

**MISSION STATEMENT: TO CREATE A HEALTHY, SAFE, DIVERSE, AND PROSPEROUS CITY
BY ENGAGING COMMUNITY MEMBERS TO DEVELOP AN ENRICHED QUALITY OF LIFE.**



**PLANNING COMMISSION MEETING AGENDA
CITY OF ONTARIO OREGON
MONDAY, APRIL 12, 2021, 6:00 PM, MT
[Zoom Link](#)**

1) CALL TO ORDER

Commissioner Blu Fortner _____ Commissioner Ruben Hernandez _____ Commissioner Max Twombly _____
Commissioner John Hall _____ Commissioner John Breidenbach _____ Commissioner Cydney Cooke _____
Chairman Ralph Poole _____

City Council Ex-Officio _____ City Manager _____
Community Development Director _____ Building Official _____ Planning & Zoning Technician _____

2) PLEDGE OF ALLEGIANCE

3) MOTION TO ADOPT THE AGENDA

This Agenda was posted on . Copies of the Agenda are available at the Community Development Center and on the city's website at www.ontariooregon.org.

4) PUBLIC COMMENTS Citizens may address the Planning Commission; however, the Planning Commission may not be able to provide an immediate answer or response. Out of respect to the Commissioners and others in attendance, please limit your comment to three minutes. Please state your name and city of residence for the record.

5) OLD BUSINESS

- A) PLANNING ACTION 2020-01-02CPAMD-ZCA: A REQUEST BY THE CITY OF ONTARIO TO AMEND TITLE 10A OF THE ONTARIO MUNICIPAL CODE, WHICH ADDRESSES THE STATE REQUIREMENTS WITHIN OREGON HOUSE BILL 2001. CHANGES WILL COMPLY WITH REQUIREMENTS ON DUPLEX PROVISIONS, ACCESSORY DWELLING UNITS, AND OF MANUFACTURED HOMES.

6) PUBLIC HEARING

- A) PLANNING ACTION 2021-02-07-CPAMD: A REQUEST BY THE CITY OF ONTARIO TO ADOPT THE ONTARIO ACTIVE TRANSPORTATION PLAN AS A REFINEMENT TO THE TRANSPORTATION SYSTEM PLAN AND AMEND TITLE 10 – COMPREHENSIVE PLAN, TITLE 10A – SUBSTANTIVE ZONING REGULATIONS, AND TITLE 10C – SUBSTANTIVE REGULATIONS FOR LAND DEVELOPMENT OF THE ONTARIO MUNICIPAL CODE TO IMPLEMENT THE ACTIVE TRANSPORTATION PLAN

7) HAND-OUTS/DISCUSSION ITEMS

8) COMMENTS FROM COMMISSIONERS

9) ADJOURN



**AGENDA REPORT
OLD BUSINESS
April 12, 2021**

To: Planning Commission

FROM: Dan Cummings, Community Development Director

SUBJECT: **PLANNING ACTION 2020-01-02CPAMD-ZCA: A REQUEST BY THE CITY OF ONTARIO TO AMEND TITLE 10A OF THE ONTARIO MUNICIPAL CODE, WHICH ADDRESSES THE STATE REQUIREMENTS WITHIN OREGON HOUSE BILL 2001. CHANGES WILL COMPLY WITH REQUIREMENTS ON DUPLEX PROVISIONS, ACCESSORY DWELLING UNITS, AND OF MANUFACTURED HOMES.**

DATE: March 20, 2021

PROPOSED MOTION:

I MOVE THE PLANNING COMMISSION APPROVE THE REVISED FINDING OF FACTS AND CODE AMENDMENTS AND RECOMMEND TO THE CITY COUNCIL TO APPROVE THE REVISED FINDINGS OF FACTS AND CODE AMENDMENTS.

SUMMARY:

On January 11, 2021 the Planning Commission at a Public Hearing hear testimony on Planning Action 2020-01-02CPAMD-ZCA: a request by the city of Ontario to amend Title 10A of the Ontario municipal code, which addresses the state requirements within Oregon House Bill 2001. changes will comply with requirements on duplex provisions, accessory dwelling units, and of manufactured homes and made a recommendation to the City Council to approve the finding of facts and code amendments.

After the Planning Commission meeting, staff received comments back from the Oregon Fair Housing Council and Housing Land Advocates expressing concerns that some of the amendments may not meet the intent of HB 2001 & 2003.

Staff, the hired Consultant and the City Attorney reviewed the comments from the Fair Housing Council and made some revisions to the Findings of Facts and Code amendments to issue they are meeting the intent of HB 2001 and HB 2003 and those revisions are made a part of the report as Attachment 1.

BACKGROUND:

CURRENT SITUATION:

ANALYSIS:

- A. **STRATEGIC PLAN**
- B. **FINANCIAL**
- C. **TIMING**
- D. **POLICY/LEGAL**

ALTERNATIVES:

RECOMMENDATION:

Staff recommends the planning Commission approve the revised Findings of Facts and Code Amendments as shown in Attachment 1 of this report

ATTACHMENTS:

1. Attachment 1 - Findings

ATTACHMENT 1
Revised Findings of Facts
Planning Action 2020-01-02CPAMD-ZCA

ONTARIO HB 2001 & HB 2003 UPDATES

Winterbrook Planning | January 25, 2021

Statewide Planning Goal 10 Housing – Context

Goal 10 and its implementing rule (OAR 660-008) require that cities plan for a variety of housing types and densities to meet the housing needs of all income levels. To determine needed housing, cities must prepare a “housing needs analysis” based on a 20-year population projection, and plan and zone sufficient buildable land within its urban growth boundary to meet long-term housing needs over the 20-year planning period. A “buildable lands inventory” is required to determine whether a city has sufficient “capacity” to meet its 20-year housing needs. Local zoning regulations must permit needed housing under “clear and objective” standards.

Needed Housing Statutes

Since the 1980’s, state law (ORS 197.296-314) and the Goal 10 rule (OAR 660 008) have specified “needed housing types” that must be allowed by cities within UGBs under clear and objective standards. These “needed housing types” include (ORS 197.303):

- Detached single-family housing
- Attaching single-family housing (row houses)
- Multi-family housing
- Government assisted housing
- Manufactured dwelling parks
- Manufactured dwellings on individual lots zoned for single-family use
- Farm worker housing

The proposed amendments comply with Goal 10 because they provide for three additional needed housing types under clear and objective standards:

- An accessory dwelling unit (ADU) on a lot with an existing single-family residence (ORS 197.
- A duplex on a lot zoned that is zoned for detached single-family use residential use (ORS 197.758)
- An attached single-family dwelling (rowhouse or townhouse) on a lot zoned for single family residential use (ORS 197.303)

The proposed amendments also replace the City’s existing manufactured home overlay zone (which allows a manufactured home on any lot that allows a single-family residence) by adding manufactured homes as a permitted use in the City’s three residential zones. The amendments make it clear that a manufactured home is permitted outright on any lot zoned for detached single-family residential use – subject to statutorily authorized placement standards.

Collectively, these housing options provide for a wider range of affordable housing opportunities under clear and objective standards for existing and future Ontario residents. The amendments also substantially increase allowed densities in Ontario’s three residential zoning districts. For these reasons, the amendments comply with Statewide Planning Goal 10 (Housing) and OAR Chapter 660 Division 0008 (Housing).

Ontario Urbanization Study (2006-07)

In 2006, Ontario had a population of 11,427. In 2007, ECONorthwest (with Winterbrook Planning and in coordination with Malheur County) prepared 20-year and 50-year population projections.

- Ontario's 2026 population projection was 15,692 – an increase of 4,265 people or 37%.
- Ontario's 2056 population projection was 24,185 – an increase of 12,760 people or 112%

ECONorthwest also prepared 20- and 50-year housing needs analyses and 20- and 50-year buildable lands inventories. The Urbanization Study also determined employment and public land need and supply. The Urbanization Study served as the factual basis for expanding the Ontario UGB and establishing a 2056 “urban reserve” area outside the UGB.

Ontario and Malheur County adopted the Urbanization Study. This study provided the factual basis for establishing a new urban growth boundary and urban reserve area. As part of this process, Winterbrook prepared a more usable and much shorter Comprehensive Plan, revised plan designations and zoning, and a new city-county growth management agreement intergovernmental agreement to manage growth and development within the UGB and URA. The adopted plan and code were supported by DLCD and acknowledged by the Land Conservation and Development Commission (LCDC).

Residential Land Need

With respect to housing, the Urbanization Study determined that the city (a) had enough buildable, residentially zoned land within its UGB to meet 20-year residential land needs, but (b) would need to expand its UGB and zone more residential land to meet 2056 housing needs. The amended Ontario Zoning Ordinance text and map ensured a sufficient supply of needed housing would be allowed under clear and objective standards in Ontario's three residential zones.

In 2007, the City updated Table 14-4 to show overall land need and supply through 2026. **Table 14-4 shows a surplus of 34.5 buildable residential acres.**

Table 14-4: Ontario Land Need and Supply 2006-2026 (Revised 2013)

Generalized Land Use	Buildable Acres	Need 2006-2026	Surplus (Deficit) 2006-2026
Commercial	242.9	254.1	(11.2)
Industrial	485.8	507.3	(21.5)
Rail-Dependent Industrial	245.0	250.0	(5.0)
Public Facility	114.9	184.0	(69.1)
Residential	627.9	593.4	34.5
TOTAL	1,716.5	1,788.8	(72.3)

New State Housing Statutes and Rules

In 2007, the Urbanization Study projected that Ontario would grow to 15,692 people by 2026 at compounded annual growth rate of 1.5%. This population growth rate was based largely on two assumptions, first, that Ontario would attract substantial employment growth, and second, that Ontario would achieve a greater share of the Treasure Valley region's population growth. These assumptions have not yet come to pass – but continue to be critical City and County policy goals.

Population Projections

In 2013, the Oregon Legislature changed state law (ORS 195.033) to require that city and county population projections be determined by the Portland State University Center for Population Research (CPR), rather than by counties in coordination with their cities.

- The CPR estimates Ontario's current (2019) population at 12,207.
- The CPR projection for the Ontario UGA is based largely past city growth trends.
 - Since Ontario has not grown substantially since 2007, CPR estimates Ontario's 2040 population will be only 12,246 – an increase of 39 people over the next 20 years.
 - The CPR projection is 3,446 less than the City's adopted 2026 population projection.
- This CPR population increase would require about 21 additional housing units over the next 20 years.
 - Winterbrook estimates that Ontario has approximately 600 buildable residential acres remaining within its acknowledged UGB.
 - If needed housing were to develop at 3.9 dwelling units per buildable acre, the City would need only five buildable acres – or approximately one percent of the residential buildable land supply within the UGB.
 - The residential buildable land supply remains sufficient to accommodate the housing needs of the 15,692 people (3,485 additional people) projected to live within the Ontario UGB in 2007.

To address rising housing costs and to use land more efficiently, state law was amended in 2019 to require cities to allow "accessory dwelling units" (ADU's) on lots with a single-family residence. Responding to the huge gap between housing costs and household income across the state, the 2019 Oregon Legislature enacted HB 2001. HB 2001 (ORS 197.758) requires "medium cities" (like Ontario) to amend housing needs analyses and allow duplexes under the same standards as single-family detached housing. Local implementation of this statute has the effect of significantly increasing allowable densities in Ontario's RS-50 and RD-40 zones. As noted below, the proposed zoning ordinance amendments meet requirements for duplexes on lots zoned for single-family residential uses in medium cities and ADU's on lots with single-family homes.

Ontario's Housing Grant

In early 2020, Ontario received a DLCD grant to amend the Ontario Zoning Ordinance to comply with HB 2001. The grant also included funds to revise the housing needs analysis and buildable lands inventory, including measures designed to increase housing production in Ontario. The City selected Winterbrook Planning to work with a technical advisory committee (TAC) appointed by the Mayor to prepare code amendments, the HNA and the BLI, and housing production measures.

Code Audit

In September 2020, Winterbrook worked with Community Development Director Dan Cummings and DLCD Housing Specialist Sean Edging to conduct a code audit and prepare draft amendments to the Ontario Zoning Ordinance to address HB 2001 requirements by allowing duplexes on lots that allow detached single-family uses.

The proposed code amendments now allow duplex dwellings on individual lots in zones that allow single-family detached dwelling dwellings on individual lots.

In the process of auditing the zoning ordinance, Winterbrook made two important observations:

- (1) That existing overlay zone provisions for allowing a manufactured home on any lot in the city zoned to allow a detached single-family use were not obvious to the casual code reader and lacked clarity;
- (2) That the zoning ordinance did not allow for an ADU on any lot with a detached single-family dwelling, subject to clear and objective design and siting standards, as required by ORS 197.312(5)(a).

