

## **BROOKS COMMUNITY PLAN**

### **LIMITED USE OVERLAY ZONE #1 ("NORPAC PROPERTY")**

#### **Section 1. Purpose.**

The purpose of this Limited Use overlay zone is to implement the conditions of approval for a Goal 14 exception, consistent with the requirements of the Brooks-Hopmere Community Plan and the Unincorporated Communities Rule (OAR 660, Division 22). Application of this zone is limited to the 287-acre parcel that was granted a Goal 14 exception under Marion County Ordinance #1027 (dated October 11, 1995). This overlay zone is created as part of adoption of the Brooks-Hopmere Community Plan.

#### **Section 2. Permitted Uses.**

Within this overlay zone no building, structure, or premises shall be used, enlarged, or designed to be used, erected, structurally altered or enlarged except as permitted by Section 164.020(A) and 164.020(E) of the Marion County Rural Zoning Ordinance, subject to Section 4 of this Limited Use overlay zone.

#### **Section 3. Conditional Uses.**

When authorized under the procedure provided for conditional uses in the Marion County Rural Zoning Ordinance, the uses listed in Section 164.030(C) will be permitted, subject to Section 4 of this Limited Use overlay zone.

#### **Section 4. Prohibited Uses.**

Uses specifically excluded or prohibited on property subject to this Limited Use overlay zone include the following:

- (A) Grocery stores or other high-volume retail outlets;
- (B) Medical or legal offices for public use;
- (C) Theaters;
- (D) Hotels and motels;
- (E) Drive-through restaurants;
- (F) Non-agricultural vehicle service and sales;
- (G) Gasoline stations; and
- (H) Convenience stores.

#### **Section 5. Performance Criteria.**

Any new development shall demonstrate compliance with the following criteria:

- (A) Sewage Disposal.

- (1) If the use includes more than 20,000 square feet of floor space, evidence shall be submitted that wastewater from the proposed use can be adequately disposed by an on-site system approved by Marion County or the Oregon Department of Environmental Quality.
- (2) If the use includes no more than 20,000 square feet of floor space, evidence shall be submitted that wastewater from the proposed use can be adequately disposed by either:
  - (a) A community sewage disposal system, or
  - (b) An on-site system approved by Marion County or the Oregon Department of Environmental Quality.

(B) Transportation Facilities.

- (1) New development shall be consistent with the identified function, capacity and level of service of transportation facilities serving the site. The development plan approved by Ordinance #1027 has been shown to comply with this criterion. The applicant for any change in the approved development plan shall submit a transportation impact analysis approved by Marion County and the Oregon Department of Transportation showing that the new plans comply with this criterion.
- (2) The property owner has the option of establishing an alternative trip allocation bank to demonstrate compliance with subsection (1) of this section. The trip allocation bank shall be established through the following method:
  - (a) As part of an initial development application (either through resubmittal of a tentative subdivision plat or building permit application), the applicant shall prepare a Baseline Report that includes the following:
    - (i) Current PM Peak Hour trip capacity of the existing transportation system;
    - (ii) Current PM Peak Hour trip generation of existing uses;
    - (iii) Future PM Peak Hour trip generation of potential new development within Brooks-Hopmere Community;
    - (iv) Expected growth in background PM Peak Hour traffic; and
    - (v) Current PM Peak Hour trip capacity available to Norpac site (i minus ii, iii, and iv).
  - (b) PM Peak Hour trip capacity shall be determined by level of service and mobility standards as adopted by Marion County and ODOT.
  - (c) The Baseline Report shall be reviewed and approved by Marion County and ODOT.

- (d) Each building permit application shall include a traffic impact analysis (TIA) that has been reviewed and approved by ODOT. The TIA shall include:
- (i) Current PM Peak Hour trip capacity available to Norpac site, based on Baseline Report as updated by successive TIAs;
  - (ii) Future PM Peak Hour trip generation of proposed new development;
  - (iii) Additional PM Peak Hour trip capacity of proposed transportation system improvements;
  - (iv) Remaining balance of PM Peak Hour trip capacity for future development on the Norpac site.