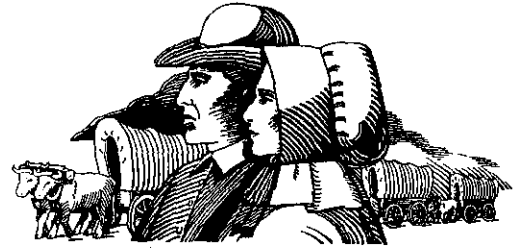


CITY OF OREGON CITY

PLANNING COMMISSION

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OREGON CITY, OREGON 97045
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AGENDA

**City Commission Chambers - City Hall
January 26, 2004 at 7:00 P.M.**

The 2003 Planning Commission Agendas, including Staff Reports and minutes, are available on the Oregon City Web Page (www.orcity.org) under PLANNING.

PLANNING COMMISSION MEETING

- 7:00 p.m. 1. **CALL TO ORDER**
- 7:01 p.m. 2. **PUBLIC COMMENT ON ITEMS NOT LISTED ON AGENDA**
- 7:02 p.m. 3. **APPROVAL OF MINUTES:** *November 10, 2003 and November 24, 2003*
- 7:03 p.m. 4. **HEARINGS:**
L 03-01 (*Legislative Hearing*), Applicant: City of Oregon City, Request for the approval of amendments to the Oregon City Comprehensive Plan, Oregon City Comprehensive Plan Map, Oregon City Zoning Ordinances: Chapters 12, 16 and 17, Oregon City Zoning Map changes from R-6/MH to R-6 Single-Family, RD-4 Two-Family to R-3.5 Dwelling District, Central Business District and Tourist Commercial to Mixed Use Downtown, and M-1 Light Industrial and M-2 Heavy Industrial to GI General Industrial, Adoption of a new Water Master Plan, and Sanitary Sewer Master Plan.

VR 03-23 (*Quasi-Judicial Hearing*), Applicant: Mark Herring of 923 Clearbrook Drive, Request for the approval of a variance to the minimum lot area for two residential lots. The properties are located 418 Dewey Street and identified as Lot 9 and 10 of Darnell's Addition and as Clackamas County Map 2S-2E-32CC, Tax Lot 1600.
5. **ADJOURN PUBLIC HEARING**

NOTE: HEARING TIMES AS NOTED ABOVE ARE TENTATIVE. FOR SPECIAL ASSISTANCE DUE TO DISABILITY, PLEASE CALL CITY HALL, 657-0891, 48 HOURS PRIOR TO MEETING DATE.

**CITY OF OREGON CITY
PLANNING COMMISSION MINUTES
November 10, 2003**

COMMISSIONERS PRESENT

Chairperson Linda Carter
Commissioner Dan Lajoie
Commissioner Renate Mengelberg
Commissioner Lynda Orzen
Commissioner Tim Powell

STAFF PRESENT

Sean Cook, Associate Planner
Dan Drentlaw, Planning Director
Tony Konkol, Associate Planner
Ed Sullivan, City Attorney
Jillian Zacharias, David Evans & Associates

COMMISSIONERS ABSENT

None.

1. CALL TO ORDER

Chair Carter started by thanking the overwhelming number of people who were in attendance for coming and said that, assuming most of them had come regarding the Comprehensive Plan agenda item, there would be a continuation of this hearing to the meeting on Nov. 24th, for which staff would try to make arrangements to have the meeting moved to another location to accommodate the larger attendance. She apologized to those standing outside in the rain and suggested they might want to go home and watch the proceedings on television, then come to the next meeting.

She then called this meeting to order.

2. PUBLIC COMMENT ON ITEMS NOT LISTED ON AGENDA

None.

3. APPROVAL OF MINUTES: (None available.)

4. HEARINGS:

PD 03-03 (Quasi-Judicial Planned Unit Development Hearing), Applicant: Brian D'Ambrosio, Representative: Monty Hurley. Request for the approval of a 28-lot PUD on the properties identified as Map 3S-2E-16B, Tax Lot 100, located at 14490 Glen Oak Road and Map 3S-2E-16B, Tax Lot 501, located at 14468 Glen Oak Road.

WR 03-16 (Quasi-Judicial Planned Unit Development Hearing), Applicant: Brian D'Ambrosio, Representative: Monty Hurley. Request for the approval of a Water Resource Determination on the properties identified as Map 3S-2E-16B, Tax Lot 100, located at 14490 Glen Oak Road and Map 3S-2E-16B, Tax Lot 501, located at 14468 Glen Oak Road.

Konkol said he had received a letter from Mr. Hurley (the applicant's representative) requesting that both files (for the Planned Unit Development and the Water Resource) be continued to the Dec. 8, 2003 Planning Commission hearing. The applicant had agreed to extend the 120-day period by 28 days (the time difference between this hearing and the Dec. 8th hearing). He also noted that the applicant was present, and the applicant simply said they were formally requesting a continuance.

Konkol concluded by saying that staff recommended the granting of a continuance.

Mengelberg moved to continue files PD 03-03 and WR 03-16 to a date certain of Dec. 8, 2003. **Powell** seconded the motion, and it passed unanimously.

L 03-01 (Legislative Hearing), Applicant: City of Oregon City. Request for the approval of amendments to the Oregon City Comprehensive Plan; Oregon City Comprehensive Plan Map; Oregon City Zoning Ordinances: Chapters 12, 16, and 17; Oregon City Zoning Map changes from R-6/MH to R-6 Single-Family, RD-4 Two-Family to R-3.5 Dwelling District, Central Business District and Tourist Commercial to Mixed Use Downtown, and M-1 Light Industrial and M-2 Heavy Industrial to GI General Industrial; Adoption of a new Water Master Plan, and Sanitary Sewer Master Plan.

Chair Carter again expressed her thanks to the many citizens who had come and who had requested to testify. She said this would be the first of several public hearings, stating that there would be at least two if not three for the Planning Commission, after which it would go forward to the City Commission. She said there are several different parts to the Comprehensive Plan so **Drentlaw** would present some of it, Consultant **Jillian Zacharias** would review what the public process was to this point, and City Attorney **Ed Sullivan** would speak to the legislative process regarding the Comprehensive Plan.

She said it was also different from a quasi-judicial process, noting that this is the first time in 22 years that the City has redone the Comprehensive Plan so, she said, this process is new to the Planning Commission as well.

(Note: Full copies of all staff reports, applications, documents, and visual aids applicable to this application are available for review in the public record through the Planning Department.)

Sullivan said the documents distributed for this hearing were the rewrite of both the Comprehensive Plan and substantial parts of the City's Code relating to land use regulation. Because the Commission was not focusing on any one property, this is not deemed a "quasi-judicial" hearing; rather, they are making policy. As a result, many of the procedural requirements that normally attach to a quasi-judicial hearing, such as the revelation of ex parte contacts and certain portions of the bias regulations, do not apply. The Commissioners are not obliged to enter individual findings for the reclassification of any one property, but they are obliged to meet the statewide planning goals and the Metro Plan requirements, and to be consistent with any unamended provisions of the City's Comprehensive Plan. With regard to the regulations, the regulations carry out the Plan and they are required to be consistent with that plan and sufficient to carry out the plan.

He suggested that they take all the testimony and allow staff to digest it and bring back a memorandum dealing with the various points that are raised, so that the Commissioners could see it in a written form, digest it, and deal with it when they make their recommendation to the City Commission.

Drentlaw noted that the procedures for this hearing would allow 15 minutes of testimony for persons representing neighborhood organizations and 3 minutes for individuals. He also clarified for the Commission and the public that this is a very complicated process which has included great amounts of information, and he reiterated the Chair's statement that there would be as many public hearings as needed to give time for any and all that wished to speak. He said he knew some people might have specific questions about the zoning and the Comprehensive Plan Map designation for their particular properties, and he encouraged them to contact the Planning Department if they didn't get their questions answered this evening.