Although not within the original work scope, Winterbrook recommended:

- (a) That manufactured homes be included as a permitted use in residential zones that allow detached single-family dwellings on individual lots – subject to siting standards found in ORS 197.307(8) and 197.314(4); and
- (b) That ADU's be permitted as an accessory use in all residential zones with an existing detached single-family residence.
- (c) That if a lot already has a duplex, the city does not need to allow an ADU, and similarly, if a lot already has a house and an ADU, the city does not need to allow a duplex. (OAR 660-046)

Housing Needs Analysis

Winterbrook is in the process of preparing a revising housing needs analysis and buildable lands inventory. Allowing a wider range of housing types and densities in existing residential zones will provide more opportunities to meet affordable housing needs over the next 20 years.

Although Ontario is only required to plan and zone enough land to accommodate 21 new dwelling units over the 20-year planning period to accommodate 39 additional people, the City has reason to believe that actual residential growth be greater. In addition to a recent uptick in single-family and duplex residential development in the city, Ontario recently approved 70 apartment dwellings to meet the needs of low- and middle-income households. The City is also in the process of converting a nursing home to provide low- and middle-income apartment units. Moreover, the City is considering additional measures to increase local housing productivity. Thus, the City continues to believe that it is reasonable to plan for substantial increase in population growth within the existing UGB– with the firm understanding that such planning cannot be used to justify a UGB expansion.

Recognizing the wisdom of planning for the efficient use of residentially zoned land within the Urban Growth Area, the HNA will recommend policies for allocation of residential zones when land is annexed to the City to ensure that Ontario has sufficient land planned and zoned for residential use to meet the needs of all income groups in the community – should growth within the existing UGB outpace the City's official population projection. As part of the HNA, the City is likely to adopt other measures to encourage housing production for all income levels.

Public Comments

With a positive recommendation from the Ontario TAC and support from DLCD, the Ontario planning commission held a public hearing to review the draft housing code amendments. The amendment proposal was modified somewhat in response to comments from the Fair Housing Council and Housing Land Advocates – while continuing to allow a range of relatively affordable “middle housing” options (attached and detached single-family housing, accessory dwelling units, duplexes, and manufactured homes on individual lots) under clear and objective standards in all three of the City’s residential zones. The revisions will be presented under Old Business at the Planning Commission Meeting of April 12, 2021, allowing for public comments and a public hearing before the City Council is tentatively scheduled for April 20, 2021.

Statutory Code Audit and Proposed Code Amendments

The following code changes address state requirements that require:

- (a) A duplex be allowed on a lot subject to the same development standards as a detached single-family dwelling (HB 2001);
- (a) An accessory dwelling unit (ADU) be allowed on a lot that has only one existing single-family dwelling (ORS 197.312(5));
- (b) Rowhouses (attached single-family) will be allowed on individual lots at about the same density as duplexes (ORS 197.303(1)); and
- (c) A manufactured home be allowed on any lot zoned to allow a detached single-family residence (ORS 197.303) – subject to statutory design standards (ORS 197.314.(1)).

Code Section	Revised Code Text in Legislative Format	Commentary
CHAPTER 10A-03 DEFINITIONS		
10A-03-74 DWELLING	Any room or group of rooms located in a residential building forming a single habitable unit with facilities which are used or intended to be used for living, sleeping, cooking, eating and sanitation of one family, not including motel or hotel units. The installation of an additional gas, electric or water meter or separate sewer service is evidence of establishment of an additional dwelling unit. Except for manufactured dwellings as defined in ORS 446.003, all dwelling units shall be constructed to conform to the Oregon Structural Specialty Code, the Low-Rise Residential Dwelling Code, or the Small Home Specialty Code. Dwelling unit types are defined below.	<i>The definitions of “dwelling” and “dwelling unit” are combined for simplicity. All dwellings must either be constructed to building safety codes, except for manufactured dwellings which are constructed to federal (HUD) standards. Types of dwelling units are listed immediately below. Several new definitions are suggested. Most are based on statutory or state administrative rule definitions.</i>
10-03-74-A NEW: DWELLING, ACCESSORY UNIT (ADU)	An interior, attached, or detached dwelling unit that is used in connection with and is accessory to the primary single-family detached dwelling on a lot or parcel. An ADU has a gross floor area that is (a) 900 square feet or less and (b) less than the primary single-family dwelling on the lot or parcel. (See also duplex dwelling definition.)	<i>New definition of accessory dwelling unit consistent with ORS 197.312 to meet statutory requirement that ADU’s be allowed as of right on lots with one detached single-family dwelling. (Definition allows the ADU to be a manufactured home reflects statutory definition for accessory dwelling unit – adapted to Ontario conditions.) In a sense, an ADU is a duplex dwelling that is</i>

		<i>smaller than (accessory to) the primary dwelling – whereas a duplex dwelling is a primary use on a lot zoned to allow a detached single-family dwelling.</i>
10-03-74-B NEW: DWELLING, APARTMENT	A residential structure with three or more dwelling units that share common walls, floors or ceilings. • A “tri-plex” is a three-unit apartment. • A “four-plex” is a four-unit apartment. • A “courtyard apartment” is centered around a common courtyard of at least 30 feet in width.	<i>This definition is based on the existing definition of multi-family dwelling found in 10-03-77. The definition of multi-family dwelling below (draft 10-03-74-F) has been broadened to include three or more dwelling units of any type on a lot or parcel.</i>
10-03-74-C NEW: DWELLING, COTTAGE CLUSTER.	A grouping of four to eight small, detached dwelling units on a lot or parcel with: (a) a common courtyard of at least 30 feet in width, (b) a footprint of 900 square feet per unit or less, and (c) a gross floor area of 1,800 square feet per unit or less.	<i>New definition for cottage cluster, a type of multi-family housing that consists of small single-family detached homes, on a single lot, with a common courtyard. Small homes of 400 square feet or less may be approved if construction to the Oregon Small Home Specialty Code. (Definition reflects State Statute – adapted to Ontario conditions.)</i>
10-03-7674-D DWELLING, DUPLEX	A residential building-of any configuration containing two dwelling units, including two common wall units. (See also ADU definition.)	<i>Revised definition distinguishes between a duplex dwelling (two primary dwellings on a lot), an attached single-family dwelling (one dwelling connected unit on a lot), and an accessory dwelling unit (a unit that is smaller than and therefore accessory to the primary dwelling on a lot). See related definitions.</i>
10A-03-75-74-E DWELLING, MULTI-FAMILY	A group of three or more dwelling units of any type <u>and in any configuration</u> on a lot or parcel. designed for or occupied by more than two (2) families living independently of each other.	<i>Revision includes all housing types except manufactured dwellings. This change allows flexibility to develop any type of site-built housing based on market demand.</i>
10A-03-75-74-F DWELLING, SINGLE- FAMILY, ATTACHED.	A row of two or more adjoining dwelling units, each of which is separated from the others by one or more unpierced walls extending from the ground or roof. Such dwellings are often known as townhouses. where each dwelling unit is located on an individual lot and shares at least one common wall with an adjacent unit. (Also known as a “rowhouse” or “townhouse”.)	<i>This change recognizes that attached single-family dwellings typically are located on separate lots which allows greater opportunity for affordable homeownership. (Definition reflects State Statute – adapted to Ontario conditions.)</i>
10A-03-78-74-G DWELLING, SINGLE FAMILY, DETACHED	A residential building designed for and occupied by not more than one family and surrounded by open space or yards and having no roof, wall or floor in common with any other dwelling unit.	<i>Revision simplifies definition.</i>

10-A-03-134 NEW: MANUFACTURED DWELLING	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, the Low-Rise Residential Dwelling Code adopted pursuant to ORS 445 or the Small Home Specialty Code adopted under section 2, chapter 401, Oregon Laws 2019.	<i>Definition from ORS 446.003 Definitions</i>
10-A-03-134-B NEW: MANUFACTURED DWELLING SPACE OR LOT	Any space, area or tract of land, or portion of a manufactured dwelling park, mobile home park or recreation park that is designated or used for occupancy by one manufactured dwelling.	<i>Definition from ORS 446.003 Definitions</i>
10-A-03-134-C MANUFACTURED HOME	A residential 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.	<i>Latest definition from ORS 446.003 Definitions. Note that HUD’s Manufactured Housing Construction and Safety Standards have been amended since 1976, when “manufactured homes” were first required to meet HUD standards.</i>
10-A-03-134-C NEW: MOBILE HOME	A residential 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.	<i>Definition taken from ORS 446.003 Definitions Note that manufactured dwelling parks is a broad definition that includes parks for manufactured homes and mobile homes.</i>
10-A-03-134-D NEW: RECREATIONAL VEHICLE	A vehicle with or without motive power that is designed for use as temporary living quarters and as further defined by rule by the Director of Transportation.	<i>New definition taken from ORS 174.101(3). Under state law, local governments must allow recreational vehicles in RV Parks or Manufactured Dwelling Parks to function as permanent residences.</i>
10-A-03-134-E NEW MANUFACTURED DWELLING PARK	Any place where four or more manufactured dwellings are located within 500 feet of one another on a lot, tract or parcel or 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	<i>definition from ORS 446.003 Definitions and replaces the definition “for mobile home park” found in 10-A-03-137 which reads “A plot of ground upon which two or more mobile homes are parked within 500 feet of one another on a lot, tract, or</i>

	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 City of Ontario or Malheur County consistent with state subdivision law.	<i>parcel of land under the same ownership or control, the primary purpose of which is to rent space or keep space for rent to any persons 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 persons.”</i>
10-A-03-134-F NEW DWELLINGS, NEEDED HOUSING TYPES	“Needed housing” includes the following housing types when permitted under clear and objective standards in the underlying residential zoning district: (a) Detached single-family housing; (b) Accessory dwelling units (ADU’s); (c) Attached single-family housing; (d) Manufactured homes on individual lots planned and zoned for single-family use; (e) Duplexes; (f) Multiple family housing; (g) Manufactured dwelling parks; (h) Government assisted housing; (i) Housing for farmworkers.	<i>New definition for “needed housing types” includes housing types identified in ORS 197.303(1), ORS 197.758(2) and 197.312(5).</i> <i>Since the Ontario Zoning Ordinance does not discriminate against or have special standards for approval of government assisted and farmworkers housing, such housing is allowed under clear and objective standards by the Ontario Zoning Ordinance.</i> <i>Note that needed housing types are described as “housing” or in the plural (e.g., duplexes). In the case of detached and attached single-family dwellings, duplexes and manufactured homes outside of manufactured dwelling parks, only one dwelling type is permitted outright on a lot or parcel in the RD-50 and RD-40 zones. For example, both zones allow a duplex on a lot or parcel outright – but not two duplexes.</i>

CHAPTER 10A-11 - RS-50, SINGLE-FAMILY RESIDENCE ZONE

10A-11-01 - PURPOSE.	To provide and maintain residential areas of predominantly owner-occupied single-family detached and attached dwellings, duplex dwellings, and manufactured homes on individual lots at relatively high densities for these housing types.	<i>Revision includes duplexes and manufactured homes as required by ORS 197.758(2) and 197.312(5). Oregon law does not allow cities to regulate dwelling unit tenure (ownership vs. rental). However, homeownership is encouraged by allowing both single-family detached</i>
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		<i>and attached dwellings. (See space limits table below.)</i>
10A-11-05 - PRINCIPAL PERMITTED USE.	The following principal uses as defined herein are permitted as of right in the RS-50 Zone subject to the provisions of this ordinance: 1. A single-family detached or attached dwelling. 2. A manufactured home subject to design standards. 3. A duplex dwelling if there is no ADU on the lot. 4. Home occupations meeting the standards herein. 5. A family day-care provider. 6. Parks and recreation facilities, public. 7. Horticulture and the growing of field crops or hay. 8. A residential care facility housing not more than eight clients. 9. Adult foster care for not more than five patrons. 10. An ADU accessory to an existing detached single-family dwelling unit, if there is no duplex on the lot.	<i>Revision adds a duplex dwelling and a manufactured home to be placed on a 5,000 square foot lot in the RS-50 zone, under the same standards required for a detached single-family residence, as required by HB 2001. The revision also allows attached single-family dwellings at the same density as duplex dwellings (one unit per 2,500 square feet.)</i> <i>See space limits table below.</i>
10A-11-10 - CONDITIONAL USES.	The following are permitted conditionally in the RS-50 Zone: 1. Private stables, corrals and paddocks which meet the standards set forth in RS-80 Zone. 2. Utility facilities, other than distribution lines, at a specific location necessary for the functioning of that utility. 3. Duplex dwelling as defined herein.	<i>Revision removes duplex as a conditional use as required by HB 2001 which requires "clear and objective" approval standards for duplexes.</i>
CHAPTER 10A-13 - RD-40, DUPLEX RESIDENCE ZONE		
10A-13-RD-05 Principal Permitted Uses	The following principal uses as defined herein are permitted as of right in the RS-50 Zone subject to the provisions of this ordinance: 1. A single-family detached or attached dwelling. 2. A manufactured home subject to design standards. 3. A duplex dwelling if there is no ADU on the lot.	<i>Revision adds a duplex dwelling and a manufactured home to be placed on a 5,000 square foot lot in the RS-50 zone, under the same standards required for a detached single-family residence, as required by HB 2001. The revision also allows attached single-family dwellings at the same density as duplex dwellings (one unit per 2,500 square feet.)</i>

