

DRAFT REVISIONS ASSOCIATED WITH THE CENTRAL TALMADGE PLAN IDC SUBCHAPTER 14

The following changes are proposed to IDC Subchapter 14. The changes would require an applicant to consider and utilize the Central Talmadge Plan when preparing a master plan and annexation application. The proposed draft would work in tandem with related changes to IDC Subchapter 23.

SUBCHAPTER 14: ANNEXATIONS

14.000 – 14.020 Reserved for Expansion

14.030 Master Plan Requirement for Southwest Independence Concept Plan Area

A. Purpose. A master plan is required as part of the annexation of any property within the Southwest Independence Concept Plan Area. This requirement is intended to provide the City with a concept of the holistic development of the annexation area to ensure that the project meets the various standards included within this Section, while providing the applicant with a reasonable assurance that the various phases of the project are feasible.

The 2012 Southwest Independence Concept Plan establishes the overall vision and land use framework for the area in the Southwest Independence Concept Plan, which should form the basis of any Master Plan submitted-area. The Southwest Plan, however, has been refined in part by the 2024 Central Talmadge Plan. Where the Central Talmadge Plan addresses a site or a portion of a site, that plan shall govern.

~~However, the approved Concept Plan does not prescribe the specific location of new collector and local streets, the precise location and size of neighborhood parks or the intended mix of lot sizes.~~

~~The purpose of the Master Plan requirement is to provide the applicant with reasonable assurance of ultimate land division approval before expenditure of final design and engineering costs, while providing the City with assurances that the project will retain the character envisioned at the time of approval of the Concept Plan.~~

B. Applicability and Procedure.

1. A Master Plan approval is required concurrent with the annexation of any property within the Southwest Independence Concept Plan boundaries (see Figure 9 in the Concept Plan).
2. A Master Plan shall include the entire subject tax lot. At the option of the applicant, a Master Plan may include adjacent tax lots under the same or different ownership. All subject property owners must be listed as applicants and provide signatures on the application form.

3. Once approved, a Master Plan does not expire. The approved Master Plan shall replace and supersede the adopted Southwest Independence Concept Plan for the subject property or properties. An approved Master Plan may be amended pursuant to Section 14.030~~(-E)~~.
4. Once approved, subsequent land division and development review applications shall be reviewed for consistency with the Master Plan.

C. Submittal Requirements. A Master Plan shall be drawn at a minimum scale of 1" = 100 ft and may include multiple sheets. The following information shall be shown on the plan:

1. The general location of collector streets (within a corridor width of 100 feet);
2. The general size and location of any park land;
3. The general size and location of any trail/stormwater/drainage corridors, with potential off-site connections shown;
4. Identification of the required riparian corridor setback along South Fork Ash Creek, if applicable to the subject property or properties;
5. The general location and size of areas intended for low, medium and high-density housing, along with anticipated densities for each, and a description of how any high-density housing proposed is in the following locations.
 - a. In locations shown in the Central Talmadge Plan, if applicable.
 - b. At locations that meet one the following characteristics if the project is not located in the Central Talmadge Plan boundaries:
 - i. At gateways and along corridor and arterial streets.
 - ii. Closest to existing services and commercial areas.
 - iii. Adjacent to parks, natural areas, or other amenities.
6. TheAn indication of how the master plan must indicate howmeets the overall minimum average density of 9 units per acre ~~will be met.~~
7. Anticipated phasing of development, if applicable.

D. Approval Criteria. A Master Plan shall be approved as part of the annexation process if it meets the following criteria:

1. The Master Plan is generally consistent with the locations and amounts of low, medium and high-density residential development shown in Figure 9 of the Southwest Independence Concept Plan. Provided that, if the property is within both the Southwest Independence Concept Plan and the Central Talmadge Plan, the plan is consistent with Figure 33 of the Central Talmadge Plan.
2. The Master Plan achieves the minimum target density of an average 9 units per net acre.
3. The Master Plan demonstrates that at least 15 percent of all dwelling units will be either in multiple-family or attached single-family structures.

4. The Master Plan is consistent with the Concept Plan policies in Section 3 of the adopted Concept Plan.5. The Master Plan identifies trail/riparian/stormwater corridor easements along South Fork Ash Creek that are consistent with Figure 9 of the Concept Plan. The width of the corridor may vary from the Concept Plan depending on the results of wetland delineation and location of any wetland restoration or mitigation. At a minimum, the corridor must include the following:
 - a. The required 25-foot setback along Ash Creek as established in Subchapter 54.105;
 - b. Identified floodplain area;
 - c. Additional 40-foot-wide area for stormwater management and multi-use trail (can be inside floodplain but outside any established wetland); and
 - d. Wetland areas as follows:
 - ~~(1)~~i. Any delineated wetland area that will be protected and/or restored
 - ~~(2)~~ii. Any new wetland area created as mitigation for removal of wetlands in other areas of the site

E. Modifications to an Approved Master Plan. Any modifications to an approved Master Plan must be approved by the City through a Type I administrative review (Planning Director decision with no public hearing). Modifications to an approved Master Plan must meet the following criteria:

1. The plan demonstrates that medium and high-density housing is located in one or more of the following areas:
 - a. In locations shown in the Central Talmadge Plan, if applicable.
 - b. At locations that meet one the following characteristics if the project is not located in the Central Talmadge Plan boundaries:
 - e.i. At gateways and along corridor and arterial streets.
 - ~~ii.~~ ii. Closest to existing services and commercial areas.
 - f. iii. Adjacent to parks, natural areas, or other amenities.
2. The plan achieves the target density of an average of 9 units per net acre.
3. The plan demonstrates that at least 15 percent of all dwelling units are either in multiple-family or attached single-family structures.
4. The plan identifies trail/riparian/stormwater corridor easements along Ash Creek that are consistent with Figure 9 of the Concept Plan. The width of the corridor may vary from the Concept Plan depending on the results of wetland delineation and location of any wetland restoration or mitigation. At a minimum, the corridor must include the following:

- a. The required 25-foot setback along Ash Creek as established in Subchapter 54.105;
- b. Identified floodplain area;
- c. Additional 40-foot-wide area for stormwater management and multi-use trail (can be inside floodplain but outside any established wetland); and
- d. Wetland areas as follows:

~~(1)~~i. Any delineated wetland area that will be protected and/or restored

~~iii.~~ii. Any new wetland area created as mitigation for removal of wetlands in other areas of the site.

DRAFT REVISIONS ASSOCIATED WITH THE CENTRAL TALMADGE PLAN IDC SECTION 23.005

The following change is proposed to IDC Subchapter 23. The change would add the implementation of the Central Talmadge Plan as part of the purpose of the Mixed Density Residential Zone. The proposed draft would work in tandem with related changes to IDC Subchapter 14.

SUBCHAPTER 23: MIXED DENSITY RESIDENTIAL (MX) ZONE

23.005 Purpose

The purpose of the Mixed Density (MX) Residential Zone is to allow a creative mixture of housing styles and types available to citizens of diverse ages and incomes. Development in the MX Zone should provide a coordinated and attractive living environment that responds to local conditions and emphasizes a range of good circulation opportunities for walking, bicycling, and driving personal vehicles. The MX Zone is also intended to implement the Southwest Independence Concept Plan ~~adopted by Independence on June 12, 2012~~ and the Central Talmadge Plan, where applicable. Consistency with the Southwest Independence Concept Plan and Central Talmadge Plan will be established through the Master Plan requirement during the annexation process.

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DRAFT REVISIONS ASSOCIATED WITH THE CENTRAL TALMADGE PLAN IDC SUBCHAPTER 30

The following changes are proposed to IDC Subchapter 30. The changes would add a new footnote that makes it clear that the MUPC-T designation is considered a part of the MUPC zone (based on some confusion that individuals have expressed after the adoption of Ordinance 1598). The changes would also add the allowance of standalone apartment buildings in certain portions of the MUPC zone within the Central Talmadge area. The proposed draft would implement a small part of the recommendations in the Central Talmadge Plan.

SUBCHAPTER 30: ALLOWED USES IN COMMERCIAL ZONES

ALLOWED USES	ZONE	
COMMERCIAL USES	MUPC ¹	DRZ
A commercial activity involving retail sales and service and which is not listed as a conditional or prohibited use	P	P
A commercial activity involving personal or professional services and which is not listed as a conditional or prohibited use	P	P
Office	P	P
Hotel or Lodging Use	P	P
Bed and breakfast establishment, including Air BnB, VRBO, and other similar uses	P	
Recreational vehicle park	CU ⁴²	
Campground	CU ⁴²	
Vehicle Servicing/Repair	CU ⁴²	
Hospital	CU	CU
Veterinary clinic	CU	CU
Kennel	CU ⁴²	
Crematory	CU ⁴²	
Medical Marijuana Dispensary, subject to the special use limitations in the underlying zone	P	P
Recreational Marijuana Retailer, subject to the special use limitations in the underlying zone	P	P
Marijuana Research Facility, subject to the special use limitations in the underlying zone	P	P
Marijuana Testing Laboratory; subject to the special use limitations in the underlying zone	P	P
Transmitter station, towers, relay stations and similar facilities for electronic communications	CU	CU
MANUFACTURING/INDUSTRIAL USES	MUPC ¹	DRZ
Light industrial uses	P	