Drentlaw said there were a number of things to be said about the changes being presented, the first and foremost being an overall policy guide as to how the City develops in the future, which is divided into several different chapters. Along with the policies that accompany the Comprehensive Plan is a Comprehensive Plan Map, which was on display. He noted that it contained some changes to what was previously adopted in the City, and he clarified that neither the Plan nor the Map have been adopted since 1982 and there have been many

changes since then. Probably the most significant include the city's growth in the interim, changes in Federal regulations, and mandates from Metro that the City needs to meet. He said staff and the many people involved have done their very best in trying to address these various items.

Drentlaw said the other part of the package that needs to be discussed is that of the Water and Sewer Master Plans, and staff would give a more specific presentation on those at the next public hearing in two weeks. However, they would concentrate on the Comp Plan and the Comp Plan Map this evening. He said there are also a number of zoning changes and Zone Code changes which would be discussed more fully then as well.

He then moved to summarizing the most significant parts of the policy document, the Comp Plan, as follows:

- Citizen Involvement: The first chapter involves citizen involvement and, he said, several policies regarding citizen involvement have been added to the Plan. Probably the most important are (1) to provide a process for public improvement through our Citizen Involvement Committee (CIC), and (2) recognition of the need to do neighborhood plans. The Plan also recognizes the need for the CIC to develop by-laws.
- Land Use: Since this is probably the most important part of the Comprehensive Plan, consideration has been given to three major areas:
 1. Downtown, which corresponds to our traditional downtown and what we call our regional center in terms of a Metro designation, so the proposal is for a Comp Plan designation that allows for a little bit more flexibility. The emphasis is on Retail/Commercial, Office, and Higher Density Residential. He said everyone who has worked on the Comp Plan is concerned that the downtown area be a more viable part of the city.
 2. The Corridor along Molalla Avenue and 7th Street, which has been designated as a transit corridor. The Comp Plan designation encourages mixed uses at lower densities than what would be seen downtown. The focus is to provide two- to three-story buildings along Molalla Avenue, ideally with parking in the back and street trees, benches, and landscaping to provide a more livable environment along those corridors and to provide a good corridor for (bus) transit.
 3. The Beavercreek area. Metro recently expanded the Urban Growth Boundary (UGB) in that area as well as two others in the city. One of our responsibilities in terms of Metro is to make sure we have enough land for future employment in the city, so this area has been designated as Industrial. A lot of the area was already industrial but more area has been added.

Drentlaw said the important thing to realize about that area as well as the other two UGB areas (the South End area and the Park Place area) is that Metro requires that more specific "concept plans" be done for those three areas within four years, and staff hopes to make sure that the people who live in those areas that were just brought into the UGB are involved in that planning process.

- Open Space, Scenic, and Historic Areas: The need exists to recognize Metro requirements for Title III (which is also State Goal 5), which is the protection of natural resources. Therefore, policies have been added regarding that.
- Air, Water, and Land Resource Qualities: Policies have been considered regarding night skies and restricting the amount of lighting, and there have been discussions regarding pedestrian accessways.
- Natural Hazards and Natural Disasters: Policies have been added regarding protection of water resource districts and adoption of the State hazard maps as a way to regulate development on unstable and steep slopes.
- Economic Development: Consideration was given to the Metro requirements that say we need to analyze the 20-year supply of land needed for residential and jobs, which is one of the primary reasons for the addition of some industrial areas on the Comp Plan now. Policies have also been added emphasizing the

preservation of existing industrial land. There has typically been a high demand of commercial building and industrial land and the need exists to preserve some of those industrial lands if we want to see higher paying jobs. Considerations included: Encouraging private/public partnerships, training with Clackamas College in terms of potential employers in the cross-stream that occurs with the college, the retention of existing employees, tourism, and home-based businesses.

- Housing/Affordable Housing: Metro's requirement for a minimum 80% density has been added to the Plan as well as some restrictions on garage setbacks. The intent there is to try to look at housing types that keep the garage set back as far as the house for aesthetics.
- Transportation: The most significant is the adoption of a service standard for vehicle trips, which is critical in terms of new development. It will allow us to require developers to make improvements and it would give the option for denial of a development if the level of service standard for auto traffic is not met. The proposal is based on the original Transportation Plan, which requires that if level of standard F is exceeded during the peak hour, or level of service E if located inside the city but outside of the regional center.
- Urbanization: The Plan includes much discussion about the need to do concept plans or neighborhood plans for the areas prior to annexations.

Drentlaw noted that just because a Comp Plan Map designation is on the map doesn't mean someone can develop to that use. There are a number of steps that must happen before development can actually occur, especially in those areas in the UGB, and most if not all of which involve public input. Before they can be developed, they must be annexed into the city, which in Oregon City must occur by a majority of the vote of the people. So, he said, an annexation is not automatic. Then, assuming an annexation does happen, the next step is the rezoning, which in Oregon City means the applicant would have to apply for an industrial zone. This, too, involves a public hearing and is not a guaranteed thing. After a rezone, there must be a Site Plan and Review, for which there are notification requirements and another opportunity for public input.

Zacharias then spoke about the process, saying that in early 2002 the consultant team of David Evans & Associates, Ed Murphy & Associates, and Jean Lawson Associates was hired to conduct a public involvement process to update the Comprehensive Plan for Oregon City. Shortly thereafter they convened a group of stakeholder representatives (about April, 2002) which included representatives of neighborhood associations, local businesses, an Affordable Housing advocate, the development community, youth, the School District, Metro environmental interests, and the Planning Commission. The ground rules for the CTAC group were that it operated by a consensus, meetings were noticed and open to the public, and they were held in Oregon City at either the Pioneer Community Center or Carnegie Center generally on the third Thursday of each month from 7:00 to 9:00 p.m.

The CTAC group met six times from April to October, 2002, during which they looked at different things at each of the meetings. They first reviewed existing conditions in the city and a review of the current (1982) Comprehensive Plan. At subsequent meetings, they reviewed the existing plans and policies to see what might need to be changed given changed conditions. During that time they also did a housing inventory in Oregon City, including vacant and redevelopable lands, to see how many residences the city could be expected to accommodate for the next 20 years. The CTAC group then reviewed that inventory and analysis.

There was also an inventory of redevelopable land for employment. This was to help the city to comply in the new Plan for Metro requirements.

Open houses were held during that time, the first one in April, 2002 and again in September and October, 2002. The first open house was generally to introduce what was happening in the city, and to let people know what

was going on as well as to receive input regarding their concerns. By September and October, a draft plan was prepared which was presented to the public for their input. This also included changes to the map.

Regarding notification, two newsletters were sent to interested parties from a list compiled from neighborhood associations, City committees, media, participants in the first City Futures visioning process, and other interested parties who were called from the City public participation lists. In addition, copies of the newsletters were placed in City Hall, libraries, and the community center, and were distributed at neighborhood meetings. Press releases were sent to *The Oregonian*, *Oregon City News*, *Oregon Spectator*, *Trail News*, and Willamette Falls Cable Access prior to each of the open houses. Notices of the CTAC meetings were also distributed to media. Press releases were distributed by City staff. In addition, the *Trail News* (sent out with the water bills) featured information about the Comp Plan update and open houses in the April, August, and September 2002 issues.

Chair Carter noted that the process was very long and very arduous to begin to understand what the Comprehensive Plan encompasses, and the job was even more complicated because the State requires that the Comprehensive Plan be updated every ten years but we have been working with our current Comp Plan for 22 years. Because it had been so long, there was much to be included in the revisions that is pertinent to our situation today. She said that Comm. Orzen, Mengelberg, and herself were representing the Planning Commission at that time and Comm. Powell was representing the CIC at that time, and she reiterated that this is the Planning Commission's work because it is our land use policy for how Oregon City would grow into the future. She said one of the difficulties is to fathom our future 20, 30 or 40 years down the road and had our forefathers been able to foresee today, they would have provided wider roads to accommodate that growth. The Comp Plan tries to give the tools for the city to plan as smartly and as cohesively as we can at this point in time.