	4. Home occupations meeting the standards herein. 5. Family day-care provider. 6. Parks and recreation facilities, public. 7. Horticulture and the growing of field crops or hay. 8. A residential care facility housing not more than eight clients. 9. An adult foster care for not more than five patrons. 10. An ADU accessory to an existing detached single-family dwelling unit, if there is no duplex on the lot.	<i>See space limits table below.</i>
10A-13-10 - CONDITIONAL USES.	The following uses are permitted conditionally in the zone: 1. Utility facilities other than distribution lines at a specific location necessary for the functioning of that utility. 2. Up to two additional multiple-family dwellings (containing not more than four dwelling units on a lot or parcel. , or not more than four single-family dwellings, attached, or two-family structures, attached, or any combination thereof. 3. Rooming house as defined herein.	<i>Revision allows duplexes and manufactured homes as required by ORS 197.758(2) and 197.312(5). Oregon law does not allow cities to regulate dwelling unit tenure (ownership vs. rental). However, homeownership is encouraged by allowing both single-family detached and attached dwellings. (See space limits table below.)</i>

CHAPTER 10A-19 - R-MH, MANUFACTURED HOME RESIDENCE ZONE

	The following principal uses as defined herein are permitted as of right in R-MH Zone subject to the provisions of this ordinance: 1. Single-family detached, attached and duplex dwellings constructed to RD-40 Zone standards. 2. Home occupations meeting the standards herein. 3. Manufactured or mobile home parks. 4. Manufactured or mobile home subdivisions.	<i>Revision includes single-family attached duplex dwellings as permitted uses. Duplexes must be allowed outright per HB 2001. Attached single-family dwellings provide a homeownership option on smaller lots. See Space Limits Table below.</i>
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CHAPTER 10A-21 - R-MHO, MANUFACTURED HOME RESIDENCE OVERLAY ZONE

PURPOSE 10A-21-01	To provide an overlay zone designed to apply concurrently with residential zones that to allow, manufactured homes on random single development sites.	<i>The manufactured home overlay zone is no longer necessary because the RS-50, RD-40 and RM-10 zones are amended to allow a manufactured home that meets ORS 197.307(8) design standards to be approved on lots in all residential zones where a single-family detached home is allowed outright.</i>
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CHAPTER 10A-25 RESIDENTIAL ZONES, SPACE LIMITS TABLE AND MANUFACTURED HOME STANDARDS

10A-25-01 - PURPOSE AND APPLICABILITY.	The specifications for minimum yard space, height, lot dimensions and other attributes, pertaining to structures or permitted uses, in the following table shall apply to all developments in the applicable zone.	<i>Revisions in the table below result in the same area requirement for duplexes and manufactured homes as single-family detached dwellings. The revisions also allow single-family attached (row houses on smaller individual lots) to be constructed at the same density as duplexes in Ontario's residential zones.</i>
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Item Regulated	Residential Zones			Commentary/Findings
	RS-50	RD-40	RM-10	
Maximum height in feet	38	38	None	
Minimum lot size site area per dwelling unit in square feet				<i>The proposed change addresses minimum lot sizes required for detached and attached single-family and duplex dwelling types. The change is necessary because HB 2001 and its administrative rule focus on dwelling</i>

Item Regulated	Residential Zones			Commentary/Findings
	RS-50	RD-40	RM-10	
				<i>units allow on lots and parcels.</i>
Single-family detached and duplex dwellings, and manufactured homes on individual lots. ADU's are not subject to space limitations but must meet other applicable zoning standards.	5,000	4,000	5,000	<i>HB 2001 requires that duplexes be allowed under the same development standards as detached single-family dwellings. The existing 4,000 square-foot standard is applied on a per unit basis, requiring 8,000 sq. ft. for a duplex in the duplex zone. ORS 197.307 identifies manufactured homes on lots zone for single-family use as a "needed housing type"</i>
Duplex	5,000	3,000	3,000	<i>HB 2001 requires that local governments allow duplex dwellings subject to the same development standards as single-family detached dwellings.</i>

Item Regulated	Residential Zones			Commentary/Findings
	RS-50	RD-40	RM-10	
Single-family attached dwellings	5,000 2,500	3,000 2,250	2,000	<i>Single-family attached housing provides an option for home ownership on smaller lots than typically required for single-family detached units. Since duplexes are allowed on lots of 4,000 to 5,000 sq. ft. (2,000 to 2,500 sq. ft. per unit) it makes sense to allow single-family rowhouses (attached single-family) on lot sizes typical of rowhouse developments.</i>
Multi-family (3+) Minimum lot area required for each additional dwelling unit (3+)	N/A	3,000 2,000	1,000	<i>Up to four units (two more than allowed as of right) are allowed in the RD-40 zone through the conditional use process. To create a gradual transition from RD-40 to RM-10, we recommend decreasing the minimum area for units 3 and 4 in the RS-40 zone from</i>

Item Regulated	Residential Zones			Commentary/Findings
	RS-50	RD-40	RM-10	
				3,000 sq. ft. to 2,000 sq. ft.
Minimum yard and lot coverage requirement in feet (setback)				
Front yard or any yard with primary entrance	15	15	15	<i>Revision takes into consideration the siting of duplexes on corner lots.</i>
Front Yard with Rear Parking	10	10	10	<i>This standard encourages parking in the rear of a lot, which reduces the visual impact of higher density housing from the street.</i>
Side yard*	7	5	5	<i>“*” prevision allows exemptions for single-family attached (rowhouses).</i>
Rear yard**	10	10	10	<i>“**” prevision allows exemption for parking with alley access.</i>
Minimum lot width in feet	50	50	50	<i>No change.</i>

Item Regulated	Residential Zones			Commentary/Findings
	RS-50	RD-40	RM-10	
Minimum lot width in feet for attached single family (row house) dwellings	25	22.5	20	<i>To allow the potential for owner-occupied attached single-family (rowhouses) we recommend allowing narrower lot widths for this type of housing. Note that this change is not required by statute – but does allow more opportunity for single-family home ownership.</i>
Maximum lot coverage for above ground structures	60%	70%	80%	<i>New standard to ensure that buildings do not dominate the site, to encourage two-story structures that minimize impervious surface area, and adequate open areas for light, air and recreation.</i>
Maximum dwelling units per gross acre***	14	18	31	<i>This is a new calculation based on information in the table above.</i>

Item Regulated	Residential Zones			Commentary/Findings
	RS-50	RD-40	RM-10	
				<i>The formula for determining gross density assumes that 20% of the site will be dedicated for public right-of-way and that the first two units consume 5000 square feet. There are no minimum density requirements.</i>

*** Side yard requirement reduced to zero where single-family dwellings are attached.**

**** Parking allowed in rear yard with alley access.**

***** Assumes 20% public ROW dedication.**

10A-25-02 Manufactured Home Placement Standards

Any manufactured home placed in the RS-50, RD-40 or RM-10 Zone shall:

The following placement standards apply to manufactured homes located outside manufactured or mobile home parks: (a) The manufactured home shall be multi-sectional and enclose a space of not less than 1,000 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 12 inches above grade.	<i>Commentary</i> <i>Manufactured home placement standards are authorized by ORS 197.207(8). These siting standards ensure reasonable compatibility between the manufactured home sited on an individual lot, and surrounding dwellings.</i> <i>Standards (a) – (c) are taken verbatim from the Chapter 10A-21 Manufactured Home Residence Overlay. This overlay zone is no longer necessary because manufactured homes are listed as permitted uses in the RS-50, RD-40 and RM-10 zones.</i>
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(c)The manufactured home shall have a pitched roof, except that no standard shall require a slope of greater than a nominal three feet in height for each 12 feet in width. (d)The manufactured home may be required 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. To make this determination, the Community Development Director shall evaluate residential dwellings within 100 feet of the subject lot; if most of these homes are characterized by a specific type or color of exterior siding or roofing materials, then the manufactured home may be required to have similar colors and materials. (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 Low-Rise Residential Dwelling Code as defined in ORS 455.010 (Definitions for ORS chapter 455). (f)The manufactured home shall have a carport constructed of like materials. The Community Development Director may require the manufactured home to have a garage constructed of like materials if most of the homes within 100 feet of the subject lot have garages. (g) In addition to the provisions in paragraphs (a) to (f) of this subsection, a manufactured home and the lot upon which it is sited may be	<i>Standards (d) – (g) are consistent with manufactured home siting standards authorized by ORS 197.307(8). To ensure that standards (d), (f) and (g) are applied in a clear and objective manner, the standard sets the analysis area and a requirement that most (51% or greater) of the homes in the analysis area be considered.</i> <i>The manufactured home must meet all dimensional standards found in the “space limits” table and manufactured dwelling place limit standards (a) – (f).</i>
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required to meet any development standard, architectural requirement or minimum size requirement to which a conventional single-family residential dwelling on the same lot would be subject.	
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The minimum development site for a building project in any zone shall be as set forth below, provided, however, greater lot area may be required to comply with the minimum lot area per housing unit set forth for the zone in which the project is located:		Commentary <i>This table is no longer needed because minimum site/lot area requirements are addressed in the table above.</i>
Single-family detached dwelling	4,000	
Two or more family dwelling	6,000	
Single-family attached dwellings	6,000 initial project	

Chapter 10A-53 ACCESSORY USES AND STRUCTURES		
10A-53-10 - ACCESSORY USES OR STRUCTURES, SPECIFICALLY AUTHORIZED	Permitted accessory uses and structures include but are not limited to the following: 1. Private garages, parking lots, loading docks and driveways. 2. An accessory dwelling unit provided that the ADU shall: (a) Not exceed 900 square feet and must be smaller than the primary single-family dwelling; (b) Not be permitted if two dwelling units already exist on a lot or parcel. (c) Have a gabled roof with a 3:12 pitch or greater with asphalt shingles <u>or</u> have a roof that matches the roof style and color of the existing single-family dwelling on the site. (a) Have horizontal wood-based siding <u>or</u> have siding that matches the existing single-family dwelling on site.	<i>Revision allows ADU's on all lots that contain a detached single-family dwelling. This revision applies to City zones and URA zones, as required by state statute. Clear and objective design and siting standards are provided as allowed by state statute. These standards ensure a minimum level of compatibility between the primary single-family dwelling and the ADU and allow for usable outdoor space</i>

	(b) Have a patio or porch of at least 60 square feet or at least 200 square feet of usable outdoor open space.	<i>for the occupants of the ADU.</i>
10A-57-60 - OFF-STREET PARKING AND LOADING REQUIREMENTS		
10A-57-65 - APPLICABILITY, INTERPRETATION.	5. Every parking or loading space counted toward a requirement shall have independent access to a clear driveway, alley or street. Exception: except that the required parking for a single-family, duplex dwellings and ADU's structure may shall have a single access unless an additional access is approved by the Community Development Director. controlled by the single-family occupants.	<i>Revision allows duplexes the same access exceptions as single-family dwellings, limits access to public street and allows the community development director to make an exception where warranted.</i>
10A-57-65 - APPLICABILITY, INTERPRETATION.	9. Required parking spaces shall not be a required front yard except that both spaces for a single family residence may be in a required front yard, and one required parking space for a two-family residence may be in a required front yard. Parking spaces shall not be allowed in a front yard except in front of an approved garage or carport or where approved by the Community Development Director for single-family and duplex dwellings.	<i>Revision applies the same standard for duplexes and single-family dwellings related to required parking spaces may be allowed within front yard setbacks. To maintain an attractive street appearance, parking would not be allowed in front yards between the primary residential building or buildings and a public street. However, the Community Development Director has the discretion to exemptions to this standard.</i>
10A-57-75 - PARKING SPACES REQUIRED, GROUP A USES.	USE 1. Dwelling, single-family or duplex. 2. Dwellings, duplex or multi-family.	<i>Revision creates the same parking requirements for duplexes as single-family dwellings (2 spaces).</i>
ONTARIO COMPREHENSIVE PLAN - PLAN CLASSIFICATIONS		
Plan Classification	Purpose	Commentary
Low Density Residential An average of 7-14 or fewer less	To provide areas suitable for single-family and duplex residential uses, including manufactured dwellings on individual lots, which have or will need public water and sewage services, commercial and educational support facilities and employment opportunities.	<i>Revision includes duplexes in plan purpose and recognizes that existing zoning allows more than 7 dwelling</i>

dwelling units per acre.*		<i>units per acre. Note that the term “average” does not imply a minimum density standard but recognizes the possibility that duplexes and ADU’s can substantially increase permitted residential density.</i>
NEW: Medium Density Residential An average of 8-18 dwelling units per acre.*	To provide areas suitable for single family detached, manufactured homes, duplex and limited multi-family residential uses, which have or will need public water and sewage services, commercial and educational support facilities and employment opportunities.	<i>This is a new classification that corresponds with to the RD-40 zone. Note that the term “average” does not imply a minimum density standard but recognizes the possibility that duplexes and ADU’s can substantially increase permitted residential density.</i>
High Density Residential An average of 8- 31 or more or more dwelling units per acre.*	To provide areas suitable and desirable for all types of high-density residential development including apartments, manufactured dwelling parks, planned developments, and other multifamily dwelling units. Business offices may be allowed as a non-residential use, when approved by the Planning Commission, as a conditional use.	<i>Existing RD-10 zone allows up to 31 dwelling units per gross acre. Note that the term “average” does not imply a minimum density standard.</i>

