the subdivision was approved by the municipality unit having jurisdiction under an ordinance adopted pursuant to ORS 92.010 to 92.192.

"Modular or prefabricated home" means a dwelling unit whose components are assembled and brought to the site and erected. The dwelling unit is intended and designed to be placed upon a permanent foundation and substantial construction is needed before it is complete and ready for permanent occupancy. The Uniform Building Code (UBC) regulates modular or prefabricated homes.

"Motel" means a building or group of buildings on the same lot containing rooms designed for lodging, with or without cooking facilities, which are available for rent and in which each lodging unit is separate. The term includes auto courts, tourist courts, tourist homes, and motor lodges.

"Natural drainage way" means that area in which all of the surface runoff resulting from precipitation is concentrated into a particular stream.

"Net loss" means a permanent loss of habitat units or habitat value resulting from a development action despite mitigation measures taken.

"New construction" means any remodeling of an existing structure, any construction of a new structure, or any placement of a manufactured home or building requiring a building or placement permit initiated on or after the effective date of the ordinance codified in this chapter.

"Non-conforming structure or use" means a lawfully existing structure or use at the time the ordinance codified in this chapter or any amendments thereto becomes effective, which does not conform to the requirements of the zone in which it is located.

"Nursing home" means any home, place or institution which operates and maintains facilities providing convalescent or nursing care, or both, for a period exceeding twenty-four (24) hours for two or more ill or infirm patients not related to the nursing home administrator, or owner, by blood or marriage. Convalescent care may include, but is not limited to, the procedures commonly employed in nursing and caring for the sick and includes rest homes and convalescent homes, but does not include a boarding home for the aged, a retirement home, hotel, hospital, or a chiropractic facility licensed under Oregon Revised Statutes.

"NWI/LWI maps" refers to and means a National Wetland Inventory [NWI] map or, if available, a Local Wetland Inventory [LWI].

"Off-site mitigation" means habitat mitigation measures undertaken in areas distant from a development action, and which are intended to benefit fish and wildlife populations other than those directly affected by that action.

"Official zoning map" refers to and means the map or maps upon which the zoning districts in the city of Gervais are indicated.

"On-site mitigation" means habitat measures undertaken within or in proximity to areas affected by a development action, and which are intended to benefit fish and wildlife populations directly affected by that action.

"Open space" means a common area designated on the final plans of a planned development, permanently set aside for the common use of the members of the home owners association, which open area may be landscaped and/or left with a natural cover.

"Outdoor storage" means the keeping, not within a building, of any goods, junk, material, merchandise or vehicles in the same place for more than twenty-four (24) hours.

"Owner" means the owner of record of real property as shown on the latest tax rolls or deed records of Marion County, and includes a person who furnishes evidence that they are purchasing a parcel of property under a written recorded or unrecorded land sale contract.

"Parking area, private" means an open area, building or structure, other than a street or alley, used for the parking of the automobiles of residents and guests of a building.

"Parking area, public" means an open area, building or structure, other than a private parking area, street or alley, used for the parking of automobiles and other motor vehicles, and available for use by persons patronizing a particular building or establishment.

"Parking space" means an enclosed or unenclosed surfaced area, exclusive of maneuvering and access area, permanently reserved for the temporary storage of an automobile and connected with a street or alley by a surfaced driveway that affords ingress and egress for automobiles.

"Partition" means to divide an area or tract of land into two or three parcels within a calendar year when such area or tract of land exists as a unit or contiguous units of land under single ownership at the beginning of such year. "Partition" does not include:

1. Divisions of land resulting from lien foreclosures, divisions of land resulting from contracts for the sale of real property, and divisions of land resulting from the creation of cemetery lots; or
2. A sale or grant by a person to a public agency or public body for state highway, county road, or other right-of-way purposes provided that such road or right-of-way complies with the applicable comprehensive plan and ORS 215.213 (2)(q) to (s) and 215.283 (2)(p) to (r).

"Pedestrian circulation system" means pedestrian connection(s) between entrance(s) of the proposed development and adjacent street(s), the parking area, and the existing or future development on adjacent properties.

"Pedestrian connection" means a continuous, unobstructed, reasonably direct route between two points that is intended and suitable for pedestrian use. Pedestrian connections include but are not limited to sidewalks, walkways, accessways, stairways and pedestrian bridges. On developed parcels, pedestrian connections are generally hard surfaced. In parks and natural areas, pedestrian connections

may be soft-surfaced pathways. On undeveloped parcels intended for redevelopment, pedestrian connections may also include right-of-way or easements for future pedestrian improvements.

"Pedestrian facilities" means improvements that provide for public pedestrian foot traffic including sidewalks, walkways, crosswalks and other improvements, such as lighting or benches, which provide safe, convenient and attractive walking conditions.

"Pedestrian plaza" means a small, semi-enclosed area usually adjoining a sidewalk or a transit stop that provides a place for pedestrians to sit, stand, or rest. They are usually paved with concrete, paving stones or similar material and include seating, pedestrian scale lighting and similar improvements. Low walls or planters and landscaping are usually provided to create a semi-enclosed space and to buffer and separate the plaza from adjoining parking lots and vehicle maneuvering areas.

"Pedestrian scale lighting" means light standards or placement no greater than fourteen (14) feet in height located along walkways.

"Pedestrian way" means a right-of-way for pedestrian traffic.

"Permit" means any form of written approval pertaining to the use of land.

"Permitted use" means any use allowed in a zoning district and subject to the restrictions applicable to that zoning district as provided in the development code.

"Person" means every natural person, firm, partnership, association, social or fraternal organization, corporation, estate, trust, receiver, syndicate, branch of government, or any other group or combination acting as a unit.

"Place of worship" means a church, synagogue, temple, mosque, chapel, meeting house or other nonresidential place of including activities customarily associated with the practices of religious activity, including worship services, religion classes, weddings, funerals, child care and meal programs.

"Planned unit development" means a type of development of a site which, as a single project, is based on a design which incorporates all elements of land, structures and uses in conformance with the applicable standards of this title.

"Plat" means the final map which is a diagram, drawing, re-plat or other writing containing all the descriptions, locations, specifications, dedications, provisions, and information concerning a subdivision or partition.

"Professional office" means an office occupied by an accountant, architect, artist, attorney-at-law, professional engineer, land surveyor, land use planner, insurance agent, real estate broker, landscape architect, or practitioner of the human healing arts, or other professional business similar in type, scale and character.

"Quasi-judicial review" means an action or decision that requires substantial discretion or judgment in applying the standards or criteria of this title.

"Ramada" means a stationary structure having a roof extending over a manufactured home, which may also extend over a patio or parking space and is used principally for protection from the elements.

"Recreational vehicle" means a vacation trailer or other vehicular or portable unit which is either self-propelled, towed or is carried by a motor vehicle and which is intended for temporary human occupancy and is designed for vacation or recreational purposes but not residential use.

"Recreational vehicle park" means any area operated and maintained for the purposes of parking or providing space for overnight use by recreational vehicles.

"Remodeling" means any structural improvement or addition made to an existing structure which adds more than twenty (20) percent to the useable floor area; or adds more than five hundred (500) square feet to the useable floor area; or which permit value exceeds thirty-five (35) percent of the current year assessed improvement value.

"Reserve strip" means a strip of land, usually one foot in width, deeded to the city, reserved across the end of a street or alley at the boundary of a subdivision or partition; or a strip of land deeded to the

city between a dedicated street and adjacent property; in either case reserved or held by the city for future street extension or widening, or to prohibit access from property adjacent to a street.

"Residential facility" means a residential care, residential training or residential treatment facility, as those terms are defined in ORS 443.400, that provides residential care alone or in conjunction with treatment or training or a combination thereof for six to fifteen individuals who need not be related. Staff persons required to meet licensing requirements shall not be counted in the number of facility residents, and need not be related to each other or to any resident of the residential facility. "Residential care facility" means a facility licensed by or under the authority of the Department of Human Resources under ORS 443.400 to 443.460 which provides residential care alone or in conjunction with treatment or training or a combination thereof for six to fifteen (15) individuals who need not be related. Required staff persons meeting Department of Human Resources licensing requirements shall not be counted in the number of facility residents, and need not be related to each other or to any resident of the residential facility.

"Residential home" means a residential treatment or training home, as defined in ORS 443.400, a residential facility registered under ORS 443.480 to 443.500 or an adult foster home licensed under ORS 443.705 to 443.825 that provides residential care alone or in conjunction with treatment or training or a combination thereof for five or fewer individuals who need not be related. Staff persons required to meet licensing requirements shall not be counted in the number of facility residents, and need not be related to each other or to any resident of the residential home.

~~"Residential home" means a home licensed by or under the authority of the Department of Human Resources under ORS 443.400 to 443.825 that provides residential care alone or in conjunction with treatment or training or a combination thereof for five or fewer individuals who need not be related. Staff persons required to meet Department of Human Resources licensing requirements shall not be counted in the number of facility residents, and need not be related to each other or to any resident of the residential facility.~~ "Residential trailer" means a structure constructed for movement on the public highways that has sleeping, cooking and plumbing facilities, that is intended for human occupancy, that is being used for residential purposes and that was constructed before January 1, 1962.

"Riparian area" means the area adjacent to a river, lake, stream, or wetland, consisting of the area of transition from an aquatic ecosystem to a terrestrial ecosystem.

"Riparian buffer" means a zone within the riparian area where placement of new structures, surficial alteration and disturbance, and vegetation removal, is limited or prohibited in order to preserve the environmental and social benefits of the riparian area.

"Roadway" means that portion of the right-of-way developed for vehicular traffic.

"School, elementary; middle school or high school" means an institution public or parochial, offering instruction in the several branches of learning and study, in accordance with the rules and regulations of the State Department of Education.

"School, trade or commercial" means a building where the instruction is given to pupils for a fee in money or otherwise, which fee is the principal reason for the existence of the school.

"Service station" means any lot used primarily for the retail sales of motor vehicle fuels and lubricants for delivery on premises, and minor automobile repair and service.

"Setback" means the distance between a specified lot line and the foundation or exterior wall of a building or structure.

"Sidewalk" means a paved pedestrian walkway.

"Sign" means any writing, including letter, word, or numeral; pictorial presentation, including mural, illustration or decoration; emblem, including device, symbol or trademark; flag, including banner or pennant; or any other device, figure or similar thing which is a structure or any part thereof, or is attached

to, painted on, or in any other manner represented on a building, structure or device; and is used to announce, direct attention to, or advertise; and is visible from any public right-of-way. Sign does not include house numbers. For purposes of Chapter 17.68, the following definitions apply:

1. "Alteration" means any change in the size, shape, method of illumination, position, location, construction, or supporting structure of a sign. A change in sign copy or sign face alone shall not be considered an alteration.
2. "Area" means the entire area within any type of perimeter or border which encloses the outer limits of any writing, representation, emblem, figure, or character. If the sign is enclosed in a frame or cabinet the area is based on the inner dimensions of the frame or cabinet surrounding the sign face. When a sign is on a base material and attached without a frame, such as a wood board or Plexiglas panel, the dimensions of the base material are to be used. The area of a sign having no such perimeter, border, or base material shall be computed by enclosing the entire area within a parallelogram or a triangle of the smallest size sufficient to cover the entire message of the sign and computing the area of the parallelogram or a triangle. For the purpose of computing the number of signs, all writing included within such a border shall be considered one sign, except for multi-faced signs on a single sign structure, which shall be counted as one sign per structure. The area of multi-faced signs shall be calculated by including the total area of all sign faces.
3. "Awning" means a shelter supported entirely from the exterior wall of a building and composed of non-rigid materials, except for the supporting framework.
4. "Building face" means the single wall surface of a building facing a given direction.
5. "Building frontage" means the portion of a building face most closely in alignment with an adjacent right-of-way or fronting a parking lot when so defined. A service station may use the overhanging canopy as a substitute for building frontage when computing the allowable sign area. The longest side of the canopy shall be used to compute the allowable sign area.
6. "Canopy sign" means a sign hanging from a canopy or eaves, at any angle relative to the adjacent wall, the lowest portion of which is at least eight feet above the underlying grade.
7. "Flashing sign" means a sign in which any part pulsates or blinks on and off, except time and temperature signs and message signs allowed by conditional use.
8. "Freestanding sign" means a sign supported by one or more uprights, poles or braces placed in or upon the ground, or a sign supported by any structure primarily for the display and support of the sign.
9. "Incidental signs" means a sign that is normally incidental to the allowed use of the property, but can contain any message or content. Such signs can be used for, but are not limited to, nameplate signs, warning or prohibition signs, and directional signs not otherwise allowed.
10. "Indirect illumination" means a source of illumination directed toward such sign so that the beam of light falls upon the exterior surface of the sign.
11. "Internal illumination" means a source of illumination from within a sign.
12. "Message sign" means a sign that can change its message electronically and is designed to display various messages, including but not limited to signs displaying time and temperature.
13. "Monument sign" means a square or rectangular sign that sits directly on the ground without pole or uprights.
14. "Multi-faced sign" means a sign that has two or more sign faces, contained in a single sign structure.
15. "Mural" means an illustration (with or without words or numbers) that is painted or otherwise applied (without projections) to an outside wall of a structure.

16. "Nonconforming sign" means any sign that lawfully exists prior to the effective date of the ordinance codified in this chapter but which due to the requirements adopted herein, no longer complies with the height, area and placement regulations or other provisions of these regulations.
17. "Owner" means the owner or lessee of the sign. If the owner or lessee of the sign cannot be determined, then "owner" means owner or purchaser of the land on which the sign is placed.
18. "Official sign" means a sign erected by a governmental agency or its designee, setting forth information pursuant to law.
19. "Portable sign" means any sign that is not originally designed, regardless of any subsequent modification, to be permanently affixed to a building, structure, or the ground. These signs primarily include, but are not limited to, A-frame or sandwich board signs; signs attached to wood or metal frames and designed to be self-supporting; and movable, including trailer mounted reader boards. Portable signs are not to be considered temporary signs as defined and used in this title.
20. "Projecting signs" means a sign whose face is not parallel to the wall on which it is mounted, projecting more than eight inches from a structure.
21. "Real estate sign" means a sign for the purpose of rent, lease, sale, etc. of real property, building opportunities, or building space.
22. "Roof line" means either the eaves of the roof or the top of the parapet, at the exterior wall. (A "mansard roof" is below the top of a parapet and is considered a wall for sign purposes.)
23. "Roof sign" means a sign or any portion of which is displayed above the highest point of the roof, whether or not such sign also is a wall sign.
24. "Rotating/revolving sign" means a sign, all or a portion of which, moves in some manner.
25. "Sign face" means surface of a sign containing the message. The sign face shall be measured as set forth in the definition for "sign area."
26. "Sign height" means height is measured from the grade of the curb line lowest to the base of the sign to the highest portion of the sign, sign structure or frame; whichever is greater is highest point of the sign. In the absence of a curb line, the edge of the street pavement shall be used. In the absence of street pavement, the ground level shall be used to measure the height.
27. "Sign structure" means the supports, uprights, braces, framework and other structural components of the sign.
28. "Temporary sign" means a sign not permanently affixed to a structure on a property. These signs primarily include, but are not limited to, canvas, cloth, or paper banners or posters hung on a building wall or on a permanent pole such as on a free-standing sign support.
29. "Wall sign" means a sign attached to, erected against or painted on a wall of a building or structure, with the exposed face of the sign in a plane approximately parallel to the face of said wall and not projecting more than eight inches. A sign painted on an awning in which the face of the sign is approximately parallel to the wall shall also be considered a wall sign.

"Significant change in trip generation" means a change or expansion in the use of property, land, structures or facilities causing an increase in the trip generation of the property exceeding: (1) local - ten (10) percent more trip generation (either peak or daily) and one hundred (100) vehicles per day more than the existing use for all roads under local jurisdiction; or (2) state - exceeding twenty-five (25) percent more trip generation (either peak or daily) and one hundred (100) vehicles per day more than the existing use for all roads under state jurisdiction.

"Space, manufactured home" means an area reserved exclusively for the use of a single manufactured home.

"Start of construction" means the date a building permit is issued, provided that the actual start of construction, repair, reconstruction, placement or other improvement occurs within one hundred eighty (180) days of the permit date.

"Story" means that portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the top-most story shall be that portion of a building included between the upper surface of the top-most floor and the ceiling or roof above. If the finished floor level directly above a basement or cellar is more than six feet above grade as defined in this chapter, such basement or cellar shall constitute a story.

"Stream" means a channel such as a river or creek that carries flowing surface water including perennial and intermittent streams with defined channels, and excluding man-made irrigation and drainage channels. A stream that has been subsequently channelized or altered by other manmade impacts, or used for irrigation or drainage purposes, is still considered a stream.

"Street" means the entire width between the boundary lines of a public or private way of travel for the purpose of providing ingress and egress for vehicular and pedestrian traffic and the placement of utilities to one or more lots, parcels, areas, or tracts of land. A private way is excluded that is created to provide ingress and egress to land in conjunction with the use of such land for forestry, mining, or agricultural purposes.

1. "Alley" means a thoroughfare not more than twenty (20) feet and not less than ten (10) feet in width, which has been dedicated or deeded to the public for public use providing a secondary means of access to abutting property.
2. "Arterial" means a street of considerable continuity that is used primarily for through traffic and interconnection between major areas and designated on the current comprehensive plan.
3. "Boundary" means a street that abuts the boundary of a development or site of a land use action.
4. "Collector" means a street supplementary to the arterial street system used partly by through traffic and partly for access to abutting properties and designated on the current comprehensive plan.
5. "Cul-de-sac (dead-end)" means a short street with one end open to traffic and the other terminated by a vehicle turn-around.
6. "Frontage road" means a service road parallel and adjacent to an arterial street providing access to abutting properties, but protected from through traffic.
7. "Local or residential access street" means a street intended primarily for access to abutting properties, but protected from through traffic.
8. "Private street" means a thoroughfare or right-of-way serving a subdivision or planned unit development that is not dedicated to the public or accepted by the city, and may include "T" turn-arounds, circles, loops or "L" shape streets.

"Structural alteration" means any change to the supporting members of a structure, including foundation bearing walls or partitions, columns, beams or girders, or any structural change in the roof or in the exterior walls.

"Structure" refers to and means that which is built or constructed, an edifice or building of any kind, or a piece of work artificially built up or composed of parts joined together in some definite manner.

"Stub-out (stub-street)" means a portion of a street or cross access drive used as an extension to an abutting property that may be developed in the future.

"Subdivision" means to divide a tract of land into four or more lots within a single calendar year when such land exists as a unit or contiguous units under a single ownership at the beginning of the year.

"Substantial improvement" means the cost of any repair, reconstruction or improvement of a structure equal to or greater than fifty percent (50%) of its market value before such alteration occurred.

"Surface water" means all water naturally open to atmosphere such as rivers, lakes, reservoirs, streams, ponds, seas, springs, and estuaries.

"Temporary use" means a use that is (1) seasonal or directed toward a specific event; or (2) occasioned by an unforeseen event.

"Top of bank" means the stage or elevation at which water overflows the natural banks of streams or other water of the state, and begins to inundate the upland areas. In absence of physical evidence, the two-year recurrence interval flood elevation may be used to approximate the bank full stage or delineate the top of bank.

"Townhouse (row house)" means two to six single-family dwellings, even though attached, located on individual lots or parcels with zero side yard setbacks.

"Tax lot" means a lot designation created by the county assessor for the purpose of levying property taxes.

"Trailer (travel or vacation)" refers to and means recreational vehicle. See recreational vehicle.

"Travel trailer parks" refers to and means campground or recreational vehicle park. See campground, or recreational vehicle park.

"Unstable soil" means any soil type, as defined by the U.S. Natural Resources Conservation Service and identified in the comprehensive plan, which has severe limitations for development due to potential flooding, erosion, structural instability or inadequate sewage waste disposal.

"Right-of-way" means land that is owned in fee simple by the public and usually used for transportation facilities.

"Urban growth boundary" refers to and means an adopted boundary around the city which defines the area in which the city expects to grow, where public facilities will be extended, and where joint planning responsibilities are exercised with Marion County.

"Use" means the purpose for which land or a structure is designed, arranged, or intended, or for which it is occupied or maintained.

"Veterinary clinic" means a facility designed to contain treatment and temporary care facilities for the cure and prevention of ailments or injuries of domestic animals, including both domestic pets and farm animals, under the direction of a licensed veterinarian.

"Vision clearance area" means a triangular area on a lot at the intersection of two streets or a street and a railroad, two sides of which are lines measured from the corner intersection of the right-of-way lines. The third side of the triangle is a line across the corner of the lot joining the ends of the other two sides. Where the lines at the intersections have rounded corners the right-of-way lines will be extended in a straight line to a point of intersection.

"Visual obstruction" means any fence, hedge, tree, shrub, device, wall or structure between the elevations of three and eight feet above the adjacent curb height or above the elevation of the street edge where there is no curb, as determined by the city engineer, so located at a street, drive, or alley intersection as to limit the visibility of pedestrians or persons in motor vehicles on said streets, drives, or alleys.

"Walkway" means a right-of-way deeded, dedicated, and designated for the use of nonmotorized vehicles and pedestrians.

"Warehouse" means a place for the safekeeping of goods and materials necessary for the functioning of an industrial or commercial enterprise.

"Wetland" means an area that is inundated or saturated by surface water or ground water at a frequency and duration sufficient to support, and that under normal circumstances does support, a prevalence of vegetation typically adapted for life in saturated soil conditions.

1. Determination. A qualified consultant or staff from the Division of State Lands conducts soil, hydrology, and plant species tests to determine if the area indicates potential wetlands according to the standards established by the Oregon Division of State Lands.
2. Delineation. A qualified consultant conducts soil, hydrology and the standards established by the Oregon Division of State Lands.

"Wholesale" means the bulk sale of goods for resale to a person other than the direct consumer.

"Yard" means an open space on a lot that is unobstructed from the ground upward except as otherwise provided in this title.

"Yard, front" means a yard extending across the full width of the lot, the depth of which is minimum horizontal distance between the front lot line and a line parallel thereto at the nearest point of the foundation of the main structure.

"Yard, rear" means a yard extending across the full width of the lot, the depth of which is the minimum horizontal distance between the rear lot line and a line parallel thereto at the nearest point of the foundation of the main structure.

"Yard, side" means a yard between the main structure and the side lot line, extending from the front yard, or front lot line where no front yard is required, to the rear yard or the rear lot line if no rear yard is required; the width of the required side yard shall be measured horizontally from the nearest point of the side lot line toward the nearest part of the foundation of the main structure.

"Zero side yard" means no required set back from the adjacent property line.

"Zoning requirement" means any standard, criteria, condition, review procedure, permit requirement or other requirement adopted by a city or county under the authority of ORS chapter 215 or 227 that applies to the approval or siting of a residential facility or residential home. A zoning requirement does not include a state or local health, safety, building, occupancy or fire code requirement.

Chapter 17.24 - RESIDENTIAL DISTRICT (R-1)

Sections:

17.24.010 - Purpose.

The residential (R-1) district preserves existing single-family residential areas and provides for future single-family residential housing opportunities. The R-1 district is consistent with the residential general plan designation.

17.24.020 - Permitted uses.

The following uses are permitted in the R-1 district:

- A. Single-family dwelling including a single-family manufactured home subject to the provisions of Chapter 17.108, Manufactured Homes.
- B. Duplex or triplex dwelling;
- ~~C. Single-family, duplex or triplex dwelling, not occupied by the owner, but used as a business (rental) unit, with no more than five unrelated persons occupying a unit; Accessory Structure subject to the provisions of Chapter 17.84, Accessory Structure.~~
- D. Public park and recreation area;
- E. Planned unit development subject to the provisions of Chapter 17.104, Planned Unit Development;
- F. Home occupations subject to the provisions of Chapter 17.116, Home Occupations; and
- G. Town houses subject to the provisions of Section 17.80.040, Zero Side Yard Setback.
- H. Residential home.
- I. Utility facility.

17.24.030 - Conditional uses.

The following uses are permitted as conditional uses, provided that such uses are approved in accordance with Chapter 17.140, Conditional Use Permits:

- A. Manufactured home park subject to the provisions of Chapter 17.112, Manufactured Home Park, and consistent with ORS 197.480(5)(c) the conditional use permit criteria for approval in Section 17.140.030 do not apply;
- B. Place of worship;
- ~~C. Residential home;~~
- ~~CD. Public facility, government structure or communications towers for emergency services; and~~
- ~~DE. Public or private school; and~~
- ~~F. Utility facility including utility right-of-ways.~~

17.24.040 - Dimensional standards (R-1 Zone)

The following dimensional standards shall be the minimum requirements for all development in the R-1 district except for modifications permitted under Chapter 17.124, General Exceptions, and Chapter 17.136, Variance.

| | | |
|----|--|-----------------------------------|
| A. | Minimum lot area | |
| 1. | Single-family dwelling | 6,600 square feet |
| | Duplex or triplex | 9,900 square feet |
| 2. | Public utility structures: Lot area shall be adequate to contain all proposed structures within the required yard setbacks. | |
| B. | Minimum yard setback requirements. Except as provided in Section 17.80.100, <u>Special Setback Lines</u> , and Section 17.84.020, <u>Accessory Structures</u> , all principal and accessory structures shall maintain the following minimum yard setbacks: | |
| 1. | Front yard | 20 feet <u>15 feet</u> |
| | <u>Front yard, garage or carport</u> | <u>20 feet</u> |
| 2. | Rear yard, single story structure | 5 feet |
| | <u>Rear yard, single story garage or carport (accessed from alley)</u> | <u>10 feet</u> |
| | Rear yard, multi <u>two</u> -story structure | 8 feet |
| | <u>Rear yard, two-story garage or carport (accessed from alley)</u> | <u>10 feet</u> |
| | Rear yard, three-story structure | 10 feet |
| 3. | Side yard, single story structure (interior) | 5 feet |
| | Side yard, multi-story <u>two-story</u> structure (interior) | 8 feet |
| | Side yard, three-story structure (interior) | 10 feet |
| | Side yard (adjacent to street) | 15 feet |
| | <u>Side yard (adjacent to street) garage or carport (accessed from street)</u> | <u>20 feet</u> |
| C. | Maximum structure height | 30 feet |
| D. | Minimum lot width at building line | 60 <u>40</u> feet |
| E. | <u>Minimum lot width on cul-de-sac bulb</u> | <u>30 feet</u> |

17.24.050 - Development standards.

All development in the R-1 district shall comply with the applicable provisions of Chapters 17.120 through 17.128. In addition, the following specific standards shall apply:

- A. ~~Accessory structures. Accessory structures shall be as provided for in~~ subject to the provisions of Chapter 17.84.
- B. ~~Off-street parking and Loading. Parking and loading shall be as specified in~~ subject to the provisions of Chapter 17.56.
- C. Subdivisions and partitions. Land divisions shall be reviewed in accordance with the provisions of Chapter 17.160 or 17.164.
- D. Density. A minimum density of five dwelling units per gross acre shall be required of all new subdivisions and planned unit developments.
- E. Lot coverage. The following shall mean the maximum permitted lot coverage, including coverage by public and private parking areas or garages and carports:

| | |
|--|-----|
| Maximum building coverage | 45% |
| Maximum parking area coverage | 30% |
| Combined maximum lot and parking area coverage | 70% |

- F. Yards and lots. Yards and lots shall conform to the standards of Chapter 17.80.
- G. Signs. Signs shall conform to the requirements of Chapter 17.68.
- H. Driveways. Driveways shall be separated from an intersection by at least forty (40) feet or one-half the lot frontage, whichever is greater.

Chapter 17.28 - RESIDENTIAL DISTRICT (R-2)

Sections:

17.28.010 - Purpose.

The residential (R-2) district provides opportunities for higher density housing in proximity to commercial and public development where full urban services are available. The R-2 district is consistent with the residential general plan designation.

17.28.020 - Permitted uses.

The following uses are permitted in the R-2 district:

- A. Single-family dwelling including a single-family manufactured home subject to the provisions of Chapter 17.108 , Manufactured Homes.~~Chapter 17.108;~~
- B. Duplex ~~or triplex~~ dwelling;
- C. Multi-family dwellings, subject to the provisions of Chapter 17.144, Site Development Review.

~~DC. Single-family, duplex or triplex dwelling, not occupied by the owner but used as a business (rental) unit, with no more than five unrelated persons occupying a unit; Accessory Structure subject to the provisions of Chapter 17.84, Accessory Structure.~~

~~ED. Public park and public recreation area;~~

~~EE. Planned unit development subject to the provisions of Chapter 17.104, Planned Unit Development;~~

~~GF. Home occupations subject to the provisions of Chapter 17.116; and~~

~~HG. Residential home.~~

~~IH. Utility facility, including utility right-of-ways.~~

17.28.030 - Conditional uses.

The following uses are permitted as conditional uses, provided that such uses are approved in accordance with Chapter 17.140:

~~A. Multi-family dwellings with a minimum of ten thousand (10,000) square feet for each four dwelling unit, and an additional two thousand five hundred (2,500) square feet for each dwelling unity over four;~~

~~AB. Manufactured home park subject to the provisions of Chapter 17.112, Manufactured Home Park, and consistent with ORS 197.480(5)(c) the conditional use permit criteria for approval in Section 17.140.030 do not apply;~~

~~C. Residential care facilities or residential homes Residential facility;~~

~~D. Place of worship;~~

~~E. Public facility, government structure or communications towers for emergency services;~~

~~F. Public or private school; and~~

~~G. Utility facility including utility right-of-ways.~~

17.28.040 - Dimensional standards.

The following dimensional standards shall be the minimum requirements for all development in the R-2 district except for modifications permitted under Chapter 17.124, General Exceptions, and Chapter 17.136, Variance.

| | | |
|----|---|--------------------|
| A. | Minimum lot area. | |
| 1. | Single-family dwelling | 6,600 square feet |
| | Duplex and Triplex | 9,900 square feet |
| | Multi-family dwelling, 4 unit plus 2,500 square feet per unit in excess 4 units | 10,000 square feet |
| | Townhouses, subject to Section 17.80.040 | 3,500 square feet |
| 2. | Public utility structures. Lot area shall be adequate to contain all proposed structures within the required yard setbacks. | |

| | | |
|----|--|------------------------------|
| B. | Minimum yard setback requirements. Except as provided in Section 17.80.100, all principal and accessory structures shall maintain the following minimum yard setbacks: | |
| 1. | Front Yard | 20 feet 15 feet |
| | <u>Front yard, garage or carport</u> | <u>20 feet</u> |
| 2. | Rear yard, single story structure | 5 feet |
| | <u>Rear yard, single story garage or carport (accessed from alley)</u> | <u>10 feet</u> |
| | Rear yard, multi-story <u>two-story</u> structure | 8 feet |
| | <u>Rear yard, two-story garage or carport (accessed from alley)</u> | <u>10 feet</u> |
| | Rear yard, three-story structure | 10 feet |
| 3. | Side yard, single story structure (interior) | 5 feet |
| | Side yard, multi-story <u>two-story</u> structure (interior) | 8 feet |
| | Side yard, three-story structure (interior) | 10 feet |
| | Side yard, townhouse (interior) | None |
| | Side yard (adjacent to street) | 15 feet |
| | <u>Side yard (adjacent to street) garage or carport (accessed from street)</u> | <u>20 feet</u> |
| C. | Maximum structure height | 30 feet |
| D. | Minimum lot width at building line | 60 <u>40</u> feet |
| | <u>Minimum lot width on cul-de-sac bulb</u> | <u>30 feet</u> |
| | Townhouses, subject to Section 17.80.040 | 35 feet |

17.28.050 - Development standards.

All development in the R-2 District shall comply with the applicable provisions of Chapters 17.120 through 17.128. In addition, the following specific standards shall apply:

- A. Accessory structures. Accessory structures shall be as provided for in Chapter 17.84.
- B. Off-street parking. Parking shall be as specified in Chapter 17.56.

- C. Subdivisions and partitions. Land divisions shall be reviewed in accordance with the provisions of Chapter 17.164 or 17.168.
- D. Density. Development within the R-2 District shall comply with the following density requirements:
 - 1. Subdivisions and manufactured home parks: The minimum density shall be five units per acre.
 - 2. Multi-family: The minimum density shall be ~~twenty-two (22)~~ twelve (12) units per acre.
 - 3. Townhouses: The minimum density shall be twelve (12) units per acre.
- E. Lot coverage. The following shall mean the maximum permitted lot coverage, maximum coverage of public and private parking areas or garages, and/or combined maximum lot and parking combined coverage required:

| | |
|---|-----|
| Maximum building coverage | 50% |
| Maximum parking area coverage | 30% |
| Combined maximum building and parking area coverage | 70% |

- F. Multi-family ~~residential uses~~ dwelling developments (three or more units) shall be subject to the site development review procedures of Chapter 17.144.
- G. ~~All triplexes and M~~ multi-family dwellings developments (three or more units) shall provide a minimum recreational area of one hundred (100) square feet per residential unit. Fencing of recreational areas may be required.
- H. Landscaping. Multi-family dwelling developments (three or more units) shall provide a minimum landscaped area equal to fifteen (15) percent of the gross site area. The landscaped area calculation shall not include required recreational areas. Landscaping improvements shall be installed and maintained in accordance with Chapter 17.72.
- I. Signs. Signs shall conform to the requirements of Chapter 17.68 J. Driveways. Driveways shall be separated from an intersection by at least forty (40) feet or one-half the lot frontage, whichever is greater.

Chapter 17.36 - COMMERCIAL RETAIL OFFICE (CR)

17.36.060 - Development standards.

All developments in the CR district shall comply with the applicable provisions of Section 17.362.400. In addition, the following specific standards shall apply:

- A. Off-Street Parking. Off-street parking shall be as specified in Section 17.562.203.
- B. Signs. Signs shall be subject to the provisions of Section 17.682.206.
- C. Subdivisions and Partitions. All land divisions shall be reviewed in accordance with the provisions of Section 17.76, 17.160 or 17.1643.108 or 3.109.
- D. Development Review. All new development and expansion of an existing structure or use shall be subject to the Site Development Review procedures of Section 17.1443.104.
- E. Landscaping. A minimum of ten (10) percent of the gross area shall be landscaped, Landscaping and provisions for adequate noise and/or visual buffering from residential uses shall be installed. Landscaping improvements shall be installed and maintained in accordance with Section 17.56.100 and Chapter 17.722.207.
- F. Screening. Screening shall be required for the following:
 1. All outdoor storage areas shall be screened by a six-foot sight-obscuring fence or wall.
 2. Where a commercial use abuts a residential zone, a six-foot sight-obscuring fence or wall shall be installed along the full length of the property line. This requirement shall not cause the placement of a fence or wall in the vision clearance area.
 3. Cargo or shipping containers used as accessory structures shall be screened from view as required by Section 2.207.0717.72.070.

Chapter 17.44 - LIGHT INDUSTRIAL (IL)

17.44.070 - Development standards.

All development in the light industrial district shall comply with the applicable provisions of Section 2.400. In addition, the following specific standards shall apply:

- A. Off-street Parking. Off-street parking shall conform to the standards of Section 2.203.
- B. Signs. Signs shall conform to the provisions of Section 2.206.
- C. Development Review. All new development or expansion of existing structures or uses shall be subject to the site development review procedures of Section 3.104.
- D. Subdivisions and Partitions. All land divisions shall be reviewed in accordance with the provisions of Section 3.108 or 3.109.
- E. Landscaping. A minimum of ten (10) percent of the gross area shall be landscaped and provisions for adequate noise and/or visual buffering from residential uses shall be installed. Landscaping improvements shall be installed and maintained in accordance with Section 2.207.
- F. Screening. Screening shall be required for the following:
 1. All outdoor storage areas shall be screened by a six-foot sight-obscuring fence or wall.