With that said, **Chair Carter** said this Planning Commission believes in the public process 200% and that when the public process works as it should, we can arrive at the right answers. Therefore, this Commission was here to listen carefully and with focus to their comments and in turn she asked that the citizens respect the public process itself, to respect the role that the Planning Commission plays in the process, to respect themselves as citizens who have come to participate in this process, and to respect all the staff, the consultants, the attorneys, and everyone involved to run the city because it is such a huge job.

Chair Carter reminded the public of the procedures for this hearing and opened the public hearing for public testimony. She also asked that the comments and questions this evening be held to the Comp Plan and the Comp Plan Map, noting that Engineering, Water Resource, etc., would be addressed at the next meeting.

Konkol entered into the record letters that were received at City Hall after the staff report was sent out and up to the beginning of this evening's hearing, copies of which would be distributed to all the commissioners after the hearing. These were entered as Exhibit A for file 03-01.

Richard Cohn-Lee, 16509 S. Edenwild Lane, said he would be addressing his comments mainly to the northeastern area of the core of downtown Oregon City and mainly to a series of tracts (Park Place Village) which have been proposed for this area by developer Kent Ziegler. Simply, he said he was there to protest any part of the Plan amendments that would facilitate the development of Park Place Village, and he noted that many others from the Park Place and Holcomb neighborhoods were also in attendance to testify.

His first concern was about the inability to get a definitive answer as to whether the proposed changes would add those properties just noted to the Comp Plan area. At the end of the week before this meeting he said they were still hearing two different answers to this question, the first being that this Comprehensive Plan amendment does not include those properties. However, he noted that they are outlined on the map in black, which would indicate to him that they are to be affected by these changes.

He said they were in attendance to urge that all properties on the northeast side of Oregon City that were added in the UGB (Urban Growth Boundary) expansion in December, 2002 be excluded from the amended Comp Plan. Further, they asked that no decisions be made in this amendment process that would facilitate the rezoning or annexation of this property. Inclusion of this property in the Comp Plan, he said, would continue the process of "the cart before the horse" that has been demonstrated over the past year. The development of this property is commercial and industrial with a new road constructed to connect Holcomb and Redland Roads, which is what they object to. Again and again, the inclusion of this property in the UGB and the development of it as a commercial and industrial site has been justified in the interest of getting the developer to build this connector road, yet in 2001 when the Transportation System Plan (TSP) was developed with citizen involvement, some 13 connector road needs were identified. This road was not identified. Indeed, no one, (staff or public) identified the need for this road until a developer needed it to justify urbanization of property that can be sold for much higher prices if it is Commercial/Industrial rather than Single-Family housing. He said that the [staff] summary says that the TSP is to incorporate goals and policies from the 2000 TSP, the same plan that omitted any need for that road. Further, no opportunity has ever been provided to the resident or Holcomb Road area to weigh in on the ultimate question on this matter: Should this Park Place Development be approved? Yet City staff, elected and appointed officials, and Metro have acted like it is basically a "done deal." We believe, he said, that a development of this size, including hundreds of additional low- and medium-residential units, is not needed now nor ever. The consultants who reviewed the data in 2002 concluded that Oregon City had adequate residential land without any expansion of the UGB. Why then, he asked, are we considering annexing to the city and allowing construction of hundreds more units, including multi-family and apartment complexes and commercial development? Nor is this property needed for commercial and industrial development based on real life experience here in Oregon City. Large parcels of the Red Soils area remain undeveloped and the UGB expansion added considerable additional acreage in the vicinity of the community college and new high school. These areas present a far more logical place for concentrated development to occur.

No consideration has been given to where children from this large number of new homes will go to school. Last year the Oregon City School District opposed this UGB expansion because both Holcomb and Redland Schools are at capacity. Does anyone believe, he asked, this community will pass another bond measure to add onto those schools again? He doesn't think so. Already approved developments will fill up any existing space that could be feasibly added.

It was noted by Comm. Bailey last week at City Council that travel along Holcomb is horrible now without any connector road funneling in. Sidewalks are inadequate and getting to school is so dangerous that for many years the school district has bused all students to Holcomb and Park Place, even those living a few blocks away. He said the citizens object to plans to have the city or county fund the construction of sidewalks, bike lanes, and the redesign of Holcomb Road and the intersection with Maple Lane. Why transfer to the taxpayers, he asked, the costs that are necessitated by Ziegler's planned development?

It was acknowledged a year ago by City Comm. Doug Neeley that there is enough land within the city boundaries to yield a city of 50,000 people. He questioned whether the city should grow any bigger, and **Cohn-Lee** said they believe most of the residents of Oregon City as well as the residences of the Park Place and Holcomb areas see 50,000 as enough. Just as in Canby and West Linn, voters will use their power at the ballot box to turn back a development that is unneeded and incompatible with the character of the area.

Dan Berg, 20122 S. Molalla Avenue, said he has been at this location since about 1980 although they were just annexed into the city last year. He said he was told at a meeting with the Commissioners and the mayor at the time that his property would come into the city as commercial property but that didn't happen because of an error in the County. While he was in the County, he was able to expand his business (including adding a new

building) but now that he is in the City, he is told he can't do any expansion at all because of the new zoning change. He said that piece of property has been Commercial for over 50 years and there is no reason why it shouldn't remain Commercial, and he said now is the time, with this Comprehensive Plan change, to bring it into line with what he was originally told and which is in the original records.

When **Chair Carter** asked for clarification of the location, **Berg** said 20122 S. Molalla Avenue is the main address but there are actually four properties there. He also clarified that it is currently zoned R-10. He also said a representative from the Oregon City Planning Department was present when his permit was granted by the County, yet now he is being told he cannot do any more expansion because of the zoning change. He said it seems like the city is trying to get more land for this purpose yet they are taking away three acres that are already there and already contain a viable business that has been there for a long time.

(**Berg** had brought a picture of his site, which **Konkol** entered into the record as Exhibit B.)

Cheryl Clunes, 20009 S. Torrey Pines Court, said she is a resident of Oregon City and she has worked with the public for over 20 years in the real estate industry, so she thinks she has a good feel for what the citizens want and how the industrial zoning on Beavercreek Road across from the high school would affect not only the high school but the neighbors within the area and all of Oregon City.

The principles of smart growth are to accommodate the city's needs alongside the needs of the people. The strategies for planning and designing the best surrounding neighborhood for the Oregon City High School should coincide with those planning to accommodate the principles of smart growth within Oregon City. The most viable means for accommodating Oregon City's projected population and infrastructure needs for the next two decades is through a combination of more compact suburban development and a renewal of the surrounding city itself. The planning and design of more community-centered neighborhoods can enhance the principles of the smart growth.

Creating an urban magnet, one of the key ingredients in developing the smart growth of a more viable Oregon City, is to provide public facilities that act as magnets for development within that city and the already-established suburbs. These magnets include things like libraries, parks, fitness and recreation centers, art centers, golf courses, clinics, and health human services.

One of the most important of these facilities is a thriving and healthy system of public education, our new high school, creating a gradual transition of buffered zoning. It is important when designing the city's flow to use a gradual buffer from Residential to Industrial. The Oregon City high school is a great magnet for Oregon City. This is one of the reasons families want to move here and stay. From this focal point (the high school), the land should be surrounded by only Low-Density Residential and then graduate from Low to Medium-Residential to High-Residential to Mixed Use, then Commercial, then Industrial. The creation of a residential area immediately surrounding the Oregon City High School would create a desirable neighborhood for families and it would also help reduce traffic to the school. This would also help decrease the possibility of injuries caused by inexperienced drivers driving to the high school. The result could be increased parental participation, less dependence on vehicular transportation, and increased quality of life. To the degree that schools can also be designed for services, social, recreational, and cultural centers for the community, these resources can be provided with greater access and convenience for parents and teachers and school personnel.