***Assumes 20% public ROW dedication.**



**AGENDA REPORT
PUBLIC HEARING
April 12, 2021**

To: Planning Commission

FROM: Dan Cummings, Community Development Director

SUBJECT: **PLANNING ACTION 2021-02-07-CPAMD: A REQUEST BY THE CITY OF ONTARIO TO ADOPT THE ONTARIO ACTIVE TRANSPORTATION PLAN AS A REFINEMENT TO THE TRANSPORTATION SYSTEM PLAN AND AMEND TITLE 10 – COMPREHENSIVE PLAN, TITLE 10A – SUBSTANTIVE ZONING REGULATIONS, AND TITLE 10C – SUBSTANTIVE REGULATIONS FOR LAND DEVELOPMENT OF THE ONTARIO MUNICIPAL CODE TO IMPLEMENT THE ACTIVE TRANSPORTATION PLAN**

DATE: February 25, 2021

PROPOSED MOTION:

A. APPROVAL

1. I MOVE THAT THE PLANNING COMMISSION ACCEPT THE FINDINGS OF FACTS AS OUTLINED IN ATTACHMENT 1 FOR THE REQUEST TO AMEND THE MUNICIPAL ZONING AND DEVELOPMENT CODE WITHIN TITLE 10 – COMPREHENSIVE PLAN, TITLE 10A – SUBSTANTIVE ZONING REGULATIONS, AND TITLE 10C – SUBSTANTIVE REGULATIONS FOR LAND DEVELOPMENT OF THE ONTARIO MUNICIPAL CODE; AS SET FORTH IN PLANNING ACTION 2021-02-07 CPAMD.

2. I MOVE THAT THE REQUEST TO AMEND THE MUNICIPAL ZONING AND DEVELOPMENT CODE WITHIN TITLE 10 – COMPREHENSIVE PLAN, TITLE 10A – SUBSTANTIVE ZONING REGULATIONS, AND TITLE 10C – SUBSTANTIVE REGULATIONS FOR LAND DEVELOPMENT OF THE ONTARIO MUNICIPAL CODE BE RECOMMENDED FOR APPROVAL TO THE CITY COUNCIL, BASED ON THE INFORMATION, FINDINGS AND CONCLUSIONS SET FORTH IN ATTACHMENT 2, SUBJECT TO THE CONDITIONS OF APPROVAL AS SET FORTH IN PLANNING ACTION 2021-02-07 CPAMD.

B. DENIAL

1. I MOVE THAT THE REQUEST TO AMEND THE MUNICIPAL ZONING AND DEVELOPMENT CODE WITHIN TITLE 10 – COMPREHENSIVE PLAN, TITLE 10A – SUBSTANTIVE ZONING REGULATIONS, AND TITLE 10C – SUBSTANTIVE REGULATIONS FOR LAND DEVELOPMENT OF

THE ONTARIO MUNICIPAL CODE, AS SET FORTH IN PLANNING ACTION 2021-02-07 CPAMD, BE RECOMMENDED FOR DENIAL TO THE CITY COUNCIL, BASED ON THE INFORMATION, FINDINGS AND CONCLUSIONS STATE HEREIN (ATTACH FINDING).

SUMMARY:

The Active Transportation Update and East Idaho Avenue Refinement Plan (ATP) provides long-range guidance to ensure the City of Ontario has adequate planned transportation facilities to support planned land uses over the next 20 years. The ATP will update and refine the City's Transportation System Plan (TSP), adopted in 2006, and last amended in 2009.

When Planning Action 2021-02-07 CPAMD is approved, the ATP will be adopted as a refinement to the Comprehensive Plan, of which the ATP is a part, and the municipal code will have been amended to implement the ATP.

BACKGROUND:

The City of Ontario has been undergoing a planning process to comprehensively update the Active Transportation Plan as a refinement to the City's Transportation System Plan.

The City of Ontario has been undergoing a planning process to create the ATP. The ATP will strategically update the City's Transportation System Plan (TSP) – the transportation element of the City's Comprehensive Plan – with a focus on promoting active transportation modes such as walking, bicycling, and riding transit. The current TSP was adopted in 2006 under Ordinance #2560-2005, with refinements occurring in 2009 under Instrument #2627-2009 and 2630-2009 and in 2014 under Ordinance #2694-2014. The ATP will further refine the TSP to build on the City's successes while proposing active transportation improvements to better achieve community values related to mobility and safety.

The ATP identifies needs by pedestrian, bicycle, and transit modes through community feedback, technical analysis (i.e., level of stress and qualitative multi-modal analyses), and previous work by the City to develop Safe Routes to School networks. High priority transportation solutions proposed to address those needs include new and upgraded bicycle and pedestrian facility projects throughout the City. It also includes a refinement plan for the East Idaho Avenue corridor that identifies corridor specific improvements to improve multi-modal connections to downtown and also provide streetscape enhancements.

CURRENT SITUATION:

Request: Approval of the following two proposed actions pertaining to adoption of the 2021 Active Transportation Plan.

1. Adoption of the 2021 Active Transportation Plan (ATP): Volume 1 by reference as a refinement of the Transportation System Plan under Comprehensive Plan
Transportation Objective 11 – Development of Refinement Plans
2. Ontario Planning and Zoning Development Standards to amend Section 10A-31-10 (Conditional Uses), Section 10A-31-30 (Special Use Limitations), Section 10A-57-55 (Landscape Performance Standards), Section 10A-57-75 (Parking Spaces Required for Group A Uses), Section 10A-57-80 (Parking Spaces Required; Group B Uses), Section 10A-57-210 (Design Standards), Section 10C-25.04 (Bicycle and Pedestrian Standards), and Section 10C-25.08 (Street Standards)

FOR CRITERIA AND FINDINGS OF FACTS REFER TO ATTACHMENT #1 FINDING OF FACTS BY ANGELO PLANNING GROUP MADE A PART HEREOF:

The proposal must comply with applicable provisions of the OCC (City of Ontario Zoning Ordinance as set forth in the Ontario City Code), and the City of Ontario Comprehensive Plan. Generally, unless otherwise noted, if a request is found to be consistent with the Zoning Ordinance it is considered to be consistent with the Comprehensive Plan.

Conclusion: All criteria and standards applicable to a change in municipal code have been met. A request for the code amendments may be recommended for approval or denial by the Planning Commission to the City Council, if all applicable decision criteria and standards are able to be met through appropriate review. This request presented to the Planning Commission infer the criteria and standards have been met in order for the request to be recommended for approval.

Conditions of Approval: (List Conditions)

1. . NONE

ANALYSIS:

- A. **STRATEGIC PLAN** This action is consistent with the City Council Strategic Plan by improving existing infrastructure and providing new or improving existing multi-modal facilities.
- B. **FINANCIAL** The Transportation Growth Management (TGM) program – a partnership between DLCD and ODOT – provided a grant to aid in the development of these codes and the City Council approved a budget amount as matching funds for these code changes as well as other changes to the City Code.
- C. **TIMING** Adoption of this action will become effective 30 days after approval by the Ontario City Council.

- D. **POLICY/LEGAL** The recommendations for this land use action are in compliance with Statewide Planning Goals.

ALTERNATIVES:

1. The Planning Commission could table and continue this item to a future date certain meeting, to obtain clarification on issues raised at this Public Hearing.
2. The Planning Commission could deny the action by determining it is not in the best interest of the public to recommend the changes.

RECOMMENDATION:

Staff recommends the Planning Commission approve the action.

ATTACHMENTS:

1. Attachment 1 Code Statewide Planning Goal Consistency_edits
2. Attachment 2 Proposed Code Changes_edits
3. Attachment 3 Draft Ordinance
4. Attachment 4 Active Transportation Plan

ATTACHMENT 1. CONSISTENCY WITH STATEWIDE PLANNING GOALS

In accordance with ORS 197.225, local governments are required to adopt comprehensive plans and land use regulations in accordance with Statewide Planning Goals. The following is an analysis of the compliance with each Statewide Planning Goal.

Goal 1: Citizen Involvement

The proposed amendments are the result of the City of Ontario Active Transportation Plan process, which involved a number of public participation opportunities including:

- **Technical Advisory Committee (TAC)**, comprised of city staff, ODOT, and other local and regional agencies and transportation interests held a series of virtual meetings to provide input on project materials.
- **Stakeholder Advisory Committee (SAC)**, comprised of members of the TAC, as well as a combination of transportation, local property, and business stakeholders, held an initial virtual meeting to identify objectives, priorities, and opportunities for the planning process.
- **Three virtual open houses** held at different stages during project development to seek community feedback and direction.
- **Two in-person outreach efforts** were held at the Ontario Saturday Market where the project team spoke with a total of over 80 attendees.
- **Youth workshops** were conducted to involve high school and elementary students from the Four Rivers Community School.
- **One East Idaho Avenue stakeholder meeting** was held to identify improvements to better serve business customers, residents, and visitors.
- **A Joint work session with the Ontario Planning Commission hearing and Ontario City Council** was conducted on January 7, 2021 and was advertised and open to the public.
- **Hearings with the Ontario Planning Commission** conducted on April 12, 2021, advertised and open to the public **and Ontario City Council** conducted on April 20, 2021, advertised and open to the public.

A variety of methods were used to notify community members of these meetings and other opportunities to be involved in the project, including project mailings and information on the City and project Website. These activities represent a robust effort to engage community members in the planning process, consistent with the requirement of Statewide Goal 1.

Goal 2: Land Use Planning

The proposed draft ATP and amendments to Comprehensive Plan and Development Code support Goal 2 in the following ways:

1. The proposed amendments are consistent with Goal 2 given that they are based on the thorough analysis done in developing the ATP. This analysis is represented in the Baseline Transportation Assessment; Healthy Communities Impact Assessment; East Idaho Refinement Area Land Use Assessment; Transportation Solutions; Cursory Environmental Assessment; and Draft and Revised Design Concepts. All of these documents are available in the ATP appendices.
2. Development of the ATP and associated amendments involved a robust public process, as addressed in finding for Statewide Goal #1 above.
3. The primary goal of the ATP is to provide for an active transportation system that increases mobility for active transportation users by providing connections between different land uses within Ontario and to enhance safety, user-friendliness, and comfort for active transportation modes for all ages.
4. Proposed amendments to the Ontario Planning and Zoning Development Standards provide for active transportation modes such as walking, biking, and riding transit by revising street design standards consistent with the ATP; provide enhanced on-site pedestrian connections, building orientation requirements, and landscaping standards to enhance comfortable and safe environments for active transportation users; allow for more efficient use of parking; and allow for more mixed-use development opportunities.

Goal 3: Agricultural Lands, Goal 4: Forest Lands and Goal 5: Natural Resources, Scenic and Historic Areas, and Open Spaces

These goals are not applicable to the proposed zoning ordinance amendments.

Goal 6: Air, Water and Land Resources Quality

One of the ATP's goals is to mitigate the impacts of the East Idaho Avenue corridor on air, water, and land resource quality. This includes streetscape improvement designs that integrate sustainable stormwater management practices.

Goal 7: Areas Subject to Natural Hazards

A review of environmental resources, including hazardous areas such as areas subject to flooding or landslides, was conducted prior to developing design alternatives and selecting a preferred design. The review identified current conditions, opportunities, and constraints to inform design alternative analysis and identifying project improvements. Strategies and projects identified in the ATP and proposed code amendments will enhance stormwater management outcomes, thereby reducing potential flooding impacts.

Goal 8 Recreational Needs

Proposed facility improvement and amendments in the ATP and development code promote a variety of transportation connects and actions and initiatives to promote bicycling and walking within and through Ontario, including prioritization of projects that meet this objective. In addition, the ATP includes specific bicycle and pedestrian facility improvement projects that also will help encourage community members to walk and bike to a variety of destinations.

Goal 9: Economic Development

The ATP considered the location of and access to employment as a factor in prioritizing active transportation project improvements. The ATP would provide a variety of proposed improvements that would improve access to employment uses and provide enhanced mobility for active transportation users to access goods and services. The ATP will create multi-modal connections between downtown Ontario and the East Idaho Avenue commercial allowing better connections for residents and visitors and enhancing the economic vibrancy of the corridor. Allowing limited housing opportunities through the conditional use process is unlikely to significantly affect the supply of suitable commercial development sites within the UGB.

Goal 10: Housing

Goal 10 does not apply to the proposed ATP code amendments, although the ATP did consider the location of and access to housing and a variety of proposed code amendments in the ATP will improve multi-modal access to existing residential neighborhoods and residentially zoned land.