2. All industrial/commercial uses, which abut a residential zone, shall be screened by a six-foot sight-obscuring fence or wall requirement shall not cause the placement of a fence or wall in the vision clearance area.
3. Cargo or shipping containers used accessory structures shall be screened from view as required by section ~~2.207.0717.72.070~~.

Chapter 17.48 - GENERAL DEVELOPMENT STANDARDS

17.48.050 - Residential design standards.

The following basic requirements shall apply to all conventional, prefabricated, manufactured, or any other residential dwelling known by any other definition within the city of Gervais:

- A. Any residential dwelling placed within the city of Gervais shall have been built or manufactured within one year prior to the date of placement.
- B. All residential dwellings shall have an enclosed living space of not less than one thousand (1,000) square feet, ~~or as specified in Oregon Revised Statutes 197.305 (5)(a)~~.
- C. All residential dwellings shall be required to have a garage or carport subject to the following:
 1. The garage or carport shall be built of like materials as the dwelling. Any exceptions must be reviewed and approved by the city council as a variance request.
 2. Permits for the carport or garage shall be submitted with the building permit for the manufactured, prefabricated, or conventional residential dwelling.
 3. Carports shall be required to have a minimum storage unit encompassing sixty (60) square feet.
 4. The carport or garage shall be built or placed prior to occupying the residential dwelling.
 5. The garage or carport shall not be converted to any other type of dwelling or living space without city council approval, and in no case shall it be converted where it reduces the required off-street parking.
 6. A violation of any provision of this section of the ordinance is a Class I civil infraction, which may result in a fine of up to five hundred dollars (\$500.00).

Chapter 17.84 - ACCESSORY STRUCTURES

17.84.020 - R1 and R2 districts.

- A. Location and number. Accessory structures shall be located within the rear or interior side yard, except that a detached garage may be located in a side yard adjacent to a street. A maximum of two (2) are permitted. In residential zones, the design, appearance, and construction of accessory structures shall be consistent with residential development. Cargo or shipping containers are not allowed for use as accessory structures in residential zones.
- B. Height. The maximum allowable height is twenty (20) feet, except that no accessory structure shall exceed the height of the primary building.
- C. Property setbacks. Except for detached garages and carports, For structures ten (10) feet or less in height there shall be provide a minimum five-foot setback along the side and rear property lines. Except for detached garages and carports, For buildings structures greater than ten (10) feet in height there shall be provide a setback of five (5) feet along each side property line and ten (10) feet

along the rear property line. For detached garages and carports the setbacks shall be in accordance with Sections 17.24.040, B, for the R-1 District and 17.28.040, B, for the R-2 District.

- D. Building separation. Accessory structures shall be separated from the primary buildings by a minimum of six (6) feet.
- E. Building size. The accessory structure(s) shall be limited to the greater of the following: Twenty (20) percent of the floor area (excluding garage) for the primary building or four hundred eighty (480) square feet. In no case shall the accessory structure occupy more than twenty (20) percent of the rear yard. The building size limitation shall be considered the maximum allowable area permitted for all accessory structures.

17.84.030 - CR, CG, and LI districts.

- A. Location and number. Except for shipping or cargo containers used as an accessory structure. Accessory structures may be located anywhere the primary structure may be placed. There is no limit to the number of permitted accessory structures. Shipping or cargo containers used as accessory structures shall only be located in a side or rear yard and shall be screened from view as provided by Section 17.56.100 and 17.72-2-207-07.
- B. Height. Accessory structures shall comply with the height provisions in the underlying zone for the primary structure.
- C. Setbacks. Accessory structures shall comply with the setback provisions in the underlying zone for the primary structure.
- D. Building size. There is no limitation.

Chapter 17.96 - RIPARIAN CORRIDORS

17.96.050 - Adjusting buffers.

- A. Permanent alteration of the riparian buffer by placement of structures or impervious surfaces within the riparian buffer, or placement of structures overhanging the riparian buffer, on existing lots or proposals to partition a lot, is allowed subject to approval of a variance granted under Section 17.96.050(E) and subject to the mitigation requirement of Section 17.96.050(C).
- B. Subdivisions and planned unit developments must conform to the buffer requirements but may apply for density credits to compensate for developable land that has been lost due to the buffer requirement. A developer proposing a subdivision or planned unit development can get density credits when more than five percent of the developable land is consumed by the buffer. Credits are calculated using the table of credits that appears under the definition of the term "density credit" in Section 17.16.020~~in Section 17.96.020(B)(5).~~ The density credit is accommodated at the development site by allowing greater flexibility in the setbacks, frontage distances or minimum lot sizes but can be used off-site if on-site accommodation is not practical.
- C. Proposals for development activities within the riparian buffer allowed in Section 17.96.050(A) will include proposed mitigation for unavoidable impacts shall be reviewed by the Oregon Department of Fish and Wildlife (ODFW). The review and/or mitigation recommendation from ODFW shall be submitted with the application. For purpose of implementing Goal 5, the goal is no net loss of protected resources and no net loss of habitat values.
- D. Variance.

In cases where the application of the buffer is demonstrated to render an existing lot or parcel unbuildable, a property owner may request a variance to the riparian buffer. Granting of a variance requires findings that satisfy all three of the following criteria:

1. The proposed development requires deviation from the riparian buffer standards; and
2. Strict adherence to the riparian buffer standard and other applicable standards would effectively preclude a use of the parcel that could be reasonably expected to occur in the zone, and that the property owner would be precluded a substantial property right enjoyed by the majority of landowners in the vicinity.

E. Variance applications.

The applicant shall provide sufficient information regarding the proposed development and potential impact to riparian resources and the proposed mitigation plan to allow the ODFW to determine whether the proposal has minimized impacts to the riparian buffer and whether the proposed mitigation will provide equal or better protection of riparian resources. This information includes, but is not necessarily limited to:

1. A plot plan showing the top of the stream or water body bank, the riparian buffer, any wetlands, and any applicable setbacks;
2. The extent of development within the protected riparian corridor;
3. Uses that will occur within the protected riparian corridor and potential impacts (for example: chemical runoff, noise, etc.);
4. The extent of vegetation removal proposed;
5. Characteristics of existing vegetation (types, density);
6. Any proposed alterations of topography or drainage patterns;
7. Existing uses on the property and any potential impacts they could have on riparian resources; and
8. Proposed mitigation.

Chapter 17.108 - MANUFACTURED HOMES

Sections: 17.108.010 - Purpose.

The following general standards are applicable to all manufactured homes sited on individual lots within the city of Gervais.

17.108.020 - General standards.

- A. The manufactured home shall be multi-sectional and shall enclose a space of no less than one thousand (1000) square feet.
- B. The manufactured home shall be placed on an excavated and back-filled foundation and enclosed at the perimeter such that the manufactured home is located not more than eighteen (18) inches above grade.
- C. The manufactured home shall have a roof with a nominal pitch of no less than three (3) feet in height for each twelve (12) feet in width.
- D. The manufactured home shall have exterior siding and roofing which in color, material and appearance is similar to the exterior siding and roofing material commonly used on residential dwellings within the community or which is comparable to the predominant materials used on

~~surrounding dwellings as determined by the local permit approval authority. Roofing material shall be composition asphalt, fiberglass, wood shake, or tile.~~

E. ~~The manufactured home shall be certified by the manufacturer to have an exterior thermal envelope meeting performance standards which reduce levels equivalent to the performance standards required of single-family dwellings constructed under the state building code as defined in ORS 455.010. The exterior siding must be horizontal lapped wood siding or a siding of equivalent appearance.~~

F. ~~The manufactured home shall have a garage or carport constructed of materials that are consistent with the predominant construction of the immediately surrounding dwellings.~~

~~The manufactured home shall be certified by the manufacturer to have an exterior thermal envelope meeting current performance standards specified by state law for single-family dwellings.~~

G. ~~The manufactured home shall have an enclosed, attached garage or carport. The garage shall be constructed of materials that are similar in color, material, and appearance to the manufactured home. The garage or carport shall be constructed prior to occupancy.~~

H. ~~Transportation mechanisms, including wheels, axles, and hitch must be removed prior to occupancy.~~

I. ~~The manufactured home shall be provided with gutters and downspouts to direct storm water away from the placement site.~~

J. ~~All utilities shall be connected to the manufactured home in compliance with city and state requirements prior to occupancy.~~

K. ~~The manufactured home shall be constructed and maintained in conformance with the state and federal safety construction standards applicable at the time of placing the manufactured home. The home shall bear the Oregon "Insignia of Compliance".~~

L. ~~A manufactured home shall not be placed within an acknowledged historical district or adjacent to a historic landmark.~~

17.108.030 - Process.

The city shall review compliance with the standards of this chapter administratively during the review of applicable budding permits and set-up permits.

Chapter 17.112 - MANUFACTURED HOME PARKS

17.112.020 - General standards.

A. Any lot or site used for a manufactured home park and any modifications to a manufactured home park shall comply with the provisions of ORS 446.002 to ORS 446.210 and manufactured home park Standards, adopted as Oregon Administrative Rule, Chapter 8134, ~~Subdivision~~ Division 7-3, Manufactured Dwelling Park, Sections 813-007-0005 to 813-007-0070, inclusive and Chapter 918, Division 600, Manufactured Dwelling Parks and Mobile Home Park, Sections 918-600-0005 to 918-600-0030, inclusive. ~~Manufactured Home Parks, Sections 28.040 to 28.170, inclusive.~~

B. All parks shall require a minimum of ~~three~~ one acres.

C. Density. The maximum density of a manufactured home park shall not exceed ten (10) units per gross acre.

D. Minimum area. The minimum area to be contained on a manufactured home space by a manufactured home and its accessory structures shall be three thousand five hundred (3,500) square feet.

- E. Setbacks. The following setback standards shall apply:
1. General park development. Setbacks for structures other than a manufactured homes, carports and related accessory buildings shall comply with the minimum residential setbacks in the underlying zone.
 2. Manufactured homes.
 - a. Front: Five feet minimum to the sidewalk; eight feet minimum to the curb.
 - b. Side and rear: Fifteen (15) feet minimum to any adjacent manufactured home; ten (10) feet minimum to any adjacent non-residential structure.
 - c. Manufactured homes on the periphery of a manufactured home park shall maintain the same setback as required for the front, side and rear yard in the underlying zone.
 3. Accessory structures.
 - a. Front: Five feet minimum to the sidewalk; eight feet minimum to the curb.
 - b. Adjacent side and rear: Six feet minimum to any adjacent manufactured home, or, non-residential structure.
 4. Carports.
 - a. Front: Twenty (20) feet minimum to the sidewalk or curb, if a sidewalk is not provided.
 - b. Side and rear: Carports attached to, or within three feet of, the manufactured home shall comply with the setbacks for the manufactured home. Otherwise, the setback provisions for accessory structures shall apply.
- F. Minimum width. No manufactured home space shall be less than forty (40) feet in width at its driveway frontage.
- G. Boundaries of space. The boundaries of each manufactured home space shall be clearly marked by permanent markers.
- H. Driveways. All driveways shall be paved with an asphaltic material or concrete and shall be a minimum of twenty (20) feet in width. In addition, if parking is to be permitted along the driveway, a minimum width of thirty (30) feet is required. All driveways shall be adequately designed as to permit safe, easy access by emergency vehicles.
- I. Parking. A minimum of two off-driveway parking spaces shall be provided for each manufactured home space.
- J. Walks. Provisions shall be made for a walk from each manufactured home to each driveway. All walks must be hard surfaced, well-drained and not less than thirty-six (36) inches in width.
- K. Patio. Each manufactured home space shall have a slab or patio or concrete, asphalt or flagstone or similar substance not less than twenty (20) feet in length and ten (10) feet in width adjacent to each manufactured home parking site.
- L. Storage area. A storage space in a building having a gross floor area of at least sixty (60) square feet shall be constructed and completed prior to occupancy of the manufactured home for storing the outdoor equipment and accessories necessary to residential living.
- M. Accessory buildings. Accessory buildings that are placed on a manufactured home space shall be sited in a manner so as not to hinder or restrict access to the side and rear yard areas adjacent to the manufactured home.
- N. Manufactured home space coverage. Not more than forty-five (45) percent of a manufactured home space may be occupied by a manufactured home and its accessory structures.
- O. Signs. All signs shall be in accordance with Chapter 17.68 of this title.
- P. Lighting. Common driveways and walkways must be adequately lighted.

- Q. Skirting. All manufactured homes shall have skirting around the exterior of the manufactured home or they may be situated upon a continuous foundation meeting the approval of the city building code.
- R. Open space. A minimum of at least five thousand (5,000) square feet per twenty-five (25) manufactured home spaces or portion thereof shall be provided for a recreational play area group or community activities. No approved open space area shall contain less than five thousand (5,000) square feet. The floor area of indoor facilities, such as a community building, may be included in calculating the open space requirement.
- S. Utilities. All utility services shall be underground. The applicant shall furnish the city with proper easements for reading the meters and for inspecting water and sewer lines. All meters and water lines shall be inspected while being installed and the installation shall meet city standards. The park owners to city standards shall maintain all meters and water and sewer lines.
- T. Sewer and surface drainage. Adequate provisions shall be for sewage disposal and surface drainage and plans for such must have prior approval of the health department and the city engineer before a manufactured home park is approved. All sewer lines and drainage facilities shall be inspected while being installed and the installation shall meet city standards.
- U. Additions to manufactured homes. Carports, cabanas, ramadas, awning and all other structures, whether defined herein or not, which are situated upon a manufactured home space and are attached to the manufactured home, shall conform to the requirements of the city building code. Such additions and structures shall be considered as a portion of the manufactured home for determining the extent of lot coverage, setback lines and all other requirements for manufactured homes, as if such additions and structures were a part of such manufactured home.
- V. No part of any manufactured home park shall be used for the parking or storage of any heavy equipment, or trucks with a rated capacity exceeding two tons.
- W. A caretaker, owner or manager shall be responsible for keeping the manufactured home park, its facilities and equipment in a clean, orderly and sanitary condition.
- X. Landscaped buffer areas shall be developed around the perimeter of all manufactured home parks. Buffering shall comply with the standards of Chapter 17.72.
- Y. All units placed within a manufactured home park after the effective date of the ordinance codified in this chapter shall be "manufactured homes" as defined in Section 17.16.020.

Chapter 17.164 - SUBDIVISIONS AND PLANNED UNIT DEVELOPMENTS

17.164.060 - Subdivision of a mobile home park.

The proposed subdivision of manufactured or mobile home parks under the requirements of ORS 92.830 to 92.845 shall be processed as follows:

- A. The subdivision of an existing mobile home park shall be approved, provided:
 - 1. The park is in compliance with all standards for a mobile dwelling park or is an approved nonconforming use. ~~A park is in compliance if the city has not issued a written notice of noncompliance on or before July 2, 2001;~~
 - 2. The tentative subdivision plan does not increase the number of lots approved for the park, change the boundary lines, or setback requirements, or make other development changes; and
 - 3. A plat is prepared and recorded in compliance with all regulations of this title and Oregon Revised Statutes.
- B. A subdivision of an existing mobile home park is not required to meet the minimum lot size, frontage, setback requirements, or street standards of this title, with the following exception that

new structures located within yards abutting properties outside of the subdivision must meet all setback requirements or be approved for a variance.

- C. A subdivision of an existing mobile home park shall be subject to formation of a homeowners association for continued maintenance of streets and open space areas within the subdivision.

Chapter 17.172 - ANNEXATION

17.172.030 - Effective date of annexation.

The annexation shall be complete from the date of filing with the secretary of state as provided in ORS 222.150, 222.160, and 222.170, ~~and 444.900~~. Thereafter, the annexed territory shall be and remain part of the city. The date of such filing shall be the effective date of annexation, provided such filing is not made later than ninety (90) days prior to any general or primary election; otherwise, the effective date of such annexation shall be the day after the primary or general election next following the date of filing.

Chapter 17.176 - ADMINISTRATIVE PROCEDURES

17.176.010 - Procedures for type I action.

Applications subject to administrative review shall be reviewed and decided by the city manager/recorder.

- A. Upon receipt of an application for a Type I land use action, the city staff shall review the application for completeness.
 - 1. Incomplete applications shall not be reviewed until all required information has been submitted by the applicant.
 - 2. If incomplete, the applicant shall be notified and provided additional time of up to thirty (30) days to submit supplemental information as necessary.
- B. The application shall be deemed complete either:
 - 1. Upon receipt of the additional information; or, if the applicant refuses to submit the information;
 - 2. On the thirty-first (31st) day after the original submittal the application shall be deemed complete for review purposes.
- C. Referrals may be sent to interested agencies such as city departments, the school district, utility companies, and applicable state agencies. If a county road or state highway might be affected, referrals should be sent to Marion County Public Works and/or ODOT.
- D. All permits requiring physical alteration of any land illustrated on the NWI/LWI maps shall be referred within ~~five~~ thirty (30) days of receipt to the Oregon Division of State Lands. The applicant shall be notified of the referral.
- E. If the staff finds ~~that~~ the facts of the particular case require interpretation of existing standards, then the application shall be processed as a Type II decision—a public hearing before the city council shall be scheduled. The procedures for conducting the public hearing shall comply with the standards in Chapter 17.148.
- F. Within thirty (30) days of receipt of a complete application or such longer period mutually agreed to by both staff and the applicant, staff shall review the application and shall make a decision based on an evaluation of the proposal and on applicable criteria.
- G. Written notice shall be mailed to the applicant.

- H. A Type I land use decision may be appealed by the applicant to the city council. The appeal shall be filed, pursuant to the provisions of Chapter 17.192, within ten (10) days from the date of the decision.
- I. The timing requirements established in this chapter are intended to allow a final action, including resolution of any appeals, within one hundred twenty (120) days of receipt of a complete application. If for any reason it appears that such final action may not be completed within the one hundred twenty (120) day period, unless the applicant voluntarily extends the time period, the following procedures shall be followed regardless of other processes set forth elsewhere in this title:
 - 1. The city staff shall notify the city council of the timing conflict by the ninety fifth (95th) day. The city council shall, in accordance with its own procedures, set a time for an emergency meeting within the one hundred twenty (120) day period.
 - 2. Public notice shall be mailed to affected parties as specified in Chapter 17.180.
 - 3. The city council shall hold a public hearing on the specified date, in accordance with the provisions of Chapter 17.188 and render a decision approving or denying the request within the one hundred twenty (120) day period.

17.176.020 - Procedures for Type II and Type III actions.

- A. Upon receipt of an application for Type II or Type III land use action, the city staff shall review the application for completeness.
 - 1. Incomplete applications shall not be scheduled for Type II or Type III review until all required information has been submitted by the applicant.
 - 2. If incomplete, the applicant shall be notified and provided additional time of up to thirty (30) days to submit supplemental information as necessary.
- B. The application shall be deemed complete for the purposes of scheduling the hearing and all related timing provisions either:
 - 1. Upon receipt of the additional information; or, if the applicant refuses to submit the information;
 - 2. On the thirty-first (31st) day after the original submittal the application shall be deemed complete for scheduling purposes only.
- C. Applications for more than one Type II or Type III land use action for the same property may, at the applicant's discretion, be combined and heard or reviewed concurrently.
- D. Referrals may be sent to interested agencies such as city departments, the school district, utility companies, and applicable state agencies. If a county road or state highway might be affected, referrals should be sent to Marion County Public Works and/or ODOT.
- E. All subdivisions, permits for new structures, conditional use permits and planned unit developments on any land illustrated on the NWI/LWI maps shall be referred within five days of receipt to the Oregon Division of State Lands. The applicant shall be notified of the referral.
- F. The public hearing shall be scheduled and notice shall be mailed to the applicant and adjacent property owners. Notice requirements shall comply with Section 17.180.020.
- G. Staff shall prepare and have available within seven days of the scheduled hearing a written recommendation concerning the proposed action. This report shall be mailed to the applicant and be available at City Hall for all interested parties.
- H. The public hearing before the council shall comply with the provisions in Chapter 17.184.
- I. Approvals of any Type II or Type III action may be granted subject to conditions. The following limitations shall be applicable to conditional approvals:

1. Conditions shall be designed to protect public health, safety and general welfare from potential adverse impacts caused by a proposed land use described in an application. Conditions shall be related to the following:
 - a. Protection of the public from the potentially deleterious effects of the proposed use; or
 - b. Fulfillment of the need for public service demands created by the proposed use.
 2. Changes or alterations of conditions shall be processed as a new administrative action.
 3. Whenever practical, all conditions of approval required by the city shall be completed prior to the issuance of an occupancy permit. When an applicant provides information which demonstrates to the satisfaction of the council that it is not practical to fulfill all conditions prior to issuance of such permit, the council may require a performance guarantee as provided in Chapter 17.204.
- J. The applicant shall be notified in writing of the council's decision. In addition, notice of the council's decision shall be mailed to individuals, who request such notice at the public hearing, or, by those individuals who submitted a written request for notice prior to the public hearing.
- K. Either the applicant or persons receiving notice of the decision may appeal a type II land use decision. Appeal of the decision is to the land use board of appeals (LUBA).
- L. The timing requirements established by this chapter are intended to allow a final action, including resolution of appeals for all land use actions within one hundred twenty (120) days of receipt of a complete application, except for type III actions. If for any reason it appears that such final action may not be completed within the one hundred twenty (120) day period, unless the applicant voluntarily extends the time period, the following procedures shall be followed regardless of other processes set forth elsewhere in this title:
1. The city staff shall notify the city council of the timing conflict by the ninety-fifth (95th) day. The city council shall, in accordance with its own procedures, set a time for an emergency meeting within the one hundred twenty (120) day period.
 2. Public notice shall be mailed to affected parties as specified in Chapter 17.180.
 3. The city council shall hold a public hearing on the specified date, in accordance with the provisions of Chapter 17.188 and render a decision approving or denying the request within the one hundred twenty (120) day period.

Chapter 17.200 - TYPE IV ACTIONS

17.200.020 - Procedure for Type IV Actions

A. Initial public hearings by city council.

1. ~~An initial~~ public hearings shall be held by the city council on all proposed amendments to this title and on all legislative amendments and revisions of the general plan.
2. The city council may continue any hearing ~~in order to~~ make a reasonable decision on the proposed amendments.

B. Final public hearing by city council.

Following the ~~initial~~ public hearing the council shall announce its decision on the proposed amendments and ~~hold a final public hearing to and at the same meeting or another meeting~~ consider adoption of the proposed amendment by council ordinance. Notice shall be as specified in Chapter 17.180, Public Notice Requirements.

CITY OF GERVAIS, OREGON

GENERAL PLAN

ORIGINAL ADOPTION: OCTOBER 1977

AMENDED: FEBRUARY 1980, SEPTEMBER 1987, JUNE 1997,
SEPTEMBER 1999, FEBRUARY 2004, OCTOBER 2004, ~~and~~
MAY 2006, and June 2015.

Amendments to the City of Gervais General Plan in 1999, 2004 ~~and 2006~~, and 2015 were funded in part by a grant from the Department of Land Conservation and Development.

CITY OF GERVAIS

GENERAL PLAN

Amended:
February 1980
September 1987
June 1997
September 1999
February 2004
October 2004
May 2006
June 2015

1999, 2004, ~~and 2006~~, and 2015 Amendments prepared by:
Mid-Willamette Valley Council of Governments
~~405 High Street SE~~

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PART I - EXISTING CONDITIONS

Any general plan must be based on factors and conditions which exist at the time the plan is prepared and upon a realistic evaluation of future growth potential. Growth potential can be difficult to forecast in smaller communities because a change in one factor can radically alter the community's growth pattern. However, considerable work has been done relating to existing land use patterns, housing conditions, services and facilities, and the character of the area as these factors relate to growth.

NATURAL FEATURES

The City of Gervais is located in northern Marion County in the fertile Willamette Valley (Map 1). Surrounded by agricultural land, the city is located between Interstate 5 and Highway 99E about 3 miles south of Woodburn and 14 miles north of Salem. The Union Pacific Railroad bisects the city but there is no rail service to Gervais.

The climate in Gervais is typical of the mid-Willamette Valley. Temperatures are relatively mild, rising above 90°F only 12 to 16 days a year. Freezing temperatures occur about 60 days per year but rarely reach 0°F. Rainfall averages about 41 inches per year with over 70 percent occurring from November through March. Usually, less than seven percent falls during the summer months.

The planning area includes the City of Gervais and some additional land to the south and west and totals 264 acres. It lies on a flat plain at an elevation of about 180 feet and is drained to the northeast by an unnamed tributary of the Pudding River. The Pudding River is a tributary to the Molalla, which is a tributary to the Willamette River.

There are five soil series found in the planning area: Amity, Concord, Woodburn, Willamette, and Dayton (Map 2). Most of the development in the city is situated on Amity and Concord soils. These soils are characterized by a high water table, moderate or slow permeability, and low shear strength for building foundations. These characteristics lead to severe problems for individual sewage during seasonal wet periods. The lack of permeability and the relatively level land surface lead to slow runoff and ponding during storms in winter months. Amity soil has a land capability classification of II and Concord, III. However, it is not possible to preserve these soils for agricultural use because they are in an existing developed area and vacant parcels in these areas would not lend themselves to agricultural use.

Woodburn soils are found in the eastern half of the community and in areas south of Alder Street. With the exception of the two public schools, most of the area where this type of soil is found is now undeveloped. Woodburn soils have a water table at a depth of approximately 30 inches, are moderately permeable, and have a slightly better shear strength than do Amity or Concord soils. However, an engineering study relating to the city sewer system measuring water table fluctuations in Woodburn soils in the Gervais area indicates that the water table depth averages

Map 1

less than 10 inches for about 2 ½ months of the year^a. The high water and moderate permeability will cause problems for urban development similar to those now found in the existing sections of the city.

Woodburn soils have a Class II land capability rating. Most of the areas with this type of soil are already within the Gervais city limits and most of this land will be needed to accommodate anticipated urban growth. However, consideration should be given to retaining some of the land in agricultural use until needed for urban purposes.

The Willamette and Dayton soils do not occupy significant area within the urban growth boundary. The Willamette series carries a land capability classification of IV and in the Gervais area are located along the drainage courses. They do not constitute useable areas for agricultural use in the configurations in which they occur in this planning area.

The relatively level land surface and the general impermeability of the soils within the planning area seem to indicate a need for an improved storm drainage system. The existing storm sewer that drains the northwest section of the city appears to be inadequate for that area and does not drain other sections of the community.

There are no natural hazards in the area with the possible exception of seasonal ponding of storm runoff because of inadequate drainage. The ponding is more of a nuisance or inconvenience than it is a hazard.

In the planning area, there are no mineral or aggregate resources, energy sources, fish or wildlife habitats, ecologically or scientifically significant natural areas, outstanding scenic views or sites, water areas, wet lands or watersheds, wilderness areas, cultural areas, recreation trails, or federal wild and scenic waterways or state scenic waterways.

Based on the two existing city wells, ground water resources occur at a depth of 140-145 feet. Obviously, this does not include local high water tables in previously described soils. Engineering estimates indicate that the local aquifer can support wells with a distribution of one per one-quarter mile without interference. The water, although safe to drink, should be treated to eliminate staining from iron and manganese in the water.

Although Gervais is an old community, most of the commercial buildings in the city were destroyed by fire many years ago. Many of the commercial buildings were constructed between 1900 and 1920. The notable historic structure in the area is the Sacred Heart Church. The church is in good condition and is recognized by the Historic Section of the State Parks Division, but is not on the National Register.

A survey of historic buildings or sites should be made and little is known about archeological sites in the area. Lacking a cultural survey of the entire area, a survey should be made prior to construction or demolition of buildings or construction of water or sewer systems to determine if any historic or archeological sites will be demolished or lost. This kind of survey is required by

^a Sewage Treatment Facility Plan - Phase 1; City of Gervais, Oregon, C&G Engineering, May 1976.

Executive Order No. 11593 and the National Historic Preservation Act of 1966 (89-665) prior to construction of projects using federal funds.

AIR QUALITY

The Environmental Protection Agency (EPA) has designated air quality control regions to aid in the implementation of the Federal Clean Air Act of 1970 as amended. Gervais is currently located in Portland's Interstate Air Quality Control Region, for which the control of pollution emission is necessary. The Department of Environmental Quality (DEQ) has jurisdiction over the air quality standards in the state and has developed air quality rules, regulations and standards toward which the region should conform. Automobile emissions and state controlled and monitored field burning are the major generators of air pollution in the Gervais area. Additional information on air quality standards and control can be obtained from DEQ and are provided in Oregon Administrative rules, Chapter 340.

The City has adopted the following policy:

All development within the City shall adhere to applicable federal and state air quality standards.

SOLID WASTE

Solid Waste in the City of Gervais is collected by United Disposal Company and is taken to the Woodburn Sanitary Landfill.

The City is located in the Chemeketa Region for Solid Waste Management.

The following policy has been adopted:

The City of Gervais supports the regional solid waste management program.

NOISE CONTROL

The twelve Union Pacific trains which travel through Gervais each day generate a substantial amount of noise. Due to the fact that trains are part of an interstate transportation system, federal standards regarding their operation and acceptable noise levels preempt state and local standards. According to a DEQ spokesman, the federal standards are fairly lenient and it is unlikely that monitoring and enforcement of the standards would result in lowering the noise level of trains traveling through the city.

There are no other significant generators or sources of noise in the City of Gervais.

The Department of Environmental Quality Noise Pollution Control rules and guidelines (Oregon Revised Statutes 467.010 to 467.990 and Oregon Administrative Rules Chapter 340, Division 35, Sections 5 to 100) establish standards toward regulating and controlling various forms of noise

Map 2

pollution. Though the majority of these rules and guidelines are not applicable to Gervais at this time, the City has adopted the following policy:

Future development activities that generate a significant amount of noise will be required to meet all noise regulations of the State of Oregon.

EXISTING LAND USE

The kind, location, and distribution of existing land uses is a fundamental factor to be considered in the future planning for any area. The location of agricultural, residential, commercial, and industrial uses provides a basis for understanding present conditions and for making projections for the future. Information concerning existing land use in the 2006 General Plan was updated with new information from a buildable lands inventory completed in 2015 during the 2006-2015 General Plan update and is now combined with the Land Use Element portion of the General Plan.

RESIDENTIAL CHARACTERISTICS - HOUSING AND BUILDABLE LANDS

Information concerning housing and residential land inventories in the 2006 General Plan was updated with new information from a buildable lands inventory and a Housing Needs Assessment completed in 2015. Information concerning housing conditions was updated during the 2006-2015 General Plan update and may be found in the Population and Housing Element portion of the General Plan. Information regarding buildable residential lands within the Gervais Urban Growth Boundary may be found in the Land Use Element portion of the General Plan.

PUBLIC FACILITIES

An investigation was made of existing public facilities in the area, which collectively, add to the livability of the community. These include schools, parks, fire stations, water and sewer systems, solid-waste disposal, and public buildings.

Schools

There are two public schools and one private school located in Gervais. All three schools serve areas much larger than the planning area so that school requirements will be determined to some degree by factors outside the scope of this plan.

Parks

There are no park and recreational facilities within the planning area, with the exception of school facilities. The nearest park, as such, is a highway rest stop on Highway 99E south of the high school.

There may be little need for public open space because the community is an island in a large area of agricultural land. However, there is a need for recreational facilities, particularly for young

people. There are several sites for small parks with play apparatus for younger children. There are also sites for activity centers or facilities for older children. Community needs for recreational facilities should be considered as part of the comprehensive plan and in future capital improvement programming by the city in their budget process.

Fire Stations

There is one fire station in the community located at Fourth and Elm Streets. The station is well located to serve the developed sections of the city. The equipment includes one Class A triple combination pumper-tanker with a 1,000-gallon tank and a pumping capacity of 750 gallons per minute. There is also one utility unit with a 500-gallon tank and a pumping capacity of 300 gallons per minute. This equipment is owned by the Woodburn Rural Fire Protection District. The District also provides a second engine from Woodburn to provide adequate response. The city now has a Class 7 fire rating.

The largest problem with the city’s fire protection service is the city water system. The pumps at the wells and the water lines do not have the capacity to provide adequate fire flow. If the water system were improved, the city could probably improve its fire rating, which would reduce fire insurance costs in the community. It is not known at this time how much the system would be up-graded by an improved water system, but if the system is not improved, reduced fire insurance rates would at least partially offset the cost to the people of improving both the quality and quantity of water in the community.

Water System

In the late 1990s, the City finds itself in a position needing to evaluate its existing wells to determine their capability in meeting domestic needs. Reviewing a study done in 1975, the City knows that, at least, portions of its distribution system are undersized for peak demands.

City Wells. The City derives its water from two wells located near Douglas and Juniper Avenues. The City uses another older well as a backup. The two wells tap into groundwater from a regional aquifer located below the City. (See Map 4.) Installed with casings located at depth of 220 and 262 feet, the City pumps water from the wells at open intervals. The City’s distribution system ranges in pipe size from two (2) to twelve (12) inches in diameter. Sizes and locations are as follows.