Cathy Van Damme, chairman representing the Caufield Association of neighbors, 15092 Persimmon Way, said she was here to speak to the process. She said they heard of some of the proposed zoning changes at the steering committee meeting in October. They submitted a letter on Nov. 2nd to the Planning Commission asking, because of the timeline, that no decisions about this be made until after the first of the year because there was no way to contact the whole neighborhood (about 500 homes) to discuss these issues. She said their next

meeting would be Nov. 20th, to which they had invited Drentlaw and Kraushaar to attend. Therefore, she said she had no complaints at this point, but she would ask if some time could be allowed to give them the opportunity to understand what this is all about and to have time to respond to those things which could potentially affect their neighborhood.

Mengelberg asked staff when this was scheduled before the City Council, to which Drentlaw replied that Dec. 17th is the first scheduled hearing.

Jim Bean, 13803 Canyon Court, said he was speaking as an individual representing the Younger family who own about ten properties along Molalla and Beaver Creek, all of which are currently zoned Commercial and have been for many years. He said the biggest pieces were zoned Commercial at the instigation of the City following some City ordinances that found it necessary to add them to the Commercial zoning for the city. (He submitted a document in which these were highlighted.) Slightly to the southwest of the triangular highlighted properties, he said there is a site that is going to be transferred from Industrial to Commercial, which will add a commercial property that would be taken away from that zoning from the Youngers and the Jacobys in their larger tracts of properties. He said they have paid taxes on those lands for 15-20 years as commercial properties and they are very concerned about that, and they have done planning for their use as such. Thus, they are concerned about them now being changed to some other kind of zoning, particularly because they can't tell whether it is to be MUC-1 or MUC-2. An MUC-1, he said, would be a disaster and there are problems with MUC-2. One problem is that the building sizes required don't fit on lots that size and it simply doesn't work.

Of a general nature, **Bean** said he understood from Drentlaw that this is not a done deal, but he said he knows from practical experience that once a Comprehensive Plan gets adopted it becomes very important in everything the property owners can do with their properties. So, he said, it is very important at this stage to figure out the impacts and whether this is the right way to do it.

He suggested that, regarding the neighborhood plans (Policy 1.7.5), it seems that an argument can be made that we will end up having neighborhood plans modify and change Comprehensive Plans, which he doesn't think should happen. For instance, one of the policies is "to use the neighborhood plans to make recommendation to any city board, commission, or agency having planning responsibilities, particularly as they relate to public improvements and land use decisions." He would respectfully suggest that neighborhood plans should be subject to the Comprehensive Plan, not the other way around.

He then noted that several things have been changed to be decided by the City Engineer rather than the Planning Director, and recalled that in the original discussions there was a way that the Planning Director's decisions could be appealed to the Planning Commission or to the City Council. However, he doesn't see a method for an appeal of the City Engineer's decisions, and he doesn't think anyone from the staff level should be able to make decision that aren't appealable either to the Planning Commission or the City Council.

Finally, he said that if the decision were made to hold some workshops about the neighborhood plans, the Youngers would be happy to have him participate in them. He noted that the city makes great efforts toward public involvement but said he didn't know about this until two weeks prior and he reiterated that he would like to know about workshops and perhaps help with them.

Konkol entered the letter from Cloones as Exhibit C and the map from Beane as Exhibit D. Also, a submission from Kathy Hogan (the next to testify) would be entered as Exhibit E.

Chair Carter said the public doesn't always have the clarity about what we are trying to accomplish so she asked staff at what point we would try to bring clarity—during deliberations, perhaps? **Drentlaw** said staff could do a memo to the Commission, but it would need to come after completion of the testimony. **Chair Carter** agreed.

Kathy Hogan, 19721 S. Central Point Road, asked for a continuance on the proposed Comprehensive Plan. She said she went to many work sessions and she finally stopped attending because it was made clear to her that she would not be allowed to give any input, which was greatly upsetting. It would have been a lot easier for her to understand, contribute, and ask questions at the work sessions because the Commission was working through it a little at a time, but now we are dealing with this very big plan which, she said, the residents should have more time to analyze and give input on. She would also like the additional time so the neighborhood association could have a staff person attend or at least have a meeting at which they could give input.

She then listed the following concerns:

- Too much staff authority and too much interpretation (for staff decisions).
- Too many loopholes (i.e., so-called hardships—by whose interpretation?).
- Changes to yard setbacks. She said we should keep present language.
- Single-family housing at the edge of the UGB should, when annexed in, remain R-10 to be compatible with surrounding homes and the livability of the neighborhood.
- Permitted uses in Mixed Use Corridor—includes retail trade, gift shops, specialty stores. She asked if that means another porn shop can be put in the South End area, or what is there to keep a porn shop out of a neighborhood?
- Traffic impact on South End. Truck deliveries/congestion around schools. It is hard to see a road going to Hwy. 99 or anywhere through the Canemah area. Public transportation is not very good on South End.
- Page 69 in the revisions refers to parking. She said single-family dwellings (see page 72) have been changed to one per unit as a minimum from the current standard of two per unit. Who now days, she asked, has just one car.
- PUD's: Hogan said she never liked the Code change to begin with. She voiced her concerns at the early work sessions about this topic to no avail, and she said she sees no reason for it. A subdivision at R-10, she said, is workable.
- Each neighborhood should have a work session to talk about their area and what would be compatible for them.
- Would businesses on South End take business from those existing businesses on the 7th Street corridor and on the hilltop?
- With the economy the way it is, can the South End area support the businesses. Also, that makes the hilltop area and the downtown area lose revenue.
- Last year at a meeting about the UGB, the residents opposed commercial use in the South End area and were told it was off the table, yet now it is back again.
- Water resource is a concern because of the high water table and flooding.
- "Pre-application is valid for six months but if no application is filed in that time, applicant must attend another" (page 68). However, she said the Planning Manager may now waive the pre-application but she asked if the neighborhood would get re-notified if that were to occur.

Therefore, speaking both personally and for the Hazelwood/Westling Farm neighborhoods, **Hogan** requested sufficient time to address any other issues she might have missed.

Public comment #8 listed four people on one form: **Larry Roberts, Linda Hall, Wayne Hall, and Kim Southworth**. **Larry Roberts**, 3236 N.E. Everett Street, Portland, Oregon 97232, said he represented his mother, **Lois Roberts**, 19896 S. Beavercreek, who owns ten acres on South Beavercreek Road directly south of the new high school. He said his mother is 93 and his father bought that property in the 1940's as a place of their own to raise their family and establish their nest egg.

Due to the short notice they received regarding the proposed change (which his mother received on Oct. 24th), he said they haven't figured out how to work with the neighbors and the city, but they are looking at a Mixed Use concept if possible, which is much more appealing than Industrial. He noted that they have been trying to develop what is shown as the "big purple area" on the map, but they can't now.

He said they support the concept of new industries and new job opportunities, but they would request that the Planning Commission remove the Beavercreek Road section from the proposed Industrial zone area in order to further investigate the Mixed Use concept.

Mengelberg asked if Roberts was proposing the entire area east of Beavercreek as Mixed Use or just his mother's property, to which **Roberts** said he thought the group was considering that all of those properties be considered for Mixed Use.

Linda Hall, 20100 S. Beavercreek Road, spoke representing 80 people who surround the Beavercreek Road area. She read from a written letter:

"This is a formal letter of opposition in regards to the City of Oregon City's proposed Comprehensive Plan designating the area east of Beavercreek Road Industrial in place of its previous designation as Residential. We the neighbors of this above land are all affected by this proposed Comprehensive Plan draft and we wish not to have industrial within our neighborhood.