In response to concerns raised by the Fair Housing Council regarding Goal 10 requirements for “clear and objective standards,” the City offers the following findings.

1. The City’s comprehensive plan and zoning ordinance have been acknowledged by the Land Conservation and Development Commission as complying with Goal 10: Housing. Sufficient buildable land to accommodate needed housing types identified in the 2007 Housing Needs Analysis is provided in the city’s three residential zoning districts – based on the City’s acknowledged 2026 coordinated population projection and buildable lands inventory.
2. The City is in the process of adopting a new housing needs analysis and buildable lands inventory based on a much lower coordinated 2040 population projection provided by the Portland State University Center for Population Research. Thus, the City has more than sufficient buildable land in its residential zones to meet identified housing needs – without relying on commercial zones to meet housing needs.
3. Proposed amendments to the Ontario Zoning Ordinance would allow another option for high density residential and mixed use housing in the Heavy Commercial (C-2-H) zone through the discretionary conditional use process. The City fully recognizes that needed housing must be allowed under clear and objective standards on residential buildable land. But land in the C-2-H

zone is not considered buildable residential land.

4. Neither the consultants nor the city has projected the number of housing units that may be approved in this zone. For Goal 10 purposes, vacant, partially vacant and redevelopable land within in the C-2-H zone is not considered buildable residential land as defined in OAR 660-008-0005:

“‘Buildable Land’ means residentially designated land within the urban growth boundary, including both vacant and developed land likely to be redeveloped, that is suitable, available and necessary for residential uses. Publicly owned land is generally not considered available for residential uses.”

The City does not rely on the Heavy Commercial zone to accommodate “needed housing” within the meaning of ORS 197.303. The City has not designated the Heavy Commercial zone as a “mixed use zone” nor is the City relying on land within this zone to meet identified housing needs. Given the large supply of vacant and partially vacant residentially-zoned buildable land in the City (approximately 600 acres), it is unlikely that significant residential development will occur in the C-2-H zone.

5. Rather, buildable land within the Heavy Commercial zone is designated to meet the siting requirements of commercial and light industrial firms identified in the City’s 2007 Economic Opportunities Analysis. Thus, buildable land within the Heavy Commercial zone provides suitable sites needed to comply with Statewide Planning Goal 9: Economic Development. In fact, the acknowledged residential buildable lands inventory does not consider land in any commercial or industrial zone as suitable and available to accommodate “needed housing” identified in the 2007 HNA.
6. There is nothing in Goals 9, 10 or 12 that requires the City to allow housing in the Heavy Commercial zone under clear and objective standards. The City’s alternative would be to maintain the existing prohibition on housing in the C-2-H zone – and not to allow this discretionary housing opportunity through the conditional use process in the C-2-H zone.
7. However, the City does not understand how removing housing developments from the list of conditional uses in Section 10A-31-10 would detract from the broader Goal 10 objective of providing a variety of housing types and densities within the Ontario UGB.

In summary, the City is not relying on the C-2-H zone to meet its housing needs. The proposed amendments would simply allow the opportunity for a property owner to propose multi-family and mixed use housing through the conditional use process. Provided additional housing opportunities in the C-2-H zone allows for the possibility of additional housing near employment that furthers Goal 12 Transportation objectives. The expansion of housing opportunities is not inconsistent with Goal 10 and generally supports its purpose.

Goal 11: Public Facilities and Services

The proposed amendments are consistent with Goal 11 in recommending projects focused on improving existing facilities to maximize those public facility investments and keep development concentrated in the city's urbanized area, thus reducing the need to extend services outside the current urban area.

Goal 12: Transportation

The proposed amendments are consistent with Goal 12 in recommending improvements that provide more and safer transportation options. In large part, they build on existing transportation facilities, thus maximizing those investments, and help keep development focused on the city's existing urban area to reduce the need to extend services outside the current urban area.

Proposed amendments to the Ontario Development Code support recommendations in the ATP and are consistent with the Oregon Transportation Planning rule by promoting active transportation options for public health and affordability.

Goal 13: Energy Conservation

The proposed ATP policies support use of non-vehicular modes of transportation which support energy conservations goals. Similarly, implementation of bicycle, pedestrian, and transit improvements identified in the ATP will also support energy conservation goals.

Proposed amendments to the development code support more compact forms of housing which require less energy to heat and cool, also supporting energy conservation goals.

Goal 14: Urbanization

The proposed amendments are consistent with Goal 14 by encouraging focused investments in the City's existing urban area and downtown, thus increasing land use efficiency.

ATTACHMENT 2. PROPOSED CODE CHANGES

New language is provided in underline formatting and deleted language in ~~strikeout~~ formatting.

TITLE 10 – COMPREHENSIVE PLAN

[...]

GOAL 12: - TRANSPORTATION

10-12-4 - Objectives and Policies: Transportation, Roads, Streets, Alternative Modes

This Section establishes broad policy objectives that provide the context to make transportation investment decisions and to develop the existing and future transportation system within the City of Ontario Urban Growth Boundary.

[...]

(k) Transportation Objective 11 - Development of Refinement Plans

To develop refinement plans to the Transportation System Plan that more specifically address corridors, problems/issues, and sub-areas.

These refinement plans shall supersede the TSP if they are formally adopted by the Ontario City Council.

The policies to be used to implement Objective 11 - Development of Refinement Plans are as follows:

- 1) The City of Ontario has formally adopted the following refinement plans; East Ontario Traffic Study; East Ontario Commercial Area Traffic Study; Oregon 201 Corridor Refinement Plan; ~~and, the North Ontario Interchange Management Area Plan; and, the Ontario Active Transportation Plan.~~ These Plans shall supersede the TSP in their specific defined areas as applicable.
- 2) The City of Ontario shall proactively seek funding to develop further refinement plans as necessary to address specific transportation issues.
- 3) Refinement plans to the TSP shall be formally adopted by the Ontario City Council prior to officially superseding the TSP

TITLE 10 – SUBSTANTIVE ZONING REGULATIONS

[...]

CHAPTER 10A-31 – C-2-H, HEAVY GENERAL COMMERCIAL ZONE

10A-31-01 – PURPOSE.

To provide a zone to accommodate a wide range of retail, service and wholesale activities short of industrial usage.

10A-31-05 - PRINCIPAL PERMITTED USES.

The following principal uses are permitted as of right in the C-2-H Zone:

1. All principal uses allowed in the C-1 and C-2 commercial zones except ~~that~~ for dwellings. ~~Dwellings are prohibited.~~ Existing Unless approved as a conditional use, existing dwellings shall be treated as nonconforming uses subject to provisions contained within these standards for nonconforming uses.
2. Rental of large tools or construction equipment, trucks or trailers or other equipment requiring outdoor storage;
3. Wholesale stores with stock;
4. Body, fender and paint shops, major automotive repair and automotive dismantling where all work is performed within a building, where all refuse and scrap parts are stored in closed containers, when possible, and screened from view at all points on any public or private property or street, and where all extended storage of wrecked vehicles or other equipment is screened from view from adjacent property and public streets;
5. Farm store, farm equipment dealer;
6. Truck stop with transient motel;
7. Printing and publishing;
8. Petroleum bulk plant with no more than 150,000 gallons of above ground storage and with no more than 25,000 gallons in any one above ground tank; and
9. Mini-warehouses.

10A-31-10 - CONDITIONAL USES.

1. The following uses are permitted conditionally in the C-2-H Zone:
2. Utility facilities, other than distribution lines, necessary for the functioning of that utility;
3. Accessory uses and structures common to all zones as listed in Chapter 10A-53;
4. Marijuana retailer as provided in Chapter 10A-59;
5. Marijuana laboratory as provided in Chapter 10A-59;
6. Marijuana wholesaler as provided in Chapter 10A-59; and
7. Marijuana processor non-flammable as provided in Chapter 10A-59; and
8. Marijuana grow site medical as provided by State regulations and as provided in Chapter 10A-59.
9. Multi-family dwellings and dwellings above ground-floor of non-residential uses ("vertical mixed use") and on the bottom floor of any structure ("live/work units") subject to Section 10A-31-30.

[...]

10A-31-30 – RESIDENTIAL SPECIAL USE LIMITATIONS.

The following special use standards shall apply to residential buildings in the C-2-H zone in addition to any conditions or limitations that may be required by this code or applied through the conditional use process.

1. All apartments and mixed use buildings that allow ground floor residential uses shall have at least 10 dwelling units.
2. All residential and mixed use buildings shall provide an accessible front entrance on the street-facing ground floor façade.
3. As shown on Figure 10A-33.07a, buildings with commercial uses on the ground-floor – and residential uses above or behind the ground floor commercial use – shall provide transparent window and door glazing on that together cover a minimum of:
 - a. Half the length of the ground-level street-facing facade, and
 - b. Half the wall area of the ground-level street-facing façade.

[...]

CHAPTER 10A-57 – GENERAL PROVISIONS

[...]

10A-57-55 - LANDSCAPING, PERFORMANCE STANDARDS.

All landscaping required by this Title shall comply with the following performance standards:

1. 65 percent minimum of the required six percent of the development site area landscaping shall be green and growing and shall be irrigated. This required coverage does not include the anticipated mature overhead canopies of new trees. The area of trees counted toward the minimum coverage shall be the canopy areas of new trees and existing trees at the time of planting. Permanent landscaping shall be irrigated by means of an underground system; planters or boxes may be irrigated by daily manual watering with no permanent system. Plans shall be submitted with any required permit information that show the amount of landscaping in square feet that is required for the lot; the amount of landscaping proposed and the location of what is proposed; and, a description of the type of irrigation system. All required landscaping shall be continuously maintained in a neat, clean, healthy and growing condition. Landscaping that is not maintained is a violation of this Code and a property owner may be subject to enforcement under the provisions of Title 10A and any other applicable City Code, and Oregon Law.
2. Required landscaping shall be distributed so that all non-driveway street frontages are landscaped, including in Industrial Zones, even if the area so used exceeds six percent of the total area required, including Industrial Zones. All of the required area cannot be satisfied by the use of remote and otherwise unusable portions of the development site.
3. Plantings used to screen a space frequently used by the public, such as a parking lot, shall have a combination of higher and lower growing species so as to provide for sight clearance at exits; for visual separation from the street, and for openings to allow police surveillance from the street.

Landscaping required by this Title shall comply with the following additional standards for new commercial uses and multi-family dwellings:

4. A combination of deciduous and evergreen trees, shrubs, and ground covers shall be used for all planted areas, the selection of which shall be based on local climate, exposure, water availability, and drainage conditions, among other factors. A list of acceptable trees, shrubs, and ground covers is available at the Public Works Department. The Public Works Director shall be responsible for maintaining this list. When new vegetation is planted, soils shall be amended and irrigation shall be provided, as necessary, to allow for healthy plant growth. The selection of plants and related materials shall be based on the following standards and guidelines:
 - a. Use plants that are appropriate to the local climate, exposure, and water availability. A list of these plants is available from the Public Works Department. The presence of utilities and drainage conditions shall also be considered.
 - b. Plant species that do not require irrigation once established (drought tolerant) are preferred over species including grass lawn that require irrigation.
 - c. All planted areas shall have minimum two-inch depth of bark mulch or other moisture-retentive organic or mineral mulch.

- d. Trees shall be not less than two-inch caliper for street trees and 1.5-inch caliper for other trees at the time of planting. Trees to be planted under or near high-voltage power lines shall be selected so as to not conflict with power lines at maturity.
 - e. Shrubs shall be planted from five-gallon containers, minimum, where they are for required screens or buffers, and two-gallon containers minimum elsewhere.
 - f. Shrubs shall be spaced in order to provide the intended screen or canopy cover within two years of planting.
 - g. All landscape areas, whether required or not, that are not planted with trees and shrubs or covered with allowable non-plant material, shall have ground cover plants that are sized and spaced to achieve plant coverage of not less than 50 percent at maturity. The City may reduce this standard by one-half in areas under the canopy of existing trees to be preserved by the project. Ground cover plants shall be planted from one-gallon containers, minimum.
 - h. Bark mulch, stone aggregate, or other decorative stone material shall be used to cover non-planted landscape areas, but these non-planted areas shall cover not more than 35 percent of any individual landscape area. Non-plant ground covers cannot be a substitute for required ground cover plants.
 - i. Where storm water retention or detention, or water quality treatment facilities are proposed, they shall be planted with water-tolerant species.
 - j. Existing mature trees that can thrive in a developed area and that do not conflict with other provisions of this Code shall be retained where specimens are in good health, have desirable aesthetic characteristics, and do not present a hazard. Protect the root zones of existing trees to remain from construction activities.
 - k. Landscape plans shall avoid conflicts between plants and buildings, streets, walkways, utilities, and other features of the built environment.
 - l. Evergreen plants shall be used where a sight-obscurating landscape screen is required.
 - m. Where plants are used to screen outdoor storage or mechanical equipment, the selected plants shall have the capability to exceed the height of and not interfere with the function or operation of screened storage and equipment, based on the projected height and circumference of the plant species at maturity.
 - n. Landscape plans shall provide for both temporary and permanent erosion control measures, which shall include plantings where cuts or fills, including berms, swales, storm water detention facilities, and similar grading, is proposed.
 - o. When new vegetation is planted, soils shall be amended and irrigation provided, as necessary, until the plants are fully established and able to grow on their own. Provide supplemental irrigation as needed after establishment to ensure plant health, depending on plant species and environmental conditions.
5. All of the following standards shall be met for parking lots with six (6) or more spaces, in addition to the requirements of paragraph 4 above. If a development contains multiple parking lots, then the standards shall be evaluated separately for each parking lot.
- a. A minimum of 10 percent of the total surface area of all parking areas, as measured around the perimeter of all parking spaces and maneuvering areas, shall be landscaped.