Table 1
Inventory of Existing Water Lines, 1998

| Size in inches | Street/ Distance | Appurtenances |
|----------------|--|-------------------|
| | <i>West to East (Avenues unless indicated otherwise)</i> | |
| Six (6) | Mesquite Lane | hydrant/mid-block |
| Six (6) | Lantana Lane | hydrant/mid-block |
| Two (2) | Juniper, 7th to 8th Street | hydrant at 7th |

| Size in inches | Street/ Distance | Appurtenances |
|----------------|--|--|
| Six (6) | Juniper, one block east of 1st to 3rd | hydrant at 3rd |
| Two (2) | Juniper, east of 3rd | |
| Six (6) | Ivy, Butteville Road to Black Walnut | hydrant at 5th & 6th |
| Four (4) | (West) Hemlock, 1st to 4th | hydrant at Peckner |
| Eight (8) | (East) Hemlock Dr. | |
| Two (2) | (West) Grove, 1st to one block east | |
| Eight (8) | (East) Grove, one block east of 1st entire length | |
| Six (6) | (West) Fir, 7th Street to one block east of 1st | |
| Six (6) | (East) Fir Dr. | |
| Ten (10) | (West) Elm, 4th to 1st | hydrant at 1st |
| Twelve (12) | (West) Elm, 1st to water plant | pump at 1st |
| Eight (8) | (East) Elm Court | |
| Six (6) | Douglas, City limit east to Highway 99E | |
| Two (2) | Cedar, one block west of 7th to 7th | |
| Two (2) | Cedar, 3rd to school property | |
| No pipe | Birch, one block west of 7th | |
| Four (4) | Birch, 7th to 6th | |
| Two (2) | Alder, one block west of 7th | hydrant at 4th |
| Two (2) | Alder, one block west of 7th to 7th | |
| Six (6) | Alder, 7th to 1st | |
| Six (6) | Mahan Loop | |
| | <i>North to South (Streets unless indicated otherwise)</i> | |
| Eight (8) | Black Walnut | hydrant at E. Fir Dr. hydrant at E. Hemlock |
| Six (6) | Bonefant Court | |
| Six (6) | Depot Court | hydrant at Black Walnut |
| Six (6) | Misti Court | |
| Six (6) | Moore | hydrant at Taylor St. |
| Six (6) | Peckner | hydrant at E. Hemlock |
| Six (6) | Rondeau Court | hydrant at E. Elm Ct. |
| Eight (8) | Taylor, west side | |
| Six (6) | Taylor, north and east | |

| Size in inches | Street/ Distance | Appurtenances |
|----------------|--|--|
| Six (6) | Thornbury Court | hydrant at Black Walnut |
| Six (6) | Winfield | |
| Six (6) | 1st, Alder to north City limit | |
| Four (4) | 2nd, Fir to Ivy | hydrants at Ivy, Grove, Elm, and Douglas |
| Six (6) | 3rd, Alder to Douglas | hydrant at Birch |
| Six (6) | 3rd, Fir to Hemlock | hydrant at Juniper |
| Four (4) | 3rd, Hemlock to Juniper | hydrant at Fir and Ivy |
| Two (2) | 3rd, Juniper to north City limits | |
| Six (6) | 4th, Alder to Douglas | hydrant at Douglas |
| Eight (8) | 4th, Elm to Ivy | hydrant at Fir |
| Four (4) | 4th, north of Ivy | |
| Six (6) | 5th, Douglas to one block north of Juniper | hydrant at Hemlock |
| Six (6) | 6th, Alder to one block north of Juniper | hydrants at Birch, Elm, Grove, and Ivy |
| Six (6) | 7th, Douglas north City limit | hydrants at Douglas, Grove, and Juniper |
| Six (6) | 8th, Ivy to Juniper | |

Groundwater Quality. Groundwater in the aquifer below the City comes from precipitation falling on the surface, sinking into the ground and moving down the water table. Activities at and below the land surface can and have impacted groundwater quality elsewhere in the state. In 1994 and 1995, the City conducted a study of areas surrounding its well heads and completed a preliminary inventory of potential sources of contaminants. The areas and potential sources are as follows.

| | |
|--|---|
| Southwest corner of Douglas and 3rd Street | AST |
| Northwest corner of Douglas and 3rd Street | LUST |
| 4th Street between Elm and Fir | fuels, solvents |
| Alder between railroad ROW and 5th Street | chemicals, AST |
| Gervais Elementary (Douglas) | chemicals, solvents |
| Gervais High School (Douglas) | UST, -chemicals |
| Sacred Heart Church/School | decommissioned UST, chemicals |
| Portland Road south of Douglas Avenue | chemicals, UST, decommissioned USTs, LUST |

Source: MWVCOG. AST = Above ground storage tank, LUST = Leaking underground storage tank, UST = Underground storage tank

In 1997, the City attempted to form a committee to develop a drinking water protection plan under a grant from the Environmental Protection Agency. However, the City was unable to

recruit enough members to continue the process. Benefits to a state-certified drinking water protection plan include long-term drinking water protection, reduced monitoring cost for the community, and a planning tool that the City may use for many other community projects.

Solid Waste

There are no solid waste disposal facilities in the planning area. Collection is handled by contract with United Disposal or by individuals hauling their own waste. Curb-side recycling is available to citizens in the community.

The company disposes waste at the Ogden-Martin burner in Brooks. If the need arises, United Disposal also uses Coffin Butte landfill near Corvallis.

Other Public Facilities

City Hall. The City acquired City Hall through a donation in the mid-1980s. The City office was previously located in the back of the fire station. The meeting room was across Elm Street on Fourth Street in a vacant downtown building – later converted to City Hall. The previous office was really a place for volunteer firefighter meetings and it was too small for general City meetings.

In the future, the City hopes to expand its building space and allow areas for use by state or county officials on occasion when the need of space for appointments or small meetings in Gervais. It may be possible to combine a recreational facility in the same building.

Library. There is no library service in Gervais at the present time and the nearest library is in Woodburn. Chemeketa Regional Library Service provided library service to the City starting in July 1977. This service enables residents of the tri-county area to use any existing library. The service allows checking books out by mail. It appears that this regional service will provide for the needs of the Community for many years.

Fire District. The Woodburn Fire District serves the City of Gervais with resources from four (4) stations and the availability of 61 personnel. The main station houses a fire engine, air and rescue unit, a ladder truck, and a pumper/tender. Station 1 functions with an engine and midi-pumper; Station 2 with a pumper/tender and a rescue pick-up; Station 3 with an engine, a rescue/water rescue unit, and a tender; and Station 4 with an engine and a tender. The location of the District's Stations 1 through 3 is the City of Woodburn. Station 4 is a substation located in Gervais on 4th Street near Douglas Avenue. Through Woodburn's intergovernmental agreements, the District may expand services during an extreme emergency utilizing Hubbard and Marion County Fire Districts.

TRANSPORTATION

See the Transportation Element, beginning on page 73.

POPULATION AND HOUSING

Population trends in the 2006 General Plan was updated with updated population projects completed in 2015. Updates concerning population trends and housing needs within the Gervais Urban Growth Boundary were included in the May 2006/2015 update of the General Plan and may be found in the Population and Housing Element portion of the General Plan.

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ENERGY CONSERVATION

Energy

The topic of energy is one that has gained importance in planning for future development. Energy is especially important to a community such as Gervais which is a commuter town. Although Gervais consumes a very infinitesimal amount of energy (i.e. electricity, natural gas, and petroleum) when compared to a larger region, there is an importance in knowing the dependence of the community for these energy forms. A reduction in the supply of energy or drastic increases in the cost would reduce Gervais' growth potential by diverting growth to areas closer to places of employment, the market, resources, and other needs.

Gervais obtains natural gas through the Northwest Natural Gas Company and electricity from Portland General Electric. The following numbers (**Tables 2, 3, and 4**) provide consumption of gas and electricity, and estimates of petroleum usage based on state per capita consumption figures.

Table 2
Natural Gas Consumption in Gervais, 1978

| | Number of Users | Consumption in Therms |
|-------------|-----------------|-----------------------|
| Residential | 127 | 104,000 |
| Commercial | 14 | 14,000 |

Table 3
Electricity Consumption in Gervais, 1978

| | Number of Users | Consumption in Kilowatt Hours |
|---------------|-----------------|-------------------------------|
| Residential | 224 | 6,341,712 |
| Commercial | 22 | 2,203,806 |
| Street Lights | | 1,481,983 |

Table 4
Estimated Petroleum Consumption in Gervais, 1976-1978

| Year | Consumption (Gallons per Capita) |
|------|----------------------------------|
| 1976 | 753 |
| 1977 | 766 |
| 1978 | 780 |

As previously discussed, the figures for petroleum consumption are estimates based on statewide average consumption. Gervais' actual consumption is probably somewhat higher, based on Gervais' status as a bedroom community.

The greatest potential for the consumer to conserve energy is through measures such as the use of energy efficient appliances, better management of home energy uses, home improvement programs and the recycling of domestic waste products. The consumer can also greatly reduce home heating and cooling bills through home insulation.

In recent years, both federal and state legislation has provided some incentives for energy conservation. The following items are some measures that could be taken by the homeowner to reduce energy consumption.

1. More than 70% of the average Oregon household's energy expense (including transportation) is for space heating. Water heating is another major energy user. Lowering of the thermostats of both uses or the use of semi-automatic thermostat setbacks can help cut back on energy demand.
2. Insulation installed in ceilings, exterior walls, heated basements or crawl spaces, around heating ducts and water heaters in unheated spaces.
3. Weather proofing windows and doors, including weather stripping, double glazing windows, and installing storm windows and doors.
4. Furnace improvements, replacement of old burner units with more efficient ones, the use of forced air units, chimney heat recovery devices, automatic furnace flue dampers and heat pumps.
5. Fireplace improvements such as outside air inlets, glass screens, fireplace grates and flue heat exchangers.
6. Ground cover, usually consisting of plastic sheets under the house in crawl spaces.

All the above actions qualify for and meet state guidelines for insulation programs eligible for refunds, tax credits, and loans for home insulation projects.

Oregon has also instituted a tax credit for taxpayers who insulate or improve the efficiency of energy use in their homes. The personal income tax credit will be for 25% of the actual cost of the installation and materials up to a limit of \$125. The installation of any materials under this program has to be inspected by a certified contractor or county inspector in order to qualify. The credit can be claimed in the homeowner's state income tax return, and only improvements made after October 4, 1977 are eligible for the credit. (For specific information, call the Department of Revenue, toll free, at 1-800-452-2838.)

The 1977 State Legislature passed three bills that promote energy conservation of existing residential units, as summarized below.

ORS 310.681 – would provide “grant funds to local public agencies to service organizations for installation of insulation materials in homes of elderly persons” 60 years or older, having an income of not more than \$5,000, with the home owned by the applicant. No expenditure is to exceed \$300 unless justifiable.

ORS 407 – requires as condition of a loan made by the Department of Veteran Affairs that all homes constructed after July 1, 1974 shall be weatherized and paid off as part of the principal.

ORS 757 – requires gas and electric utilities to provide residential customers the cost of energy saving measures. The customer would be allowed to pay for weatherization services through utility bills.

The federal government also has various programs operating under different agencies, which subsidize energy conservation measures. Some are discussed below.

Community Service Agencies – Poor and elderly homeowners may qualify for home attic insulation, caulking, weather stripping and installation of storm windows costing up to \$800 per house. Call the community action agency or the Oregon Rural Opportunities office nearest you to find out if eligible.

Farmers Home Administration – Weatherization loans and grants are available through 19 FmHA offices throughout the state. Call 399-5751.

A person interested in applying for any of these programs, either at the state or federal level, should contact the affected agency for detailed information.

The Comprehensive Plan, by encouraging pedestrian travel, bikepaths, and carpooling, seeks to change energy wasting habits by lessening the use of the automobile. In realizing the needs of the community for shopping and recreation through the development of the community’s business center and parks, individual trips to other resource areas would be decreased.

Land use planning provides an effective means to ensure that development occurs in the most energy efficient manner possible. In order to promote energy conservation, the City has adopted the following policies:

1. Development and redevelopment of the central area of the City is encouraged to provide for the efficient and economic extension of services and to encourage the development of housing within walking distance of stores and city facilities.
2. The City will continue to require new construction to meet new State standards for weatherization and energy conservation.

3. The City will encourage the use of alternative energy sources such as wind and solar systems.
4. Energy conservation shall be encouraged through efficient transportation planning and the implementation of the policies in the transportation section of the plan.

If the City is to concern itself with holding down future energy costs, then the option is to try to minimize future increases in energy consumption. This can be done by reducing the need for energy use, using energy sources more efficiently, and increasing the use of renewable sources of energy. Therefore, the City should foster energy conservation methods, as well as the education of the public as to conservation potentials.

There are presently no sources of energy in the City of Gervais.

Map 3 frontispice

4

map 3

map 4

PART II - THE GENERAL PLAN

INTRODUCTION

Planning is essentially an organized attempt at community foresight. It seeks to guide future development of an area within a framework of goals and objectives which are consistent with the physical characteristics, attitudes, and resources of the community. The basic aim of the Plan is to organize and coordinate the interrelationship between people, land, resources, and facilities.

The need for planning is more obvious in some communities than in others. In larger areas of rapid growth, the need is clearly defined. In communities near the expanding areas the need is there but is often not as apparent to the general public. Although growth occurs, it is not of sufficient magnitude to significantly alter the character of the community. Planning for communities, such as Gervais, helps avoid many costly problems as the process of growth occurs. The General Plan for Gervais is very important to the future development and livability of the community.

In any area, each individual and organization participates in some way in the planning process. The community planning process is the continuing effort to coordinate short-range and long-range goals and objectives for future public and private development patterns in the community. It is an important tool to help the community identify problems and take necessary steps to solve them before the cost of desirable solutions is beyond the community economic capabilities to achieve.

The General Plan is not intended as a rigid system of goals and development policies, but should function as a general working frame of reference for governmental officials and administrators in setting forth policies and specifying methods and standards for implementation of these policies. Public facilities such as schools, parks, utilities, highways, and fire stations can be planned and a program for land acquisition and development prepared in advance of need so that the services will be available when and where they are needed. These same community policies can serve as a guide for citizen decisions. They are able to determine how their individual interests can be served in a manner which is consistent with the Plan. They are assured by the Plan that once they commit their investment to the land, there will be a reasonable continuity of land policies which will protect their interests.

The planning process is in itself a means of constantly evaluating the General Plan. It is essential that the Plan be adaptable, but this must not be interpreted to permit piecemeal amendments that disregard the basic relationships established by the original effort. Proposed changes must be carefully considered in terms of overall effects on the entire community. Accommodation of a proposed development which appears very desirable on the surface may, after investigation with reference to the Plan, prove costly to both the future public interests and to committed private investments and values.

The General Plan is a guide; a statement of official long-range policy. A zoning ordinance and map, by contrast, are legislative devices to regulate the use and development of privately-owned

land. No existing zoning provisions are changed by the Plan unless and until appropriate amendments are legally enacted by the City Council. Zoning is one of the important legislative tools available to aid in implementing the Plan. The greatest single problem between the Plan and zoning activity is timing. Some areas suggested in the Plan for different kinds of uses can only be justified at some time in the future when sufficient growth has occurred to warrant the development. All zoning amendments should be considered in relation to the General Plan, and this serves as one of the continuing means of evaluating the Plan. If zoning amendments are contemplated which are contrary to the Plan, the community must amend the policies and concepts in the Plan before the amendments are made. This process assures that each proposed zoning amendment is considered in light of the best interests of the entire community.

The Plan for Gervais recommends appropriate uses for various areas and attempts to provide a range of choice for different uses within the planning area. If there is to be a choice, various areas must be protected from intrusion of other uses which would limit or destroy the privacy of homes or the proper and economic functioning of business areas or alter special values. If there is to be a choice which justifies a long-range term investment in homes or business, areas must be set aside for different types of uses. If all uses are intermixed indiscriminately, there is, in fact, no safe choice for any individual kind of use.

The basic objective of the General Plan is to direct community efforts toward improving the quality of life in the City. The Plan provides basic guidelines with which the community can chart a course for change with some assurance that the results will be progress.

In order to understand future community needs for land and facilities, it is necessary to look ahead to a time when development requirements will exceed areas presently used for urban purposes. In this way, plans can be made for land use, circulation, and public facilities so that each can relate properly to the other and can be provided for efficiently and at the lowest cost at the right time. The General Plan map forecasts public and private land-use requirements and will serve as a guide for long-range development in Gervais. See Land Use Designation map (Map 5).

Map 5

POPULATION AND HOUSING ELEMENT

Population Trends

During the period from 1970 through 2000, the population of Gervais grew from 746 to 2,009 persons. Much of this growth occurred in the period from 1990 through 2000 when the city's population more than doubled. During this period, Gervais was the fastest growing city in Marion County. For the 40-year period from 1970 through 2010, the Gervais population grew at an average rate of 5.75 percent annually. Population growth in Gervais has slowed again for the period from 2000 to 2010 but is still greater than the county and state.

**Table 5 – Population and Housing Element
Gervais Population
1970 - 2000/2010**

| Year | Population | AAGR ¹ |
|---------------------------------|------------|-------------------|
| 1970 | 746 | --- |
| 1980 | 799 | 0.80% |
| 1990 | 992 | 2.12% |
| 2000 | 2,009 | 7.31% |
| 2010 | 2,464 | 2.06% |
| AAGR 1970- 2000/2010 | | 5.75/3.35% |

¹Average Annual Growth Rate
Source: US Census and MWVCOG, 2005

Marion County's population also increased significantly during the period from 1970 through 2000 as shown in Table 6. The County's population increased at an average rate of 2.15 percent annually, with most of the growth occurring in the periods from 1970 through 1980 and 1990 through 2000.

**Table 6 - Population and Housing Element
Marion County Population
1970 – 2000/2010**

| Year | Population | AAGR ¹ |
|---------------------------------|------------|-------------------|
| 1970 | 151,309 | --- |
| 1980 | 204,692 | 2.77% |
| 1990 | 228,483 | 1.10% |
| 2000 | 284,838 | 2.22% |
| 2010 | 315,900 | 1.04% |
| AAGR 1970- 2000/2010 | | 2.70/1.3% |

¹Average Annual Growth Rate
Source: US Census and MWVCOG, 2005

Population forecasts for Oregon counties have been developed by the Oregon Office of Economic Analysis. Table 7 shows the forecast population for Marion County for the period from 2000 through ~~2025~~2035. By ~~2025~~2035, the County's forecast population is ~~388,898~~430,652 persons. The average annual growth rate ~~projected~~ for this period ~~is~~ will be ~~1.25~~1.46 percent annually.

**Table 7 - Population and Housing Element
Marion County Population Projection
2000 – ~~2025~~2035**

| Year | Population | AAGR |
|---|------------|--------------------|
| 2000 | 284,834 | --- |
| 2005 | 302,913 | 1.13% ² |
| 2010 | 323,128 | 1.29% |
| 2015 | 344,443 | 1.28% |
| 2020 | 367,018 | 1.27% |
| 2025 | 388,588 | 1.16% |
| 2030 | 406,612 | 1.01% |
| 2035 | 430,652 | 1.18% |
| AAGR 2000- 20252035 | | 1.461.25% |

¹Average Annual Growth Rate

² AAGR for 2000-2005

Source: US Census and Oregon Office of Economic Analysis Marion County Coordinated Population Projection

Table 8 shows the projected population for Gervais for the period through ~~2025~~2034. During this period, the city's population is projected to increase ~~from 2,828 in 2015 to 3,725~~4,781 persons in 2034. The population projection is derived using an average annual growth rate of ~~2.50~~2.80 percent for the period from ~~2000-2010~~ through ~~2025~~2034. This growth rate is higher than the ~~1.25-1.46~~ percent average annual growth rate forecast for Marion County by the Oregon Office of Economic Analysis. This higher rate is consistent with the ~~30~~40-year trend for the period from 1970 through ~~2000~~2010, where the average annual rate of population growth for Gervais was ~~3.35-5.75~~ percent, compared to Marion County's average annual growth rate of ~~2.15~~2.70 percent during that same period.

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**Table 8 - Population and Housing Element
Gervais Population Projection
2000 – ~~2025~~2034**

| Year | Population |
|-----------------------------|------------|
| 2000 | 2,009 |
| 2005 | 2,217 |
| 2010 | 2,571 |
| 2015 | 2,909 |
| 2020 | 3,291 |
| 2025 | 3,725 |
| AAGR ¹ 2004-2025 | 2.80% |

¹Average Annual Growth Rate
Source: US Census and MWVCOG

Housing Existing Conditions

The 2000-2009-2013 American Community Survey Census and Gervais building records found that Gervais had a total of 477-665 dwelling units in 2014. Of these, 371-654 were owner-occupied single-family and manufactured home units and 84-111 were rental multi-family units. Marion County Assessor data shows that about 96-98 percent of all dwelling units within Gervais are single-family dwellings. The remaining four-two (24) percent are multi-family residences.

Table 9 shows that 59 new dwelling units have been constructed in Gervais from the period since the 2000 Census through May 2005. This new construction brings the total number of dwelling units within the city to 536. Of the new units added between 2001 and May 2005, 55 were single family dwellings and four (4) were multi family dwellings.

**Table 9 – Population and Housing Element
Housing Development, Gervais
2001-2005**

| Year | Housing Starts |
|--------------------|----------------|
| 2001 | 3 |
| 2002 | 13 |
| 2003 | 13 |
| 2004 | 24 |
| 2005 (through May) | 6 |
| Total | 59 |

Source: City of Gervais building permit data, 2005

Housing Needs Analysis

This section presents estimates of housing need based on Census data and the 2025 projected population for Gervais. The 2014 population estimate for Gervais is developed by the Center for Population Research and Census at Portland State University. The Center produces annual estimates for each incorporated city in Oregon. The 2030 population projection was adopted by Marion County through a coordinated process required under state law ORS 195.033. The City of Gervais extended the

population projection to 2034 in order to cover the entire 20 year planning period, as permitted under OAR 660-024-0030(4)(a)(B). The analysis of housing need is based on the following assumptions:

(1) Vacancy Rates. At any given time, a number of homes within the community are vacant. The analysis assumes a 2.0 percent vacancy rate for owner-occupied units and a 7.0 percent vacancy rate for rental units for 2025.

(2) Persons per household. The analysis uses the 2000 Census household size of 4.39 persons and assumes that this household size will decrease slightly to 4.3 persons per household by 2025.

(3) Group Quarters. The percentage of persons living in 'group quarters' will remain constant in 2025. The U.S. Census Bureau classifies all persons not living in households as living in group quarters. Persons living in group quarters include persons who are institutionalized or living in non-institutional group homes, rooming houses, assisted-living facilities, etc.

(4) The ratio of owner-occupied units to rental units will decrease from the ratio of 82.1 percent to 17.9 percent in 2000 to 69.4 percent to 30.6 percent in 2025.

(5) The analysis cannot predict any major changes in the economy and any associated impacts to local household income. The analysis assumes that economic conditions in 2025 are similar to those in 2005.

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(1) This analysis is calculated using data from the 2009-2013 American Community Survey. American Community Survey data is used rather than 2010 US Census because it provides more recent statistics in terms of population, household size, and housing mix. For comparison, A summarized table of the Housing Needs Assessment using 2010 US Census data is included in the Appendix.

(2) Vacancy Rates. At any given time, a number of homes within the community are vacant. A 6.9 percent vacancy rate is assumed for 2014 and 2034. This rate is based on information collected from 2000 and 2010 Census and 2009-2013 ACS data. Gervais' housing vacancy rate was 5.2 percent in 2000 and 7.8 percent in 2010. However the high vacancy rate in 2010 may be attributed to the economic recession and for planning purposes we use the lower 2009-2013 ACS vacancy rate of 6.9 percent.

(3) Persons per household. Using ACS data to make the calculation, it is assumed the number of persons per household is 4.05 persons, and that the household size will remain the same through the planning period ending in 2034 as allowed by OAR 660-24-0040(8)(a). Data from the 2000 Census showed 4.39 persons per household, and 2010 Census data showed 4.25 persons per household. The figure used, 4.05 persons per household, reflects consistent decrease in household size that has been shown in recent years.

(4) Group Quarters. The U.S. Census Bureau classifies all persons not living in households as living in group quarters. Persons living in group quarters include persons who are institutionalized or living in non-institutional group homes, rooming houses, assisted-living facilities, etc. This definition also includes students living in college dormitories. Gervais currently does not have any number of its population living in group quarters. The percentage of persons living in 'group quarters' is assumed to remain constant in both 2014 and 2034.

(5) Under OAR 660-024-0040(8)(i) Incremental Housing Mix, the ratio of newly constructed units over the 20 year planning period will increase by 85% low density units, 10% medium density, and 5% high density. However, if a city does not have a high density zone, medium density units can be increased by 15 percentage points in order to determine the new housing mix at the end of the 20 year planning period.

(6) The analysis cannot predict any major changes in the economy and any associated impacts to local household income. It is assumed that economic conditions in 2034 will be similar to those in 2014.

Current Housing Needs

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Table 10 shows various elements of the local housing market in the base year (2009-2013 American Community Survey data) 2000. The total number of dwelling units identified from the 2000-2009-2013 American Community Survey Census was 477665. Household size was in 2000 was 4.394.05 persons per dwelling unit. Vacancy rates from the 2000-2009-2013 American Community Survey Census were 2.06.9 percent, for owner-occupied dwelling units and 7.0 percent for rental units.

**Table 10 - Population and Housing Element
Housing Status
Gervais, 2000**

| Population (estimated) | Persons in Group Quarters ¹ | Persons per Household | Total Dwelling Units ² | Occupied Dwelling Units ³ | Vacant Units ⁴ | Owner-Occupied Units Single-Family Units | Rental Units Multi-Family Units | Owner-Occupied Units Single-Family Units (percent) | Rental Units Multi-Family Units (percent) |
|------------------------|--|-----------------------|-----------------------------------|--------------------------------------|---------------------------|--|---------------------------------|--|---|
| 2,009,505 | 260 | 4.394.05 | 477665 | 452619 | 2546 | 374654 | 811 | 82.198.3 | 17.91.7 |

Source: 2000 U.S. Census-2009-2013 American Community Survey

¹ Persons living in group quarters include persons who are institutionalized or living in non-institutional group homes, rooming houses, assisted-living facilities, etc. This definition also includes students living in college dormitories.

² Total dwelling units" does not include group quarters dwelling units.

³ "Occupied dwelling units" does not include group quarters dwelling units.

⁴ Based on a vacancy rate of 5.26.9 percent.

Projected Housing Needs

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The 2025-2034 population projection for Gervais is 3,725,781 persons. This projection has been adopted by Marion County for the City of Gervais through a coordinated process required under state law (ORS 195.036). As shown in Table 11, a total of 882,126 dwelling units will be needed to accommodate this population. This represents 356,596 additional housing units that will be needed for the period through 2025-2034. (346 additional units will be needed, however an estimated 10 units will also be removed from the available housing stock and will need to be replaced).

**Table 11 - Population and Housing Element
Projected Housing Status
Gervais, 2025~~2034~~**

| Population (projected) ¹ | Persons in Group Quarters ² | Persons per Household | Total Dwelling Units ³ | Occupied Dwelling Units ⁴ | Vacant Units ⁵ | Owner-Occupied Single-Family Units | Rental-Multi-Family Units | Owner-Occupied Single-Family Units (percent) | Rental-Multi-Family Units (percent) |
|-------------------------------------|--|-----------------------|-----------------------------------|--------------------------------------|---------------------------|------------------------------------|---------------------------|--|-------------------------------------|
| 3,725,781 | 460 | 4.34 | 882,261 | 855,180 | 27,811 | 1,150,570 | 111,254 | 69.49 | 30.68 |

Source: Oregon Housing and Community Services, 2005 MWVCOG, Memorandum to Gervais Technical Advisory Committee, January 2015

¹ The 2025~~2034~~ population projection has been coordinated with the projections for Marion County as required by Oregon Revised Statutes 195.036.

² Persons living in group quarters includes persons who are institutionalized or living in non-institutional group homes, rooming houses, assisted-living facilities, etc.

³ Total dwelling units do not include group quarters dwelling units.

⁴ Occupied dwelling units do not include group quarters dwelling units.

⁵ Based on an assumed vacancy rate of 2.66% percent for owner-occupied units and 7.0 percent for rental units.

Table 12 shows the total number of additional dwelling units that will be needed by the 2025~~2034~~ population. With the estimated removal of 10 units from the housing supply, an estimated 356,596 additional dwelling units will be needed during this 20-year period.

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**Table 12 - Population and Housing Element
Additional Dwelling Units Needed in Gervais by 2025~~2034~~**

| Total Dwelling Units 2025 2034 | Total Dwelling Units 2005 in base year* | Additional Dwelling Units Needed | Additional Group Quarters Needed |
|---|---|----------------------------------|----------------------------------|
| 882,261 | 536,665 | 356,596 | 200 |

Source: U.S. Census, 2000, City of Gervais, 2014~~2005~~, Oregon Housing and Community Services, 2005 American Community Survey 2009-2013, MWVCOG, Memorandum to Gervais Technical Advisory Committee, January 2015

* - 2009-2013 American Community Survey

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Housing Goals and Policies

GOAL: The City of Gervais shall encourage the development of a range of housing types and cost levels to adequately meet the needs of its citizens.

POLICIES:

1. The City of Gervais will provide adequate amounts of residential land within the urban growth boundary to permit development of housing for families of all income levels.
2. The City of Gervais will support programs that promote the integration of low income housing with housing targeted toward other income groups.
3. The City of Gervais shall encourage developers to make all new residential developments as energy-efficient as possible, including consideration of renewable fuel sources.

GOAL: The City of Gervais shall encourage upgrading of the existing housing stock.

POLICIES:

1. The City of Gervais will solicit the aid of federal, state, and local agencies in obtaining funding for the rehabilitation of dilapidated housing in the city.
2. The City of Gervais shall solicit support for and otherwise encourage the weatherization of the existing housing stock to minimize health and economic impacts due to rising fuel cost.

GOAL: The City of Gervais shall ensure that all new housing developments be provided with services (streets, sewer, water, ambulance, police and fire) and that future developments will not overburden the City's ability to provide such services. Further, to ensure that the cost of extending such services shall be borne by the developer.

POLICIES:

1. Residential development should be located in areas that can be served by public facilities and services. The extension of public facilities and services shall be paid by the developer.
2. Residential development shall be consistent with the city's transportation plan in effect, or as amended, at the time development is proposed

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ECONOMICS ELEMENT

State Statewide Planning Goal 9 (Economic Development) requires cities to provide an adequate supply of suitable sites for a variety of industrial and other employment uses. This section of the Gervais Comprehensive Plan serves as an Economic Opportunity Analysis (EOA) to fulfill the Goal 9 requirements and ensure an adequate supply of land is available for new and expanding businesses in Gervais over the 20 year planning horizon. Among other uses, an EOA also helps a community better understand its economy and plan for economic development initiatives. This element of the Comprehensive Plan includes a description of the economic trends combined with an assessment of the community’s economic strength and weaknesses to determine the economic development potential of the area.

This chapter also includes a description of the amount of land and types of sites needed to fulfill Gervais’ economic needs over the next 20 years. This assessment of future land needs is compared with the supply of vacant and underutilized commercial and industrial lands available to determine whether or not there are any deficiencies in the land supply. The chapter concludes with a discussion of the planning implications and policy recommendations.

Overview of the Gervais Economy

Gervais has a very limited economy, with a small downtown area and several small industrial businesses. Gervais serves primarily as a bedroom community to larger cities such as Woodburn and Salem. -The community has several areas available for industrial and commercial development. -These include approximately 3.25 acres of commercial land located at the intersection of Highway 99E and Douglas Avenue and approximately 20 acres of industrial land located along Checkerboard Road.

Table 13 shows employment data for the Gervais area based on employer records with a 97026 zip code. Much of the employment for Gervais residents is in the agricultural production industry and non-manufacturing sector.

**Economics—Table 13
Gervais Employment
2003**

| Industry | Number | Percent |
|---|---------------|----------------|
| Agriculture and Forestry, Total | 288 | 37.4% |
| Agricultural Production Crops | 250 | |
| Support Activities for Agriculture & Forestry | 38 | |
| | | |
| Manufacturing, Total | 145 | 18.8% |
| Food Manufacturing | 63 | |

| | | |
|---------------------------------------|------------|---------------|
| Nonmetallic mineral products | 49 | |
| Plastic & Rubber Products | 27 | |
| Furniture & Related Products | 4 | |
| Fabricated metals | 2 | |
| | | |
| Non-manufacturing total | 173 | 22.5% |
| Specialty trade contractors | 94 | |
| Services | 39 | |
| Trans., Comm., & Public Utilities | 23 | |
| Construction | 9 | |
| Wholesale Trade | 4 | |
| Retail Trade | 4 | |
| | | |
| Government (includes school district) | 164 | 21.3% |
| Total | 770 | 100.0% |

Source: State of Oregon Employment Department data, sorted and summarized by MWVCOG, 2005.

Employment data within the Gervais UGB is limited due to Oregon Employment Department confidentiality policies. In 2013, the Oregon Employment Department reported that there were 281 employees within the Gervais UGB, 135 in the public sector and 146 in the private sector. Therefore, **table 13** shows employment data for the Gervais based on employer records within a larger area of the 97026 zip code. Much of the employment for Gervais residents is in the agricultural production industry and mining sector.

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Economics -Table 13
Gervais Employment
2013

| Industry | Number | Percent |
|---|---------------|----------------|
| Agriculture, Forestry, Fishing, Hunting and Mining (11 & 21) | 360 | 46.3% |
| Construction (23) | 109 | 14% |
| Manufacturing (31-33) | 72 | 9.3% |
| Trade, Transportation and Warehousing (42,44&45,48 & 49) | 18 | 2.3% |
| Other Services (except Public Administration) (81) | 2 | 0.2% |
| Confidential Industries Combined (51, 52, 53, 54, 55, 56, 61, 62, 71, and 72) | 62 | 8% |
| All Public Sector | 154 | 19.8% |

| | | |
|--------------|------------|-------------|
| Total | 777 | 100% |
|--------------|------------|-------------|

Source: State of Oregon Employment Department data, sorted and summarized by MWVCOG, Memorandum to Gervais Technical Advisory Committee, January 2015

Table 14 shows covered employment data for the North Marion County region ~~counties of Marion, Yamhill, and Polk~~. Combined employment in these ~~counties~~ communities of Woodburn, Gervais, Hubbard, Aurora, Donald, St. Paul, Scotts Mills, Mt. Angel, and Silverton reached ~~19,451~~ 184,309 in ~~2003~~ 2013. The Employment Division reports that manufacturing employment in the area is varied, with wood products and food and beverage manufacturing accounting for almost two-thirds of manufacturing employment. ~~Food and beverage employment in the region comprises the same employment percentage as in the county, despite several cannery closures in recent years.~~

Economics - Table 14
North Marion County Covered Employment by Industry
2003

| Industry | Percent |
|--------------------------------|---------------|
| Trade/Transportation/Utilities | 21% |
| Natural Resources/Mining | 19% |
| Government | 13% |
| Manufacturing | 12% |
| Education/Health Services | 9% |
| Construction | 7% |
| Leisure/Hospitality | 7% |
| Professional/Business Services | 4% |
| Other Services | 4% |
| Financial Activities | 3% |
| Information | 1% |
| Total | 100.0% |

Source: State of Oregon Employment Department, Employment Snapshot of North Marion County, 2005.

Economics - Table 14
Marion, Yamhill, and Polk Counties Covered Employment by Industry
2013

| Industry | Employment | Percent |
|--------------------------------|------------|---------|
| Trade/Transportation/Utilities | 28,423 | 15.4% |
| Natural Resources/Mining | 14,748 | 8% |
| Government | 42,770 | 23.2% |
| Manufacturing | 18,155 | 9.9% |
| Education/Health Services | 27,495 | 14.9% |
| Construction | 7,886 | 4.3% |
| Leisure/Hospitality | 16,080 | 8.7% |
| Professional/Business Services | 13,551 | 7.4% |
| Other Services | 6,976 | 3.8% |

| | | |
|----------------------|----------------|---------------|
| Financial Activities | 7,032 | 3.8% |
| Information | 1,193 | 6.5% |
| Total | 184,309 | 100.0% |

Source: State of Oregon Employment Department, Employment Snapshot of Marion, Yamhill, and Polk Counties, 2014.

Long-Term National Economic Trends

A similar economic opportunities analysis for the city of Woodburn^b identified five important long-term national trends that will influence economic development in this region over the next 20 years. These trends include:

National trends represent broad changes in the economy that will influence economic development in the region over the next 20 years. These trends include:

- Continued westward migration of the U.S. population and the increasing role of amenities and other non-wage factors as determinants of the location decisions of households and firms.
- ___ Growth in Pacific Rim trade.
- ___ The growing importance of education as a determinant of wages and household income.
- The decline of employment in resource-intensive industries and the increase in employment in service-oriented and high-tech manufacturing sectors of the economy.
- _ The increasing integration of non-metropolitan and metropolitan areas.
- ___ The aging population of the workforce as the “Baby Boomer” generation is reaching retirement age.
- ___ National discussion about raising the Federal minimum wage.

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State Economic Trends

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Economic development in Gervais will also be affected by economic trends in Oregon and the Willamette Valley. The following sections describe recent trends in population, income, and

^bECONorthwest, *Woodburn Economic Opportunities Analysis, June 2001*

employment growth in Oregon, the Willamette Valley, and Marion County, and the economic outlook for Oregon.