We care about what is to become of our whole community, its livability, and its future growth, not to mention what's left of our current wildlife. We believe that by creating a residential environment within our existing community, we will not only draw new families here but also help create harmony for those of us that are already established. By doing this, we will all feel assured by the future of our community's growth as well as the future of the City of Oregon City and Clackamas County.

Furthermore, we believe industrialization is possibly going to have a measurable adverse effect on our property values, and the unwanted commercial traffic, unwanted air, sound, and light pollution.

Hall asked to submit this letter into the record. **Chair Carter** asked if it was the same letter that was in their packets, to which **Konkol** said yes, noting that they had received several and saying they would be glad to accept this one into the record as well. He then said it would be entered as Exhibit F.

Wayne Hall, 20100 S. Beavercreek Road, said in 1956 he purchased out of bankruptcy Sky Park Airport and since then he has redeveloped the airport, installing hangers, and raising a family on the property. His whole desire is to see the airport maintained. The hangers he first installed came from Wells Airport in Milwaukie. His friend down south, Jack Manhart, is building hangers with 200-year leases to save his property. **Hall** said he knows the city doesn't like airports, but he said there is a lot of use by emergency, military, and taxi planes, and he would like to see the airport remain, whether they have to change the Comprehensive Plan to include it, or perhaps sell properties so people can build houses with hangers beside them.

In summary, he said he was pleading for his airport.

Kim Southworth, 15200 S. Loder Road, said she respects the Commission and the process, realizing that they have all been immersed in this project but she and her neighbors have not, so she asked for their forbearance. She said she could testify as a member of the Hall family about the land they own together and also personally because her own home on Loder Road is going to be rezoned Industrial, which is simply not a pleasant thought for her. In fact, she said, it is heartwrenching. Therefore, she was there as a human being before the Commission, not just a plot on a piece of paper, because these actions would affect her family in a very big way. She said her son was also present this evening in support of her family.

She said they have shared memories of the land and home her father and brother built. Her sons and she have planted trees together on the property. They have been residents of Clackamas County since 1956. Her younger son dreams of farming her personal property with "sustainable organic farming" in the future as his legacy from her.

Southworth said she hopes the city is planning for some buffer zones for the wildlife in the area because collectively her family's property borders the end of Redland Valley, across which a lot of wildlife traverse, much to her family's enjoyment.

She said she understands and supports the idea that the city needs jobs, but she doesn't feel that the city is looking at the inter-relationships that many of the community members have in the area. For instance, she boards her horses at a neighbor's stable, who hires people from the community to clean the stalls. That horse manure is picked up by a local community member landscape business for his business.

She said they also provide 32 hangars for airplanes, many owners of whom live within the community, and the golf course is there for the use of many in the community. She also noted that the land surrounding the airport is rent/leased by a farmer who runs cattle. Therefore, because she thinks many people in the community enjoy these amenities, there is an inter-dependence of relationships just within this area.

Southworth said it is her opinion that land in and of itself does not create jobs. People create jobs for other people. That said, she said she thinks our community needs some new ideas and some revitalization of vision so the city will attain what it wants in growth and jobs for community members.

She said the most important thing she wanted to say is that this process is going too fast for her and that, in talking to many of her neighbors along Loder Road, it is going too fast for them also. Some feel excluded, disenfranchised from the process, and that the local government is picking up the vision that some other city or people have for our community—that it isn't really being born out of our community.

Therefore, she would respectfully request that the Commission would remove these properties from the Industrial zone and give them an opportunity to develop a plan they believe the community members and the city will be happy with.

Bill Holden, 20124 S. Beaver Creek Road, spoke on behalf of himself and the Herburger family (speaking as a group). He thanked the Commission for their help and said they (the Herburgers) would like to help as well. He read from a prepared statement the following:

"The previous Comprehensive Plan was acknowledged in 1982. In the last 21 years, science and technology have transformed how we communicate and share knowledge and as a result, knowledge and awareness as a society has grown immensely.

A lot of things change in 21 years. Our community's needs have changed. It is agreed that our community must have a new plan to create the future we want for our children and

grandchildren. Good plans take time and great plans that cause extraordinary results take careful consideration. As a community, we have a vision of what we want Oregon City to be. It is our responsibility to make informed choices and educated decisions with our community's best interest in mind, focusing on our needs for today through 2040 and well beyond. The most current proposed Comprehensive Plan became available for review Nov. 3, 2003 and prior to, our first notice from the City came on Oct. 21, 2003. This is an insufficient amount of time to study all of the changes and their impacts this document represents.

We are particularly concerned about the proposed zone change from Residential to Industrial regarding the area east of Beavercreek Road, south of Thayer Road, to include the Oregon City Golf Course.

It is important that we fully study and evaluate the long-term impacts this type of designation would have on our community as a whole. It is our responsibility to thoroughly research and define as a community how the City of Oregon City's strategies will protect, preserve, and enhance the positive facets of city life. As Oregonians we define the meaning of pioneers. Our innovations include the Bottle Bill, Vote by Mail, Assisted Suicide, and an Urban Growth Boundary. We created Metro to help control urban sprawl for our future growth and economy. Pioneers are those who break traditions, those who set examples for others to follow.

The City of Oregon City has provided its citizens with an opportunity to voice opinions and we are all here tonight to do so. There is a saying, 'If you build it, they will come.' The question then becomes, 'Who?' or 'What kind of industry should we bring into our community without sacrificing our quality of life?'

Nano-technology is relatively untapped and is posed to become a \$10 billion a year business in the next ten.

There is another that is, in the eyes of the general public, in its infancy as well—environmental technology. The environmental industry is completely, or almost completely, untapped in the United States and no state has laid claim to it. However, Oregon is the nation's leader in sustainable building practices and its people pride themselves as the first to recycle. Everything we have done thoughtfully has led us in this direction.

The Portland Metropolitan area is the logical location for it. Oregon City has the potential to attract it. East of Beavercreek Road is ideal industrial land but it is also ideal habitat for ourselves and the flora and fauna of our region, and the Oregon City Golf Course, which is our recreation, serves as open space for wildlife and replenishes our groundwater as well.

Which do we give up, industry or our environment? Do we have to give up one or the other, or can we keep them both and strike a balance? It is our turn and our land. We propose we bring people whose focus is quality of life.

The environment is one-third of what is now being called "the triple bottom line"—improving profits (pay), improving the lives of people, and improving the planet. Rearrange the three P's and the triple bottom line then becomes a complete sentence. "Planet pays people."

As we move further into the 21st century and more concerns arise due to climate change, we should be prepared and able to provide our expertise and assistance to those in need of our cutting-edge knowledge.

How do we attract any specific industry to our community? We would like to quote from the Oregon City Chamber of Commerce 2003 directory the City of Oregon City's theme: "Pioneering creative solutions for a more livable community." The answer is, by working together hand in hand the city, community, property owners, and the Clackamas Community College educating our young people and incorporating them directly into the work force.

To allow us time to work together to make something truly great, we ask that this portion of the proposed Comprehensive Plan and related zoning be withdrawn from consideration until February of 2004 in order to fully develop our exciting and pioneering proposal."

Holden then said only one of the three total properties of concern, specifically the golf course, is located within the proposed Comprehensive Plan, although the golf course actually sits on three properties. So in order to plan for all of the properties at the same time, they asked that all three properties be included in the proposed Plan amendments and the ultimate annexation.

Holden then introduced Arnold Cogan of Cogan, Owens, Cogan and a senior associate of Cogan, Owens, Cogan, Bob Wise, who is also the co-chairman of the Sustainable Development Commission of Portland and Multnomah County, who are representing his family.

Konkol said Holden's testimony would be entered into the record as Exhibit G, the Nov. 10th memo from Mr. Arnold Cogan as Exhibit H, and the testimony from Mr. Robert Weiss as Exhibit I.