Such landscaping shall include canopy trees distributed throughout the parking area. At a minimum, one tree per 10 parking spaces shall be planted over and adjacent to the parking area.

- b. All parking areas with more than 12 spaces shall provide landscape islands with trees that break up the parking area into rows of not more than 10 contiguous parking spaces. Landscape islands shall have dimensions of not less than 48 square feet of area (not including curbs) and no dimension of less than six feet, to ensure adequate soil, water, and space for healthy plant growth.
- c. Wheel stops, curbs, bollards, or other physical barriers are required along the edges of all vehicle-maneuvering areas to protect landscaping from being damaged by vehicles. Trees shall be planted not less than two feet from any such barrier, and not less than four feet from any such barrier (except bollards) at the front of a parking stall.
- d. Trees planted in tree wells within sidewalks or other paved areas shall be installed with root barriers, consistent with applicable nursery standards.

6. Landscaping located at the corner of a lot abutting a street intersection will meet the Vision Clearance standards of Section 10A-57-15 of this code.

7. Applicant is required to submit a Landscape plan showing the location of all required landscaping and a table listing plants proposed, as well as a table showing compliance with the green and growing requirements.

[...]

10A-57-75 - PARKING SPACES REQUIRED, GROUP A USES.

All uses of land or buildings enumerated under group A shall provide off street parking and loading, as specified, on the same development site as such use or building and the parking space shall have convenient and unobstructed pedestrian access across the development site to a principal entrance to the building or use.

USE	PARKING SPACES REQUIRED	LOADING SPACES REQUIRED
1. Dwelling, single-family or duplex.	Two	None
2. Dwellings, multi-family.	One and a half spaces for each dwelling.	One for each building containing over 20 units.
3. Boarding, rooming and lodging houses, bed and breakfast hotel	One for each bedroom	None
4. Doctor's offices, medical and dental clinics.	One space for each doctor and each employee, full or part-time on duty, plus one space for 300 square feet	None
5. Restaurants, taverns, bars, nightclubs, with or without dancing facilities.	One (1) for each four (4) fixed seats or where there are no fixed seats, one (1) space for each 50 square feet of gross floor area utilized for public space.	One

USE	PARKING SPACES REQUIRED	LOADING SPACES REQUIRED
	<u>One space per 200 sq. ft. of gross floor area.</u>	
6. Retail stores and shops.	One for each 300 <u>400</u> square feet gross floor area.	One for the first 5,000 sq. ft. gross floor area plus one for each 30,000 sq. ft. additional or fraction thereof.
7. Furniture, appliance sales or repair.	One for each 500 sq. ft. sales and repair space.	One for the first 5,000 sq. ft. gross floor area plus one for each 30,000 sq. ft. additional or major fraction thereof.
8. Funeral homes and mortuaries.	one for each three seats or one for each 50 sq. ft. of public space, whichever is the greater. <u>One space per 300 sq. ft.</u>	One for each hearse, ambulance or other non-passenger vehicle.
9. Real estate sales office	Two for the first 300 sq. ft. plus one for each additional 200 sq. ft. of office or public space. <u>One space per 500 sq. ft.</u>	None.
10. Small item service and repair shop.	One for each 200 <u>300</u> sq. ft. gross floor area.	None.
11. Beauty and barber shop.	One for each 200 <u>300</u> sq. ft. gross floor area.	None.
12. Automotive or machinery sales, garages	One for each 400 <u>1,000</u> sq. ft. gross floor area.	One for each 5,000 sq. ft. gross floor area.
13. Bowling alleys.	Five for each lane. <u>One per 300 sq. ft.</u>	None.
14. Roller and ice rinks, intensive sports and recreation buildings, dance halls.	One for each three fixed seats or one for each 100 sq. ft. of gross floor area or public space.	None.
15. Banks, professional or general offices other than medical.	One for each 300 sq. ft. gross floor area.	None

10A-57-80 – PARKING SPACES REQUIRED, GROUP B USES.

All uses of land or buildings enumerated under group B shall provide off street parking and loading on the same development site as such building or use for all customers or patrons frequenting the establishment and said parking space shall have convenient and unobstructed pedestrian access across said development site to a principal entrance to the building or use; however, that portion of the parking requirement that may be attributed to employees may be provided within 400 feet of the use or building.

USE	PARKING SPACES REQUIRED	LOADING SPACES REQUIRED
1. Hotel, apartment, hotel, motel, club with guest rooms.	One 0.75 for each unit plus one space for each employee on the largest shift.	One space for any development of over 20 units
2. Hospitals and rest homes.	One for each three beds plus one for each doctor and employee on the largest shift. One per 300 sq. ft.	One space for the first 40,000 sq. ft. GFA plus one space for each additional 150,000 sq. ft. or major fraction.
2a. Day care center, family day care.	Two for each 12 children, or one space for each five elderly or disabled persons, plus one for each employee.	
3. College fraternities or sororities, dormitories.	One for each bedroom.	None.
4. Clubs, organization halls.	One for each 100 square feet of assembly space plus one for each employee.	None.
5. Single occupancy office buildings of 10,000 square feet and up.	One for each 500 square feet of gross floor area. (GFA)	One for the first 10,000 sq. ft. GFA plus one for each added 40,000 sq. ft. or major fraction.
6. Wholesale store with stock on site.	One for each 400 <u>1,000</u> square feet GFA	One for the first 6,000 sq. ft. GFA plus one for each added 20,000 sq. ft. or major fraction.
7. Warehouses.	Four for the first 5,000 sq. ft. GFA plus one for each additional 5,000 sq. ft. GFA or major fraction.	Two for the first 5,000 sq. ft. GFA plus one for each added 10,000 sq. ft. or major fraction.

[...]

10-57-210 – DESIGN STANDARDS.

The design features below are required for development and redevelopment in the commercial zones (C zones) under the following conditions:

1. Upon any new development of property;
2. Upon any redevelopment of property that expands the floor area of the principal structure by 20 percent or more. This does not apply to accessory structures;
3. Upon the approval of any change in use of any residential, commercial or industrial structure or property that increases estimated trip generation by more than 50 peak hour trips over the existing use, according to the latest edition of the Institute for Transportation Engineers (ITE) Trip Generation Manual; or
4. Where the rebuilding or replacement of the building is the direct result of a casualty loss, and exceeds 60 percent of the total value of the building prior to the casualty loss.

[...]

6. Large-Format Developments. Plans for new developments, or any phase thereof, with a total ground floor area of all buildings greater than 40,000 square feet, including land divisions, shall meet all of the following standards in subsections (a) through (g), below. The City may approve adjustments to the standards pursuant to Chapters 10B-30 and 10B-40.
- a. The site plan or preliminary subdivision plan, as applicable, shall comply with the street connectivity standards of Section 10C-25.03. The plan approval shall bind on all future phases of the development, if any, to the approved block layout.
 - b. Except as provided by subsection (e) through (g) below, the site shall be configured into blocks with building pads that have frontage onto improved streets meeting City standards and shall contain interior parking courts and with interconnected pedestrian walkways.
 - c. Walkways shall connect the street right-of-way to all primary building entrances, and shall connect all primary building entrances to one another, including required pedestrian crossings through interior parking areas, if any, in accordance with Section 10C-25.04. The City may condition development to provide facilities exceeding those required by Section 10C-25.04, including a requirement for lighting, stairways, ramps, and midblock pedestrian access ways (e.g., to break up an otherwise long block) to ensure reasonably safe, direct, and convenient pedestrian circulation.
 - d. Buildings placed at a block corner shall have a primary entrance oriented to the block corner. That entrance shall be located within 40 feet of the corner and shall have a direct and convenient pedestrian walkway connecting to the corner sidewalk.
 - e. All buildings shall orient to a street, pursuant to subsection 10A-57.210(1). Where it is not practical to orient all buildings to streets due to existing parcel configuration or a similar site constraints, buildings may orient to a “shopping street” providing, at a minimum, on-street parking (parallel or angled parking), 8-foot sidewalks (which shall include a four-foot zone for street trees and furnishings such as benches and other street furniture), and pedestrian-scale lighting.
 - f. Each building that is proposed as orienting to a shopping street shall comply with the orientation standards of Section 10A-57.210(1) in reference to the shopping street and shall have at least one primary entrance oriented to the shopping street.
 - g. All other provisions of this Code apply to large-format developments.

[...]

TITLE 10C – SUBSTANTIVE REGULATIONS FOR LAND DEVELOPMENT

[...]

CHAPTER 10C-25 – TRANSPORTATION STANDARDS

[...]

10C-25.04 – BICYCLE AND PEDESTRIAN STANDARDS

[...]

10C-25.04.002 – Bicycle and Pedestrian Circulation and Access Requirements for Site Plans

Required elements for a site plan shall include the design and location of bicycle parking and bicycle and pedestrian circulation elements such as accessways, walkways, and transit facilities. The following shall be included in the site plan:

- (a) Bicycle parking. The development shall include the number and type of bicycle parking facilities required in the off-street parking and loading Section of this Title. The location and design of bicycle parking facilities shall be indicated on the site plan.
- (b) Pedestrian access and circulation. ~~Internal pedestrian circulation shall be provided in new commercial, office, and multi-family residential developments through the clustering of buildings, construction of hard surface walkways, landscaping, accessways, or similar techniques.~~ Development shall conform to all of the following standards for pedestrian access and circulation:
 - (1) Continuous Walkway System. A pedestrian walkway system shall extend throughout the development site and connect to adjacent sidewalks, adjacent trails, public parks, and open space areas, if any, and to all future phases of the development, as applicable.
 - (2) Safe, Direct, and Convenient. Walkways within developments shall provide safe, reasonably direct, and convenient connections between primary building entrances and all adjacent parking areas, recreational areas, playgrounds, and public rights-of-way conforming to the following standards:
 - (a) The walkway is reasonably direct. A walkway is reasonably direct when it follows a route that does not deviate unnecessarily from a straight line or it does not involve a significant amount of out-of-direction travel.
 - (b) The walkway is designed primarily for pedestrian safety and convenience, meaning it is reasonably free from hazards and provides a reasonably smooth and consistent surface and direct route of travel between destinations. The City may require landscape buffering between walkways and adjacent parking lots or driveways to mitigate safety concerns.
 - (c) The walkway network connects to all primary building entrances, consistent with the building design standards of Section 10A-57-210 and, where required, Americans with Disabilities Act (ADA) requirements.
 - (3) Vehicle/Walkway Separation. Except as required for crosswalks, per subsection (4) below, where a walkway abuts a driveway or street it shall be raised six inches and curbed along the edge of the driveway or street. Alternatively, the City may approve a walkway abutting a driveway at the same grade as the driveway if the walkway is physically separated from all vehicle-maneuvering areas. An example of such separation is a row of bollards (designed for use in parking areas) with adequate minimum spacing between them to prevent vehicles from entering the walkway.
 - (4) Crosswalks. Where a walkway crosses a parking area or driveway ("crosswalk"), it shall be clearly marked with contrasting paving materials (e.g., pavers, light-color concrete inlay between asphalt, or similar contrasting material). The crosswalk may be part of a speed table to improve driver-visibility of pedestrians. Painted or thermo-plastic striping and similar types of non-permanent applications are discouraged but may be approved for lesser used crosswalks not exceeding 24 feet in length.

(5) Walkway Width and Surface. Walkways, including access ways required for subdivisions, shall be constructed of concrete, asphalt, brick or masonry pavers, or other durable surface, as approved by the City Engineer, and not less than five feet wide.

(6) Walkway Construction. Walkway surfaces may be concrete, asphalt, brick or masonry pavers, or other City-approved durable surface meeting ADA requirements. Walkways shall be not less than four] feet in width, except that concrete walkways a minimum of six] feet in width are required in commercial developments and where access ways are required for subdivisions. The City may also require six-foot wide, or wider, concrete sidewalks in other developments where pedestrian traffic warrants walkways wider than four] feet.

(c) All site plans (industrial and commercial) shall clearly show how the site's internal pedestrian and bicycle facilities connect with external existing or planned facilities or systems.

[...]

10C-25.08 - STREET STANDARDS

Planter strips shown on any figure, a through k, may be waived at the discretion of the Director of Public Works.