Population Growth

The state of the national economy influences local population growth. As shown in **Table 15**, growth was slowed due to the recession in the early 1980s. However, growth rates for Gervais and Marion County exceeded the growth rate for Oregon during the expansionary economic periods in the 1990s. During this period between 1980 and 2010, the population of Gervais has more than tripled. Forecast growth has slowed again for the period from 2000 through 2010, but was still greater than the county and state.

Economics - Table 15
Population
Oregon, Marion County, and Gervais 1980-2004

| Location | 1980 | 1990 | 2000 | 2004 | Average Annual Growth Rate | | |
|---------------|-----------|-----------|-----------|-----------|----------------------------|---------|---------|
| | | | | | 1980-90 | 1990-00 | 2000-04 |
| Oregon | 2,633,156 | 2,842,321 | 3,421,399 | 3,582,600 | 2.3% | 1.7% | 1.2% |
| Marion County | 204,692 | 228,483 | 284,834 | 298,450 | 1.1% | 2.2% | 1.2% |
| Gervais | 799 | 992 | 2009 | 2130 | 2.2% | 7.3% | 1.5% |

Source: U.S. Census and the Center for Population Research and Census, Portland State University.

Economics - Table 15
Population
Oregon, Marion County, and Gervais 1980-2010

| Location | 1980 | 1990 | 2000 | 2010 | Average Annual Growth Rate | | |
|---------------|-----------|-----------|-----------|-----------|----------------------------|---------|---------|
| | | | | | 1980-90 | 1990-00 | 2000-10 |
| Oregon | 2,633,156 | 2,842,321 | 3,421,399 | 3,582,600 | 2.3% | 1.7% | 1.2% |
| Marion County | 204,692 | 228,483 | 284,834 | 315,900 | 1.1% | 2.2% | 1.04% |
| Gervais | 799 | 992 | 2009 | 2464 | 2.2% | 7.3% | 2.06% |

Source: U.S. Census

Personal Income

Table 16 shows median household income and the percentage of households below the poverty level in Gervais, Marion County, and Oregon for 2000. Median household income for Marion County was slightly less than for Oregon. In Gervais, median income actually exceeded that of Marion County and Oregon, however the percentage of families living below the poverty level was greater than in the county and state.

Economics-Table 16
Median Household Income and Percent of Households Living Below Poverty Level
Gervais, Marion County, and Oregon, 2000 (in 2000 dollars)

| <u>Location</u> | <u>Median Household Income</u> | <u>Families Below Poverty Level</u> |
|-----------------|--------------------------------|-------------------------------------|
| Gervais | \$43,882 | 13.3% |
| Marion County | \$40,314 | 8.8% |
| Oregon | \$40,916 | 7.0% |

Source: US Census Data.

Table 16 shows the most recent median household income and the percentage of households below the poverty level in Gervais, Marion County, and Oregon from the 2009-2013 ACS. Median household income for Marion County was slightly less than for Oregon. In Gervais, median income actually exceeded that of Marion County; however the percentage of families living below the poverty level was greater than in the county and state.

Economics -Table 16
Median Household Income and Percent of Households Living Below Poverty Level
Gervais, Marion County, and Oregon, 2009-2013

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| <u>Location</u> | <u>Median Household Income</u> | <u>Families Below Poverty Level</u> |
|-----------------|--------------------------------|-------------------------------------|
| Gervais | \$48,924 | 19% |
| Marion County | \$46,885 | 14.3% |
| Oregon | \$50,229 | 11.2% |

Source: US Census Data and 2009-2013 American Community Survey – 5 year estimates.

Regional Economic TrendsEmployment

The Oregon Employment Department’s *2000 Regional Economic Profile for Region 3*^c (Marion, Polk, and Yamhill counties) *Employment Projections by Industry and Occupation 2012-2022 (Marion, Polk, and Yamhill Counties), March 2014*, states that both the local and statewide economies are shifting from a reliance on resource extractive industries and manufacturing towards information, and services and high-tech manufacturing. As a result, jobs are being lost in some sectors as they are being added in others. Marion, Polk, and Yamhill counties have traditionally been dependent upon state government, agricultural, and wood products as the predominant sources of local employment.

Table 17 shows projected employment within Marion, Polk, and Yamhill counties for the period from ~~2002-2012~~ through ~~2012~~2022. Industry employment in the region is expected to grow from ~~164,700~~183,200 in ~~2002-2012~~ to ~~186,900~~208,700 in ~~2012~~2022. This represents a growth rate of ~~14~~13.5 percent. In comparison, Oregon’s statewide industry employment is projected to increase by ~~15~~13.7 percent over that time.^d

^cState of Oregon, Employment Department, *Regional Profile Industry Employment in Region 3, 2002*.

^d Oregon Employment Department, *Regional Profile Industry Employment in Region 3, 2002*.

Economics—Table 17
Employment Projections by Selected Industry
Marion, Polk, and Yamhill Counties, 2002 and 2012

| Industry | 2002 | 2012 | Percent Change 1979-1998 |
|-----------------------------------|---------|---------|-----------------------------|
| Total Non-Farm Payroll Employment | 164,700 | 186,900 | 13.5% |
| Manufacturing, Total | 21,600 | 22,100 | 2.3% |
| —Durable Goods | 12,300 | 12,700 | 3.3% |
| —Non-durable Goods | 9,300 | 9,400 | 1.1% |
| Non-Manufacturing, Total | 143,100 | 164,800 | 15.2% |
| Construction | 7,800 | 8,800 | 12.8% |
| Finance, Insurance, Real Estate | 8,000 | 9,300 | 16.3% |
| Wholesale and Retail Trade | 35,200 | 40,800 | 15.9% |
| Services | 42,600 | 52,800 | 23.9% |
| Government | 43,300 | 46,300 | 6.9% |

Source: State of Oregon, Employment Department. *Regional Profile Industry Employment in Region 3, 2002.*

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Economics -Table 17
Employment Projections by Selected Industry
Marion, Polk, and Yamhill Counties, 2012 and 2022

| Industry | (Actual) 2012 | (Projected) 2022 | Percent Change |
|--------------------------------------|------------------|---------------------|-------------------|
| Total Non-Farm Payroll Employment | 183,200 | 208,700 | 14% |
| Manufacturing, Total | 17,500 | 19,800 | 13% |
| —Durable Goods | 8,600 | 9,800 | 14% |
| —Non-durable Goods | 8,900 | 10,000 | 12% |
| Non-Manufacturing, Total | 165,700 | 188,900 | 12% |
| Construction | 7,300 | 9,500 | 30% |
| Finance, Insurance, Real Estate | 8,100 | 9,200 | 14% |
| Wholesale and Retail Trade | 23,500 | 25,900 | 9% |
| Government | 43,800 | 47,300 | 8% |

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Source: State of Oregon, Employment Department. *Employment Projections by Industry and Occupation 2012-2022, March 2014.*

The Oregon Employment Department indicates that ~~trade and service~~the construction industries will experience the most significant job growth within the region through 20122022. The region's agricultural and food processors will continue to struggle as they face national and international competition. Government employment is forecast to grow more slowly than the average of all industries over the period through 20122022.^c

^c Oregon Employment Department, *Regional Profile Industry Employment in Region 3, 2002.*

Local Economic Trends

The next section examines supply-side factors that may affect business location and development in Gervais.

Factors Affecting Forecasted Growth

The existing pattern of development in Marion County reflects the influence of locational factors and comparative advantages in the region and this pattern is unlikely to change substantially in the future. Gervais developed, in part, based its proximity to agricultural land within the Willamette Valley. Over time, the community has developed as essentially a bedroom community to larger communities such as Woodburn and Salem.

The following sections discuss supply-side factors that may affect business location and economic development in Gervais.

How Firms Make Business Location Decisions

The main goal for business firms is to locate where they can maximize revenue and profits. By merely listing all relevant location considerations, a decision maker can add all the costs and benefits accruing to a facility at each potential location. The location with the lowest net costs (after subtracting benefits) is in most situations the best location. Alternative locations should be compared for the cost of material and energy inputs, including the charges for transporting them, the cost of employees (wages, salaries, benefits, payroll taxes, unemployment insurance, training costs), construction or purchase and remodeling costs, taxes on corporate property, income, and inventory, and public incentives for new investment. Personal income taxes and housing costs are relevant to the extent that they represent a cost differential for current employees whom the company wants to relocate to a new location. These considerations are measurable, and can be added (or subtracted) for each potential location. Other considerations are less quantifiable, such as the availability of workers with particular skills, the appropriateness of an existing building, the quality of life, or the likelihood of competitive reaction to the company's investment.

Quality of Life

Quality of life is a subjective standard that is hard to quantify. It includes economic factors, such as income, employment, and housing costs, as well as non-economic factors, such as natural and physical amenities, quality of local education, and cultural and recreational opportunities. Economic factors are discussed elsewhere in this report.

Quality of life plays a role in economic development because it affects the relative attractiveness of the city to migrants. ~~Net migration is expected to comprise about 70 percent~~ contribute over two-thirds of the population growth of Oregon in the next decade of Oregon's population growth over the next 20 years.^f A more attractive quality of life may help Gervais attract a greater share

^f Oregon Office of Economic Analysis. *Long-Term Population and Employment Forecast for Oregon*, 1997.

of in-migrants. These migrants not only bring job skills to various employment sectors, such as construction, services, and retail trade, but some may also start new businesses in the community. Gervais has begun work on a downtown improvement project. An active downtown is a feature that contributes to quality of life.

Transportation

Available transportation access is one of the most important factors affecting economic development. Transportation affects the cost of doing business at a location. Firms depend on ready transportation access to ship and receive goods. Ready access allows for reduced production costs and more convenient automobile access for customers and employees.

State Highway 99E is located at the eastern edge of Gervais and connects Salem and Portland markets with a number of communities in north Marion County. Access to Highway 99E is also available from Checkerboard Road, which is a County-maintained collector road, which provides direct access to several large industrial properties in the city. Interstate 5 serves as the primary transportation artery in the Willamette Valley and is located ~~approximately less than~~ two (2) miles west of Gervais. However, the nearest access is located at the Brooks or Woodburn on-ramps located more than five (5) miles from the city. Lack of direct access to I-5 will limit the ability of Gervais to attract firms that require ~~such~~ direct access to that facility.

Railroads can be an important form of transportation for businesses that need to transport bulky inputs and finished products. Gervais is served by the Southern Pacific Railroad that runs north/south, passing directly adjacent to much of the community's industrial land.

Labor Force

The cost, availability, and skill-level of the local labor force can affect the comparative advantage of a community. The Oregon Employment Department notes that in recent years employers in the mid-Willamette Valley have expressed concerns regarding recruiting and retaining skilled workers.⁸

The unemployment rate for Marion County has been slightly higher than Oregon's unemployment rate since ~~1999~~ 2009. During that period, unemployment in Marion County peaked at ~~7.8~~ 11.3 percent in ~~2003~~ 2009.⁹ This rate steadily declined ~~slightly~~ to 7.26 percent in ~~2004~~ 2014.

During the peak growth period in the mid-1990s, annual net migration was more than triple the gains due to natural increase. As the state's economy slowed down in the late ~~1990s~~ 2000s, migration flows slowed, and natural increase contributed a greater portion of annual population growth.¹ During the period from ~~1990~~ 2005, to ~~2000~~ 2010, Marion County ranked ~~fourth~~ 10th

⁸ Oregon Employment Department, *2000 Regional Economic Profile - Region 3, 1999*.

⁹ Oregon Employment Department data, not seasonally adjusted, 2005.

¹ Portland State University, Center for Census and Population, *Oregon Outlook*, December 2003.

among Oregon's counties with a net migration of ~~56,354~~14,768 new residents, however the county ranked 14th overall with a rate of migration of 14.6 percent.

The Oregon Employment Department notes that in-migration will be a critical factor in the determining long-term growth in Region 3.^j Not only do new residents create demand for goods and services, but they also supply additional workers. For the period from ~~2005-2010~~ through ~~2025~~2035, Marion County's population is projected to grow by ~~grow by~~ about ~~24.8~~36 percent. Net-migration is projected to account for approximately ~~40.5~~3 percent of that population growth. During this same period, Oregon's population is projected to grow by about 35 percent, with net migration projected to account for approximately 64 percent of this figure.^k Within the region, during this period Yamhill County's population is projected to grow by about 52 percent with approximately 62 percent of that projected growth due to net migration. Polk County is projected to grow by about 71 percent with approximately 78 percent of that growth attributable to net migration.

Training Opportunities

The Woodburn Campus of Chemeketa Community College (CCC) offers workforce training and career development services. In concert with the Oregon Employment Department, CCC has developed the Woodburn Job and Career Center to assist job seekers find available jobs and receive training to enhance their job skills. The Job and Career Center can also provide specialized training workshops for employers.

The Woodburn Campus also offers services to support small business owners through training programs, mentorships, and information on other available resources such as Small Business Administration Loans.

Land Cost

The OregonProspector.com is the state's official public-private website for site consultants and businesses interested in relocating or expanding a business in Oregon. This site provides an on-line database of available commercial and industrial properties in Oregon. The most recent database listing shows ~~six~~three (~~63~~) vacant properties in Marion County with advertised sales prices, several of which are in Salem. These properties range in size from ~~0.46-2.25~~ acres to ~~29,844.07~~ acres. Sale prices for the properties range from ~~\$56,728/acre~~ to ~~\$317,173/acre~~ with an average sales price of ~~\$158,101/acre~~. A sales price is listed for only one of the properties at ~~\$206,909/acre~~

While none of the properties listed are in Gervais, Marion County Assessor records show that the real market value of several vacant industrial properties in the community is approximately ~~\$435,000/acre~~. While this ~~obviously~~ does not represent a comprehensive market survey, it does indicate that land costs, particularly in relation to the Salem market, may be lower in the Gervais area. Lower land cost is often a primary reason for the firms to locate in smaller communities.

^j Oregon Employment Department, *2000 Regional Economic Profile - Region 3*, 1999.

^k Portland State University, Center for Census and Population, 1998.

Utilities

~~The City has recently expanded its sewage treatment capacity, but with recent growth, the City has experienced increased and substantial demands on its water treatment and distribution system. The City has expanded its sewage treatment capacity and water treatment and distribution system to provide adequate supply and capacity to meet the demands on the system.~~

~~The City derives its water from two wells. Treatment is by two sand filters with a total capacity of 280 gallons per minute (GPM). The City's storage capacity is 350,000 gallons and many of the City's distribution lines are undersized. In addition to water quantity issues, the inadequacy of the water system creates a public safety problem. The limited treatment and storage capability could result in an inadequate water supply during fire fighting operations. During peak demand and, in particular, the summer months, the situation becomes very critical.~~

The City derives its water from two wells. Treatment is by four sand filters with a total capacity of 450 gallons per minute (GPM). With the addition of a new storage tank, the City's total storage capacity is 700,000 gallons.

In addition, city services are not currently available to land designated for industrial development along Checkerboard Road. Services will need to be extended from the Alder Avenue and Checkerboard intersection to serve these properties in the event this property is annexed into the City.

City Policies Affecting Economic Development

The Gervais General Plan includes a number of economic development related policies, which include:

- *Efforts should be made to improve the appearance of existing commercial areas.*
- *New commercial development should not be extended as a strip along major streets.*
- *Encourage development of vacant parcel on the corner of Douglas Ave and Highway 99E.*
- *Efforts should be made to preserve and enhance the "1900 Block" in the central district.*
- *Efforts should be made to encourage new businesses in the community.*
- *Efforts should be made to encourage industrial development as a means of establishing an employment base in the community.*
- *The limited area for industrial development should be preserved for industrial use.*

- Adequate traffic circulation, off-street parking, loading and service areas should be considered essential to industrial development.
- Special development standards should be established for industries next to or across the street from residential districts.

Local Employment Growth Forecast

Regional employment projections show that non-manufacturing employment in Region 3 is projected to grow by about 13-12 percent through 2012-2022 (see Table 17). Non-agricultural employment in Gervais is currently limited to several small manufacturing firms and several small retail and service businesses. Given the proximity to Woodburn and Woodburn's efforts to diversify its economy by attracting firms from a number of relatively high-wage industries, such as publishing, stone, clay, and glass manufacturing, transportation equipment, and others, future job growth in Gervais will most likely be limited. ~~If the city can make necessary improvements to the water system, attract several small manufacturing firms to its existing industrial area along Checkerboard Road, revitalize the downtown with several new businesses, and possibly attract some commercial development at the intersection of Highway 99E and Douglas Avenue, this would be considered successful economic and job growth for the community. If the city can attract several small manufacturing firms to its existing industrial area along Checkerboard Road, revitalize the downtown with several new businesses, and possibly attract some commercial development at the intersection of Highway 99E and Douglas Avenue, this would be considered successful economic and job growth for the community.~~

~~Rather than attempt to project the number of new jobs created as a percentage of the existing job base, which is relatively small, this analysis projects the number of jobs created given the scenario of modest commercial and industrial growth described above. A primary function of the economic opportunities analysis is to determine if sufficient land is currently designated in local comprehensive plans to accommodate projected commercial and industrial development. That is the focus of the employment projection and analysis described here. Also, given the lack of long-term employment projections available for Oregon or for the region, this analysis projects job growth to 2015, a ten-year projection similar to that used by the Oregon Employment Department.~~

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~~Rather than attempt to project the number of new jobs created as a percentage of the region, which is relatively small, this analysis uses the "Safe Harbor" method to determine employment needs as identified in Oregon Administrative Rules (OAR) 660-024-0040(8). The Safe Harbor method assumes the number of jobs created in the city will grow at a rate equal to the regional job growth rate provided in the most recent forecast published by the Oregon Employment Department (OED). The most recent forecast provided by the OED estimates the region's (Marion, Polk and Yamhill counties) employment will grow by 14 percent from 2012 to 2022, resulting in an average annual growth rate of 1.4%. This same growth rate was extrapolated throughout the 20 year planning horizon through the year 2034 to develop employment projections for Gervais. Table 18 shows the 1.4% average annual job growth rate applied to Gervais employment.~~

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Economics -Table 18
Projected Gervais Employment
2034

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| Industry | Sector | 2013 | | 2034 | |
|---|------------|-------------|------------|-------------|-------------|
| | | Percent | Number | Percent | Number |
| Agriculture, Forestry, Fishing, Hunting and Mining (11 & 21) | = | 46.3% | 360 | 46.3% | 475 |
| Construction (23) | Industrial | 14% | 109 | 14% | 145 |
| Manufacturing (31-33) | Industrial | 9.3% | 72 | 9.3% | 96 |
| Trade, Transportation and Warehousing (42,44&45,48 & 49) | Industrial | 2.3% | 18 | 2.3% | 23 |
| Other Services (except Public Administration) (81) | Commercial | 0.2% | 2 | 0.2% | 2 |
| Confidential Industries Combined (51, 52, 53, 54, 55, 56, 61, 62, 71, and 72) | Commercial | 8% | 62 | 8% | 82 |
| All Public Sector | Public | 19.8% | 154 | 19.8% | 203 |
| Total | - | 100% | 777 | 100% | 1026 |

Source: State of Oregon, Employment Department, *Employment Projections by Industry and Occupation 2012-2022, March 2014.*

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Because employment data within the Gervais UGB provided by the Oregon Employment Department is limited due to employer privacy laws, this analysis uses employment data for the 97026 zip code. The 97026 zip code includes the City of Gervais but also includes rural farm land west of town to the Willamette River. This does not provide a clear picture as to the number of commercial and industrial employees within the Gervais UGB. In order to best approximate the employment in each of these two sectors, this analysis assumes that all commercial employment is located within the Gervais UGB. **Table 18** shows that in 2013, there were 64 employees in the commercial sector. Oregon Employment Department data shows there are a total of 146 private sector employees within the Gervais UGB. Therefore, industrial employment is comprised of the remaining 82 private sector employees.

Table 18 shows the 2015 employment growth by land use type. Different sectors of the economy will have different land needs. Employment growth was allocated to three land use types as follows:

- Commercial: Retail Trade; Finance, Insurance, Real Estate; Services.

- Industrial: Agriculture, Forestry, Fishing; Construction; Manufacturing; Transportation, Communications, and Utilities; Wholesale Trade.
- Public: Government.

Economics - Table 18
Total Employment Growth by Land Use Type
Gervais, 2015

| Sector | 2015 |
|--------------|------------|
| Commercial | 20 |
| Industrial | 60 |
| Public | 30 |
| Total | 110 |

Source: MWVCOG, 2005.

Land Demand Analysis

A primary function of the Economic Opportunities Analysis is to determine if sufficient land is available to accommodate projected employment over the planning horizon. In order to accomplish that, the employment growth forecasted above must be aggregated into general land use categories. Next, the number of new jobs created for commercial and industrial use must be converted into the number of acres needed for commercial and industrial uses over the 20 year planning horizon.

Table 18A shows the 2034 employment growth by land use type. Different sectors of the economy will have different land needs. Employment growth was allocated to three land use types as follows:

- Commercial: Retail Trade; Finance, Insurance, Real Estate; Services.
- Industrial: Construction; Manufacturing; Transportation, Communications, and Utilities; Wholesale Trade.
- Public: Government.

This analysis assumes growth in the public sector employment will occur on existing public lands and is therefore removed from future analysis.

Agriculture, Forestry, Fishing and Hunting are also removed as these are assumed to predominately occur outside of Urban Growth Boundaries.

Economics - Table 18A
Projected Total Employment Growth by Land Use Type
Gervais, 2034

| Sector | Number of |
|--------|-----------|
|--------|-----------|

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| | Additional Jobs in 2034 |
|----------------|------------------------------------|
| Commercial | 20 |
| Industrial | 26 |
| Public | 49 |
| Outside of UGB | 39 |
| Total | 134 |

Source: MWVCOG, 2015.

Several assumptions were made to convert the employment growth shown in **Table 18A** to vacant acres needed by land use type. These assumptions include:

- Percent of total employment growth that requires no non-residential built space or land.** Some new employment will not require any non-residential land or building to be used. Some workers or business owners may work from their home. The 2000-2010 Census showed that less than 4.92 percent of all workers in Gervais worked at home. With the recent development of advanced telecommuting technology, this figure can be expected to increase. This analysis assumes that five (5) percent of employment growth will consist of employees who work at home. This figure is shown in **Table 19** under the column heading “Requiring no non-residential built space or land”.
- Percent of employment growth on existing developed land.** Some new employment will occur through expansion of existing businesses on non-residential land. Such an expansion involves adding additional employees without increasing physical space. A similar economic opportunities analysis for Albany assumed that 10 percent of future employment growth will occur on land that is already developed. That same figure is used in this analysis. This figure is shown in **Table 19** under the column heading “On Existing Developed Land”.
- ~~**Employees/acre.** In order to determine future commercial and industrial land needs, employment growth must be converted into employees per acre. Employees per acre ratios used in a similar study in Salem were 22 employees/acre for commercial and office development and 11 employees/acre for industrial development. The Albany study used 25 employees/acre for commercial development, 35 employees/acre for offices, and 12 employees/acre for industrial development. This analysis uses 25 employees/acre for commercial development (including offices) and 12 employees/acre for industrial development.~~
- Employees/acre.** To determine the future commercial and industrial land needs, employment growth must be converted into employees per acre. Because employment data within the Gervais UGB is less detailed, this analysis uses employment data for the Gervais zip code: 97026. While this set of information includes employment data outside of the UGB, commercial development is typically located within a UGB. It is therefore assumed that all 64 commercial

employees are located on the 5.9 acres of developed commercial land in Gervais. As a result, this analysis assumes there are 10.8 employees per acre for commercial uses. Gervais currently has 4.4 acres of fully developed industrial land within the current UGB. In 2013 there were 82 employees located on 4.4 acres, or 18.6 employees per acre.

- Employment on vacant or redevelopable land.** The recently completed buildable lands inventory for Gervais completed in 2015 identified both vacant and redevelopable commercial and industrial land. Redevelopable land is defined as parcels with improvement values of at least \$105,000,000 (based on Marion County Assessor records), where the ratio of land value to improvement value is 1:1 or greater. This analysis does not distinguish between vacant or redevelopable land in determining where new employment will occur. The analysis assumes that 85 percent of employment growth occurs on land that is either vacant or redevelopable. (The remaining 15 percent consists of employees working at home or new employment on existing developed land.)

Table 19 shows the amount of vacant or redevelopable land needed to accommodate new commercial and industrial employment growth through 2015-2034. Approximately 3,422.8-acres will be needed to accommodate projected employment growth through this period.

Economics - Table 19
 Land Need by Land Use Type
 Gervais 2015

| Sector | Total Employment Growth | Employees /Acre | Requiring no non-residential built space or land | On Existing Developed Land | On Vacant Land | Vacant/Redevelopable Acres Needed |
|------------|-------------------------|-----------------|--|----------------------------|----------------|-----------------------------------|
| Commercial | 20 | 25 | 0 | 2 | 18 | 0.81 |
| Industrial | 60 | 12 | 3 | 6 | 51 | 2.31 |
| Total | 85 | | 3 | 8 | 69 | 3.12 |

Source: MWVCOG, 2005.

Economics -Table 19
 Land Need by Land Use Type
 Gervais 2034

| Sector | Total Number of Additional Jobs | Employees/Acre | Requiring no non-residential built space or land | On Existing Developed Land | On Vacant Land | Vacant/Redevelopable Acres Needed |
|------------|---------------------------------|----------------|--|----------------------------|----------------|-----------------------------------|
| Commercial | 20 | 10.8 | 1 | 2 | 17 | 1.6 |

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|--------------|-----------|----------|----------|----------|-----------|------------|
| Industrial | 26 | 18.6 | 1 | 2 | 23 | 1.2 |
| Total | 46 | - | 2 | 4 | 40 | 2.8 |

Source: MWVCOG, 2015.

Table 20 shows a summary of the amount of vacant and redevelopable commercial and industrial land available within the Gervais urban area. Public facilities are available for vacant commercial properties, but need to be extended along Checkerboard Road to serve vacant industrial properties. No site constraints, such as steep slopes, wetland, or floodways, were identified in the buildable lands analysis that would reduce the amount of land available for development.

Economics - Table 20
Commercial and Industrial Buildable Lands Inventory Summary
Gervais, 2005

| Zone/Plan Designation | Vacant (acres) | Redevelopable | Total Acres |
|---|----------------|---------------|--------------|
| Within City Limits | | | |
| Commercial General District (CG) | 0.22 | 0.00 | 0.22 |
| Commercial Retail District (CR) | 3.73 | 0.12 | 3.85 |
| Commercial Retail/Light Industrial District (CR/IL) | 2.40 | 0.00 | 2.40 |
| Commercial | 6.35 | 0.12 | 6.47 |
| Light Industrial District (IL) | 12.53 | 0.45 | 12.98 |
| Industrial | 12.53 | 0.45 | 12.98 |
| Between City Limits & UGB | | | |
| Industrial (I) | 9.50 | 0.00 | 9.50 |
| Total | 9.50 | 0.00 | 9.50 |
| Gervais Urban Area Total | | | |
| Commercial | 6.35 | 0.12 | 6.47 |
| Industrial | 22.03 | 0.45 | 22.48 |
| Total | 28.38 | 0.57 | 28.95 |

Source: Marion County Assessor data, MWVCOG, 2005

Economics - Table 20
Commercial and Industrial Buildable Lands Inventory Summary
Gervais UGB, 2014

| Zone/Plan Designation | Vacant (acres) | Redevelopable | Total Acres |
|----------------------------------|----------------|---------------|-------------|
| Within City Limits | | | |
| Commercial General District (CG) | 0.23 | 0.00 | 0.23 |

| | | | |
|--------------------------------------|--------------|--------------|--------------|
| Commercial Retail District (CR) | 3.53 | 0.00 | 3.53 |
| Commercial | 3.76 | 0.00 | 3.76 |
| Light Industrial District (IL) | 8.67 | 1.08 | 9.75 |
| Industrial | 8.67 | 1.08 | 9.75 |
| Between City Limits & UGB | | | |
| Industrial (I) | 0 | 9.71 | 9.71 |
| Total | 0.00 | 9.71 | 9.71 |
| Gervais Urban Area Total | | | |
| Commercial | 3.76 | 0.00 | 3.76 |
| Industrial | 8.67 | 10.79 | 19.46 |
| Total | 12.43 | 10.79 | 23.22 |

Source: Marion County Assessor data, MWVCOG, 2015

Table 21 shows a comparison of land needed to accommodate new employment growth (demand) through 2015-2034 and the available supply of vacant and redevelopable land. The comparison shows that sufficient commercial and industrial land is available within the Gervais urban area to meet the forecast demand.

— Economics — Table 21
 — Comparison of Supply and Demand for Commercial and Industrial Land
 — Gervais, 2015

| Land Use Type | Vacant/Redevelopable Acres |
|--------------------------|----------------------------|
| Supply | |
| Commercial | 6.47 |
| Industrial | 22.48 |
| Total Supply | 28.95 |
| Demand | |
| Commercial | 0.81 |
| Industrial | 2.31 |
| Total Demand | 3.22 |
| Surplus (Deficit) | |
| Commercial | 5.66 |

| | |
|------------|-------|
| Industrial | 20.17 |
| Total | 25.71 |

Source: MWVCOG, 2005.

Economics - Table 21
Comparison of Supply and Demand for Commercial and Industrial Land
Gervais, 2034

| Land Use Type | Vacant/Redevelopable Acres |
|--------------------------|----------------------------|
| Supply | |
| Commercial | 3.76 |
| Industrial | 19.46 |
| Total Supply | 23.22 |
| Demand | |
| Commercial | 1.6 |
| Industrial | 1.2 |
| Total Demand | 2.8 |
| Surplus (Deficit) | |
| Commercial | 2.16 |
| Industrial | 18.26 |
| Total | 20.42 |

Source: MWVCOG, 2015.

Table 22 shows the size characteristics of developed, vacant, and redevelopable commercial and industrial properties in Gervais. Commercial uses in Gervais have developed on properties that are between 0.03 and 0.845 acres in size.

Developed industrial properties average about 1.50 acres in size.

For all zones, the average size of vacant and redevelopable properties is consistent with the average size of developed properties. **Map 6** of the Land Use section of the Comprehensive Plan shows all vacant and redevelopable properties, by zone within the Gervais urban area. ~~With the exception of vacant industrial land along Checkerboard Road, vacant and redevelopable properties have public facilities readily available.~~

In the Light Industrial (IL) District, the mean size for vacant parcels is ~~4.5~~ 1.73 acres and the average size of developed parcels is approximately 4.5 acres. In this zone, two (2) vacant properties are significantly larger than the average size of developed parcels in this zone. In addition, several smaller vacant parcels zoned IL adjoin each other and could be consolidated into larger parcels for development purposes.

Based on this information, adequate sized sites are available within Gervais to accommodate the types of uses that could be expected to locate in the city.

Economics - Table 22
Size Characteristics of Developed, Vacant, and Redevelopable Properties by Zone
Gervais 2005

| Zone/Plan Designation | Developed | | | Vacant | | | Redevelopable | | |
|---|-------------|------|--------|-------------|------|--------|---------------|------|--------|
| | Acre res | Mean | Median | Acre res | Mean | Median | Acre res | Mean | Median |
| Commercial Retail Zone (CR) | 0.45 | 0.06 | 0.48 | 3.73 | 0.93 | 0.23 | 0.12 | 0.12 | 0.12 |
| Commercial General (CG) | 2.14 | 0.19 | 0.12 | 0.22 | 1.11 | 0.11 | 0.00 | 0.00 | 0.00 |
| Commercial Retail/Light Industrial District (CR/IL) | 0.50 | 0.50 | NA | 2.40 | 2.40 | 0.00 | 0.00 | 0.00 | 0.00 |
| Light Industrial Zone (IL) | 4.50 | 1.50 | 1.00 | 2.03 | 4.5 | 3.78 | 0.45 | 0.45 | 0.45 |

Source: Marion County Assessor data, MWVCOG, 2005.

Economics - Table 23
Size Characteristics of Developed, Vacant, and Redevelopable Properties by Zone
Gervais, 2014

| Zone/Plan Designation | Vacant | | | Redevelopable | | |
|-----------------------------|--------|------|--------|---------------|------|--------|
| | Acres | Mean | Median | Acres | Mean | Median |
| Commercial Retail Zone (CR) | 3.53 | 0.70 | 0.23 | 0.00 | 0.00 | 0.00 |
| Commercial General (CG) | 0.23 | 0.11 | 0.11 | 0.00 | 0.00 | 0.00 |
| Light Industrial Zone (IL) | 8.67 | 1.73 | 0.7 | 1.08 | 0.53 | 0.53 |

Source: Marion County Assessor data, MWVCOG, 2015.

Key Findings and Future Planning Implications

Covered employment in Gervais area in 2003-2013 was 770-777 persons. Employment in Gervais is dominated by agricultural employment, manufacturing, and government sectors, which together comprise about 78 percent of the area's total employment.

Overall, the economy in Region 3, comprised of Marion, Polk, and Yamhill Counties, is expected to experience modest economic growth for the period from 2002-2014 through 2012-2034. Gervais may be able to capitalize on that growth. Gervais has some comparative advantages related to land costs and transportation; however, limitations on the availability of public services to vacant industrial sites and the need to improve water system capacity are limitations to development. Competition from neighboring Woodburn, which is attempting to attract high-wage manufacturing firms for a number of sectors could also limit development potential. Local comprehensive plan policies are generally supportive of economic development.

Under an optimistic development scenario, projected employment for Gervais through 2015-2034 would add approximately 115-134 new jobs.

An adequate amount of vacant or redevelopable commercial and industrial land is available to meet the forecasted need through the year ~~2015~~2034. With the exception of industrial properties along Checkerboard Road, all vacant and redevelopable properties have services readily available. The type and size of available commercial properties are typical of sites that have been previously developed. Vacant industrial sites are slightly larger than those previously developed.

LAND USE ELEMENT

Introduction

A land use plan indicates the area into which various types of activities are expected to occur. Gervais designates five categories of land uses to be described and located on the land use map.

1. Residential: Areas designated for this land use have a minimum lot size of 6,600 square feet for single-family dwellings. Many of the older lots that are part of the original town plat are 5,000 square feet in size. Single-family dwellings are permitted outright in both the Residential Districts - R-1 and R-2. Duplexes and triplexes are permitted as conditional uses in the R-1 and R-2 districts. Multi-family developments greater than four (4) units are permitted as a conditional use in the R-2 District.
2. Commercial. Commercial uses include all activities of a commercial nature. The Commercial Retail (CR) District and Commercial General (CG) District allow for a wide range of commercial activities.
3. Industrial. Industrial use covers the range of manufacturing, warehousing, and wholesaling activities. The Light Industrial (IL) District is the implementing zone for industrial areas.
4. Development Alternative. A commercial-industrial development alternative area is shown on the Plan for property located between Fifth Street and the railroad tracks and extending from Hemlock Avenue south to Cedar Avenue. The land is undeveloped at the present time, except for an old warehouse-type building on the south side of Douglas Avenue. This property has a depth of 110 feet from Fifth street to the railroad right-of-way and includes approximately three (3) acres. Both the CR and IL Zones are applied to this area.

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

In ~~2005~~2014, the city conducted a buildable lands inventory. **Table 23** shows the amount of developed acreage by zoning designation within the city.