Arnold Cogan of Cogan, Owens, Cogan, 813 S.W. Alder Street, Portland, said their firm has been retained by three families: the Herburger family partnership, which owns about 120 acres, including the golf club; the Hall Family Investment LLC, which owns about 130 acres adjacent to the Herburger family property and including the airport; and the Roberts family, which owns about 10 acres, for a total of about 250 acres.

He said they had already heard from several members of the families about their concern regarding changing the use of their properties to Industrial, so **Cogan** wanted to present to the Commission an opportunity to consider those concerns and still obtain the jobs-producing development that they know is needed. He said they have analyzed the proposed Comprehensive Plan changes, they have studied the documents that the Planning staff have prepared, they have interviewed Konkol to clarify the City's intent, and they appreciate everyone's time and effort to get these documents to the point they are now as well as the assistance they have received to help understand the documents better.

He said they understand the City's primary objective for the Beavercreek Road area is to create jobs, particularly in the southeast portion where manufacturing is showing, and also to build linkages with Clackamas Community College. They are also aware that the creation of these jobs is pursuant to certain employment targets promulgated by Metro as part of the decision to expand the UGB along Beavercreek Road. He said they support that goal of creating new job opportunities and want to integrate such a program into the plans for development of this area.

It has been the vision of their clients, he said, to build on their property an ecologically sustainable village that can accommodate a mixed use of eco-industrial, residential, commercial development. They wish to preserve a significant part of the golf course while building a unique community where knowledge and scientifically oriented industry could be located in the same development with homes, retail services, and other commercial facilities.

They have studied the projections of employment need and from their experience with similar developments they know that a sufficient number of jobs can be provided in a development that can also accommodate other uses.

Nearby Clackamas Community College would be an important asset that could complement the type of development they are envisioning. A goal would be to utilize pedestrian walkways and bike paths to interconnect the various parts of the proposed village as well as serve as a principle mode of travel to and from the college.

In order to prepare the necessary plans for this village, they asked that the Beavercreek area be removed from the current round of planning and zoning changes. They are aware, he said, that the proposed amended Comprehensive Plan calls for a concept plan to be written and prepared for this area once it is annexed to the

city. He said they support the preparation of such a plan and asked that it be prepared first. Then afterwards, when the details have become clear, appropriate land use designations could be created that would be consistent with the Plan.

In summary, **Cogan** said they would be anxious to participate in the preparation of this concept plan and they urged that it be prepared before any zoning and Comprehensive Plan designations are attached. He said they look forward to working with the city as they move forward with the creation of a model sustainable village that accomplishes the multiple objectives of industrial, residential, and commercial development with close ties to the community college and the surrounding airport. They believe this approach will produce great benefits for the City of Oregon City for many generations to come.

Powell asked if a Campus Industrial concept could fit into the type of environment they are proposing, and **Cogan** said it could. However, there are certain restrictions on the uses that can be placed in the Campus Industrial. They are familiar with it and have used it elsewhere but it isn't written the same way as it is in Oregon City, which is one of the reasons they wanted time to put the concept plan together. They think the goals and intent of Campus Industrial could be adapted to satisfy that, so they think that is a useful consideration.

Mengelberg asked what percentage of the land they might be considering for each segment, **Cogan** said that is difficult to answer. He suggested imagining a ten-acre module of industrial, for example, surrounded by residential, primarily, and perhaps a little commercial village connected to it. He said they are not talking about the typical kinds of industrial jobs in an industrial park (assembly, chip manufacturing, etc.). Rather, they are thinking about jobs wherein the staff are PH D's, physicians, and scientists who are working on knowledge-based industries who are compatible with each with the availability of academic institutions, and who are interested in living near their work—thus the reason for developing these homes in the same area. Considering all, it is very difficult to estimate the percentage of jobs, he said.

Bob Wise, 320 Woodlark Building, 813 SW Alder Street, Portland, Oregon 97205, spoke representing the same interests—the Herburger Family Partnership, the Hall family, the Hall Family Investment LLC, and the Roberts family. Regarding developing the concept plan, he said they feel they have the ideal setup of potential partners in developing and planning, with the City of Oregon City as number one.

They also believe that the Clackamas Community College makes an ideal partner for such a concept plan. He spoke with Al Erdmann, Dean of College Services, who indicated that they would be willing to work with the landowners and the city in developing a vision for this area. Based on his work with the Oregon University system on similar kinds of projects, he said he believes that the community college could play a tremendous and central role in the kind of economy we're talking about and is really key to this kind of plan.

The second aspect of the community college he wanted to mention was the Joe Iniski (???) for the Environmental Learning Center. He said he spoke with Allison Hemowitz from the Learning Center, who indicated that the college would be interested with the landowners, the city, and others to support the effort to develop and share models of how to have urban development while protecting the environment. So they think this could be a model area and help the educational component.

Wise said they have three priority areas: wildlife and urban areas, healthy watersheds, and sustainable living, all of which fit into the concept being discussed.

Wise said they also feel the Caufield Association of Neighbors would make an excellent collaborator in developing this plan because of their interest in the quality of development there. They also believe the high school and the school district would be critical because of the nearby location of the high school.

He had also spoken with Shelly Perini, Director of the Oregon Science and Technology Partnership, who said they had just added Clackamas County Commissioner Martha Schrader to their Board and they are willing to share their expertise in concept planning for the kind of new economy strategy Cogan was mentioning. They have currently supportive traction expansion (???) of science technology jobs and research in the commercialization in all of eastern Metro but, specifically, Fairview, Gresham, Troutdale, and Wood Village.

In summary, he said they believe the collaborative concept is possible with the city, the landowners, the community college, the school district, Oregon Science and Technology Partnership, and they want a chance for the community to pull together a great new strategy for that area. He said they foresee the village concept as being a major attractor and generator, with the stress in compatible uses, sustainable development, green building technologies, energy conservation, trails and bike paths, ecological landscape, and advanced pollution control. He noted that they actually work with people who are working on eco-industrial parks all around the country and they are very interested in continuing this dialogue and working together with Oregon City on this.

Konkol entered into the record Exhibit J, a submission from Larry Griggs, the next speaker.

Larry Griggs, 11314 Lagato Drive, spoke representing several churches within the city.

Regarding Zoning Code Chapter 17.56, which addresses conditional uses, he said it includes criteria for allowing for allowing a conditional use, one of which is that "the proposal satisfies the goals and policies of the city's Comprehensive Plan which apply to the proposed use."

He then read from their submission:

"It has come to our attention that the proposed Comprehensive Plan for Oregon City does not sufficiently address the inclusion of structures which would be identified as institutional and community facilities. These would include but not be limited to churches.

We therefore ask that one of the following included options be included in the Comprehensive Plan. If further input is needed, there are members of the church community who would make themselves available to the Commission."

He explained that one of those two options would be to make editorial changes to policy 2.4.7 to revise that reading to include, "Ensure a process is developed to allow for institutional and community facilities such as neighborhood schools, senior and child care facilities, churches, parks, and other uses that are vital components of a growing community and serve the needs of the immediate area and the residents of Oregon City.

The second option would essentially do the same but would place a new goal between 2.4 and 2.5, which would state, "Institutional and Community Facilities: Provide for the development of institutional and community facilities such as but not limited to schools, churches, senior and child care facilities, and parks."

This would be followed by a policy, 2.5.1 and an action item, 2.5.1.

Jim Kozel, 11466 Finnegan's Way, said his concerns are about establishing mixed use corridors along the South End area and the lack of neighborhood participation and the rezoning in this area, both within the city limits and the UGB and areas contiguous to the UGB.

He said that at a CICC meeting earlier this year, the City Manager stated that residents in the South End area needed a place to buy a gallon of milk. He said that South End Grocery has been a continuous operation since

at least the 1940's, supplying the community with milk, groceries, and gasoline. Some people even say that the former building went back to the turn of the century and was a stage coach stop at one time.