Figure 10C-25.08a - Principal Arterial and Five-Lane Minor Arterial

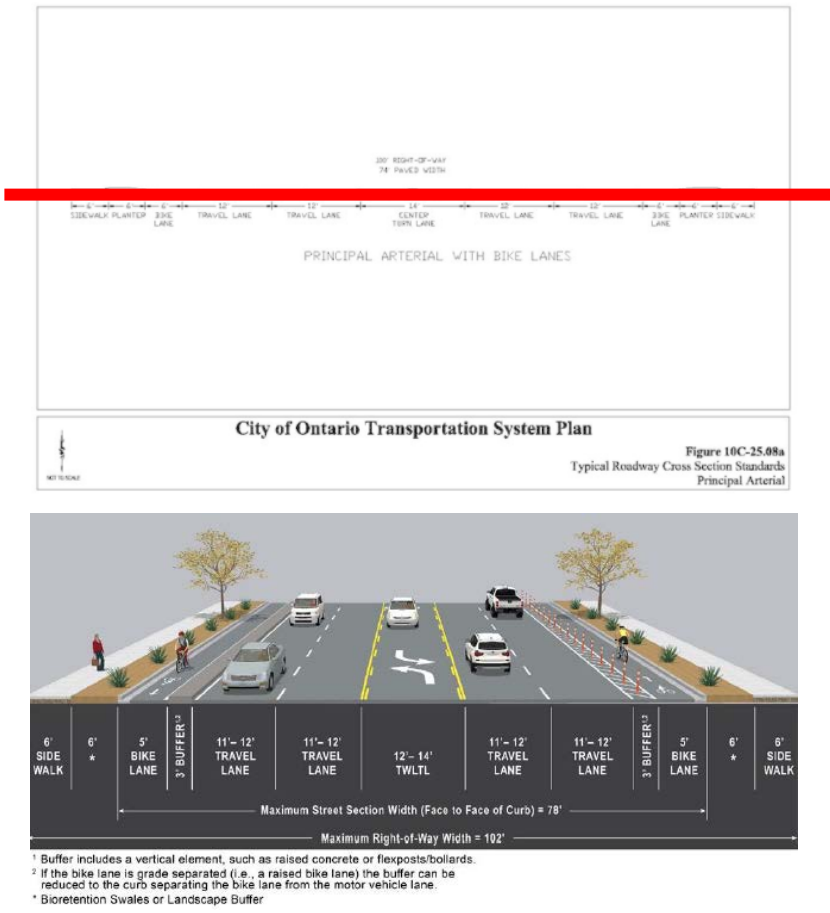


Figure 10C-25.08b - ~~Minor Arterial~~ Principal Arterial and Five-Lane Minor Arterial Shared Use Path Option

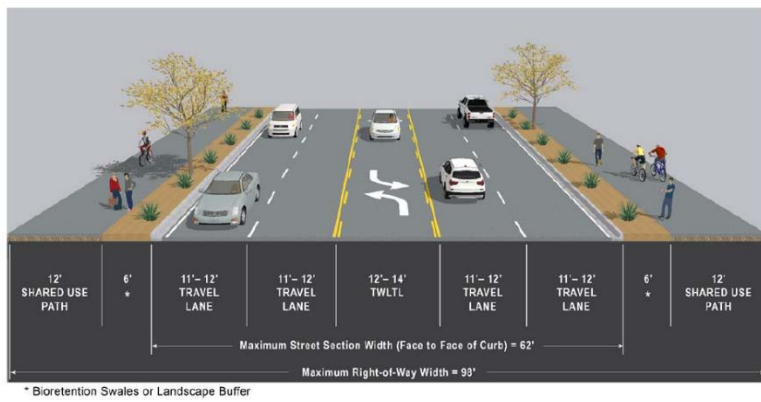
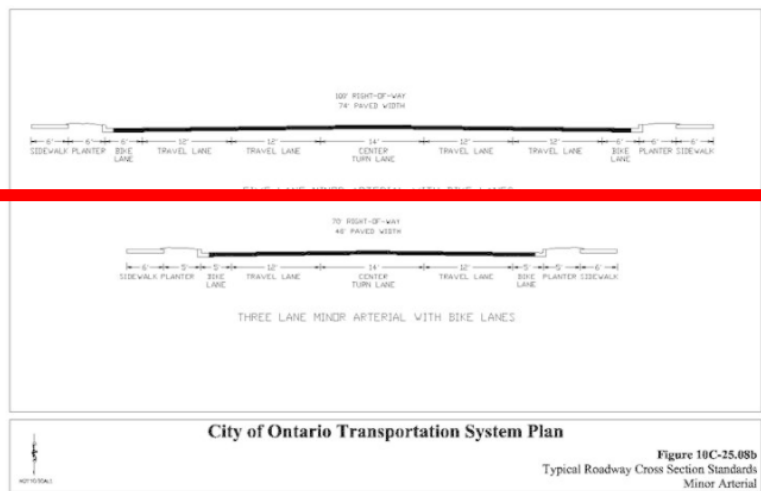


Figure 10C-25.08c – Three-Lane Minor Arterial

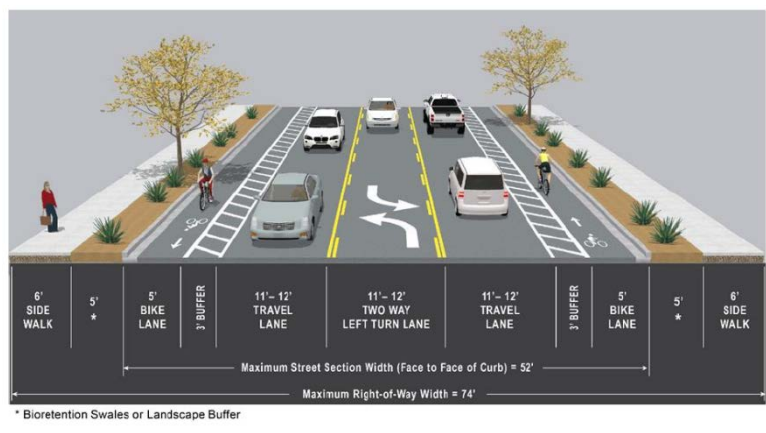


Figure 10C-25.08c Figure 10C-25.08d – Three-Lane Collector

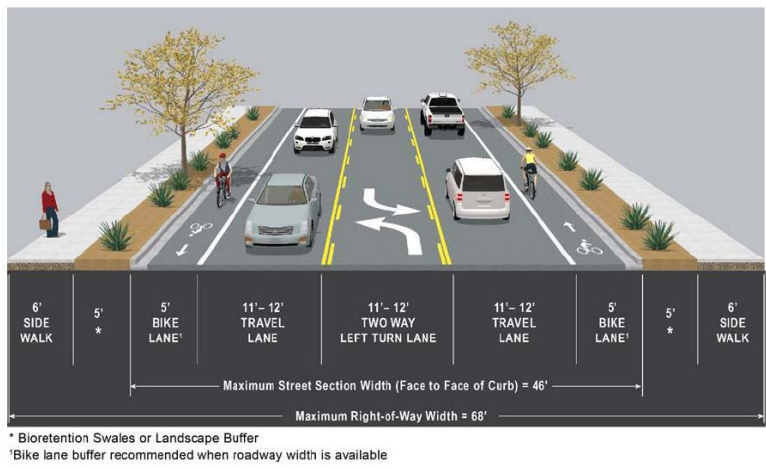
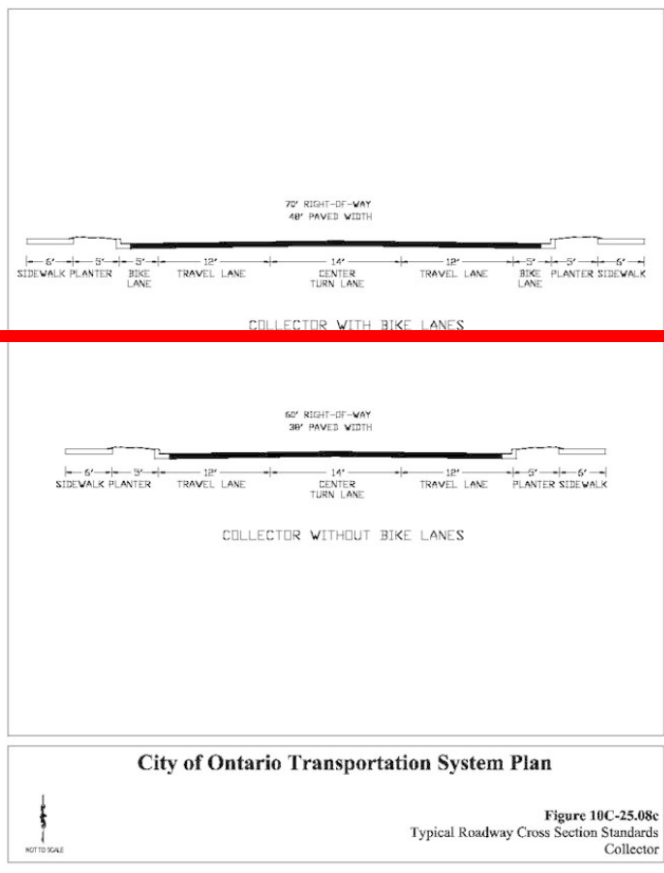


Figure 10C-25.08d Figure 10C-25.08e - Neighborhood Collector, >2% grade

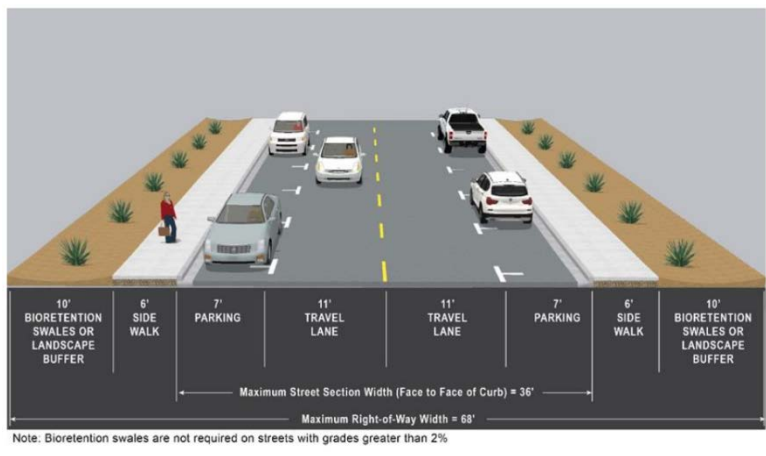
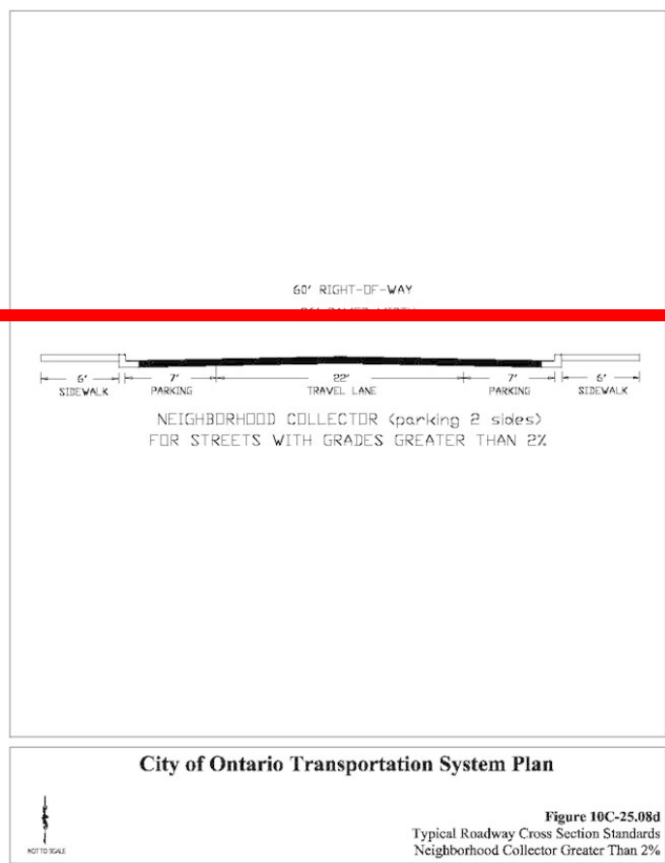
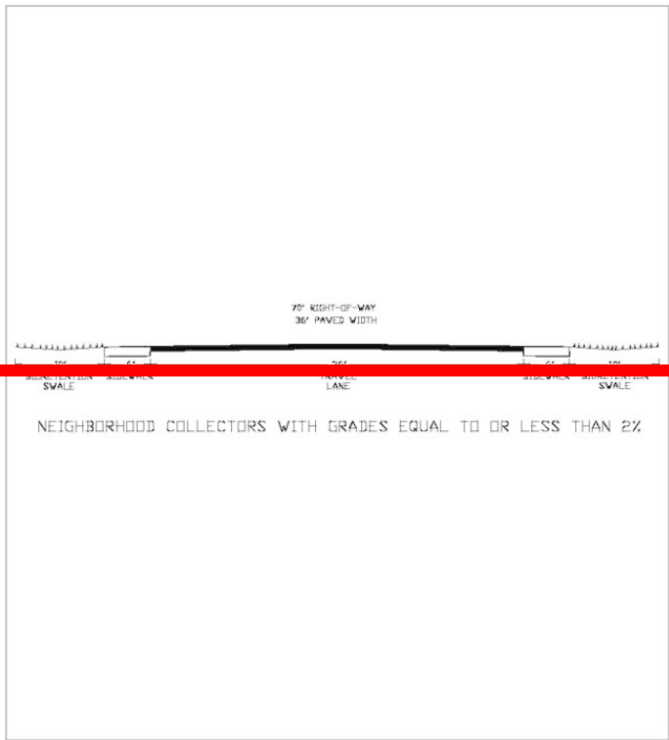