Land Use Element - Table 23
Developed Land Uses Within the Gervais UGB
By Zone, 20052014

| Zoning Designation | Acres | Percent of Developed Area |
|--|--------|---------------------------|
| Residential District (R1) | 52.60 | 40.6% |
| Residential District (R2) ² | 69.20 | 53.4% |
| Light Industrial District (IL) | 4.50 | 3.5% |
| Commercial General District (CG) | 2.14 | 1.6% |
| Commercial Retail District (CR) | 0.45 | 0.5% |
| Commercial/Light Industrial District (CR/IL) | 0.50 | 0.4% |
| Total | 129.39 | 100.0% |

Source: MWVCOG, 2001.

¹ Acreage data is from the Marion County Assessor and does not include public rights-of-way.

² Both Gervais High School and Sacred Heart Elementary School are located in the R-2 District

2015 Buildable Lands Inventory

For each land type (residential, commercial, and industrial), the analysis was broken into two parts. First, the findings describe the amount of net buildable land, by zoning district, within the existing city limits. The findings then describe the amount of buildable land located between the city limits and UGB. Land in this area is zoned by the County until it is annexed into the city. The City's General Plan does designate, in general, the future use (residential, commercial, or industrial) for such properties.

~~— The analysis of lands includes totals for land determined to be vacant or redevelopable inside and outside of the city limits. All land analyzed is within the city's Urban Growth Boundary. The analysis of residential lands includes totals for land that is completely vacant, partially vacant, and redevelopable. The analysis of commercial and industrial land includes totals for land that is completely vacant and redevelopable.~~

The following parameters are used to determine whether land is partially vacant and/or redevelopable.

- ~~• Vacant land includes all parcels with improvement values of less than \$5,000.~~
- ~~• Partially vacant land consists of residential parcels that are at least 0.50 acre in size with an improvement value of at least \$5,000. This analysis assumes that 0.25 acre is devoted to the existing house, with the remainder considered vacant. This amount is added to the amount of gross buildable land.~~
- ~~• Redevelopable land includes parcels in all zones where some limited improvements have been made, but where potential for redevelopment for more intense uses is high. For the purpose of this analysis, redevelopable land is defined as parcels in all~~

~~zones with improvement values of less than \$5,000, where the ratio of land value to improvement value is 1:1 or greater. For larger residential parcels, this land may instead be classified~~

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- Vacant residential land includes all residentially zoned parcels that are at least 6,600 square feet (0.15 acres) in size with improvement values of less than \$10,000. The minimum lot size for residential parcels in Gervais is 6,600 square feet in the residential (R-1) zone or 9,900 square feet for a duplex or triplex and 6,600 square feet in the residential (R-2) zone 9,900 square feet for a duplex or triplex.
- Staff evaluated lots of record smaller than 6,600 square feet on a case by case basis as the Gervais Development Ordinance (GDO) permits development upon lots of record under GDO 17.120.030.B, as follows, "The use of development of any legal lot of record shall be subject to regulations applied to the property when such development or use if commenced, regardless of the lot width, street frontage, depth or area, but subject to all other regulations. However, no dwelling shall be built on an existing, lawfully created lot of less than five thousand (5,000) square feet in area".
- Vacant lots of 5,000 square feet or less were not included as they are prohibited by code from development (GDO 17.120.030.B).
- Within the city limits, partially vacant land consists of residential parcels that are at least 0.5 acre in size with an improvement value of at least \$10,000. This analysis assumes that 0.25 acres, or 10,890 square feet, is devoted to the existing house, with the remainder considered vacant.
- Vacant employment land includes all commercial and industrial zoned parcels that are at least 0.5 acres in size with improvement values of less than \$10,000
- Employment land with infill potential includes all commercial and industrial parcels that are at least 5.0 acres in size where the improvement occupies 0.5 acres or less of the parcel
- Land excluded from the supply of developable land included public facilities, utility and railroad ROWs, and land owned by the Gervais School District,

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| ◀ Map 6

as partially vacant. The area of redevelopable parcels is added to the amount of gross buildable land.

Map 6

The analysis included an assessment of physical constraints such as steep slopes, riparian buffers, floodways, and wetlands that could limit development on vacant land. No significant constraints were identified.

For vacant or partially vacant parcels larger than one acre, this analysis also assumes that 25 percent of the gross buildable residential land will be dedicated for use as public facilities (rights-of-way, parks, etc). This percentage has been subtracted from the gross amount of buildable residential land.

Based on these refinements, the total amount of buildable land shown in each category (residential, commercial, industrial) represents the net amount of buildable land.

Map 6 shows vacant, partially vacant, and redevelopable land within the Gervais urban-Urban Growth Boundary area by zoning designation.

Residential Land

Table 24 shows the amount of buildable land for each residential zoning district within the Gervais urban area (both city limits and UGB). Approximately ~~28.89~~ 22.5 net buildable acres are available for residential development within the urban area. Of that amount, approximately 14.476.74 acres are ~~vacant within the City Limits~~ and ~~14.42~~ 15.75 acres are ~~partially vacant available within the City Limits and the Urban Growth Boundary~~. Within the urban area, approximately ~~9.58~~ 3.56 acres designated for residential use can be considered redevelopable. Approximately 121.8 acres in residential zones within the Gervais UGB are developed (including school properties).

~~Land Use Element Table 24
Buildable Residential Land
Gervais, 2005~~

| Zone/Plan Designation | Vacant (acres) | Partially Vacant | Total |
|--|---------------------------|-----------------------------|------------------|
| Residential District (R1) | 1.97 | 1.63 | 3.60 |
| Residential District (R2) | 12.50 | 12.79 | 25.29 |
| Net Buildable Acres Within the Urban Area | 14.47 | 14.42 | 28.89 |

~~Source: Marion County Assessor data, MWVCOG, 2005.~~

**Land Use Element Table 24
Buildable Residential Land
City of Gervais, 2014**

| <u>Zone/Plan Designation</u> | <u>Vacant (acres)</u> | <u>Redevelopable (acres)</u> | <u>Total (acres)</u> |
|---|-----------------------|------------------------------|----------------------|
| <u>Within the City Limits</u> | | | |
| Residential District R1 | 2.70 | 0.62 | 3.32 |
| Residential District R2 | 1.55 | 4.12 | 5.67 |
| <u>Buildable acres within City Limits</u> | 4.25 | 4.74 | 8.99 |
| <u>Less 25%</u> | 3.19 | 3.56 | 6.74 |
| <u>Between the City Limits and UGB</u> | | | |
| Residential Designation | 18.42 | 2.58 | 21 |
| <u>Buildable acres Between City Limits & UGB</u> | 18.42 | 2.58 | 21 |
| <u>Less 25%</u> | 13.82 | 1.93 | 15.75 |

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|--|--------------|-------------|--------------|
| Buildable acres within the Urban Area | <u>22.67</u> | <u>7.32</u> | <u>36.18</u> |
| Net Buildable Acres with Urban Area (less 25% per Safe Harbor OAR 660-024-0040(10)) | <u>17.01</u> | <u>5.49</u> | <u>22.5</u> |

Source: Marion County Assessor, MWVCOG Buildable Land Inventory 2015

Commercial Land

— **Table 25** shows that approximately 6.473.76 vacant or redevelopable acres are available for commercial development within the Gervais city limits. Approximately 5.9 acres within the Gervais UGB are currently developed for commercial use. No vacant or redevelopable land designated for commercial land is located between the city limits and urban growth boundary. Approximately 3.2 acres of designated commercial land within the Gervais UGB are developed.

~~Land Use Element – Table 25
Buildable Commercial Land¹
Gervais, 2005~~

| Zone/Plan Designation | Vacant (acres) | Redevelopable | Total |
|--|-------------------------------|--------------------------|------------------|
| Commercial-General District (CG) | 0.22 | 0.00 | 0.22 |
| Commercial Retail District (CR) | 3.73 | 0.12 | 3.85 |
| Commercial Retail/Light Industrial District (CR/IL) | 2.40 | 0.00 | 2.40 |
| Net Buildable Acres within the Urban Area | 6.35 | 0.12 | 6.47 |

~~Source: Marion County Assessor data, MWVCOG, 2005.~~

~~¹The CR/IL area allows for both commercial and industrial uses. The vacant and redevelopable land is shown in this table, but can also be considered as buildable industrial land.~~

Land Use Element – Table 25
Buildable Commercial Land
City of Gervais, 2014

| <u>Zone/Plan Designation</u> | <u>Vacant (acres)</u> | <u>Redevelopable (acres)</u> | <u>Total (acres)</u> |
|--|---------------------------|----------------------------------|--------------------------|
| <u>Within the City Limits</u> | | | |
| Commercial General CG | 0.23 | 0 | 0.23 |
| Commercial Retail CR | 3.53 | 0 | 3.53 |
| Buildable acres within City Limits | 3.76 | 0 | 3.76 |
| <u>Between the City Limits and UGB</u> | | | |
| Commercial Designation | 0 | 0 | 0 |
| Net Buildable acres within the Urban Area | 3.76 | 0 | 3.76 |

Source: Marion County Assessor, MWVCOG 2014

Industrial Land

Table 26 shows that approximately 12.98 vacant acres are available for industrial development within the Gervais city limits. An additional 9.50 acres designated for industrial use is available between the city limits and UGB. Approximately 4.5 acres designated for industrial uses within the Gervais UGB are developed, approximately 4.45 acres within the Gervais UGB are currently developed for industrial use. Approximately 19.46 net buildable acres are available for industrial development within the urban area. Of that amount, approximately 9.75 acres are available within the city limits and an additional 9.71 acres are available between the city limits and UGB. Within the urban area, approximately 10.79 acres designated for industrial use can be considered redevelopable.

~~Land Use Element – Table 26
Buildable Industrial Land~~

— Gervais, 2005

| <u>Zone/Plan Designation</u> | <u>Vacant (acres)</u> | <u>Redevelopable</u> | <u>Total</u> |
|--|-----------------------|----------------------|--------------|
| <u>Within City Limits</u> | | | |
| Light Industrial District (IL) | 12.53 | 0.45 | 12.98 |
| | | | |
| <u>Between the City Limits and UGB</u> | | | |
| Industrial | 9.50 | 0.00 | 9.50 |
| | | | |
| <u>Net Buildable Acres Within the Urban Area</u> | <u>22.03</u> | <u>0.45</u> | <u>22.48</u> |

Source: Marion County Assessor data, MWVCOG, 2005.

Land Use Element – Table 26
Buildable Industrial Land
City of Gervais, 2014

| <u>Zone/Plan Designation</u> | <u>Vacant (acres)</u> | <u>Redevelopable (acres)</u> | <u>Total (acres)</u> |
|--|-----------------------|------------------------------|----------------------|
| <u>Within the City Limits</u> | | | |
| Light Industrial | 8.67 | 1.08 | 9.75 |
| | | | |
| <u>Between the City Limits and UGB</u> | | | |
| Industrial Designation | 0 | 9.71 | 9.71 |
| | | | |
| <u>Net Buildable acres within the Urban Area</u> | <u>8.67</u> | <u>10.79</u> | <u>19.46</u> |

Source: Marion County Assessor, MWVCOG 2014

Land Needs Analysis

The buildable lands inventory is used in conjunction with the 2020-2034 population projection to determine if adequate land is available for future residential, commercial, and industrial development.

Future Residential Land Needs

Residential Densities

To determine the amount of land needed for future residential development, it is necessary to calculate the average net density for the various types of housing developments including single-family, and multi-family, and manufactured homes within manufactured home parks. Building permit data dating back to the year 2000 is used to determine densities at which units have been built in the past.

The Gervais Development Code provides the following densities for residential development. The densities used to conduct the analysis of future residential land needs are:

- Single-family residential units — 6.6 units/acre;
 - Multi-family residential units — 17.4 units/acre; and
 - Manufactured home parks — 10.0 units per acre with a minimum size of three (3) acres.
- The average net densities used to conduct the analysis of future residential land needs are:

- Single-family residential — 7.2 units/acre
- Multi-family residential — 12 units/acre

The origin of these densities is described below.

Single-Family Development

Since 1997, four subdivisions have been approved and at least partially developed. Table A shows recent single-family residential development. This includes subdivision development and infill development through the partitioning process. During this period, 247 single-family dwelling units have been developed on 34.28 acres. The resulting average net density of the developments is 7.2 units per acre.

Buildable Lands Inventory - Table A
Single-Family Residential Development
Single Family residential (R-2) – 7.2 units/acre

| <u>Subdivision</u> | <u>Zone District</u> | <u>Single-Family Units</u> | <u>Net Acres Developed</u> | <u>Net Density (units/acre)</u> |
|---------------------------------------|----------------------|----------------------------|----------------------------|---------------------------------|
| <u>Willoria Estates 2007</u> | <u>R-2</u> | <u>50</u> | <u>6.49</u> | <u>7.7</u> |
| <u>French Prairie Meadows 1997</u> | <u>R-2</u> | <u>111</u> | <u>14.56</u> | <u>7.62</u> |
| <u>French Prairie Meadows II 1998</u> | <u>R-2</u> | <u>80</u> | <u>12.1</u> | <u>6.61</u> |
| <u>Studer Subdivision</u> | <u>R-2</u> | <u>6</u> | <u>1.13</u> | <u>5.3</u> |
| Total | | 247 | 34.28 | 7.2 |

Multi-Family Development

Since the year 2000 there has been no construction of multi-family housing units in Gervais and therefore, no historical average density data is available. In assigning an appropriate average density of multi-family housing units, many factors should be taken into consideration. Gervais Development Code specifies a minimum density of 22 units per acre in the R2 zone. However, development of 22 units per acre is uncharacteristic of previous residential development in Gervais and communities in the region. Therefore, it is assumed that multi-family will continue to develop at a lower density of 12 units per acre.

Table 27 shows the projected housing mix and residential land needs for Gervais through 2025. The housing needs analysis (see Population and Housing Element—Table 8) identified 356 new residential units that will be needed to accommodate the projected 2025 population of 3,577 persons. Of the 356 new residential units, 181 units or about 53 percent are needed to meet projected need for rental units. Based on 2000 Census figures, about 75 percent of the local rental market is comprised of single-family residences. Therefore, of the additional of the 170 rental units needed, it is assumed that 25 percent will be multi-family housing units. Based on this assumption, then, approximately 45 new multi-family residences will be needed to meet the projected need in 2025.

Single-family residential units will continue to comprise the majority of housing developed in Gervais, with a projected 281 units needed through 2025.

Currently, no manufactured parks exist within the Gervais urban area. Based on the requirements of Oregon Revised Statutes 197.303(e) that “needed housing” include manufactured dwelling parks, this analysis assumes that one such park will be developed at the minimum size and maximum allowable density.

**Land Use Element—Table 27
Projected Housing Mix and Residential Land Needs
Gervais, 2025**

| Housing Type | Existing Units 2005 | Units Needed 2025 | Percent of New Units | Density (units/acre) | Acres Needed 2025 |
|-------------------------|---------------------|-------------------|----------------------|----------------------|-------------------|
| Single Family | 531 | 280 | 78.9% | 6.6 | 42.58 |
| Multi-Family | 25 | 45 | 12.6% | 17.4 | 2.59 |
| Manufactured Home Parks | 0 | 30 | 8.4% | 40.0 | 3.00 |
| Total | 536 | 355 | 100% | | 48.17 |

Source: MWVCOG, 2005.

As shown in **Table 27**, the housing needs analysis identified 596 new residential units that will be needed to accommodate the projected 2034 population of 4,781 persons. Of the 596 new residential units, 16.7 percent, or about 100 units, are needed to meet projected need for multi-family units. With an assumed density of 12 units per acre for multi-family, 8.3 acres is required to meet the need for the new units. At a density of 7.2 single family units per acre, the additional 496 single family units require 68.9 acres. In total, the 596 new units can be built on 77.2 acres of land.

**Land Use Element - Table 27
Projected Housing Mix and Residential Land Needs
2034**

Source: 2009-2013 American Community Survey

| Housing Type | Existing Units | Additional Units Needed 2034 | Percent of New Units | Net Density (units/acre) | Acres Needed 2034 |
|---------------|----------------|------------------------------|----------------------|--------------------------|-------------------|
| Single Family | 654 | 496 | 83.3 | 7.2 | 68.9 |
| Multi-Family | 11 | 100 | 16.7 | 12 | 8.3 |
| Total | 665 | 596 | 100.0 | = | 77.2 |

Looking back at **Table 24**, approximately 28.89 acres of vacant or partially vacant land designated for residential use is available to accommodate future housing needs within the existing urban growth boundary. The analysis indicates that an additional 19.28 acres of buildable residential land is needed to accommodate the 2025 population. The findings regarding expansion of the urban growth boundary to include this additional residential land is included as an appendix to the General Plan.

Looking back at **Table 24** of the 2015 Buildable Lands Inventory, there is inadequate vacant, partially vacant, or redevelopable land available to accommodate future housing needs within the existing urban growth boundary. The buildable lands analysis found that approximately 22.5 acres are available for residential development within the entire urban area. It's estimated that 77.2 acres will be needed to accommodate future residential growth.

Oregon Administrative Rules (OAR) 660-024-0040(9) allow for a local government to estimate that the 20-year land need for streets and roads, parks, and school facilities will together require an additional amount of land equal to 25 percent of the net buildable acres determined for residential land needs.

Buildable Lands Inventory - Table B
Projected Residential Land Needs, 2034

| <u>Determining Surplus or Deficit of Residential Land</u> | <u>Acres</u> |
|--|---------------------|
| 2034 residential land needs | 77.2 |
| Additional land needed for public uses- streets, parks, etc. (25% of 20-year land needs) | 19.3 |
| Total land needed for residential use through 2034 | 96.5 |
| Land currently available within the existing UGB for residential development | 22.5 |
| Surplus or (Deficit) of land needed for future residential use | (74) |

Table B shows adding the 25 percent for public land uses as allowed by OAR 660-024-0040(9) means that an estimated 96.5 acres will be needed to accommodate Gervais's 20-year land needs for future residential development. The buildable land needs analysis found that approximately 22.5 acres are available for residential development within the entire urban area. Subsequently, Gervais has a 74 acre deficit of land available to meet the estimated population and housing mix in 2034.

Future Commercial and Industrial Land Needs

The Economics Element of the 2006 General Comprehensive Plan was updated to include a 2015-2014 forecast of local employment (see the Economics Element - **Table 18**). One purpose for forecasting local employment is to determine if sufficient land is currently designated in the Comprehensive Plan to accommodate projected commercial and industrial development. **Table 19** of the Economics Element shows the projected amount of land need for commercial and industrial uses through 2015-2034. That information is also included in **Table 28** below.

Table 28 shows a comparison of land needed to accommodate new employment growth (demand) and the available supply of vacant and redevelopable land. The comparison shows that

sufficient commercial and industrial land is available within the Gervais urban area to meet the forecast demand. Public facilities are available for all of the vacant or redevelopable commercial properties within the city limits. Public facilities must be extended from their current location at the intersection of Alder Avenue and Checkerboard Road to serve vacant industrial properties located along Checkerboard Road. No site constraints, such as steep slopes, wetland, or floodways, were identified in the buildable lands analysis that would reduce the amount of land available for development.

Land Use Element - Table 28
Comparison of Supply and Demand for Commercial and Industrial Land
Gervais, 2015

| Land Use Type | Vacant/Redevelopable Acres |
|--------------------------|----------------------------|
| Supply | |
| —Commercial | 6.35 |
| —Industrial | 22.48 |
| Total Supply | 28.83 |
| | |
| Demand | |
| —Commercial | 0.81 |
| —Industrial | 2.31 |
| Total Demand | 3.22 |
| | |
| Surplus (Deficit) | |
| —Commercial | 5.54 |
| —Industrial | 20.17 |
| Total | 25.71 |

Source: MWVCOG, 2005.

Land Use Element - Table 28
Comparison of Supply and Demand for Commercial and Industrial Land
Gervais, 2034

| Land Use Type | Vacant/Redevelopable Acres |
|--------------------------|----------------------------|
| Supply | |
| Commercial | 3.76 |
| Industrial | 19.46 |
| Total Supply | 23.22 |
| | |
| Demand | |
| Commercial | 1.6 |
| Industrial | 1.2 |
| Total Demand | 2.8 |
| | |
| Surplus (Deficit) | |
| Commercial | 2.16 |

| | |
|--------------|--------------|
| Industrial | 18.26 |
| Total | 20.42 |

Source: MWVCOG, Memorandum to Gervais Technical Advisory Committee, January 2015.

Land Use Goals and Policies

GOAL: To provide adequate lands to service the needs of the projected population to the year ~~2025~~2034, and to ensure the conversion of property to urban uses in an orderly and timely manner

POLICIES: General:

1. Zoning is an important means of regulating land uses. Future zoning and rezoning should be in conformance with this plan and its policies.
2. Any amendments or changes to this plan should only be made after public hearings and official action by the City Council.
3. Development should occur as extensions of existing City services.
4. The City will establish and maintain a buildable lands inventory at intervals requested by the City Council.

Residential Land:

1. Residential development should be diversified to provide for a variety of housing opportunities.
2. The planned unit approach to residential development will be encouraged.
3. Multi-family housing development should be located close to shopping facilities and arterial or collector streets and interspersed with single-family residential when new subdivisions are developed.
4. Houses and structures of historical value should be preserved and protected from encroachment by other non-compatible uses.
5. Open spaces and parks will be encouraged in larger subdivisions and multi-family developments.

Commercial Land:

1. Commercial development should be located so as to provide adequate and convenient services to the resident as well as the visitor.

2. Efforts should be made to improve the appearance of existing commercial areas.
3. New commercial development should not be extended as a strip along major streets.
4. Efforts should be made to preserve and enhance the "1900 Block" in the central district.
5. The City of Gervais supports maintaining existing businesses and encouraging a variety of new business activities to locate in the city.

Industrial Land:

1. The City of Gervais shall provide an adequate amount of acreage to accommodate future industrial growth.
2. The City of Gervais shall encourage the consolidation of smaller parcels into larger holdings suitable and desirable for industrial uses.
3. The City of Gervais shall discourage industrial activities that produce excess amounts of dust, smoke, odors, or other harmful or obnoxious discharges.
4. The City of Gervais shall encourage light manufacturing processes that are energy saving and do not pollute air, water, and land resources.

Public and Semi-Public Land:

1. The City of Gervais shall encourage a high level of cooperation and coordination with the Gervais School District.
2. Open spaces and recreational sites and facilities should be encouraged to provide for the leisure time needs of the resident and visitor.

Growth Management Goals and Policies

GOAL: The City's goal is to manage growth in a balanced, orderly and efficient manner, consistent with the City's coordinated population projection.

POLICIES:

1. Gervais will assure that all expansion areas of the City are served by public facilities and services with adequate capacity. Consideration of proposals that are in variance with City capacity standards and facility master plans shall require findings of appropriate mitigating measures by the Public Works Department. Other public service providers, such as the School District and Fire District, may also address capacity considerations.
2. The City shall provide an interconnected street system to improve the efficiency of movement by providing direct linkages between origins and destinations.
3. The City shall hold development accountable for major streets and street improvements within and abutting the development.
4. The City's policy is to consider the Capital Improvement Program (CIP) when investing public funds or leveraging private investment.
5. The City's policy is to accommodate industrial and commercial growth consistent with the 2005 Gervais Economic Opportunities Analysis (EOA).
6. The City shall pay for public facilities with system development charges from anticipated growth.
7. The County shall retain responsibility for regulating land use on lands within the urban growth area until such lands are annexed by the City. The urban growth area has been identified by the City as urbanizable and is considered available, over time, for urban development.
8. The City and County shall maintain a process providing for an exchange of information and recommendations relating to land use proposals in the urban growth area and other land use activities being considered within the urban growth area by the County shall be forwarded by the County to the City for comments and recommendations. The City shall respond within twenty days, unless the City requests and the County grants an extension.
9. All land use actions within the urban growth area and outside the City limits shall be consistent with the City's General Plan and the County's land use regulations.
10. In order to promote consistency and coordination between the City and County, both the City and County shall review and approve amendments of the City's General Plan, which apply to the portion of the urban growth area outside the City limits. Such changes shall be considered first by the City and referred to the County prior to final adoption. If the County

approves a proposed amendment to the City's plan, the change shall be adopted by ordinance, and made a part of the County's plan.

11. The area outside the urban growth boundary shall be maintained in rural and resource uses consistent with the Statewide Land Use Planning Goals.
12. The City and County shall strive to enhance the livability of the urban growth area and to promote logical and orderly development therein in a cost effective manner. The County shall not allow urban density uses within the Urban Growth Boundary prior to annexation to the City unless agreed to in writing by the City. City sewer and water facilities shall not be extended beyond the City limits, except as may be agreed to in writing by the City and County. The City shall be responsible for preparing the public facilities plan.
13. Conversion of land within the boundary to urban uses shall be based on a consideration of:
 - (a) Orderly, economic provision for public facilities and services;
 - (b) Availability of sufficient land for the various uses to ensure choices in the market place;
 - (c) LCDC Goals;
 - (d) Further development of vacant and under utilized residential land within the City's buildable land inventory before annexing additional territory for conversion to residential use at urban densities; and
 - (e) Applicable provisions of the Marion County Comprehensive Plan and Gervais General Plan.
14. Gervais is committed to working with Marion County to minimize conversion of rural farm and forest lands, by achieving a compact urban growth form. The City shall zone buildable land such that the private sector can achieve 7.2 ~~6.6~~ units per gross acre in the Residential District R-1 and 12.7 units per gross acre in the Residential District R-2, consistent with the City's housing needs analysis. The efficiency standard represents the maximum density for new housing that will be zoned and allowed under clear and objective standards by the City. Through a combination of infill, redevelopment, and a greater variety of housing types, Gervais provides the opportunity for the private sector to achieve at least eight (8) dwelling units per gross buildable acre (after removing protected natural areas and land needed for parks, schools and religious institutions).

Housing through infill and redevelopment counts as new units, but no new land consumption, effectively increasing the density measurement.

15. The location of the urban growth boundary and changes to the boundary shall be determined by evaluating alternative boundary locations based on consideration of the following factors:
 - (a) Highest priority shall be given to land adjacent to the urban growth boundary that is identified as an exception area or non-resource land. Second priority may include agricultural land that is completely surrounded by exception areas unless such land is high-value farmland as described in Oregon Revised Statutes 215.710.
 - (b) If exception areas or areas of agricultural land, which are not high-value farmland, are inadequate to accommodate the amount of land needed for a proposed expansion, next priority is given to land designated in the Marion County Comprehensive Plan as agricultural land.
 - (c) For agricultural land, higher priority shall be given to land of lower capability as measured by the soil capability classification system. Land of higher soil capability may be included in the urban growth boundary if land of lower soil capability is found to be inadequate to accommodate the amount of land needed for the proposed expansion for to one or more of the following reasons:
 - (1) Specific types of identified land needs cannot be reasonably accommodated on land with lower soil capability;
 - (2) Future urban services could not reasonably be provided to land with lower soil capability due to topographical or other physical constraints; or
 - (3) Maximum efficiency of land uses within a proposed urban growth boundary requires inclusion of higher soil capability in order to include or to provide services to land with lower soil capability.
16. The City of Gervais will consider urban growth boundary expansions based upon consideration of the following factors:
 - (a) Efficient accommodation of identified land needs;
 - (b) Orderly and economic provision of public facilities and services;

- (c) Comparative environmental, energy, economic and social consequences; and
- (d) Compatibility of the proposed urban uses with nearby agricultural and forest activities occurring on farm and forest land outside the UGB.

COMMUNITY APPEARANCE

Community appearance can be an important factor in the future of Gervais. The City Council continues to confirm its commitment to dealing with this issue. If the community is to succeed in attracting new growth, an improved appearance would be a considerable asset in the effort. A general clean-up campaign for yards in residential and commercial areas would quickly change for the visual aspects of the city. Painting and otherwise up-grading structures throughout the community will further enhance its appearance. It is possible that through a community-wide effort to clean up and fix up the town, some community pride and unity could be rekindled.

PUBLIC FACILITIES

Public facilities are those areas and improvements which accommodate or provide various governmental services to the people of the community. These include schools, parks, fire stations, and other facilities such as public buildings, shop areas, solid waste disposal sites, sewer and water systems, substations or apparatus for power and communications services, etc. Adequate public facilities are essential to well-ordered community life, sustaining and enhancing the health, safety, education, and recreational aspects of community life.

Schools

Gervais is served by two public schools and one private parochial school, all of which derive their enrollment from an area much larger than the planning area. For this reason, it is difficult to forecast enrollment for these facilities based on anticipated growth, however, a review of the entire district helps guide the City's future. (For information on Sacred Heart Parochial School, see Page 9.)

Gervais School District Number 1 has five (5) elementary schools and one (1) high school -- Gervais, Eldridge, Brooks, Howell and Pioneer Elementary Schools, and Gervais High School. Gervais Elementary and Gervais High School are located within the City limits. A boundary shift in 1996 allowed Gervais elementary, the only public elementary school within the City limits, to transfer 70 students to schools outside the City limits to lighten growth pressures on the school. Historical enrollment numbers for Gervais School District #1 are as follows:

| | |
|--------------------------|--------------------------------------|
| 1991-1992: 1003 students | 1995-1996: 1025 students |
| 1992-1993: 1010 students | 1996-1997: 1030 students |
| 1993-1994: 998 students | 1997-1998: 1049 students (projected) |
| 1994-1995: 994 students | |

Residential subdivisions recently approved and located within the Gervais City limits are estimated by the school district to add 300 more students. This Plan estimates that the population of Gervais will grow to approximately 2,613 by the year 2020. The State and County also forecast continued growth. In anticipation of new family residences, the school district proposes a bond measure for May of 1997. Revenue from the bond is slated for the construction of a new Middle School within the City limits (grades 6-8), renovation of Gervais Elementary converting it to a K-5 program, and the remodel of Gervais High School to accommodate a technology center and provide additional space for preschool and before/after school care programs. If the bond measure succeeds, the District proposes to buy an additional 20 acres, increasing the amount of property owned by the school district to 85 acres.

If the bond passes and construction of new and remodeled facilities are completed, Gervais is in a position to handle growth through the year 2020. However, if the bond measure fails to pass, Gervais will need to continue to develop alternative means to expand school facilities and methods to cope with upcoming growth.

Parks

There are no parks in the community at the present time. The planning area is an island in a large agricultural area and much of the land within the community is undeveloped. However, as growth occurs and vacant lots disappear there will be fewer and fewer places for children to play. For this reason, the plan recommends five small park sites in the community.

The intent of the plan is that these sites be acquired as soon as possible and that they be developed with grass and trees as play fields. At this time, the committee and planning commission recommend against equipment or facilities in the parks. The city should work toward a method for purchasing these small parks while the sites are still available and the cost of land is relatively low. The committee and planning commission do not believe that the city should attempt to provide recreation facilities.

The committee and planning commission do believe there is a need to improve the appearance of the city. There are several landscaped strips shown in Map 5 along major streets and the railroad tracks. The strips along the streets indicate 10-foot setbacks along these streets which should be landscaped and maintained by adjacent property owners. These strips are no problem in residential areas because the normal yard provides the landscaping. A provision should be made in the zoning ordinance to require the landscaping, regardless of the zoning district.

City Hall

Recent remodeling of the city hall will solve the problem of adequate meeting space for several years. Space needs for the city staff people can be provided in the fire station or the remodeled city meeting room, or both.

Fire Stations

The present fire station is well located to provide protection for the community. Needs in the foreseeable future will relate to equipment and fire flow rather than to new station facilities. As the area grows, there will be a need for an additional pumper truck. Fire flow also must be improved if the city is to up-grade its fire rating and be able to provide better protection to possible industrial development. This improvement is part of the problem of improving the city water system.

Solid Waste Disposal

There are no existing or proposed solid waste disposal sites in the planning area. United Disposal currently serves the City of Gervais. The Company hauls solid waste to the Marion County Waste-to-Energy Incinerator facility in Brooks, Oregon, and uses the Coffin Butte landfill near Corvallis, if the need arises.

Citizens are able to participate in a curb-side recycling program similar to larger communities in the area. If the City chooses to expand the program, additional opportunities are available but do require an increase in fees.

The City's regional contact is Marion County Solid Waste Advisory Council. United Disposal currently has representation on that committee. The company also participates in the Mid-Valley Garbage and Recycling Association, a group for companies transporting solid waste.

It is important that the City participate in a regional solid waste management program. A regional solid waste management program strives to maximize the use of existing sites, endorses energy conservation and recycling of wastes, and coordinates solid waste activities of counties in the region. Therefore, the City has adopted the following policy:

Gervais supports a regional solid waste management program that includes recycling opportunities.

Water and Sewer System

The City is currently seeking funds to finance an update to the City's water system master plan prepared in 1975. Considering that the City has the potential of doubling its 1995 population by the year 2000, it is appropriate for City to reevaluate the current system. Contractors install system upgrades at the time of new subdivision development, however, the City will soon experience increased and substantial demands on its treatment and distribution system. Upon the procurement of grant moneys, the City Administrator/Recorder plans to administer the contract and recruit a consulting engineer to conduct the work and prepare the document.

The City derives its water from two wells. Treatment is by two sand filters with a total capacity of 280 gallons per minute (GPM). The City's storage capacity is 350,000 gallons and many of the City's distribution lines are undersized. In addition to water quantity issues, the inadequacy of the water system creates a public safety problem. The limited treatment and storage capability

could result in an inadequate water supply during fire fighting operations. During peak demand and, in particular, the summer months, the situation becomes very critical.

Because the City's only source of water is wells, the City needs to continue its efforts to organize a drinking water protection area committee. In addition to noting potential contaminants, the program educates citizens, businesses, and the community as a whole about ways to protect the source of the municipal water supply.

In an effort to continue distribution of the water to the community, protect the City's groundwater sources, and plan for the future, the City adopts the following policies.

- 1. The City plans to secure funding to prepare an updated water system master plan.*
- 2. The City continues to provide water for domestic, commercial, and industrial users throughout the existing community and to make improvements as funding becomes available.*
- 3. The City strives to maintain adequate water flow and pressure by requiring looping mainline within the system and requires a standard pipe size based upon the level of development and the needs to the area.*
- 4. The City requires property owners and/or contractors to install services to serve new developments in compliance with City standards and the City's master plan.*
- 5. The City requires the installation of backflow prevention devices according to City standards as one method toward protecting the City's water supply from contamination.*
- 6. To City plans to prepare for the recruitment and activation of a citizen committee to develop a drinking water protection program using State agency guidelines in the formation of the advisory group and resulting plan.*

Storm Water Drainage

In addition to the water and sanitary sewer improvements, the City needs a storm water drainage system plan. Ponding water during winter rains is a problem, and run-off of this water into the sanitary sewer system overloads this system. The City continues to seek funding sources toward developing a master plan document.

The City's consulting engineer demonstrated the impact the storm water has on the sanitary sewer in the Wastewater Facilities Plan prepared in 1998.

Infiltration/Inflow. Infiltration and inflow (I/I) are the high groundwater (infiltration) and storm water runoff (inflow) components of flow entering a sanitary sewer collection system, primarily during wet weather conditions. The Environmental Protection Agency (EPA) establishes guidelines that require cities I/I analysis for collection systems to meet one of the following criteria.

- Domestic wastewater plus non-excessive infiltration is higher than 120 gallons per capita per day (gpcd) during periods of high groundwater, based upon the highest 7 to 14 day average.
- The total daily flow during a storm is higher than 275 gpcd and there are no surcharges or bypasses and the treatment performance is adequate.