A year ago at the UBG meeting at the community college, another City Manager stated that when gasoline reaches \$4.00 per gallon, the South Enders would be happy that retail businesses were put in their area. Both of these statements by City Managers give the illusion that the South Enders are the cause of congestion on Oregon City streets. However, he doesn't believe there has been a single study conducted that gives any credence that they are or will be the cause of congestion on Oregon City streets.

At a CICC meeting of Oct. 14th, information was presented that Oregon City's population more than doubles during the day because of people and employees coming into the city, the community college, the school district, various government agencies, Willamette Falls Hospital, and many private sector businesses. Putting mixed use corridors on South End Road won't eliminate any of this other traffic congestion.

Our schools, he said, are being used for more functions (South End Elementary and McLoughlin) without nearly enough parking, thus forcing cars to be parked on all the neighboring streets day and night, putting a congestion point on South End Road.

Putting a mixed use corridor on South End Road will add to the traffic congestion in this area. If anything, mixed use corridors on South End Road would result in additional congestion to Oregon City streets in particular by commercial vehicles to support these businesses. Many of these vehicles weigh in excess of 13 tons and would not be able to use South End Hill, meaning that they would have to come from and return to the east side of the city. For example, beverage and gasoline trucks supporting South End Grocery exceed the 13-ton gross vehicle weight and must come from the east side streets, frequently during early morning or later evening hours and return the same way.

Weather should also be considered should there be any development in the South End area. Over the 27 years that he has lived here, South End Hill has been closed numerous times due to snow, black ice, and muds during the floods of 1996. The commercial vehicles supporting these businesses during hill closures would add further to the congestion of streets to and from the east side.

Many of the action items and changes to the Comprehensive Plan include support of businesses in the downtown area, the 7th Avenue, and the Molalla Avenue corridors. One only need look next door to see how many restaurants have attempted success in the building that was abandoned, how many other businesses changes have occurred in the Danielson complex, and how many vacant properties there are in the downtown area and along the 7th Avenue and Molalla Avenue corridors. Don't put mixed use corridors on South End Road, he pleaded, and further dilute the opportunities for success of existing business areas.

Both the Planning Commission and the City Commission have recently denied the Rose Vista Planned Unit Development (PUD), partly based on a discussion that the PUD was out of character with the existing neighborhood. If the PUD is out of character and policy 2.4.1 of the Comp Plan calls for strengthening existing residential areas, then mixed use corridors should not even be considered for the South End area. Furthermore, he noted, mixed use corridors in this area wouldn't even be transitional.

He said the one retail business in this area was open 24 hours a day but because of noise generated by people hanging around in the early morning hours affecting the adjacent residential area, the store has reduced its hours. Placing of mixed use corridors along the South End area would provide additional places for people to gather during the off hours, further impacting contiguous neighbors, and probably resulting in additional calls to the already-stretched Oregon City Police Department.

Chapter 17.06.050 of the Code states that all lands within the UGB have been classified and Comprehensive Plan action item 12.2.2 says that the property will be rezoned at the time of annexation. The proposed Comprehensive Plan Map of Aug. 18th does not show any of the UGB lands being classified in the South End area.

Because of the postcard that was sent to all the neighbors stating that these regulations may affect the use of their properties, he (Kozel) said he e-mailed a planner on Oct. 22nd requesting some statistics applicable to their area. The planner responded but did not answer his question. He e-mailed again on Oct. 25th and as of this evening, twelve business days later, he still had not received a response.

Upon clarification that he was speaking as an individual, even though several of his neighbors had called or e-mailed him, the Chair asked him to wrap up his statements.

Kozel said citizen involvement should be a part of the planning process but in reality citizens and neighborhood associations are disfranchised from the most crucial part of the process—input at the start of the Comprehensive Plan or land use issues. Policy 1.7.2 ensures that neighborhood plans conform with Comprehensive Plan, although they had little or no input.

Another action item, 12.2.2, states that property is rezoned at the time of the annexation even though citizens and neighborhood associations had no roles in the property being annexed. This process needs to be more balanced with citizen input because many have lived in that neighborhood for decades and should have equal weight to that of the planners and developers.

Kozel said he had several other points, but would conclude by saying that because of many of the comments being expressed this evening, adoption of the Comp Plan and municipal Code changes should be deferred until first quarter, 2004, at a minimum. All materials should be sent to the neighborhood associations and county community planning organizations for discussion and input at their January general meetings and then in February the neighborhood associations and community planning organizations could submit their comments back to the planners to have this material incorporated into changes and updates that are to be submitted to the Planning Commission and the City Commission, after which the City Commissioners would vote.

Linda Royer, 14432 S. Livesay Road, said she has been a landscape architect and planner in the Portland Metro area for about 27 years and lived here many decades. She has seen a lot of growth occur during that time throughout the Metro area, which is what this is all about—where and how growth happens. Most people who testify before the Commission will say growth is good but they don't want it in their backyard, but no one is speaking for the people who want to move into this community and establish businesses here, nor is anyone speaking for the children who needs homes to live in. However, for these reasons, growth needs to happen, and in the appropriate places, she said. It should occur in places where the land doesn't have severe impacts and limitations on the natural resources, that is well-served by traffic, that can be served by urban services, and that can be served by the local school districts.

She said the Livesay Road neighborhood is a lovely little hidden secret. It is a dead-end road with about 50 homeowners living there. It is a transition area to Clackamas County larger parcels. But that land is a little more than a mile from I-205 and it is an area that is, after coming up the hill, really quite flat. It is a neighborhood that is defined by natural boundaries of a canyon and treed area on the north side (between them and the Holcomb neighborhood) and on the south side by steeper slopes that are treed and Abernathy Creek along Redland Road. The land is a mixed use of older neighborhood and some larger parcels, and it would be nice to keep it that way. However, in reality, she said, if we're going to balance all of the goals that are mandated by the land use planning and the State of Oregon to preserve farm land, to protect for resources, etc., growth must occur somewhere, and quite frankly, much as those residents love their neighborhood, she said this

is the place that growth can happen. The land is easily accessible, close to high velocity roadways, and in an area that, if growth were to occur there, it would not impact the Hwy. 213 interchange. From the Livesay neighborhood, there is access to Anchor Way, Abernathy, or 213, so there are several opportunities to handle traffic from this location.

The land is very buildable with very accessible and buildable slopes. The reason the road was not identified previously was because no one has ever walked that land until Mr. Ziegler did to see that it offers a very logical intersection in the area the road is proposed coming into Holly Lane. It has very manageable slopes with very little grading coming up at that point. In the floods of '96, all 50 homeowners were isolated for a week, and she said it would be very nice to have access that would not be flooded in the future.

So, as much as existing neighborhood associations say they don't want this or that, she said the physical characteristics of the land that is proposed should be considered closely to determine the most appropriate use. Therefore, in this process, she would ask that the Commission consider that character and that location as a place that is probably quite appropriate for growth to occur.

Delbert Kennedy, 1116 Grant Street (just a block off Division), said the first he heard about these proposed changes was when the proposal was submitted for additional development of the hospital along 12th, Grant, and 13th, although most of the neighbors assumed that further development would most likely occur to the east side of Division. He said those streets are only 30 feet wide and area is comprised of single-family residential except one four-plex. Now the proposal is to change it to multi-use commercial and he is very concerned about adding more traffic to these narrow roads, even to the extent of traffic using his dead-end street.

He asked if anyone has asked those residents if they want such a change or if anyone else has heard about the proposed changes. He said he thinks it is wrong to change all of that single-family house residential to another zone designation when those residences have been there since the 1950's, particularly because he doesn't think there has been any discussion with those residents.

He concurred with prior testimony that this process is happening too fast and that there should be more public input.