Figure 10C-25.08e Figure 10C-25.08f - Neighborhood Collector, <2% grade with Bike Lanes



City of Ontario Transportation System Plan

Figure 10C-25.08e
Typical Roadway Cross Section Standards
Neighborhood Collector Equal to or Less Than 2%

NOT TO SCALE

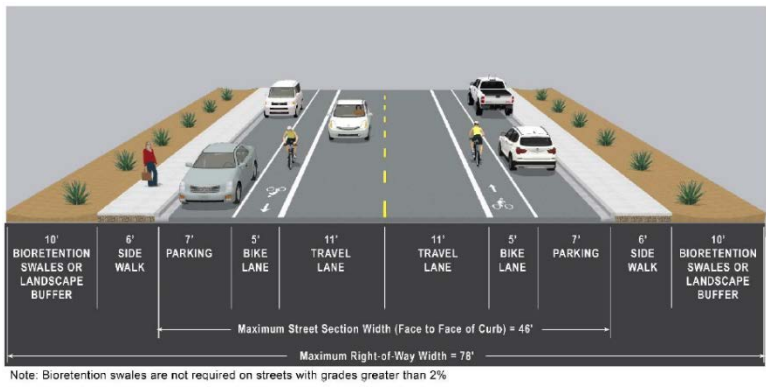
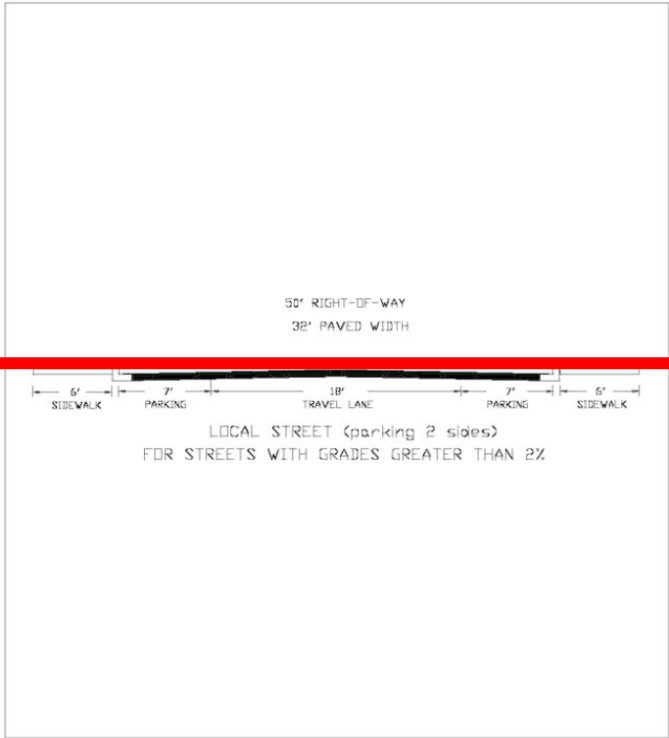


Figure 10C-25.08f Figure 10C-25.08g - Local Street, >2% grade (With Optional Bikeway Designation)



City of Ontario Transportation System Plan

Figure 10C-25.08f
Typical Roadway Cross Section Standards
Local Street Greater Than 2%

NOT TO SCALE

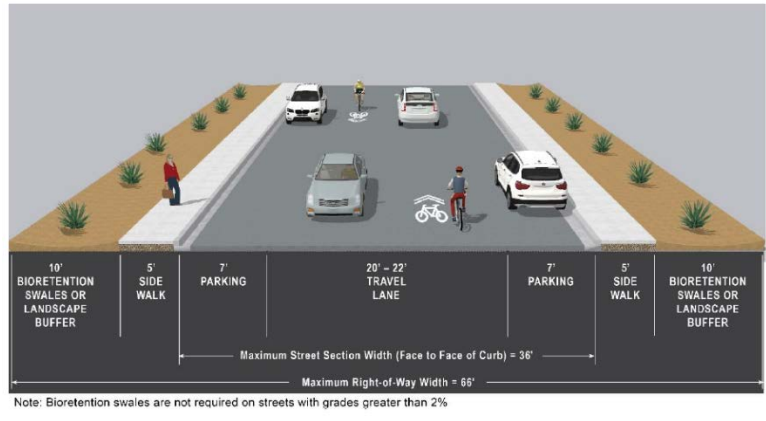
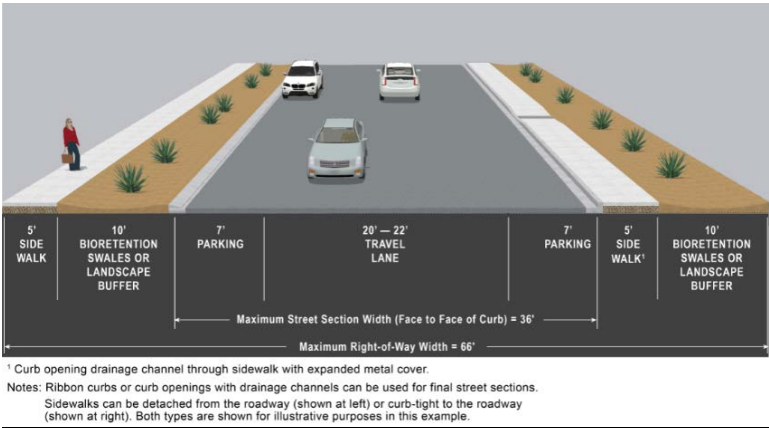
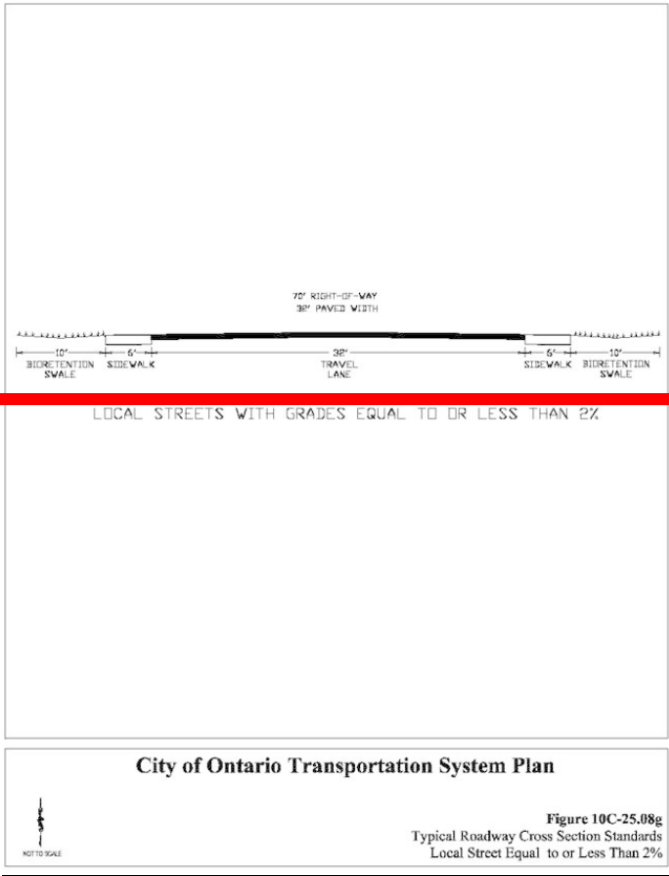


Figure 10C-25.08g Figure 10C-25.08h - Local Street, <=2% grade



[remove Figure 10C-25.08h]

~~Figure 10C-25.08h~~ Skinny Local Street, >2% grade

[remove Figure 10C-25.08i]

~~Figure 10C-25.08i~~ Skinny Local Street, <2% grade

[Remove "Figure 10-25.08j" from figure]

~~Figure 10C-25.08j~~ Figure 10C-25.08i Cul-de-sac turnaround

[No changes to the figure]

~~Figure 10C-25.08k~~ Figure 10C-25.08j - Alley cross section

[No changes to the figure]

~~Figure 10C-25.08l~~ Figure 10C-25.08k - Multi-purpose trail

[No changes to the figure]

~~Figure 10C-25.08m~~ Figure 10C-25.08l —S Oregon Street from W Idaho Avenue to 1st Avenue

[No changes to the figure]

~~Figure 10C-25.08n~~ Figure 10C-25.08m —Depot Row (SW 3rd Avenue from S Oregon Street to Depot)

[No changes to the figure]

~~Figure 10C-25.08o~~ Figure 10C-25.08n —SE 5th Avenue Railroad Crossing

[No changes to the figure]

~~Figure 10C-25.08p~~ Figure 10C-25.08o —Diagonal Parking

[No changes to the figure]

ATTACHMENT 3. DRAFT ORDINANCE APPROVING CODE CHANGES

ORDINANCE #2787-2021

AN ORDINANCE ADOPTING THE CITY OF ONTARIO ACTIVE TRANSPORTATION PLAN AS A REFINEMENT TO THE CITY OF ONTARIO TRANSPORTATION SYSTEM PLAN; AND TO AMEND THE ONTARIO PLANNING AND ZONING DEVELOPMENT STANDARDS.

- WHEREAS,** The purpose of a local ATP, according to the Transportation Planning Rule, is to “establish a system of transportation facilities adequate to meet identified local transportation needs consistent with regional ATPs and adopted elements of the State ATP;” and,
- WHEREAS,** Recent growth, coupled with growth anticipated over the 20-year planning horizon, places demands on the City’s transportation system that necessitate an evaluation of the City’s active transportation needs, services and facilities; and,
- WHEREAS,** The City received funding from Oregon Department of Transportation (ODOT) to create a local ATP under State-wide Planning Goal 12 (Transportation); and
- WHEREAS,** ODOT contracted with Kittelson and Associates, Inc., a suitably qualified transportation engineering firm, to prepare an ATP and to conduct a public process, which included the formation of stakeholder and technical advisory committees, and hosting of three virtual public open houses, and additional community engagement events and activities; and
- WHEREAS,** The Project Advisory Committee, elected officials, and other interested parties participated in these outreach events and provided input on a draft Active Transportation System Plan; and
- WHEREAS,** Having given notice required by law, to the Oregon Department of Land Conservation and Development (DLCD), and to the Ontario City Council, the above findings have met the criteria of the city municipal code.
- WHEREAS,** The public hearing before City Council was conducted on April 20 to consider all public testimony on the matter. A Staff Report was presented and incorporated into the record. At the close of that public hearing, there being a quorum present, the City Council moved unanimously to approve proposed amendments to adopt the City of Ontario Active Transportation Plan.

NOW, THEREFORE, the Common Council for the City of Ontario ordains as follows:

Section 1. Findings. The City of Ontario hereby adopts as findings of fact the above recitals and the documents entitled Staff Report attached hereto as Exhibit “A”, the document entitled Ontario Active Transportation System Plan, attached hereto as Exhibit “B”, and amendments to the Ontario

Comprehensive Plan and development code entitled Ontario Planning and Zoning Development Standards, attached hereto as Exhibit "C".

Section 2. Order. The City of Ontario hereby adopts the proposed City of Ontario Active Transportation System Plan, including appendices, attached as Exhibit "B" and any amendments to the City of Ontario Comprehensive Plan, attached hereto as Exhibit "C", and incorporated herein as fully set forth.

Section 3. Severability. The sections, subsections, paragraphs, and clauses of this Ordinance are severable. The invalidity of one section, subsection, paragraph, or clause does not affect the validity of the remaining sections, subsections, paragraphs, and clauses.

Section 4. Effective date. The effective date is 30 days following adoption

PASSED AND ADOPTED by the Common Council of the City of Ontario this ____ day of ____, 2021 by the following vote:

AYES:

NAYS:

EXCUSED:

ABSTAINED:

ABSENT:

APPROVED by the Mayor this ____ day of ____, 2021.

ATTEST:

Riley J. Hill, Mayor

Tori Barnett, MMC, City Recorder

Attachments:

- Exhibit A: Staff Report
- Exhibit B: City of Ontario Active Transportation Plan
- Exhibit C: Ontario Planning and Zoning Development Standards Amendments

ATTACHMENT 4. ACTIVE TRANSPORTATION PLAN

Link to File: <https://app.box.com/s/o5uhz8glth6umlwm09hie4o0duekpshh>