Historic records show that flow in Gervais during times of high groundwater, generally represented by average wet weather flow (AWWF), was almost 300 gpcd in 1997. Historic records also indicate that the flow during a peak storm event, represented by peak day flow (PDF), was over 800 gpcd in 1997.

Given the drawbacks to standard approaches to I/I reduction, it is more effective and financially feasible for the City of Gervais to provide treatment of existing flow levels than to try to reduce I/I. The consulting engineer recommends that the City maintain an ongoing program to reduce I/I where possible and minimize future I/I increases. The program includes the following.

- Improve surface drainage,
- Replace perforated manhole covers,
- Continue periodic pipe inspection, and
- Perform periodic flow monitoring.

As properties continue to develop in Gervais, the City needs to assess the impact the construction has on the storm water system and methods to improve the overall system. To ensure the assessment occurs, the City adopts the following policies.

1. *The City strives to provide an adequate storm water drainage system for existing areas and requires the installation of engineered and City approved storm water facilities for new development.*
2. *The City maintains an ongoing program to reduce infiltration and inflow (I/I) where possible and to minimize future I/I increases.*
3. *The City seeks funds to develop a storm water drainage system master plan.*

Wastewater Facilities

The City is working on a facility plan and trying to secure funding for improvements to its sanitary sewer system. These plans are being developed concurrently with this General Plan update. The facility plan is consistent with the long-range objectives of this General Plan. Improvements are necessary in the system to improve the quality of life in the community and to accommodate future growth.

The System. The existing wastewater facilities in the City consist of a conventional gravity sewer collection system feeding to two pump stations that convey flows to a wastewater treatment plant. The plant provides secondary treatment and disinfection.

Background. The City of Gervais treatment plant is approaching its capacity serving the 1998 population of approximately 1,220 people. The original collection system and two lagoons, constructed in 1965, cover a total area of 6.3 acres. The City upgraded its system with the addition of a 5.9-acre holding pond and outfall piping to the Pudding River in 1980. Although the design population for the 1980 upgrade is 1,400, it appears that infiltration and inflow (I/I) into the system exceeds design anticipation. The system is essentially at hydraulic capacity during large rainfall events. Capacity concerns heightened after the City approved two developments in the mid and late 1990s that increased the number of lots by over 250. The increase in population creates additional wastewater flows and loads to the treatment plant.

Future Service Area. The City of Gervais' wastewater treatment plant currently serves areas within the city limits. Its 20-year service area, as defined in the engineering study, is the area within the City's Urban Growth Boundary (UGB). It also includes an area outside the UGB bordered by Winfield Ranch on the north and lots north of Douglas Avenue on the south.

Need for improvements. In 1997, the City had difficulty meeting the maximum mass load discharge requirements contained in its National Pollutant Discharge Elimination System (NPDES) permit. The Department of Environmental Quality issued the City's NPDES permit April 20, 1992, (permit number 100890). The permit expired in March 1997. The City is renegotiating with DEQ during the course of the waste water facility upgrade and improvement project for the re-issuance of the permit. Improvements recommended in the plan must reflect the requirements of the new permit.

Existing Facilities. The City of Gervais' wastewater system, generally built in three stages, began in the mid-sixties and included the following.

- An 8-inch concrete pipe collection system installed in 1965 along with a two-celled lagoon treatment facility and the 4th Street Pump Station. The pump station conveyed all of the City's sewage to the treatment.
- The City upgraded its plant in 1981 with the addition of a third cell (Cell 3) for storing effluent and a new disinfection and pumping system to discharge effluent to the Pudding River. The City replaced pumps at the 4th Street Pump Station during the 1981 upgrade.
- Significant expansion of the collection system occurred beginning in the mid-1990's to serve the Winfield Ranch and French Prairie Meadows Subdivisions, including the addition of French Prairie Meadows Pump Station in the late 1990's.

Piping. The system constructed in 1965 and serving the original platted City, consists of approximately 17,000 feet of concrete pipe, which directs flows to the 4th Street Pump Station. The pump station discharges flow through a 6-inch cast iron force main to the wastewater lagoons. The first major expansion of the collection system occurred in 1994 with the installation of 8-inch polyvinyl Chloride (PVC) pipe for the Winfield Ranch development. In 1996 and 1997, the French Prairie Meadows expanded the collection system. This entire development drains by gravity through 8-inch PVC to the Black Walnut Pump Station. Waste

water flows are pumped through a 6-inch PVC force main into the original collection system. The collection system in place in 1998 serves approximately 321 households and consists of the following:

- 15,807 feet of 8-inch concrete pipe and 1,426 feet of 6-inch concrete pipe installed in 1965.
- 11,058 feet of 8-inch PVC pipe installed at the time of new residential development in the mid and late 1990's.

Due to the flat topography of the City, the City constructed a large portion of the original concrete pipe collection system (7,550 feet or 48 percent) at a grade of 0.30 percent. This grade is 25 percent less than the generally accepted minimum grade for 8-inch sewer pipe (0.40 percent). This flatter than standard grade results in low flow velocities and higher maintenance due to more deposition of solids.

Pump Stations. The City's wastewater collection system includes two pump stations--the 4th Street Pump Station and the French Prairie Meadows Pump Station. To determine the pump station capacity requirements, the consulting engineer's study identified service areas for each pump station.

The 4th Street Pump Station serves the City's entire Urban Growth Boundary. It is a fabricated package lift station consisting of a 72-inch diameter concrete wet well and a steel dry well housing the pumps below grade. Two direct-drive centrifugal pumps provide a total capacity of approximately 500 gallons per minute (gpm). The consulting engineer estimates the redundant capacity at 440 gpm. The City installed the original station in 1965 and replaced the pumps in 1981. For power reliability, the City enhanced the pump station in 1981 with a standby diesel engine-driven electrical generator located adjacent the pump station. A motor operating at 25 horsepower and at 1,750 revolutions per minute (rpm) drives the pump station. An 8-inch pipe provides overflow bypassing to a ditch along the south side of the Union Pacific Railroad.

The French Prairie Meadows Pump Station serves only the French Prairie Meadows area and the residential and commercial areas between French Prairie Meadows and Highway 99E. The French Prairie Meadows Pump Station consists of two constant speed submersible pumps, each with a capacity of 200 gpm. The developer located the pumps in an 8-foot diameter concrete wet well situated at the northeast corner of Black Walnut Drive and Hemlock Street. The pumps discharge into a 4-inch, 650-foot long force main that conveys flows to a manhole in Fir Avenue approximately 500 feet east of First Street. From the manhole, flows continue by gravity flow to the 4th Street Pump Station. The City houses the pump power distribution and controls in an above-ground fiberglass enclosure adjacent to the wet well. In case of power failure, the design of the pump station allows powering by the City's generator.

Lagoon System. The City's existing treatment plant is a three-celled facultative lagoon system designed for discharge to the Pudding River during wet weather (November through May). The City installed the existing facility in 1967 including:

- A. Two facultative lagoons (Cell 1 at 2.28 acres; and Cell 2 at 3.5 acres),
- B. An inflow meter, and
- C. A splitter box allowing the lagoons to be operated in series or parallel.

The plant's upgrade in 1981 included the addition of:

- D. A third cell (Cell 3 at 5.85 acres) for storing effluent, and
- E. A new disinfection and pumping system to discharge effluent to the Pudding River.

The plant, designed for wet weather discharge, allows Cell 3 to provide holding capacity for flows generated during the summer months. The City's most recent improvement to the plant, performed in 1989, replaced the pump that transfers flow from Cells 1 and 2 to Cell 3.

The design of the 1981 plant upgrade intended capacity to serve the City through 1998 and to serve a population of 1,400. Flow records indicate the plant exceeds projected design flow periodically due to infiltration and inflow (I/I), even though the City's population is less than design population. Evidence of this condition first became apparent in 1996 as the inefficiency of Cell 3's holding capacity resulted in high pond levels and discharges in violation of the City's NPDES permit.

Headworks. The plant headworks, situated between the primary lagoons (Cells 1 and 2), consists of a flow measuring device and a splitter box. Wastewater pumped from the 4th Street Pump Station passes through a Parshall flume. Downstream of the flume is a splitter box that allows the operator to direct flow to either or both of the primary ponds. Typical operation has been to place a v-notch weir over the outlet to Cell 1, directing approximately 80 percent of flow to Cell 2.

Primary Lagoons. The primary lagoons share a common berm and connect by a transfer pipe that allows the ponds to operate in series, if desired. Side slopes for the berms that form Cells 1 and 2 are 2:1 horizontal to vertical. The berms for both ponds are in poor shape, with evidence of numerous animal burrows.

Transfer Pump. A transfer pump conveys liquid from the primary lagoons to the storage pond (Cell 3). The transfer pump is a package pump station consisting of two suction lift pumps, each with a capacity of 500 gpm. The pumps, installed in 1989, replace the submersible pumps installed with the 1981 expansion. The transfer pumps, situated over a 6-foot diameter wet well, connect via six-inch valved pipes to both Cells 1 and 2. The connection allows withdrawal from either cell. A bubbler type leveling sensing system, installed in the wet well, automatically activates the transfer pumping.

Storage Pond. The transfer pumps direct liquid through a 6-inch diameter, 2,200-foot long PVC force main to Cell 3. The Cell serves as a storage pond during the summer when the City is not discharging effluent to the river. The storage pond, constructed in 1981, currently operates with three (3) feet of freeboard. The City could increase volume by operating with two (2) feet of

freeboard creating a maximum depth of 7 feet, an area at the middle depth of 5.85 acres, and a total resulting volume of 4.10 acre feet.

Effluent Disinfection. The City disinfects effluent prior to discharge to the Pudding River through chlorination. Generation of the chlorine/effluent solution is by mixing effluent drawn from the discharge piping of Cell 3 with chlorine gas from 150-pound cylinders. Contact time for the chlorination process consists of the flow time in the effluent force main. Taken from the sampling manhole, the City measures residual chlorine readings from effluent samples.

System Performance. The City's consulting engineer evaluated the wastewater system against estimated future capacity requirements, as well as regulatory requirements, to determine the adequacy of the system to serve current and future needs. The following significant problems require immediate attention.

- *Limited capacity and age of the 4th Street Pump Station.* The 4th Street Pump Station is significantly undersized and in poor condition. Its capacity is approximately 60 percent of current peak flows that result in the collection system surcharging (backing up) with sewage on a regular basis in the winter. The pump seals are no longer in production nor are replacement parts available.
- *Condition of Lagoon Cells 1 and 2.* The berms around Cells 1 and 2 have significant erosion and rodent damage that limit the pond water level. The 33-year-old ponds also need sludge removed from the bottoms--a process never completed by the City.
- *Limited capacity of effluent storage.* The State of Oregon permits Gervais to discharge treated effluent to the Pudding River only during the high river flow period from November through April. From May through October, Cell 3 stores effluent for winter discharge. In the last several years, the storage capacity of Cell 3 has been inadequate, resulting in either permit violations (October discharge) or excessively high pond water levels.
- *Failure to meet regulatory requirements.* The City wastewater treatment facilities fail to meet several current regulatory requirements. The chlorine disinfection facilities are substandard with respect to residual chlorine being discharged to the Pudding River and chlorine safety. The effluent discharge pipe configuration at the Pudding River does not meet DEQ mixing zone standards for safe fish passage.

Recommended Improvement Plan. The consulting engineer prepared update recommendations and the City Council indicated their preference. Estimated costs include 465,000 dollars for Phase I, 148,000 dollars for a Phase II, and 291,000 dollars for Phase III for a calculated total of 904,000 dollars. The following indicates the City's plans.

4th Street Pump Station. The City's most critical collection system need is the replacement of the 4th Street Pump Station. These 33-year-old station pumps are undersized, overworked, and operate without the benefit of replacement parts. The City needs to acquire easements or

property adjacent the current location to relocate the pump station and backup generator outside the 4th Street right-of-way. The existing backup generator needs relocation to the French Prairie Meadows Pump Station. The City needs to install a new and larger generator at the 4th Street station. **Table 29** summarizes the design data for the new pump station.

**Table 29
4th Street Pump Station Design Data**

| | |
|----------------------|--|
| Existing Design Flow | 790 gpm @ 37 feet total dynamic head (TDH) |
| 2020 Design Flow | 1,152 gpm @ 58 feet TDH |
| 2600 Design Flow | 1,285 gpm @ 60 feet TDH |
| Force Main Diameter | 10-inch |

Source: City of Gervais Wastewater Facilities Plan, KCM, Inc.

Pipe Improvements. The 8-inch pipe that conveys the entire City’s wastewater flow from Fir Avenue into the 4th Street Pump Station needs immediate replacement. The trunk main in Fir Avenue, slightly undersized for existing peak flows, is significantly undersized for 20-year design flows. **Table 30** summarizes the design data for the pipe improvements.

**Table 30
Pipeline Design Data**

| Location | Length | Diameter Required |
|--|----------|-------------------|
| 4 th Street South of Fir Ave. | 143 feet | 15-inch |
| Fir Ave. West of 4 th Street | 841 feet | 12-inch |
| Fir Ave. East of 4 th Street | 821 feet | 12-inch |

Source: City of Gervais Wastewater Facilities Plan, KCM, Inc.

Long-Term Collection System Improvements. The Wastewater Facilities Plan identified two additional collection system improvements that address deficiencies resulting from anticipated development. They are as follows.

- Replace the 8-inch pipe in 7th Street north of Fir Avenue to the location where future development on the west side of the City will discharge into the system.
- Upgrade the French Prairie Meadows Pump Station to serve commercial development along Highway 99E.

While not likely needed in the near future, the rate of development determines the appropriate timing for these improvements.

Wastewater Treatment Plant Improvements. Needed improvements to the waste water treatment plant include treatment cell upgrades, disinfection upgrades, a land application (irrigation system), and effluent pumping system and Pudding River outfall upgrades.

Treatment Cell Upgrades. Treatment Cells 1 and 2 require the following improvements:

- Reconditioning of the berms to provide 3:1 horizontal-to-vertical side slopes,
- Removal of rodent holes,
- Installation of an impervious high-density polyethylene (HDPE) liner,
- Removal of sludge, and
- Installation of floating surface aerators.

Table 31 summarizes the design data for the cell reconstruction.

**Table 31
Cell 1 and Cell 2 Facultative Lagoon Data**

| | Cell 1 | Cell 2 |
|--|-------------------------------------|-------------------------------------|
| Area at Middle Depth of Lagoon | 2.67 acres | 3.35 acres |
| Maximum Depth | 5 feet | 5 feet |
| Volume at Maximum Depth | 13.3 acre-feet | 16.8 acre-feet |
| Design Freeboard | 2 feet | 2 feet |
| Berm Top Width | 10 feet | 10 feet |
| Berm Side Slopes (horizontal:vertical) | 3:1 | 3:1 |
| Aeration | Four 5-hp floating surface aerators | Four 5-hp floating surface aerators |
| Liner | 60 mil HDPE | 60 mil HDPE |

Source: City of Gervais Wastewater Facilities Plan, KCM, Inc.

Disinfection Upgrades. The City needs disinfection upgrades to meet regulatory requirements and provide a system compatible with the proposed land application system. The consulting engineer recommends that the gaseous chlorine system be maintained with the addition of a chlorine scrubber system, chlorine contact tank, and dechlorination and re-aeration facilities. The City needs to acquire a small area adjacent Cell 3 for the chlorine contact and re-aeration tank.

Land Application of Effluent. If the City chooses to use the effluent land application option as part of its upgrades to the existing treatment lagoons, disinfection facilities, effluent pumps and Pudding River outfall, it must reserve funds to purchase of land for irrigation and installation of irrigation equipment for water reuse during summer. The ultimate required irrigation area is property rectangular in shape and 50 acres in size.

The engineering firm evaluated several crops for water use. Due to high water consumption, poplar trees appear the ideal crop for water reuse. Trees may be harvested every six (6) to twelve (12) years and are of value to the paper pulp industry. The City could use an outside contractor to plant and harvest trees.

Land Application Site Preparation and Operation. Operation and maintenance are most intense during the first three years and consist of herbicide and pesticide spraying, maintaining irrigation equipment, and mowing grass between the trees. The City could lease the tree-growing operation

(along with water use requirements) to a private party. However, for reliability, the consulting engineer recommends that the City plan to operate the system.

Irrigation System. The City's consulting engineer recommends a microspray irrigation system on management units approximately seven (7) acres each. See Table 32 for other design data. The City would plant, irrigation and harvest each management unit. Irrigation piping consists of underground distribution pipes to each management unit with above-ground piping feeding the microspray heads.

Table 32
Land Application System Design Data

| Effluent Classification | Level II |
|--------------------------------|---------------------------------|
| Irrigation Period | June 1 through September 30 |
| Effluent Application Rate | 30 inches per irrigation season |
| Irrigation System Type | Microspray |
| Spray Head Spacing | 26 feet by 20 feet |
| Tree Spacing | 13 feet by 6.5 feet |
| Buffers Required | 50 feet each side |
| Total Site Area Required | 60 acres |

Source: City of Gervais Wastewater Facilities Plan, KCM, Inc.

Engineering Evaluation of the land use application method. The land application alternative, with its low capital and annual costs and moderate mass load increase requirements, appears the best alternative when considering both cost and water quality.

Upgrade Effluent Pumping System and Pudding River Outfall. As the final category of improvements, the consulting engineer recommend upgrades to the effluent pumps and follows.

- A. Replacing the pumps to increase capacity of 0.81 mgd,
- B. Modifying the existing piping to remedy clogging problems, and
- C. Painting the existing pump house.

The City needs to remove and replace the discharge pipe concrete headwall at the edge of the Pudding River with a manhole. The City needs to extend an anchored pipe with a four-inch diffuser at the end for a distance one-third the river width into the river.

Policies. Noting the current system and plans for improvements, the City adopts the following policies.

The City continues to provide sanitary sewer services for domestic, commercial, and industrial uses throughout the existing community and to make improvements as funding becomes available.

The City requires property owners and/or contractors to install services to serve new developments in compliance with City standards and the City's waste water facility master plan.

The City continues to seek funding mechanisms to implement system improvements as recommended in the waste water facilities plan.

The 1999 General Plan update excerpts, summarizes, and condenses sewer system information from the Wastewater Facilities Plan prepared by KCM, Inc. in 1998.

Other Considerations

Off-street parking is recommended on the plan for the railroad property across Fourth Street from the central business area. This strip of land could be improved to provide additional parking as the business area develops. It is convenient to the area and will become an asset in the future.

The City of Gervais has a strong sense of its historical beginnings. In 1978, the community held a centennial celebration and published a commemorative booklet which traced the history of the City.

There are not structures in the City presently listed in the national or state registers of historic sites. There are however, a number of structures which are of historic interest to the City. These include:

The Dupois House, on Third Avenue,
The Eva Meyer Earhart Home, on Fourth at Alder Avenue,
The DeJorden Home, 685 Third Street,
Sacred Heart Parish Rectory, 680 Elm Avenue,
First Presbyterian Church, 80 Douglas Avenue,
The Earl O'Neal Home, 260 Alder Avenue, and
The Paul McKenzie Home, 720 Fourth Street.

These structures are identified on the plan map (#10), page 59a. It is the City's desire to preserve and protect the historic character of the community.

Potential conflicting uses for the identified historic structures include exterior alternation and demolition. Since it is the City's desire to preserve and protect the historic character of the community, the identified structures will be subject to the Historic Preservation Ordinance which will regulate exterior alteration and demolition.

It is hoped that a group or committee will be organized that will work toward the protection and renovation of historic structures. These historic places could be identified with a small marker giving the date and name of the structure or site.

There are a number of federal laws which seek to protect historic and archeological sites. These are the National Historic Preservation Act (Public Law 91-190). The State also has laws on the

books, specifically Oregon Revised Statutes 273.705, 273.711, and 273.990, which require protection of historic sites and objects on all state owned lands. The City has adopted the following policy to deal with the preservation of historic resources:

The City shall cooperate with state agencies and other historic organizations providing funding to catalog and preserve historic buildings, artifacts and archeological sites.

Implementation

This update to the General Plan is the result of several months of meetings and public hearings by the City Council. If the Plan is to have any meaning, it must be implemented. The various processes for implementing the Plan are as closely interrelated as the elements of the Plan itself.

Public information and participation is essential if the Plan is to succeed. City Council provided public notice of the General Plan review in an attempt to involve many citizens in the update of the Plan, with only limited success. However, the Plan should be kept before the public as a basis for community action. By keeping the Plan before the public, interest will develop and the Plan can become an effective tool for guiding the future community development patterns in a manner consistent with the objectives of the Plan and the people.

Therefore the City has adopted the following policy:

It is in the intention of the city of Gervais to have the City Council periodically review and make recommendations on land use issues and other matters of social and economic development.

If enough interest can be generated it is the City's desire to reestablish the planning commission. The Commission would assume the responsibilities of the Citizen Advisory Committee (CAC) and would meet on a regular basis to review land use issues to prepare recommendations for the City Council. They would also be designated as the Committee for Citizen Involvement (CCI) and would be responsible for seeing that other members of the community have opportunities to get involved in the planning process. Until a planning commission can be established the City Council will continue to serve as the CCI.

Adoption of the Plan as a statement of community policies is essential to its effectiveness. When the Plan and its updates are officially recognized by the State of Oregon it guides future growth patterns. Public and private community actions must be evaluated in terms of the Plan. Action contrary to the Plan should not be taken unless the Plan is first amended to reflect the change in objectives or policy.

Revisions of codes and ordinances are an important step in effectuating the Plan. The Gervais zoning ordinance should be rewritten to reflect and refine land-use relationships and development standards recommended in the General Plan, and zoning issues should be evaluated

in the context of the Plan. The subdivision ordinance should also reflect improvement requirements and other development standards included in the Plan.

Capitol improvement programming is an important process in the implementation of the General Plan. It consists of three basic elements--a listing of necessary public improvements, determination of priorities, and a financial analysis. A listing of all capital improvements that will be needed in the foreseeable future is the first established. A priority system is established based on the relative urgency of each project. A financial analysis is then made to determine costs and sources of revenue which can be applied to the capital improvement program. From these projections, it is possible to estimate the amount of revenue that may be available annually for capital improvements and to allocate these funds to appropriate projects.

Capital improvement programs are usually prepared for a period of 20 years and then divided into 5-year increments. They are then revised annually as projects are completed, funds expended, and priorities change. A realistic capital improvement program can be one of the most significant and beneficial steps that a community can take to guide its growth in an orderly manner.

Plan amendments will be necessary as time passes and conditions change. This Plan is intended to be a guide for the future growth of the community. It is not a static document "cast in stone." It should be subject to periodic review and should be flexible, but not so flexible as to be meaningless as a statement of community policy. Changes in the Plan should be made in light of considerations relating to the entire community.

The City Council will conduct a thorough review of the Plan and implementing ordinances at least as often as directed by the Oregon Department of Land Conservation and Development in order to satisfy the scope of periodic review requirements of ORS 197.628. In addition, it is possible for individuals to petition for changes or amendments to the Plan in a manner similar to that for zoning changes. There will be a public hearing before the City Council prior to making any changes. Any changes must be consistent with the policies in the Plan or the Plan should first be changed or amended to reflect the new policies. This should be true of both changes resulting from City Council review and individuals petitions. Hearings on Plan amendments will follow the amendment procedures set forth in the zoning ordinance.

Major revisions to the Plan, those resulting in wide spread and significant community impacts, should not be made more frequently than every two years if possible.

A more thorough review and Plan update will occur every five (5) years or in the event that public needs and desires change or when development occurs at a different rate than in the projected Plan.

Marion County Coordination

In 2003, Marion County adopted the “Urban Growth Management Framework” as part of its comprehensive plan. The Framework states its purpose on pages 2-3:

“The purpose of the Growth Management Framework is to:

- 1. Identify common goals, principles, and tools that will lead to more coordinated planning and promote a collaborative approach to developing solutions to growth issues.*
- 2. Be consistent with City plans for growth by modifying the growth projections in response to City feedback.*
- 3. Protect farm, forest, and resource lands throughout the County by considering the existing growth capacity of each community, fostering the efficient use of land, and evaluating urban growth boundary expansion needs.*
- 4. Maintain physical separation of communities by limiting urbanization of farm and forest lands between cities.*
- 5. Maintain community identity by encouraging each community to decide how it should grow and by promoting City decision-making control.*
- 6. Support a balance of jobs and housing opportunities for communities and areas throughout the county that contribute to the needs of regional and City economies.*
- 7. Provide transportation corridors and options that connect and improve accessibility and mobility for residents along with the movement of goods and services throughout the county.*

The Urban Growth Management Framework is a coordination planning strategy that provides a guide cities may follow when considering urban expansion needs and decisions in response to growth issues. The Framework identifies the areas of interest for the County regarding urbanization and possible measures in the form of coordination guidelines, that cities may choose to pursue to accommodate efficient growth. Within the context of the Framework, coordination guidelines are defined as being ‘flexible directions or measures that may be utilized to address specific policy statements.

‘The Framework is intended to provide direction and assistance for the cities through a checklist of factors for consideration in making decisions regarding the impacts of growth. The decision as to how to use the Framework and which guidelines may be important and applicable, is up to the cities. The County recognizes there may be several ways to approach and resolve an issue and the Framework provides flexibility for the cities in coordinating planning efforts with the County.’

Marion County Coordination Goals and Policies

GOAL: To coordinate with Marion County regarding planning issues that extend beyond the boundaries of the City of Gervais, including population allocations, amendments to acknowledged comprehensive plans and transportation system plans, and achievement of a compact urban growth form, as required by Statewide Planning Goals 2 (Land Use Planning and Coordination), 12 (Transportation) and 14 (Urbanization.)

POLICIES:

1. Marion County Framework Plan goals, policies, and guidelines will be considered when the City considers General Plan amendments that require Marion County concurrence.
2. The City of Gervais shall have primary responsibility to plan for community growth within its Urban Growth Boundary, and recognizes its responsibility to coordinate with Marion County to ensure the efficient use of urbanizable land within the Gervais UGB.

Marion County Economic Coordination Goals and Policies

Consistent with Marion County's Urban Growth Management Framework, the City of Gervais adopts the following economic coordination goal and associated policies.

GOAL Encourage diversity and balance of job types (e.g., service and industry jobs); promote economic opportunity for all segments of society; encourage a sustainable local and regional economy; and tailor economic development to the unique assets and needs of the county and the City of Gervais.

POLICIES:

1. Consistent with Marion County Framework Plan policies, the City of Gervais has conducted an Economic Opportunities Analysis (EOA) consistent with the Goal 9 Rule (OAR Chapter 660, Division 9) that:
 - (a) Describes state and regional economic trends;
 - (b) Inventories lands suitable for employment use by parcel size;
 - (c) Assesses community economic development potential;
 - (d) Forecasts future employment; and
 - (e) Estimates the amount of land needed in Commercial and Industrial plan designations to accommodate future employment;
2. The City of Gervais will work with Marion County, economic development agencies, area economic development groups, and major institutions to provide information to support development of a region-wide strategy promoting a sustainable economy.

TRANSPORTATION ELEMENT

This chapter of the General Plan provides a guide for improvement of the City's streets and circulation system. Consideration of other modes of transportation is also incorporated into the Plan.

Street Network Plan

The development of the street network plan is a process of evaluating how well the city's current transportation system might serve existing and planned development. The evaluation process consisted of reviewing how the proposed street network achieves stated goals and objectives in light of the projected build-out of the urban area and projected 2015 traffic volumes. Other criteria included potential environmental constraints, overlapping jurisdictions, impacts on rural/resource lands and financial feasibility. The street network plan is intended to: 1) provide the local jurisdiction and developers direction for the location of future streets; 2) ensure a safe and efficient street circulation system; 3) guide and assure the dedication or acquisition of rights-of-way for streets to establish adequate pavement widths; and 4) aid in the development of a capital improvement program including priorities for expenditures and design standards.

While the street network plan identifies certain streets of particular importance for traffic circulation, most local streets are built as development occurs. It is important the city requires local streets to connect with existing and planned streets wherever possible. Residential areas with only one primary access point places them at risk in the event of a major emergency. Multiple access points, achieved through a well connected street network, is important to ensure that emergency services are not cut off and that local access is not eliminated or greatly lengthened in the event that one access is closed. In addition, a well connected street network with numerous alternative routes reduces the overall traffic volume on any one route which results in a more efficient use of existing transportation resources and also creates a more bicycle and pedestrian friendly environment. Good connectivity is achieved through the application of standards contained in the city's zoning ordinance.

Functional Classification of Streets

Streets serve a variety of needs including transportation through an area and direct access to adjacent property. In order to serve this wide range of uses effectively, the street network is designed to serve a primary function within a structured hierarchy. The street network plan should also achieve a balance between the demands for mobility and access.

The traffic circulation system is, therefore, based upon three distinctive and inter-related types of streets: Arterial, Collector and Local.

Arterial: A street of considerable continuity which is used primarily for through traffic and interconnection between major areas of the city. The intent of an arterial street is providing the majority of regional travel passing through an area and the majority of local trips entering and leaving the

Map 7

urban area. It should also provide continuity for all rural arterials which intercept the UGB and should include connections to all rural collectors. Arterials generally emphasize mobility over land access. Access to arterials should be managed to protect the mobility function of the street as much as possible.

Collector: The collector street collects traffic within an area and distributes it to an arterial street. A collector provides more emphasis on land access than an arterial serving the traffic circulation needs of surrounding residential areas. Collectors penetrate into all areas of a city, gathering traffic, and channeling it to arterials or rural collectors.

Local: A street intended primarily for access to abutting properties, but protected from "through" traffic. Local streets entail all those not otherwise defined as arterials or collectors. While connectivity is encouraged for all streets, through traffic movement is not the intended purpose of a local street.

Inventory and Evaluation of the Street Network

The street network plan evaluates how well the city's street system can accommodate existing and projected future traffic volumes. Based on the functional classifications identified above, the city's arterial network is designed to provide a higher level of mobility than collectors and local streets by carrying the highest traffic volumes and the longest trip lengths. As a result, capacity deficiencies on the arterial system will also affect the performance of the local and collector street systems as well. An inventory of the arterial and collector street system is provided in Table 33. The existing street network is shown in Map 7.

Evaluating the performance of the arterial system is defined in terms of "level of service" (LOS) which is a qualitative measure describing the operational conditions of the traffic stream and their perception by motorists. Levels-of-service are given letter designations from A to F, with LOS A representing the optimum operating conditions and LOS F the worst. The following LOS definitions have been extracted from the 1995 Highway Capacity Manual, Special Report 209, Transportation Research Board:

Level of Service A - Represents free flow. Individual users are virtually unaffected by the presence of others in the traffic stream. Freedom to select desired speeds and to maneuver within the traffic stream is extremely high. The general level of comfort and convenience provided to the motorist, passenger, or pedestrian is excellent.

Level of Service B - Is in the range of stable flow but the presence of other users in the traffic stream begins to be noticeable. Freedom to select desired speeds is relatively unaffected but there is a slight decline in the freedom to maneuver within the traffic stream from LOS A. The level of comfort and convenience provided is somewhat less than LOS A because the presence of others in the traffic stream begins to affect individual behavior.

Level of Service C - Is in the range of stable flow, but marks the beginning of the range of flow in which the operation of individual users becomes significantly affected by the presence of others, and maneuvering within the traffic stream requires substantial vigilance on the part of the user. The general level of comfort and convenience declines noticeably at this level.

Level of Service D - Represents high-density but stable flow. Speed and freedom to maneuver are severely restricted and the driver or pedestrian experiences a poor level of comfort and convenience. Small increases in traffic flow will cause operational problems at this level.

Level of Service E - Represents operating conditions at or near the capacity level. All speeds are reduced to a low but relatively uniform value. Freedom to maneuver within the traffic stream is extremely difficult and is accomplished by forcing a vehicle or pedestrian to "give way" to accommodate such maneuvers. Comfort and convenience levels are extremely poor and driver or pedestrian frustration is high. Operations at this level are usually unstable because small increases in flow or minor disturbances within the traffic stream will cause breakdowns.

Level of Service F - Describes a breakdown of traffic flow. No uniform flow is possible, speeds are extremely low and congestion is likely at signalized intersections. The amount of traffic approaching a point exceeds the amount of traffic that can pass that point.

The criteria for estimating levels-of-service will vary according to roadway type, time delay, travel speed, volume to capacity (v/c) ratio, and topography. Applying the methodology used for unsignalized intersections from the 1995 Highway Capacity Manual (HCM) as a general guideline, the equivalent levels-of-service were estimated. The estimated levels-of-service for 1995 and 2015 are illustrated in Table 33.

**Table 33
City of Gervais Street Inventory**

| Street Name | From | To | 1995 ADT | Capacity Estimate | No. Lanes | Widths | | | Type | | | R/W | Cond. | City Func. Class | Sidewalks | | 1992-95 Accidents | Level of Service | |
|-----------------|---------------|-----------------|-----------------------|-------------------|-----------|----------|--------------|-----------|----------|--------------|-----------|---------|---------------|------------------|-----------|-----|-------------------|------------------|------|
| | | | | | | Left Sh. | Travel Lanes | Right Sh. | Left Sh. | Travel Surf. | Right Sh. | | | | Lt. | Rt. | | 1995 | 2015 |
| Third (3rd) | Douglas | Ivy | 1,292 @ S. City Limit | 18,000 | 2 | 0 | 20 feet | 0 | N/A | Asphalt | N/A | 60 feet | Poor/ Fair | Arterial | Yes | Yes | Not Available | A | B |
| Ivy | 3rd | N. City Limits | 1,800 | 18,000 | 2 | 0 | 20 feet | 0 | N/A | Asphalt | N/A | 60 feet | Good | Arterial | No | No | 1-1@3rd | A | B |
| Douglas | W. City Limit | E. City Limit | 668-W 2,700-E | 18,000 | 2 | 5 | 24 feet | 5 | Asphalt | Asphalt | Asphalt | 60 feet | Good | Arterial | No | No | 3-2@1st,1@7th | A | B |
| 1st | Douglas | Ivy | Unknown | Unknown | 2 | 0 | 18 feet | 0 | N/A | Oil Mat | N/A | 60 feet | Fair | Collector | No | No | Not Available | * | * |
| 5th | Douglas | Grove | Unknown | Unknown | 2 | 0 | 20 feet | 0 | N/A | Asphalt | N/A | 60 feet | Good | Collector | No | No | Not Available | * | * |
| 5th | Grove | Ivy | Unknown | Unknown | 2 | Curb | 40 feet | 0 | Conc. | Asphalt | N/A | 60 feet | Good | Collector | Yes | No | Not Available | * | * |
| 7 th | Douglas | Fir | Unknown | Unknown | 2 | Curb | 40 feet | 0 | Conc. | Asphalt | N/A | 60 feet | Good | Collector | Yes | No | Not Available | * | * |
| 7th | Fir | Ivy | Unknown | Unknown | 2 | Curb | 40 feet | Curb | Conc. | Asphalt | Conc. | 60 feet | Good | Collector | No | No | Not Available | * | * |
| Black Walnut | Douglas | Thornbury Court | Under Construction | Unknown | 2 | Curb | 30 feet | Curb | Conc. | Asphalt | Conc. | 44 feet | Very Good | Collector | Yes | Yes | Not Available | * | * |

Table By: MWVCOG

Notes: Design capacities represent ideal capacities with no adjustment for directional distribution, heavy vehicle traffic, and lane/shoulder widths.