Freight forwarding facility	CU ¹²	
Small scale manufacturing and production, including jewelry, candy, wine, beer, spirits, or other similar artisan products, less than 5,000 square feet, where at least 25% of the manufacturing area is dedicated to retail sales		P
PUBLIC/QUASI-PUBLIC USES	MUPC¹	DRZ
Structure or facility necessary for the City or for a public utility to provide service within the City. Such structures shall include, but not be limited to: construction, operation, maintenance, or repair of electric service meters, lines, transformers, and poles; natural gas lines; telephone lines and poles; water and sewer lines; streets, pathways and sidewalks including any project identified in the Transportation System Plan.	P	P
Buildings and structures operated by a governmental agency or by a public utility and necessary for public service. Such facilities shall include but not be limited to fire stations, libraries, electrical substations, and water storage tanks. Such facilities shall not include commercial plants for the generating of electrical power	CU	CU
Church	CU	CU
Community or neighborhood club building, swimming pool, and other allied facilities owned and operated by a nonprofit community club for the improvement of the neighborhood or recreation of the members	CU	CU
Playground or park	P	P
Child Care Facility	P ²³	P ²³
School (elementary, junior high, senior high)	CU	CU
Trade or commercial school	CU	CU
Bus terminal or depot	CU	
Heliport	CU ¹²	
RESIDENTIAL USES	MUPC¹	
New single-family dwelling, with a floor area of not less than 1,000 square feet	P ^{3, 4, 5, 6}	
Existing single-family dwelling, with a floor area of not less than 1,000 square feet	P ^{4, 5, 6}	
Duplex	P ^{3, 4, 5, 6}	
Attached single family residential dwellings (townhomes, rowhouses)	P ^{3, 4, 5, 6}	P
Live/work unit	P	P
Residential use on the second or third-story of a commercial building.	P	P
Triplex or Quadplex	P ^{3, 4, 5, 6}	P
Multiple-family residential dwellings, all floors	P ⁷	P
Residential home, as defined in this ordinance	P	P

Accessory uses to multiple-family or lodging uses such as clubhouses, open roof coverings, decks or patios for gatherings, outdoor pools or spas, or outdoor activity space.	P	P
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Notes:

1. For the purposes of this code, the Mixed-Use Pedestrian Friendly Commercial (MUPC) zone includes both the standard Mixed-Use Pedestrian Friendly Commercial (MUPC) designation and the Mixed-Use Pedestrian Friendly Commercial-Transitional (MUPC-T) designation, unless otherwise specifically noted.
- 1.2. This use is allowed within the MUPC Zone as a Conditional ~~Use, but~~ Use but is not allowed in the Downtown Overlay Zone.
- 2.3. This use is allowed so long as the activity is licensed through the State of Oregon.
- 3.4. Only permitted in the Mixed-Use Pedestrian Friendly Commercial-Transitional (MUPC-T) designation~~Zone~~.
- 4.5. The accessory uses and structures allowed for residential uses in Subchapter 17 are allowed for residential uses in the MUPC-Zone.
6. Single-family dwellings, duplexes, triplexes, quadplexes, and accessory structures for residential uses within the MUPC Zone are subject to the dimension requirements for the High-Density Residential (RH) zone found in Subchapter 18, and the Residential Design Standards in Subchapter 19.
- 5.7. Standalone apartment buildings are allowed within the MUPC zone in the Central Talmadge subarea, so long as the subject property does not directly front Monmouth Street and the property is set along a secondary road such as E Street, 16th or 17th Street.

DRAFT REVISIONS ASSOCIATED WITH THE CENTRAL TALMADGE PLAN IDC SUBCHAPTER 33

The following change is proposed to the purpose section of IDC Subchapter 33. The change would add a sentence to the end of the section that would make it clear that the MUPC-T designation is considered a part of the MUPC zone (based on some confusion that individuals have expressed after the adoption of Ordinance 1598). The change is intended to work in tandem with IDC Subchapter 30, and the rest of the code changes proposed in the Central Talmadge Plan.

SUBCHAPTER 33: MIXED USE PEDESTRIAN FRIENDLY COMMERCIAL (MUPC) ZONE & DOWNTOWN OVERLAY ZONE

33.005 Purpose

The purpose of the Mixed Use Pedestrian Friendly Commercial (MUPC) zone is to:

- Allow a mixture of complimentary land uses that may include retail, offices, commercial services, housing, civic uses, to create economic and social vitality;
- Develop commercial and mixed-use areas that are safe, comfortable and attractive to pedestrians;
- Encourage pedestrian orientation while remaining accessible to automobiles within commercial areas located outside of the downtown area;
- Expand and strengthen the downtown commercial core while maintaining and enhancing the historic character of Independence;
- Encourage and promote the redevelopment of downtown, including housing, as a vibrant and successful mixed-use district;
- Emphasize bicycle and pedestrian connections along natural amenities, such as Ash Creek and the Willamette River, as a way of moving residents and visitors across town and improving connections to downtown;
- Create a strong link from the commercial core along Main Street to the amphitheater and the recreational land uses along the river and recognize key intersections as gateways and nodes of commercial activity;

- Maintain and improve natural areas as resources where possible and target environmental initiatives such as recycling programs and green building techniques; and
- Support the continued growth of local and living wage jobs and develop tools to market opportunities.

For the purposes of this code, the Mixed-Use Pedestrian Friendly Commercial (MUPC) zone includes both the standard Mixed-Use Pedestrian Friendly Commercial (MUPC) designation and the Mixed-Use Pedestrian Friendly Commercial-Transitional (MUPC-T) designation, unless otherwise specifically noted.