North to South directional roadways are named streets, east to west are avenues.

Condition Rating is subjective based on a range of Very Poor to Excellent as defined in AASHTO.

* - Calculation of this data is well beyond the scope of this update, and should not be necessary for several years due to light traffic.

The following describes the function and performance of the arterial street system based on 1995 and projected 2015 average daily traffic volumes:

Arterials

Third Street and Ivy Avenue

Third Street and Ivy Avenue are the city streets comprising the main north-south route through the city. They are the connecting link between the two-lane, county maintained, Checkerboard and Butteville Roads which are classified by Marion County as Major Collectors and connect Gervais with rural Marion County to the north and south. Third Street has an estimated capacity of 18,000 vehicles per day. In 1995 the estimated daily traffic ranged from 1,300 to 1,800 vehicles per day (an approximate doubling of the traffic count since 1975) between the northern and southern portions of the city. By 2015, average daily traffic is projected to reach an estimated 5300 (a increase of two and a half times the average 1995 traffic) vehicles. Even with the projected increase in traffic volumes, Third Street and Ivy Avenue will still operate at a generally acceptable level of service. As a result, no major capacity improvement projects are anticipated by Marion County during the 20 year planning period.

Douglas Avenue

Douglas Avenue is the street completing the east-west link through the City between county maintained, two-lane, St. Louis and Mt. Angel-Gervais Roads. Marion County classifies these two roads as Minor Collectors and they connect Gervais with rural Marion County to the east and west. Douglas Avenue has an estimated design capacity of 18,000 vehicles per day. Between the east and west city limits in 1995, the estimated average daily traffic ranged from 668 to 2700 vehicles per day (an approximate tripling of the traffic count since 1975) between the two ends of the city. By 2015, the average daily traffic is estimated to reach approximately 6,000 vehicles (approximately two and one-half times the average 1995 traffic). Although average daily traffic is projected to increase, Douglas Avenue will operate at an acceptable level of service throughout the planning period. Presently, no major capacity improvement projects are anticipated by Marion County during the 20 year planning period.

Collector Streets

1st, 5th, 7th and Black Walnut Streets

Although presently serving as a local street, 1st Street becomes a collector following the construction of French Prairie Meadows Planned Unit Development (PUD). The PUD creates Black Walnut Street that will be classified as a collector. Other collectors include the portions of 5th and 7th Streets between Ivy and Douglas Avenues.

Gervais' existing and currently planned network of collector streets will efficiently distribute traffic between the local street system and the higher volume arterial streets. Because of Gervais' relative small size, the existing collector system provides access to most areas of the city. Low

vehicular traffic, slow travel speeds, and direct access to adjacent properties encourages bicycle and pedestrian use on Gervais' street system.

NOTE: It is very possible that Ivy Street from the French Prairie Meadows PUD to its intersection with 3rd Street will function as a collector as buildout of the PUD occurs. If so, a reevaluation of the intersection may be required to determine traffic signage needs. Additionally, Alder Avenue from Douglas Avenue to Checkerboard may require reclassification to collector during the next periodic review.

Local Streets

Local streets comprised the remainder of the City's street system. These streets provide direct access to the adjoining land uses and efficient connectivity to the collector and arterial system.

Other Significant Transportation Facilities

Bordering the eastern edge of the City is Oregon Highway 99E. Along the City's edge, the 1995 traffic count is between 7,400 to 7,900 vehicles per day. Approximately 13,000 vehicles per day by 2015 is projected.

The City and the County are working with the State to fund and install a traffic signal to replace the flashing lights now in place at the intersection of the highway and Douglas Avenue (Mt. Angel/Gervais Road) is programmed in ODOT's draft State Transportation Improvement Plan (STIP) for the year 1999. Douglas Avenue serves as the one primary route from Highway 99, to the City.

Traffic Circulation

According to a General Plan policy, the city will take full advantage of the public investment in existing streets and requires the development of new streets to improve traffic circulation. Generally, north-south, through traffic on 3rd Street and Ivy Avenue can efficiently negotiate through the city. However, the curve between 3rd and Ivy requires large truck traffic to move slowly to make the turn. This corner may require future study if truck and overall traffic should substantially increase. Traffic on Douglas Avenue can move easily between the east and west portions of the city. The only impediment to traffic is the four-way stop between Douglas Avenue and 3rd Street, and the occasional train at the crossing next to 4th Street. With the exception of the new development, the streets are laid out in a grid system. The relatively short street lengths give motorist, bicyclist, and pedestrian many opportunities to move anywhere in the city without appreciable delay.

Street Standards

Oregon Administrative Rules (OAR), Chapter 660, Division 12, Section -045, Paragraph (3)(b)(D) require local governments to establish their own standards or criteria for providing streets, while Paragraph (7) states that local governments shall establish standards for local

streets and accessways that minimize pavement widths and total right-of-way consistent with the operational needs of the facility. Paragraph 7 also states that this requirement need not be adopted as land use regulations.

On August 11, 1994; the City of Gervais adopted Public Works Construction Standards (Resolution 94-18). Adopted as non-land use regulations, the street right-of-way and width standards are shown for information purposes in the following table.

Further minimizing the requirements for right-of-way and paving width is being considered by the City. As part of the French Prairie Meadows development, the City is testing lower standards.

Table 34
City of Gervais Minimum Street Right-of-Way and Paving Standards

| Functional Classification | Minimum Street Right-of-Way Width | Minimum Paving Width |
|---------------------------|-----------------------------------|----------------------|
| Arterial | 60 feet | 34 feet |
| Collectors | 60 feet | 34 feet |
| Local | 50 feet | 34 feet |

Source: City of Gervais

Note: The arterials are county owned and maintained roads, and as such Marion County Standards apply. This standard is 68 feet for right -of-way, and 34 feet minimum pavement width.

Note: When determining the minimum right-of-way and/or minimum paving widths necessary for various classifications, standard factors of 12 foot travel lanes, 14 foot center turn lanes, 5 foot bike lanes, and 5 foot sidewalks should be used. For example, a two lane road with a center turn lane combined with sidewalks and bikepaths would require a minimum 58 foot right-of-way. Installation of planter strips, utilities, or other needs would require additional width.

TRUCK ROUTE

Large truck traffic through Gervais generally consist of delivery vehicles, vehicles serving the nearby tile factory, and those avoiding the state highways. There are no indications that truck traffic will greatly increase during the period of this plan. Currently truck traffic travels through the City using the arterials and those are expected to continue as the undesignated truck routes. Currently, the City prohibits truck traffic on 7th Street.

There is a potential for truck traffic to increase depending on decisions relating to siting a new interchange on Interstate 5. Since the location, and funding, of such a site is currently unknown, this element does not attempt an analysis of the potential.

As mentioned earlier, the turn from 3rd Street onto Ivy Avenue is difficult for large trucks and this route transits a residential area. This may be an issue for additional study in the future.

BIKE/PEDESTRIAN NETWORK

A portion of the City’s designated bicycle and pedestrian routing is along Douglas Avenue. There are five foot paved shoulders on both sides of the arterial that are adequate for pedestrians and a shared bikeway. Motor vehicle traffic volumes are relatively light, there are few obstacles, and the terrain is level. Douglas Avenue also has a protected railroad crossing next to 4th Street. The High School and Elementary School are located on the south side of that street. Sacred Heart School is located one block north of Douglas Avenue on 7th Street. Map 8 shows existing pedestrian facilities.

A number of sidewalks within the city are missing or are in need of repair. While vehicular traffic is minimal on local streets, the lack of sidewalks can present an inconvenience for pedestrians.

Table 35 is an inventory of sidewalks along developed streets that are missing or in need of repair. In recent years, the City has initiated efforts to construct missing sidewalks. The City will continue to construct and repair needed sidewalks as funding becomes available. The low volumes on local streets will enable pedestrians and bicyclists to safely share streets with automobiles during the interim as the city completes necessary improvements. All new developments within the city are required to provide bicycle and pedestrian facilities.

**Table 35
City of Gervais Sidewalk Inventory**

| Location | Sidewalk Needed | Repair or Replacement Needed |
|-----------------|---|--|
| First Street | West side: Near Alder Avenue intersection, 100 feet north of Douglas Avenue to north city limits | |
| | East side: Grove Avenue to north city limits | Elm Avenue to Grove Avenue |
| Second Street | West side: 100 feet north of Douglas Avenue to Fir Avenue, Grove Avenue to north city limits | Fir Avenue to Grove Avenue |
| | East side: Fir Avenue to Ivy Avenue, Juniper to north city limits | Douglas Avenue to Fir Avenue |
| Third Street | West side: Alder to Gervais Telephone Company, Juniper Avenue to north city limits | |
| | East side: Alder Avenue to 100 feet south of Douglas Avenue, Elm Avenue to Fir Avenue, Grove Avenue to 150 feet south of Ivy Avenue | 150 feet south of Ivy Avenue to Ivy Avenue |
| Fourth Street | East side: Ivy Avenue to north city limits | |
| Fifth Street | West side: Alder Avenue to 100 feet south of Douglas Avenue, Ivy Avenue to north city limits | Elm Avenue to 200 feet south of Hemlock Avenue |
| | East side: Ivy Avenue to north city limits | |

| Location | Sidewalk Needed | Repair or Replacement Needed |
|----------------|---|-------------------------------|
| Sixth Street | West side: Douglas Avenue to Elm Avenue, 50 foot segment between Fir Avenue and Grove Avenue | |
| | East side: Douglas Avenue to Elm Avenue, Fir to north city limits | |
| Seventh Street | West side: 50 foot segment north of Alder Avenue, north end of Sacred Heart School to 100 feet north of Grove Avenue, Hemlock Avenue to north city limits | |
| | East side: Alder Avenue to Douglas Avenue, 100 feet north of Douglas Avenue to Fir Avenue, Grove Avenue to north city limits | |
| Alder Avenue | North side: Entire length | |
| | South side: Entire length | |
| Birch Avenue | North side: Third Street to Fourth Street | |
| | South side: Third Street to Fourth Street | |
| Cedar Avenue | North side: Third Street to Fourth Street | |
| | South side: Third Street to Fourth Street | |
| Douglas Avenue | North side: Highway 99E to Black Walnut Street, Public Works building to First Street, Third Street to Fourth Street, Fifth Street to west city limits | |
| | South side: Highway 99E to Second Street, Third Street to Fourth Street, Seventh Street to west city limits | |
| Elm Avenue | North side: Eastern terminus to First Street, Second Street to Third Street, Fifth Street to 20 feet from Sixth Street, Sixth Street to Seventh Street | Second Street to First Street |
| | South side: Eastern terminus to First Street, Second Street to Third Street | Fifth Street to Sixth Street |
| Fir Avenue | North side: Eastern terminus to Second Street, Fifth Street to Seventh Street | Second Street to Third Street |
| | South side: Eastern terminus to Third Street, Fifth Street to Seventh Street | |
| Grove Avenue | North side: Seventh Street to western terminus | |
| | South side: Seventh Street to western terminus | |
| Hemlock Avenue | North side: Seventh Street to western terminus | |
| | South side: Seventh Street to western terminus | |
| Ivy Avenue | North side: Third Street to Butteville Road | |
| | South side: First Street to Second Street, Third Street to Butteville Road | |

| Location | Sidewalk Needed | Repair or Replacement Needed |
|-------------------|--|------------------------------|
| Juniper Avenue | North side: Eastern terminus to Third Street | |
| | South side: Eastern terminus to Third Street | |
| Butteville Road | North side: Entire length in city limits | |
| | South side: Entire length in city limits | |
| Checkerboard Road | North side: Entire length in city limits | |
| | South side: Entire length in city limits | |

The following maps show the existing and planned pedestrian and bicycle network within the city. The local bicycle and pedestrian network includes Douglas Avenue as well as Butteville Road, and Checkerboard Road all of which are part of the Marion County road system.

The local bicycle network consists of streets with low traffic volumes (less than 2,500 vehicle trips per day), and posted speeds of 25 miles per hour where bicyclists can share the roadway with automobiles. Map 9 shows existing bicycle facilities.

The City has adopted regulations as part of the Gervais Development Code that comply with the Oregon Transportation Planning Rule (Oregon Administrative Rules 660-12). These standards include local street and accessway spacing consistent with providing safe and convenient pedestrian circulation; require construction of sidewalks on all new streets, including local streets; require bikeways along new arterial streets and major collectors, require on-site pedestrian facilities for new developments; and require provision for bicycle parking for new developments.

RAILWAY

The Union Pacific Railroad company maintains a track through the center of town traversing generally north and south and parallel to 4th Street. There are two, well maintained, protected crossings located at rail intersections with Douglas and Ivy Avenues. Since the track divides all cross-town routes, the primary concern is the potential for train traffic (either stopped or underway) to delay emergency vehicle response.

PUBLIC TRANSPORTATION

There are no public transportation services located within Gervais. Oregon Housing and Associated Services operates a dial-a-ride service under the name of "Wheels" within Marion County. Used mainly by senior citizens and individuals with disabilities, this service is also available to the general public. Due to Gervais' rural location and lower population count, it is unlikely that any additional services would be productive.

Map 8

Map 9

IMPROVEMENTS/ACTIONS

There are no major improvements or actions necessitated by this element; however, the steps below are documented for the City's consideration.

1. Monitor Ivy Avenue traffic from the French Meadows PUD to determine if there is a significant increase at the Ivy Avenue and Third Street intersection. If traffic warrants, consider requesting a Stop sign on Third Street.
2. Some sight visibility restrictions have been reported due to a telephone pole located on the corner of Douglas Avenue and Highway 99E. City should request an ODOT assessment of the situation, and, if warranted work with the power company to relocate the pole.
3. Development of further subdivisions which increase traffic load on Ivy Avenue/Third Street arterial may necessitate a refinement study of the impacts and need for improvement to the streets.
4. In 2000, the city should request Marion County's assistance to reevaluate level of service on Douglas Avenue, approaching Highway 99.

FINANCING

Transportation system improvements are usually capital intensive project that can place a great fiscal burden on a community. Fortunately, there are several methods for funding such projects. Communities can seek grants from state or federal agencies, or they can ask those who generate the need for the project to either pay for or share in the costs. In many instances developers are asked to share the expenses of new construction, either through right-of-way dedication or roadway construction, or both. The following is a list and brief discussion of funding possibilities:

Local Improvement Districts (LID)

One option is formation of a local improvement district for the area in the study. This can be initiated by the property owners or by the city subject to remonstrance (protests). This method is applied when work is confined to and benefits a specified area. The LID distributes the cost of a project among property owners according to the benefit the property receives.

Systems Development Charges (SDCs)

Another option is to exact fees from developers to pay for off-site or oversize improvements. Sometimes fee systems generate money that goes into a common fund to pay for system wide capital facilities.

Urban Renewal Districts

Oregon Revised Statutes 457 allows Urban Renewal Districts to be formed in Oregon municipalities. Urban Renewal Districts can issue increment bonds to pay for improvements. Because these bonds use dedicated property tax increases resulting from increased valuations of property in the district to pay for the public improvements, they are influenced by the property tax cap.

Exactions (Conditions of Development)

System improvements may be required as a condition of development. The process requires the city to demonstrate how required improvements are necessary to accommodate the impact generated by the new development.

Other Potential Funding Sources

Some economic development programs also offer a source of funds. The Immediate Opportunity Fund Grant program managed by ODOT provides a maximum of \$500,000 for public road work associated with an economic development related project of regional significance plus the underlying project must create primary employment. Additionally, although lesser amounts will be considered, the grantee should provide an equal local match.

Another economic development related source of funds is the Special Public Works Fund. This fund provides grants and loans for the public work which supports private projects that result in permanent job creation or job retention. Loans are emphasized in this program and are available up to \$11 million for a maximum of 25 years, unless the project's life is shorter. The maximum grant is for \$500,000, but may not exceed 85% of the project cost.

There is also the Mid-Willamette Valley Regional Strategy Board's Rural Investment Fund (RIF). The RIF is a flexible source of funding for locally determined economic and community development activities. Use of funds ranges from engineering feasibility studies to preliminary cost estimates for infrastructure improvements to environmental assessments.

TRANSPORTATION GOALS, POLICIES, AND IMPLEMENTATION

GOALS:

- 1) Provide a circulation system which is safe and efficient for vehicle users, pedestrians and bicyclists.
- 2) Establish a street system which is consistent with orderly growth, maximizes quality of life, and minimizes conflicts with adjacent land uses.
- 3) Encourage energy conservation through efficient transportation

planning.

4) Consider methods to create a more equitable and cost effective system of financing street development and improvement.

5) Encourage the provision of street crossing improvements to enhance the mobility of citizens who are elderly or experience physical disabilities.

6) Provide a street system which is consistent with all applicable roadway design standards.

POLICIES:

1) All new land divisions and significant developments are to provide fully improved streets and other public improvements.

2) New building construction in areas already provided with street access shall provide street improvements, where necessary, and shall install curbs and sidewalks, where lacking, along its frontage.

3) New construction shall provide bicycle and pedestrian facilities that provide safe and convenient access within, to, and from new land divisions, planned developments, shopping and industrial areas to nearby residential areas, and neighborhood activity centers, such as schools, parks and shopping.

4) On arterials, prohibit on-street parking to accommodate the use of street rights-of-way for bicycle and pedestrian traffic where necessary and to facilitate the flow of traffic.

5) Assure that all structures fronting arterial and collector streets are set back the required minimum distance from the established right-of-way.

6) Traffic movement on streets shall be facilitated by controlling access points wherever possible. Access control shall include restrictions on the number and location of individual encroachments and street intersections.

7) The City shall establish a system of transportation facilities and services adequate to meet identified local transportation needs and shall be consistent with county and state Transportation System Plans (TSPs).

8) Level of Service C is the minimum acceptable level of service for city arterials and collectors. When the LOS reaches the C/D

level, action will be initiated to return the street to LOS C.

9) The major street network should function so that livability of neighborhoods is preserved.

10) Promote new street development standards to encourage access to, and development of existing odd shaped and land-locked parcels.

11) Street design should consider the need for landscaping and noise reduction.

12) Give priority to street improvements that are necessary to achieve safety, lower maintenance costs and increased efficiency.

13) The City should seek cooperation with government agencies, private developers and property owners to provide an equitable and cost effective system of financing street development and improvement.

14) The City shall seek available revenue sources and funding mechanisms to finance identified transportation system needs.

15) Whenever possible, existing streets shall be extended to serve urban and urbanizable areas.

16) The City will require, when technically feasible, that streets within a proposed development connect to existing streets at more than one point.

17) The City shall designate future street locations and extensions of existing streets on the Comprehensive Plan Map and shall use this Map to help guide the design of future development.

18) In those areas where the City has designated a future street location, the City will ensure the preservation of right-of-way by requiring that all structures and other permanent improvements be located outside the proposed street right-of-way by maintaining the applicable setback standards.

IMPLEMENTATION:

1) Identify streets, curbs and sidewalks, bikeways and pedestrian ways that need repair/construction. Prioritize their improvement into a capital improvement program.

2) Consider a reduction of rights-of-way and paving width.

3) Designate arterial and collector streets within the planning area to assure that adequate rights-of-way and building setbacks are established.

4) Coordinate with the state and county the control of access, alignment of intersecting streets and off-set of streets along the major streets and highways.

APPENDIX A

Urban Growth Boundary Expansion 03-01

Adoption and Goal Exception Findings

Scan of ord 29-2004 goes here

STAFF REPORT

Urban Growth Boundary Amendment 03-01/General Plan Amendment 03-01/Zone Change 03-01

Staff Report: September 2, 2004

City Council Hearing: September 9, 2004

REQUEST: To expand the Gervais Urban Growth Boundary (UGB) to include a 17.09 property and to rezone the property. The property is currently designated as Agriculture in the Marion County Comprehensive Plan and is zoned Exclusive Farm Use (EFU) by Marion County.

The proposed designation for the property in the Gervais General Plan is Public and the proposed zoning for the property is Urban Transition Farming a Marion County designation.

**APPLICANTS/
OWNERS:** Gervais School District

**SUBJECT
PROPERTY:** A 17.09-acre parcel located south of Gervais High School. The property is identified as Tax Lot 1100, Section 26, Township 5 South, Range 2 West of the Willamette Meridian, Marion County, Oregon.

**MAP/TAX LOT
NUMBERS:** 5 2W 26 Tax Lot 1100 (See Exhibit A)

ADDRESS: The 12000 block of Highway 99E (Portland Road).

SIZE: 17.09 acres

**DESIGNATION/
ZONE:** Marion County Comprehensive Plan: Agriculture
Marion County: Exclusive Farm Use (EFU)

**APPLICABLE
CRITERIA:** The Urban Growth Boundary and Policy Agreement between Gervais and Marion County.

EXHIBITS: Exhibit A: Assessor Map
Exhibit B: Applicant's submittal
Exhibit C: Marion County Ordinance 1196

I. BACKGROUND:

The City received an application to expand the city's urban growth boundary (UGB) to include a 17.09-acre property. The Gervais School District owns the property and submitted the request. The property is located adjacent to the existing Gervais High School and the site planned as the eventual location for a new high school. When this high school is constructed, the existing High School would be converted to

use as a middle school. The applicant indicates that the existing Middle School, the core of which was constructed in the early 1900s, is in a state of serious disrepair.

Currently, the property is designated as Agriculture in the Marion County Comprehensive Plan and is zoned Exclusive Farm Use (EFU). Concurrent with the UGB expansion request, the applicant is requesting designation of the property in the City's General Plan as Public. The applicant is also requesting rezoning of the property from Exclusive Farm Use to the Marion County designation of Urban Transition Farming (UTF).

The City conducted the initial public hearing to consider this request on November 13, 2003. At the conclusion of the public hearing, the City Council directed staff to prepare a resolution in support of the proposed expansion for forwarding to the Marion County Board of Commissioners. On December 11, 2003, the Council approved the resolution in support of the proposed expansion.

II. UGB AMENDMENT/PLAN DESIGNATION/ZONE CHANGE PROCESS:

The City conducted the initial public hearing to consider this request on November 13, 2003. At the conclusion of the public hearing, the City Council directed staff to prepare a resolution in support of the proposed expansion for forwarding to the Marion County Board of Commissioners. On December 11, 2003, the Council adopted Resolution 03-0038 in support of the proposed expansion.

The Marion County Board of Commissioners deferred this matter to the County's Hearings Officer to conduct a second public hearing and provide a recommendation. That public hearing was held on May 5, 2004. On May 19, 2004, the Hearings Officer provided a recommendation to approve the proposed changes. The Marion County Board of Commissioners then conducted a public hearing on this request on July 28, 2004. At the conclusion of that hearing, the Board of Commissioners voted to approve the request. The Board of Commissioners subsequently adopted Ordinance 1196 on August 12, 2004 finalizing their decision. Ordinance 1196 is included as Exhibit C. The Marion County Hearings Officer's decision is included as Exhibit A of Ordinance 1196.

This hearing before the Gervais City Council is the final public hearing to consider the proposed expansion of the Gervais Urban Growth Boundary to include the subject property. If approved by the City Council, the Council will then adopt an ordinance, which represents the final local decision in this matter.

If approved, this proposal would:

1. Amend the Gervais UGB to include the 17.09-acre subject property;
2. Amend the Gervais General Plan adding the Statewide Planning Goal 14 Goal Exception Findings;
3. Amend the Gervais General Plan Map to include the subject property and designating it as Public;
4. Amend the Marion County Zoning Map by designating the property as Urban Transition Farming (UTF).

III. ANALYSIS OF APPLICABLE CRITERIA

Urban Growth Boundary Expansion Request 03-01:

Section II.4. of the Urban Growth Boundary and Policy Agreement between Gervais and Marion County states that the for a UGB expansion, the expansion shall be based on consideration of the seven factors of Statewide Planning Goal 14 (Urbanization). Findings must be made to support the proposed expansion that address the seven (7) factors.

This same requirement is also found in the Gervais General Plan Urbanization Policy H.

The Intergovernmental Agreement also states:

“In addition, findings must also be made to support an exception to Statewide Planning Goal 3 – Agriculture in order to convert the subject property from its present agricultural designation as rural land to urban land and the proposed Public designation in the Gervais General Plan.”

Oregon Administrative Rules (OAR) Chapter 660, Division 4 provides the applicable requirements for the goal exception process. OAR 660-04-0010 (1)(c)(A) states that:

- (A) An exception is not required to an applicable goal(s) for the establishment of an urban growth boundary around or including portions of an incorporated city when resource lands are included within that boundary. Adequate findings on the seven Goal 14 factors, accompanied by an explanation of how they were considered and applied during boundary establishment, provide the same information as required by the exceptions process findings.

Therefore, the findings addressing the seven factors from Goal 14 contained herein satisfy the requirements of the Intergovernmental Agreement regarding an exception to Goal 3 – Agricultural Lands.

The seven factors and associated findings are presented below.

(1) Demonstrated need to accommodate long-range urban population growth requirements consistent with LCDC goals;

Applicant's Response: The applicant indicates that the proposal to expand the UGB is based on the need to replace an existing school, which is necessary due to the poor physical condition of and functional obsolescence of the existing structure. While the school needs to be replaced regardless of changes in population, the population of the city is projected to increase. The Gervais General Plan projects the population to increase from 1,956 persons in 1999 to 2,613 persons in 2020. The proposed UGB expansion will accommodate the additional population of the city, and the new school facilities will be capable of accommodating future increases in enrollment, which may occur as a result of the additional population projected by the Plan.

Findings: In the period between 1990 and 2000, Gervais was the fastest growing city in Marion County. During that period the city more than doubled in size from 992 to 2,009 residents. The 2002 forecasted population of Gervais is 2,070 residents. This 2002 figure is less than 100 persons short of the 2020 forecasted population of 2,168 that was adopted by Marion County in 1999. This discrepancy between the 2020 forecasted population and the current population of the city points again to the tremendous growth that has occurred in recent years. In addition, the 2000 Census showed that approximately 37

percent of the city's population was 18 years of age or younger, compared to 27 percent for Marion County as a whole.

In recent years, the School District has added numerous portable buildings to the school complex to meet student needs. These are a stopgap measure and do not provide for the long-term needs of local school children. Beyond this, the current facility is badly deteriorated and in some areas even fails to meet current building and safety code requirements. The purpose of the proposed expansion is provide a long-term solution to meet the needs of the rapidly increasing population within Gervais.

(2) Need for housing, employment opportunities, and livability;

Applicant's Response: Schools contribute to community livability. The proposed UGB expansion will provide for improved school facilities that serve the population of the city. Improving the school facilities will enhance the livability of the community by providing modern facilities that can support contemporary programs such as computer education and improved library services.

Findings: The School District facilities are located on Douglas Avenue, the main arterial in Gervais, and are a major hub of the community. In addition, these facilities provide the major employment center within the community. Expansion of the School District complex, most notably, to replace deteriorating facilities provides not only increased employment opportunities, but is also provides a distinct community benefit as well. As noted by the applicant, this expansion will allow for development of more contemporary facilities. These facility and program improvements provide greater learning opportunities for students and result in a more productive learning environment for local students. All of these factors provide positive benefits to the community contribute to livability within a community.

(3) Orderly and economic provision for public facilities and services;

Applicant's Response: The subject property is adjacent to the city limits, and it is adjacent to the existing High School. Upon annexation, public services can be provided to the site as necessary by extension from their existing locations within the city. No land that is not proposed to be annexed is a part of this proposal, and public services will not cross or be extended through any land that is not proposed to be annexed. By annexing land that is adjacent to the existing city limits, the provision of public facilities and services will be orderly and economical.

Findings: The School District complex is located on Douglas Avenue, the main arterial in Gervais. In addition, it is located near Highway 99E making for direct access to the facility for both vehicular traffic and pedestrians. The proposed expansion directly adjacent to the existing complex will enjoy these same advantages. Local water and sewer connections are also directly available within the Douglas Avenue right-of-way.

The School District complex itself can also be considered a public facility. As such, the proposed expansion directly adjacent to the existing complex will allow for the sharing of facilities and resources within the schools. The associated economies of this arrangement are preferable to locating an additional school facility at some distance from the existing complex – particularly if such other location were located in a rural area where service and transportation connections were not as readily available or efficiently provided.

Staff finds that this criterion has been met.

(4) Maximum efficiency of land uses within and on the fringe of the existing urban area;

Applicant's Response: The land adjacent to the existing schools, within the existing urban area, is developed and in use, and there is no land within the existing urban area adjacent to the existing schools that is vacant or that can be used for the proposed school facilities. The subject property is adjacent to the city limits, and adjacent to the existing High School. It is the first property outside of the existing city limits/UGB. The location of the property adjacent to the UGB and adjacent to the High School makes the proposed change to the UGB the most efficient means of adding to the urban area for the stated purpose.

Findings: As noted by the applicant, the subject property is located adjacent to the city limits, and adjacent to the existing High School. The applicant also states that the property is bordered by the city and the existing school site on the north, the State Highway on the east, a non-farm parcel on the south, and a small parcel of farm land on the west. Public facilities and services can be made available to the site directly from the existing urban area without the need to involve any intervening property. As a result of its surroundings, it is not part of a large tract of land in farm use, and including the land within the urban area will not be disruptive to farm activities in this area. In addition, it lies at the north end of a triangle formed by Highway 99E on the east, Checkerboard Road on the west, and the city on the north. The area within this triangle is composed of multiple small parcels, both farm and non-farm related, under various ownerships. The parcel size, ownership, and use pattern does not comprise a contiguous tract of land in farm use. Because of its location, size, and the use and character of the adjoining lands, and the adjacent school uses within the current city boundary, the inclusion of the subject parcel within the UGB will result in the maximum efficient use of land within and on the fringe of the urban area.

Staff concurs with these findings and recommends that they be adopted as part of this decision.

(5) Environmental, energy, economic and social consequences;

Applicant's Response: The subject property is currently in agricultural use. The long term environmental consequences of allowing urbanization of the site and not preserving and maintaining it for agriculture involve replacing agricultural production with school facilities. The agricultural practices have included annual tilling of the soil, application of fertilizers, herbicides and insecticides, planting, irrigation, and harvesting. The installation and maintenance of school facilities will likely also involve irrigation and application of grass fertilizer to athletic fields, but not pesticides or annual disturbance of the soil. Agricultural fields that are cultivated annually typically provide little habitat value, as cover and food sources are disrupted by soil preparation and harvest activities. As school athletic fields most of the site will continue to allow infiltration of precipitation to groundwater. Based on these considerations, while the use of the site will change, overall there should be few long-term consequences of allowing urbanization of the site rather than preserving it for agriculture.

The long term energy consequences of allowing urbanization and not preserving and maintaining the land for agriculture will be to provide new school facilities as close as possible to the majority of the students. This will minimize the use of energy needed for transportation and allow the maximum opportunity for non-motorized transportation. Placing the new Middle School facilities adjacent to the existing High School will also provides for maximum efficient movement between the two schools and the maximum opportunity to share facilities and services. For these reasons the long-term energy consequences of allowing urbanization and not preserving and maintaining the land for agriculture will be positive.

The long term economic consequences of allowing urbanization and not preserving and maintaining the land for agriculture will be the loss of the economic value of the farm crop. The change of use of the site will remove 17 acres of farm land from production. The site is currently used for strawberries. This is a declining crop in Marion County due to the lack of sales to processors, and competition from other growing regions. This crop also requires rotation after several years. The economic loss of the current agricultural production is variable, and depends on the market conditions for the strawberry crop at the time of sale. By contrast, using the site for the new school facilities will maximize the opportunity to share educational facilities between the two schools, and avoid costly duplication of those facilities.

The city is surrounded by farmland, and strawberries are grown in various places in Marion County. The subject site is composed of Woodburn silt loam (WuA) soil, which is commonly found in this local area. Based on these considerations, production from subject property can be replaced elsewhere. The property is the only undeveloped site adjacent to the existing high school, however, which contributes to its value for the proposed use. For these reasons, the long-term economic consequences of urbanization outweigh not preserving and maintaining the land for agriculture.

The long term social consequences of allowing urbanization and not preserving and maintaining the land for agriculture will be to maintain the locational relationship of the two schools, which will allow for facilities such as the computer lab, library, art studios, music rooms, shop, and athletic fields to be shared, which will improve and enhance the educational opportunities that serve the students who are residents of the city. The two schools are major social institutions in the city, and these are positive social consequences. The long term social consequences of preserving and maintaining the land for agriculture are the preservation of the land for farm use and as open space. However, the site is not unique in its agricultural capability, and there is other nearby land that is similar in topography and soil characteristics. In addition, the city will continue to be surrounded by land in farm use. In this case, the social benefit of allowing urbanization for the proposed use outweighs the preservation of this small parcel for farm use.

In consideration of these reasons, circumstances and factors, the long term environmental, energy, economic, and social consequences of the locality, the region and the state as the result of allowing urbanization and not preserving and maintaining the land for agriculture or forest uses will be positive.

Findings: Staff concurs with the findings presented by the applicant and recommends that they be adopted as part of this decision.

Staff adds the following additional findings.

Regarding the environmental consequences of the proposed expansion, development of a school facility on-site will have some environmental impacts as the additional impervious surface will be added. However, proper construction of storm drainage facilities on-site will ensure that any adverse impacts are minimized. Storm drainage facilities are available within the Douglas Avenue right-of-way.

Regarding the social consequences, the School District complex is an important element of the local landscape within Gervais. Development of new facilities, particularly those that replace badly deteriorating and even dangerous existing facilities provides a social benefit to the community. Added to this are the increased educational programs and activities that will be provided to youth within the community if the proposed expansion is approved.

Regarding the economic consequences, although agricultural production and associated income will be lost if the subject is converted to urban use, the School District complex is an important employment center within the community. Construction of an additional facility will provide short-term economic benefit for the community and an improved facility could allow for additional jobs to be created. These positive economic benefits to the community outweigh the loss of one small agricultural parcel.

(6) Retention of agricultural land as defined, with Class I being the highest priority for retention and Class VI the lowest priority; and,

Applicant's Response: A soils map showing the soils within and around the city of Gervais is enclosed with this application. As shown on the soils map, the current Gervais urban area is situated nearly entirely on land composed of Class 2 Amity silt loam (Am), Class 2 Woodburn silt loam (WuA), Class 3 Concord silt loam (Co). A very small area of Class 4 Dayton silt loam (DA) is present, but only in a drainage channel at the east side of the city. These are all agricultural soils. The urban area is entirely surrounded by the same soils. Because the Class 4 Dayton soil is present only along local drainages its presence is inconsequential to this discussion of an urban area expansion.

Due to the major presence of the three Class 2 and 3 soils that border the existing urban area, it is not possible to avoid areas of Class 1 through 4 soils in any expansion of the UGB. Any expansion of the urban area will necessarily occupy one or more of these three agricultural soils. The subject property is composed of the Class 2 WuA soil. However, it is not possible to expand the UGB for the purpose of adding school facilities adjacent to the existing schools, without including this parcel. The location of the existing schools and the purpose of the proposed UGB expansion are mitigating considerations to the inclusion of the Class 2 soil rather than a site composed of Class 3 soil. In addition, the subject property is a single parcel that is not part of a large agricultural unit. It is adjacent to the city on the north, and borders a wooded drainage channel to the south. South of the drainage channel is a non-farm residential parcel. Highway 99E borders on the east. By contrast, the agricultural lands to the north, west, east and southwest of the existing urban area extend into extensive areas of agricultural land that is not bounded by the existing urban area. As a result, urbanization of the proposed site will be the least intrusive and the least disruptive to the agricultural lands that surround the city. For these reasons, although the subject site is composed of Class 2 rather than Class 3 soil, the urbanization of the parcel is consistent with this factor.

Findings: Staff has reviewed the soils map of the area and concurs that any proposed expansion of the urban growth boundary will include Class II and/or Class II soils. However, as the applicant indicates, location of the proposed expansion of the School District complex onto adjacent land, with associated economics, and the fact that the subject parcel is more isolated than other, larger farm tracts adjacent to other portions of the UGB are mitigating considerations.

Gervais is the only incorporated city within the School District. No vacant parcels within the existing city limits and urban growth boundary are large enough to accommodate the proposed expansion. Therefore expansion of the School District facilities in any other area within the District would involve either an expansion of the Gervais UGB, in another location, or location of a new facility on rural land, most likely agricultural land.

In either case, some impact to agricultural land can be expected with the proposed expansion of school facilities. However, the proximity to the existing facility and urban growth boundary as well as the relatively small size of the parcel to be included within the boundary, while leaving larger tracts of

agricultural land adjacent to the city unaffected are mitigating factors which justify the proposed expansion.

(7) Compatibility of the proposed urban uses with nearby agricultural activities which includes rural lands that have not been built upon shall be reviewed by the governing body, utilizing the same factors applicable to the establishment or change of urban growth boundaries.

Applicant's Response: The proposed urban use is the school facilities for Gervais School District 1. At present, the existing high school is adjacent to the agricultural activities which take place on the subject site. This is the only agricultural activity adjacent to the school. The agricultural activity is a strawberry field. The school has been compatible with this farm operation, and farming has occurred without interruption or interference. There is no indication that the urban use has had any adverse effect or caused any interference with the adjacent farm use.

The subject site is bordered on the north by the school, which is in the city; on the east by Highway 99E, on the west by a small parcel planted in trees, and on the south by a wooded drainage channel. Based on the long-term compatible relationship between the existing school and the current farm use on the subject parcel, and the location of the subject site and its surrounding land uses, the proposed urban use will be compatible with nearby agricultural activities.

Findings: The applicant correctly notes that the subject site is bordered on the north by the school, which is in the city; on the east by Highway 99E, on the west by a small parcel planted in trees, and on the south by a wooded drainage channel.

The existing School District facilities have long co-existed with adjacent agricultural activities without any adverse impact. Also due to the orientation of the school complex, most of the impacts associated with the school facility, such as traffic in the morning and mid-afternoon occur along Douglas Avenue, located to the north of the subject property. Douglas Avenue is located within the existing Gervais city limits and at the greatest possible distance from any adjacent agricultural activities.

Staff finds that this criterion has been met.

Zone Change 03-01:

The proposed rezoning would amend the zoning on the subject property from Exclusive Farm Use (EFU) to Urban Transition Farming (UTF), both of which are Marion County zoning designations. The proposed rezoning is subject to the standards of the Marion County Urban Zoning Ordinance. The Marion County Board of Commissioners has adopted Ordinance 1196 approving the request (see Exhibit C).

SUMMARY AND RECOMMENDATION:

The Urban Growth Boundary and Policy Agreement between Gervais and Marion County provides seven (7) factors to be considered when reviewing a request for an urban growth boundary expansion. Staff has made requisite findings that the proposed expansion meets the requirements for an expansion. The proposed expansion would allow for additional development of the Gervais School District complex. The proposed expansion is directly adjacent to the existing school facilities and provides for the inmost efficient use of land. Development of a new school on the subject property would provide educational opportunities for children in the community and provide a positive social and economic benefit. Further,

while the proposed expansion would remove approximately 17 acres from agricultural production, this loss of agricultural is mitigated by the increased efficiency of land use and the positive benefits for the community at large.

The location of the subject property would have minimal impacts on surrounding agricultural uses – uses that have long co-existed with School District facilities.

Based on the findings above and in the body of this report and those findings adopted by the Marion County Board of Commissioners in Ordinance 1196, staff recommends the City Council APPROVE Urban Growth Boundary Expansion 03-01/General Plan Amendment 03-01.

Appendix B
Urban Growth Boundary Expansion
Goal Exception Findings, 2005

Scanned copy of Ordinance 33-2005 goes here.

Map 10

The City of Gervais is proposing an expansion of the city’s Urban Growth Boundary (UGB). The City recently conducted a buildable lands inventory and housing needs analysis that indicates that approximately 48.17 acres of land designated for residential use will be required to serve the projected 2025 population of 3,725 persons. The buildable lands inventory indicated that approximately 28.89 acres of vacant and partially vacant land designated for residential use is available within the existing UGB. This leaves a deficit of approximately 19.28 of acres of residential land needed to serve the 2025 population.

The City conducted an analysis of tax lots adjacent to the existing UGB to identify areas best suited for possible expansion. In conducting the analysis, the City eliminated properties located east of the existing UGB across State Highway 99E. Expansion of urban residential use to this area would fragment the community and place unnecessary burdens upon the existing transportation system in the area.

A number of parcels located immediately adjacent to the existing UGB were eliminated from consideration based on size and soils types, which consist primarily of Class II and Class III soils. These parcels are shown in Table 1.

**Table 1
Properties Excluded from UGB Analysis
Due to Size and Soil Type**

| Map Number/ Tax Lot | Size | Location |
|---------------------|--------------|-------------------------------|
| 052W25/1700 | 53.90 acres | north of the existing UGB |
| 052W23/2300 | 27.06 acres | northwest of the existing UGB |
| 052W23/2500 | 40.83 acres | northwest of the existing UGB |
| 052W26/600 | 103.20 acres | southwest of the existing UGB |

Several smaller parcels located to the north and adjacent to the existing UGB were considered for possible inclusion in the UGB. These include tax lots 300, 500, and 600, Assessor Map Number 052W26AB. These tax lots are approximately 3.81 acres, 0.95 acres, and 1.00 acre in size respectively. These properties were dismissed from further consideration at this time primarily due to size limitations in the case of tax lots 500 and 600 and the presence of an existing residence on Tax Lot 500. In addition, Tax Lot 300 is not contiguous to the existing UGB.

An additional, smaller parcel located adjacent to and south of the existing UGB was considered for inclusion. This property is identified as Tax Lot 100, Assessor Map Number 052W26C, is approximately 10.5 acres in size and is currently used for production of Christmas trees. This parcel has access to Checkerboard Road.

This parcel was eliminated from consideration for several reasons. First, the only access to the property is from Checkerboard Road. Consequently, development of this parcel would not result in the extension of the existing street grid system within the community. The areas proposed for UGB expansion provide for several extensions of existing streets within the community such as Fifth and Sixth Streets and Hemlock and Grove Avenues as well as Winfield Avenue in the recently constructed Winfield Ranch subdivision. These connections would link new residential developments with existing neighborhoods within the community. Such a connection could not be made by developing this property, given the sole access available to serve this property.

In addition, properties located directly west of this property across Checkerboard Road are designated for industrial use in the Gervais General Plan. Possible conflicts could arise between potential industrial

uses and adjacent residential use. In the event that the adjacent industrial areas someday develop, this property might then be considered for inclusion within the UGB for some complimentary type of industrial use. For these reasons, it was determined that the areas proposed for expansion are better suited to future residential development than Tax Lot 100.

The properties considered for possible inclusion and dismissed are shown in Figure 1.

Table 2 shows the properties proposed for inclusion within the Gervais UGB. The proposed expansion would add approximately 20.24 acres within the UGB. The properties proposed for inclusion in the UGB are located in two areas, north and west of the existing UGB. The properties proposed for inclusion in the UGB are shown in Figure 1 and Figure 2.

**Table 2
Properties Included in UGB Expansion**

| Map Number/ Tax Lot | Size | Area to be included in the UGB | Location |
|-------------------------|-------------|--------------------------------|---------------------------|
| 052W23/2400 | 38.53 acres | 7.00 acres | north of the existing UGB |
| 052W26BA/200 | 10.70 acres | 10.70 acres | west of the existing UGB |
| 052W26BA/500 | 1.90 acres | 1.90 acres | west of the existing UGB |
| 8th Street right-of-way | 2.67 acres | 0.64 acres | north of the existing UGB |
| Total | | 20.24 acres | |

All of the properties proposed for inclusion within the UGB are currently designated as Agriculture in the Marion County Comprehensive Plan and are zoned Exclusive Farm Use (EFU). All of these properties are contiguous to the existing UGB.

Figure 1 shows the proposed UGB expansion areas.

Analysis of Applicable Criteria

Section II.4. of the Urban Growth Boundary and Policy Agreement between Gervais and Marion County states that the for a UGB expansion, the expansion shall be based on consideration of the seven factors of Statewide Planning Goal 14 (Urbanization). Findings must be made to support the proposed expansion that address the seven (7) factors of Goal 14.

This same requirement is also found in the Gervais General Plan Urbanization Policy H.

In addition, the UGB Agreement states that, if necessary, an expansion shall also require findings to take an exception to the Agricultural Lands goal (Goal 3).

Oregon Administrative Rules (OAR) Chapter 660, Division 4 provides the applicable requirements for the goal exception process. OAR 660-04-0010 (1)(c)(A) states that:

- (A) An exception is not required to an applicable goal(s) for the establishment of an urban growth boundary around or including portions of an incorporated city when resource lands are included within that boundary. Adequate findings on the seven Goal 14 factors, accompanied by an explanation of how they were considered and applied during boundary establishment, provide the same information as required by the exceptions process findings.

Therefore, the findings addressing the seven factors from Goal 14 contained herein satisfy the requirements of the Intergovernmental Agreement regarding an exception to Goal 3 – Agricultural Lands.

The seven factors and associated findings are presented below.

(1) Demonstrated need to accommodate long-range urban population growth requirements consistent with LCDC goals;

Findings: In the period between 1990 and 2000, Gervais was the fastest growing city in Marion County. During that period, the city more than doubled in size from 992 to 2,009 residents. The City and Marion County have agreed upon a coordinated population estimate for 2025 of 3,725 persons.

Population forecasts for Oregon counties have been developed by the Oregon Office of Economic Analysis. Table 3 shows the forecast population for Marion County for the period from 2000 through 2025. By 2025, the County’s forecast population is 388,588 persons. The average annual growth rate for this period is 1.25 percent annually.

**Table 3
Marion County Population Projection
2000 – 2025**

| Year | Population | AAGR |
|-----------------------|------------|--------------------|
| 2000 | 284,834 | --- |
| 2005 | 302,913 | 1.13% ² |
| 2010 | 323,128 | 1.29% |
| 2015 | 344,443 | 1.28% |
| 2020 | 367,018 | 1.27% |
| 2025 | 388,588 | 1.16% |
| AAGR 2000-2025 | | 1.25% |

¹Average Annual Growth Rate

² AAGR for 2000-2005

Source: US Census and Oregon Office of Economic Analysis

Table 4 shows the projected population for Gervais for the period through 2025. During this period, the city’s population is expected to increase to 3,725 persons. The population projection is derived using an average annual growth rate of 2.50 percent for the period from 2000 through 2025. This growth rate is higher than the 1.25 percent average annual growth rate forecast for Marion County by the Oregon Office of Economic Analysis. This higher rate is consistent with the 30-year trend for the period from 1970 through 2000, where the average annual rate of population growth for Gervais was 3.35 percent, compared to Marion’s average annual growth rate of 2.15 percent during that same period.

**Table 4
Gervais Population Projection
2000 – 2025**

| Year | Population |
|-----------------------------------|--------------|
| 2000 | 2,009 |
| 2005 | 2,217 |
| 2010 | 2,571 |
| 2015 | 2,909 |
| 2020 | 3,291 |
| 2025 | 3,725 |
| AAGR¹ 2004-2025 | 2.50% |

¹Average Annual Growth Rate
Source: US Census and MWVCOG

Table 5 shows the housing status in Gervais in 2000. At that time, 477 dwelling units were found within the city. Since 2000, an additional 59 dwelling units have been constructed in Gervais, bringing the total number of dwelling units in the community to 536.

**Table 5
Housing Status
Gervais, 2000**

| Population (estimated) | Persons in Group Quarters ¹ | Persons per Household | Total Dwelling Units ² | Occupied Dwelling Units ³ | Vacant Units ⁴ | Owner-Occupied Units | Rental Units | Owner-Occupied Units (percent) | Rental Units (percent) |
|------------------------|--|-----------------------|-----------------------------------|--------------------------------------|---------------------------|----------------------|--------------|--------------------------------|------------------------|
| 2,009 | 26 | 4.39 | 477 | 452 | 25 | 371 | 81 | 82.1 | 17.9 |

Source: 2000 U.S. Census

¹ Persons living in group quarters include persons who are institutionalized or living in non-institutional group homes, rooming houses, assisted-living facilities, etc. This definition also includes students living in college dormitories.

² "Total dwelling units" does not include group quarters dwelling units.

³ "Occupied dwelling units" does not include group quarters dwelling units.

⁴ Based on a vacancy rate of 5.2 percent.

Using the 2025 population projection for Gervais of 3,725 persons, Table 6 shows that 882 dwelling units will be needed to accommodate this population. This represents 356 additional housing units that will be needed for the period through 2025 (346 additional units will be needed, however an estimated 10 units will also be removed from the available housing stock and will need to be replaced).

**Table 6
Projected Housing Status
Gervais, 2025**

| Population (projected) ¹ | Persons in Group Quarters ² | Persons per Household | Total Dwelling Units ³ | Occupied Dwelling Units ⁴ | Vacant Units ⁵ | Owner-Occupied Units | Rental Units | Owner-Occupied Units (percent) | Rental Units (percent) |
|-------------------------------------|--|-----------------------|-----------------------------------|--------------------------------------|---------------------------|----------------------|--------------|--------------------------------|------------------------|
| 3,725 | 46 | 4.3 | 882 | 855 | 27 | 570 | 251 | 69.4 | 30.6 |

Source: Oregon Housing and Community Services, 2005

¹ The 2025 population projection has been coordinated with the projections for Marion County as required by Oregon Revised Statutes 195.036.

² Persons living in group quarters includes persons who are institutionalized or living in non-institutional group homes, rooming houses, assisted-living facilities, etc.

³ Total dwelling units do not include group quarters dwelling units.

⁴ Occupied dwelling units do not include group quarters dwelling units.

⁵ Based on an assumed vacancy rate of 2.0 percent for owner-occupied units and 7.0 percent for rental units.

The Gervais Development Code provides the following densities for residential development. The densities used to conduct the analysis of future residential land needs are:

- Single-family residential units – 6.6 units/acre;
- Multi-family residential units – 17.4 units/acre; and
- Manufactured home parks – 10.0 units per acre with a minimum size of three (3) acres.

Table 7 shows the projected housing mix and residential land use needs for Gervais through 2025. The table shows that approximately 48.17 acres of additional residential land will be needed to accommodate the 2025 population.

**Table 7
Projected Housing Mix and Residential Land Needs
Gervais, 2025**

| Housing Type | Existing Units 2005 | Units Needed 2025 | Percent of New Units | Density (units/acre) | Acres Needed 2025 |
|-------------------------|---------------------|-------------------|----------------------|----------------------|-------------------|
| Single Family | 531 | 280 | 78.9% | 6.6 | 42.58 |
| Multi-Family | 25 | 45 | 12.6% | 17.4 | 2.59 |
| Manufactured Home Parks | 0 | 30 | 8.4% | 10.0 | 3.00 |
| Total | 536 | 355 | 100% | | 48.17 |

Source: MWVCOG, 2005.

In 2005, the City conducted a buildable lands inventory. The inventory identified approximately 28.89 acres of vacant or partially vacant land designated for residential use within the existing UGB.

“Partially vacant land” consists of residential parcels that are at least 0.50 acre in size with an existing residence on the property. To determine the amount of developable land on such parcels, this analysis assumes that 0.25-acre is devoted to the existing residence, with the remainder considered vacant.

Given the residential land needs identified in Table 7 and the amount of residential land available for development within the existing UGB as shown in Table 8, a need exists for an additional 19.28 acres of residential land to accommodate the 2025 population.

**Table 8
Buildable Residential Land
Gervais, 2005**

| Zone/Plan Designation | Vacant (acres) | Partially Vacant | Total |
|--|---------------------------|-----------------------------|--------------|
| Residential District (R1) | 1.97 | 1.63 | 3.60 |
| Residential District (R2) | 12.50 | 12.79 | 25.29 |
| Net Buildable Acres Within the Urban Area | 14.47 | 14.42 | 28.89 |

Source: Marion County Assessor data, MWVCOG, 2005.

The proposed expansion would add approximately 20.24 acres to the existing UGB to accommodate the projected 2025 population. These properties would be designated as Residential in the Gervais General Plan. The properties proposed for inclusion are shown in **Table 2** and **Figure 1**.

The provision for needed housing, including the provision for a variety of housing types and price ranges is consistent with Statewide Planning Goal 10.

The proposed expansion will also allow for the timely, orderly, and efficient provision of public facilities to the proposed expansion areas. These areas are contiguous with developed areas of the city and will allow for reasonable extension of public facilities, such as water, sewer, and storm water facilities. The City has recently completed an upgrade to its existing sewer treatment facility, which is located approximately one-half mile north of the proposed expansion area. The City will soon be initiating an upgrade of the water system to improve the existing storage capacity and development within the proposed expansion areas will aid in funding those improvements. Similarly, development in these areas will improve existing stormwater detention facilities in these portions of the urban area.

The proposed expansion will also provide for the extension of the City's existing street network and grid system. The expansion area to the north of the existing UGB will allow for extension of and improvements to Eighth Street. Access to this area is also available from Butteville Road, which also serve the Winfield Ranch Subdivision. Similarly, the proposed expansion area west of the existing UGB will allow for extension of and improvements to Hemlock and Grove avenues and will allow for connection of Winfield Street, within the Winfield Ranch subdivision, to the existing street network.

The extension of existing streets in these areas is consistent with the City's General Plan, which includes the following findings and associated transportation policy:

Multiple access points, achieved through a well connected street network, is important to ensure that emergency services are not cut off and that local access is not eliminated or greatly lengthened in the event that one access is closed. In addition, a well connected street network with numerous alternative routes reduces the overall traffic volume on any one route which results in a more efficient use of existing transportation resources and also creates a more bicycle and pedestrian friendly environment.

Gervais General Plan Transportation Policy 15:

15) Whenever possible, existing streets shall be extended to serve urban and urbanizable areas.

The City concludes that the proposed expansion will provide for the demonstrated need for future population consistent with applicable Statewide Planning Goals 1): Housing, 11: Public Facilities, and 12: Transportation.

(2) Need for housing, employment opportunities, and livability:

Findings: The proposed 20-24-acre expansion would provide land for additional residential development to meet the needs of the projected 2025 population for Gervais of 3,725 persons. The findings described under criterion (1) above detail the need for additional land to accommodate projected residential lands needs for the 2025 population.

(3) Orderly and economic provision for public facilities and services:

Findings: The proposed expansion area is located directly adjacent to existing areas within the city limits and UGB (which are co-terminus in this area) that are currently served with water and sewer. In addition, the expansion area north of the existing UGB comprised of approximately 7.64 acres is accessible via Butteville Road and is located adjacent to the terminus of Eighth Street. Eighth Street is part of the street grid system of the original Gervais Town Plat. This area is also located near the City's sewer treatment facility located approximately one mile north of the existing city limits and UGB. Future development in this area would require minimal extension of city services and would allow for continuation of the existing street grid system.

The proposed expansion area on the western edge of the existing UGB is approximately 12.60 acres in size and is located adjacent to properties within the city that have water and sewer services. Portions of the two properties in this area proposed for inclusion, tax lots 200 and 500 (Assessor Map Number 052W26BA), are already located within the existing city limits and UGB and are currently connected to city water and sewer services. This area is also adjacent to the termini of several city streets that are also part of the Gervais Town Plat, Grove Avenue and Hemlock Avenue. In addition, residential development within this area would allow for extension of Winfield Street, which is part of the Winfield Ranch subdivision located directly north of the proposed expansion area.

Both of the areas proposed for inclusion are located directly adjacent to city services, thus allowing for the orderly and economic provision of such utilities and the extension of the existing street network within the city.

(4) Maximum efficiency of land uses within and on the fringe of the existing urban area:

Findings: Both of the proposed expansion areas are located immediately adjacent to developed residential areas within the existing city limits and UGB. The proposed expansion would add approximately 20.24 acres for additional residential use. The proposed expansion area on the north of the existing UGB would extend the urban area approximately 1,000 feet to the north. The proposed expansion area to the west of the existing UGB would expand the urban area approximately 800 feet to the west.

Public facilities and services can be made available to these properties directly from the existing urban area without the need to involve any intervening property. None of the proposed parcels is part of a large tract of land in farm use, and including the land within the urban area will not be disruptive to farm activities in this area.

The proposed expansion would add land to the UGB for residential use. The proposed expansion areas to the north and west of the existing UGB are directly adjacent to developed residential land within the UGB. Because of its location, size, and the use and character of the adjoining lands, and the adjacent residential uses within the current city boundary, the inclusion of the subject properties within the UGB will result in the maximum efficient use of land within and on the fringe of the urban area.

(5) Environmental, energy, economic and social consequences;

Findings: The properties proposed for inclusion in the UGB are currently in farm use. These properties are currently in hay production. All of these properties are zoned Exclusive Farm Use (EFU) by Marion County.

The long-term environmental consequences of allowing urbanization of these properties and not preserving and maintaining these properties for agriculture involve replacing agricultural production with residential use. The agricultural practices have included annual tilling of the soil, application of fertilizers, herbicides and insecticides, planting, irrigation, and harvesting. Agricultural fields that are cultivated annually typically provide little habitat value, as cover and food sources are disrupted by soil preparation and harvest activities.

If replaced by residential development, much of this area would be converted to impervious surfaces, with other areas consisting of associated yards and gardens typically found in residential developments. In the proposed expansion area west of the existing UGB, use of agricultural chemicals and annual disturbance of the soil would cease to occur. Proper construction of storm drainage facilities and connection to existing storm drainage facilities available within the existing street right-of-way system located adjacent to the proposed expansion areas will ensure that any adverse impacts are minimized. The Gervais Development Code provides standards to minimize storm drainage impacts. Development Code Section 2.204.04 requires that all developments be planned, designed, constructed and maintained to:

1. Protect and preserve existing natural drainage channels to the maximum practicable extent;
2. Protect development from flood hazards;
3. Provide a system by which water within the development will be controlled without causing damage or harm to the natural environment, or to property or persons within the drainage basin;
4. Assure that waters drained from the development are substantially free of pollutants, through such construction and drainage techniques as sedimentation ponds, reseeded, phasing or grading;
5. Assure that waters are drained from the development in such a manner that will not cause erosion to any greater extent than would occur in the absence of development;
6. Provide dry wells; french drains, or similar methods, as necessary to supplement storm drainage systems;
7. Avoid placement of surface detention or retention facilities in road rights-of-way.

Based on these considerations, while the use of the areas will change, overall there should be few long-term environmental consequences of allowing urbanization of the site rather than preserving it for agriculture.

The long-term energy impacts of allowing urbanization and not preserving and maintaining the land for agriculture will result in increased transportation impacts within this area and the associated use of additional fuel. Additional energy will be used for home heating, cooling, and other domestic uses. The proposed expansion is intended to meet the projected 2025 population for the city, in which case the increased energy use is expected. Overall, energy use because of conversion of 20.24 acres from agricultural use will be greater than if the land remains in agricultural use. However, this energy use results from the long-term planned growth for Gervais. This planned growth is consistent with long-term population projections for Marion County and should be considered within the overall framework of growth and the larger context of growth-related impacts within the Willamette Valley. From that perspective, the long-term energy consequences associated with conversion of 20.24 acres to residential use will be no greater than for any similar conversion of land to residential use within Marion County or the Willamette Valley.

The long-term economic consequences of allowing urbanization and not preserving and maintaining the land for agriculture will be the loss of the economic value of the farm crop. The proposed expansion would remove approximately 18.60 acres from agricultural production (the overall expansion would be 20.24 acres, however the Eighth Street right-of-way is excluded from this figure). The economic loss of the current agricultural production is variable, and depends on the market conditions for the hay crop at the time of sale.

The city is surrounded by farmland, and hay is grown in various places in Marion County. The areas proposed for expansion consist of Class II Amity silt loam (Am), Class II Woodburn silt loam (WuA), Class III Concord silt loam (Co), and Class IV Dayton silt loam soils, which are commonly found in this local area. Based on these considerations, production from the proposed expansion areas can be replaced elsewhere. The expansion areas consist of a several small parcels and a 7.00-acre portion of a 38.5-acre parcel that are located directly adjacent to the existing UGB and developed residential areas within Gervais, which contributes to its value for the proposed use.

Although agricultural production and associated income will be lost if the subject is converted to urban use, the conversion of this land to residential use allows the city to plan for the projected 2025 population. Residential construction in the proposed expansion areas will provide short-term economic benefit for the community in terms of employment and associated economic impacts. In the longer-term, the proposed conversion of agricultural land for residential use will allow the city to grow in an efficient manner and provide for additional community benefits in the form of new neighborhoods, improvements to existing infrastructure at the edge of the existing UGB, and an increased tax base. These positive economic benefits to the community outweigh the loss of several small agricultural parcels and a 7.00-acre portion of a 38.5-acre parcel.

The long-term social consequences of allowing urbanization and not preserving and maintaining the land for agriculture will allow the city to provide for additional residential development to meet the needs of the projected 2025 population. Gervais serves as a bedroom community to both the Salem and Woodburn urban areas and the provision for additional residential areas is consistent with the existing nature of the community. Recent residential development in the city has been moderately priced and has allowed many first-time home buyers to purchase homes in the community. The residential character of the community is a vital part of the community and providing additional areas for new residential

construction will allow increased opportunities for home ownership and development of new neighborhoods. This provides an important social benefit to the community.

The long-term social consequences of preserving and maintaining the land for agriculture are the preservation of the land for farm use and as open space. However, the areas proposed for UGB expansion are not unique in their agricultural capability, and there is other nearby land that is similar in topography and soil characteristics. In addition, the city will continue to be surrounded by land in farm use. In this case, the social benefit of allowing urbanization for the proposed use outweighs the preservation of these areas for farm use.

In consideration of these reasons, circumstances and factors, the environmental, energy, economic, and social consequences of the locality, the region and the state as the result of allowing urbanization and not preserving and maintaining the land for agriculture or forest uses will be positive.

(6) Retention of agricultural land as defined, with Class I being the highest priority for retention and Class VI the lowest priority; and,

Findings: As shown the Marion County Soil Survey, the current Gervais urban area is situated nearly entirely on land composed of Class II Amity silt loam (Am), Class II Woodburn silt loam (WuA), Class III Concord silt loam (Co), and Class IV Dayton silt loam (Da). These are all agricultural soils classified as high-value farmland under Oregon Administrative Rules Chapter 660, Division 33. The urban area is surrounded by the same soils.

Figure 2 shows the soil types present within the proposed expansion area and other areas near the existing UGB.

Due to the major presence of the high-value agricultural soils that border the existing urban area, it is not possible to avoid areas of high-value soils in any expansion of the UGB. Any expansion of the urban area will necessarily occupy one or more of Class I through Class IV high-value agricultural soils.

Table 9 shows the soils types present on the areas proposed for the expansion. Soils on these properties consist of a mixture of Class II Amity silt loam (Am), Class II Woodburn silt loam (WuA), and Class III Concord silt loam (Co) soils.

The proposed expansion is intended to include as much of the area of Class IV soils on Tax Lot 2400 as possible, while maintaining a compact urban form. The proposed expansion onto areas of Class II soils on tax lots 200 and 500 is necessitated by the need to maintain a compact urban form and improve transportation connectivity to include extensions of Hemlock and Grove avenues and connection to the Winfield Ranch subdivision to the northwest.

Table 9
Soil Types – Proposed UGB Expansion Areas¹

| Map number/Tax Lot | Soil Type | Soil Class | Percent | Acres |
|--------------------|--------------------------|------------|---------|------------------|
| 052W23/2400 | Amity silt loam (Am) | II | 57.1 | 4.0 ² |
| | Dayton silt loam (Da) | IV | 42.9 | 3.0 ² |
| 052W26BA/500 | Amity silt loam (Am) | II | 100.0 | 1.9 |
| 052W26BA/200 | Amity silt loam (Am) | II | 68.6 | 7.4 |
| | Concord silt loam (Co) | III | 25.4 | 2.8 |
| | Woodburn silt loam (WuA) | II | 6.0 | 0.6 |

Source: Marion County GIS
¹ Does not include 8th Street right-of-way
² Estimated

One smaller parcel was considered for inclusion in the proposed expansion. This property, Tax Lot 100, Assessor Map Number 052W26C, is approximately 10.5 acres in size and is comprised of the soil types shown in Table 10.

Table 10
Soil Types – Tax Lot 100
Assessor Map Number 052W26C

| Soil Type | Soil Class | Percent | Acres |
|----------------------------|------------|---------|-------|
| Woodburn silt loam (WuA) | II | 65.9 | 7.2 |
| Dayton silt loam (Da) | IV | 14.9 | 1.6 |
| Willamette silt loam (WIA) | I | 11.2 | 1.2 |
| Concord silt loam (Co) | III | 7.8 | 0.9 |
| Amity silt loam (Am) | II | 0.2 | 0.0 |

Source: Marion County GIS

This parcel was eliminated from consideration for several reasons. First, the only access to the property is from Checkerboard Road, development of this parcel would not result in the extension of the existing street grid system within the community. In addition, properties located directly west of this property on Checkerboard Road are designated for industrial use in the Gervais General Plan and possible conflicts could arise between potential industrial uses and adjacent residential use.

If this property were to be included in the proposed expansion, it would replace Tax Lot 500, Assessor Map Number 052W26BA, which is approximately the same size. Given the soil characteristics of the two parcels, the net impact regarding loss of agricultural soils is nearly equal. Including Tax Lot 100 within the proposed expansion would result in a net savings of approximately 3.6 acres of Class II soils, but would result in a net loss of approximately 1.2 acres of Class I soils. The advantages for urban development that inclusion of Tax Lot 500 provides, such as its location adjacent to developed residential areas and the availability of connections to the existing transportation system from Hemlock and Grove avenues and Winfield Street, are mitigating factors that compensate for a net loss of 2.4 acres of Class II soils.

Table 1 shows a number of parcels located directly adjacent to the existing Gervais UGB that were eliminated from consideration as possible expansion areas due to their large size. All of these parcels are

comprised of a mixture of Class II Amity silt loam (Am), Class II Woodburn silt loam (WuA), and Class III Concord silt loam (Co) soils.

Table 11 shows the soil characteristics of these larger properties that were excluded from consideration for possible UGB expansion due to their size. The soils data shows that these properties are comprised predominantly of Class II and Class III soils, which is similar to the predominant soil types found in the proposed expansion area.

Table 11
Soil Types – Properties Excluded from UGB Analysis
Due to Size

| Map number/Tax Lot | Soil Type | Soil Class | Percent | Acres |
|--------------------|--------------------------|------------|---------|-------|
| 052W25/1700 | Woodburn silt loam (WuA) | II | 48.8 | 26.3 |
| | Concord silt loam (Co) | III | 39.3 | 21.2 |
| | Amity silt loam (Am) | II | 6.4 | 11.8 |
| 052W23/2300 | Concord silt loam (Co) | III | 69.8 | 19.6 |
| | Amity silt loam (Am) | II | 30.1 | 8.5 |
| 052W23/2500 | Amity silt loam (Am) | III | 70.3 | 28.7 |
| | Dayton silt loam (Da) | IV | 27.7 | 11.3 |
| | Concord silt loam (Co) | II | 2.1 | 0.8 |
| 052W26/600 | Concord silt loam (Co) | II | 72.0 | 74.3 |
| | Amity silt loam (Am) | II | 28.0 | 28.9 |

Source: Marion County GIS

An area of Class IV soils is located on Tax Lot 2500. This property is not located directly adjacent to the existing UGB and the area of Class IV soils present on this property is located more than 1,000 feet from the existing UGB. Including this area within the proposed expansion would not be practical based on the relatively small size of the proposed expansion and the desire to maintain a compact urban form. This area will receive first consideration at some time in the future if the city’s population growth necessitates an additional expansion of the UGB.

Table 12 shows the three smaller parcels located north of the existing UGB, which were excluded due to size and the presence of an existing residence on Tax Lot 500. Given the development limitations of these properties it is not practicable to include these areas of Class II soils within the proposed expansion in lieu of tax lots 200 and 500 which have Class II soils, but which offer greater potential for future residential development.

Table 12
Soil Types – Properties Excluded from UGB Analysis
Due to Size Limitations

| Map number/Tax Lot | Soil Type | Soil Class | Percent | Acres |
|--------------------|------------------------|------------|---------|-------|
| 052W26AB/300 | Concord silt loam (Co) | III | 100.0 | 3.5 |
| 052W26AB/500 | Concord silt loam (Co) | III | 100.0 | 0.9 |
| 052W26AB/600 | Concord silt loam (Co) | III | 99.7 | 0.9 |
| | Amity silt loam (Am) | II | 0.3 | 0.0 |

Source: Marion County GIS

Given the soils in proximity to the existing UGB, any proposed expansion would some impact to agricultural soils. However, the proximity to existing residential areas and street networks as well as the relatively small size of the parcels to be included within the boundary, while leaving larger tracts of agricultural land adjacent to the city, which are also comprised of high-value agricultural soils, unaffected are mitigating factors which justify the proposed expansion.

(7) Compatibility of the proposed urban uses with nearby agricultural activities which includes rural lands that have not been built upon shall be reviewed by the governing body, utilizing the same factors applicable to the establishment or change of urban growth boundaries.

Findings: The proposed expansion area north of the existing UGB is separated from several agricultural parcels by the Southern Pacific Railroad on the east and Sixth Street on the west. Tax Lot 1700, Assessor Map 052W25 is located east of this proposed expansion area across the Southern Pacific Railroad right-of-way. This is a 53.9-acre property that is currently in hay production.

West of this proposed expansion area across Sixth Street is Tax Lot 2500, Assessor Map Number 052W23/2500, which is a 40.83-acre parcel, also used for hay production. The southern property line of this property has long abutted the existing UGB with no apparent conflicts with urban uses.

This proposed expansion area also abuts Tax Lot 300, Assessor Map Number 52W26AB, which is located directly north of the expansion area. This property is approximately 3.81 acres in size and is used for grazing.

The proposed expansion area west of the existing UGB is surrounded on the north, south, and east by urban residential uses. On the west, the property is bordered by Tax Lot 600, Assessor Map Number 052W26. This is a 103.2-acre property that is currently used for hay production. This property extends around and abuts a portion of the southern edge of the existing UGB

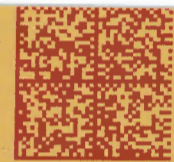
Most of the impacts associated with residential development within the proposed expansion areas will be concentrated in the immediate vicinity or within the urban area. Quiet, residential neighborhoods within the city have long co-existed with neighboring agricultural activities with no apparent conflicts.

Based on the long-term compatible relationship between residential use in Gervais and adjacent farm uses, and the size and scope of the proposed expansion, the development of urban residential uses within the proposed expansion area will be compatible with nearby agricultural activities.

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