Janice Younger, 15080 S. Maple Lane, said she was speaking as an individual but wanted to add a little to what Beane said on behalf of her family. She said their family owns and operates Del's Auto Wrecking on Molalla Avenue and they have purchased other commercial property with operating businesses on them on Beavercreek Road and Molalla Avenue, for which they had to pay top dollar because they were on commercial property. She said feels a bit discriminated against because their property is subject to zone change although the commercial property across the street hasn't been affected. She feels that the changing of zoning of properties with operating businesses on them is like someone buying a mansion and then being told, "It is now a chicken coop, now deal with it."

Al Erdmann, said he was there to speak about a piece of property that the college owns on Molalla Avenue (between the existing fire station that the college leased to the city long-term and a piece that sits between the fire station and the Followers of Christ Church). That piece of property is currently zoned LO and is currently for sale. He said it came to his attention about two weeks ago that this is being proposed as Industrial property in the Comprehensive Plan, and the college would request that this piece of property be either retained as LO or zoned Commercial Retail. They believe it is inconsistent to have industrial land spilling out onto Molalla Avenue since most of Molalla Avenue in that area is already Commercial Retail, and this existing piece of property is bookended by Commercial Retail. They think, for consistency purposes and for highest and best use, it would be appropriate for that piece of land and for existing pieces of land along Molalla in that area to be retained as Commercial Retail.

When asked by **Mengelberg** to point out the location of this property, **Erdmann** showed on the map that its location, noting that it has about 100 feet of frontage on Molalla Avenue and runs about 450 feet behind the existing fire station property in an inverted L-shape. (Earlier he said it is about one and a half acres in size.)

Vicky Pfaff, 10780 Navajo Way (off South End Road), said she was here to complain about the changes in zoning on South Road area. She said they are a gradual transitional area into larger pieces of acreage.

She said mixed usage for South End Road is really inappropriate. South End Road becomes busier with traffic day by day.

She said those residents chose to live in that area for the nice environment, and once the zoning changes start to become negative for their areas, someone needs to stop and think. They want to maintain the existing single-family dwellings, including areas for their children to play, room for pets, and room to grow a garden.

She said there is commercial at the upper end of South End Road where the residents can shop at a convenience store, but it would be really inappropriate to have any other mixed use zoning at the far end of South End Road.

Finally, she said she would appreciate it if the Commission would keep in mind their quality of lifestyles.

Don Vetter, 126 Cherry Lane, asked if it would be out of order, according to earlier comments, to give testimony regarding the municipal codes, but **Chair Carter** said he could give his testimony.

He said in the proposed MUD district (Mixed Use Downtown—see page 49, item U), he is concerned about the limitation of 60,000 square feet as the maximum size of a building. He did see on the next page that a building of 60,000 square feet would be allowed as a conditional use, but conditional uses are not necessarily a given.

He said noted that under B (at the bottom of the page) the Floor Area Ratio (FAR) in the prior draft was 0.6 and this is down to 0.4, which he said is an improvement.

J. J. Emmis, 16380 Trail View Drive, said he is new to the area and new to this process, but could appreciate that the Commission has a great deal of time invested in this. He said his concerns about Ziegler's proposed development include the fact that Holcomb and Redland are single-lane roads with no sidewalks along them. They are high-traffic roads now and the addition of 600-plus units resulting in 1200-plus cars feeding into those roads daily is a concern from a general traffic standpoint as well as from a foot-traffic safety standpoint. He said he is a bike commuter and he is not willing currently to bike commute down Holcomb now and another 1200 cars would not help the situation.

He is also concerned about what effect the addition of that many units will have upon the local schools and what the environmental impact will be to the nearby watershed area.

Ingra Rickenbach, 131 Warner-Parrott Road, said she is concerned that it is becoming very dangerous for children to cross the street, even with the crossing guards, saying that it is even hard for her and her husband to cross the street when they are walking. She is also concerned that the Plan hopes to include the property at 119 Warner-Parrott in the multi-use corridor to go along with the South End Market to provide for growth. She said they would like it not to have room for growth and would, in fact, like it to fill the needs as is.

She also has concerns about the property across the street at South End Road and Lawton, specifically saying that a subdivision was approved to allow for five houses on one large field there and now the request is to make the next section a multi-use corridor, which is currently Low-Residential. She said staff in the Planning

Department told her that was a mistake on the map, so, she said, some things may not even be made aware to the people in this neighborhood because it wasn't on this map. Therefore, she is concerned that they want to make another corner at South End Road and Warner-Parrott/Lawton into Commercial because that will destroy their neighborhood.

She said she was aware when the Bridgewood development was added (down by Chapin Park off Warner-Parrott) and that those people wanted to maintain the neighborhood of Warner-Parrott, so those houses abutting Warner-Parrott were single-family houses and the multi-use houses are behind that.

Now she said there is another proposal on Brookside Drive (near the swampland behind the houses between Warner-Parrott and Randall Court, she thinks) which would be multi-dwelling. That would come onto Warner-Parrott, but would be different than what was on Warner-Parrott. Before Warner-Parrott connected to Warner-Milne, she said, they were all single-family homes, and she reiterated that they would like to keep it that way.

David Rickenbach, 131 Warner-Parrott Road, said his concerns are similar to those his wife expressed. He said they have lived on Warner-Parrott Road for 20-plus years, but when they moved there it was all zoned Low-Density housing. The smallest piece of property on that road was a third of an acre, which what was intended, and the low-density housing was what he bought into. He said that has changed significantly in the past years.

In addition, the traffic on Warner-Parrott Road has also increased significantly, making it very difficult to cross the road to get to their post office box unless someone is willing to stop and let you cross. Putting more mixed-use commercial on South End Road and in the Warner-Parrott area will only increase that difficulty.

He said there are two grade schools and a large multi-park that is heavily used on Warner-Parrott Road, and his concern is the safety of those kids when they need to cross that road. He said he has seen kids die on similar roads (King Road in Milwaukie, specifically) because changes were made for a very busy road, and he asked how many of our kids will die, which will be sad.

He also echoed the concern already expressed regarding the notification process, saying he is sure staff has tried very hard to notify people, but he is among those who didn't know about this process, nor did their neighborhood association president. Their first knowledge was when they received a card saying they had a certain number of days to submit their input for consideration in this decision. He, too, agreed that this is moving far too fast, especially considering the effects on low-density residential neighborhoods and the increases to residential traffic.

Konkol noted that **Kathleen Galligan** had submitted her testimony in written form, which would be entered as Exhibit K.

Kathleen Galligan, 18996 S. Rose Road, said she was representing many of the neighbors along Rose Road and that she had 33 signatures on a form which she would also submit to staff. She said they appreciate the opportunity to comment on the proposed changes to the Plan and that they are aware of the difficulty of taking on such a large project and finding ways to allow for adequate citizen involvement, and she said they would encourage the City to continue to refine its programs for citizens to have an impact on this kind of decision-making, including perhaps finding a different venue, especially considering the overwhelming response this evening. She said it might also help to have a little more expansive introduction of the topic at future meetings, and she noted that those people in the lobby could never see what areas were being pointed out on the map, which would have been helpful.

She said she and her neighbors wanted to go on record in support of some of the proposed changes, including the change proposed in the amendments to the City Municipal Code regarding the removal of Section 17.64 about the PUD. In discussions with staff, she said it appears that this section was really more problematic than helpful to the process.

They are in support of the proposed changes to the Comprehensive Plan zoning designations for the property that is located along Rose Road (their property). This change would give their area a designation of Low-Density Residential instead of Low-Density Residential Manufactured Housing. The corresponding changes in the City Municipal Code, Section 17.06.020, would mean their land would be zoned R-10 instead of R-6 MH when annexed into the city, and even though this is a potential decrease in developable density that may, in fact, decrease the value of their property, they are still in favor of the changes.

She said they believe the Commission is aware that they live in an area where the control of storm and groundwater is a significant concern, and they are of the opinion that a lower density of development allows for a greater chance of successful management of those issues.

They would like to give tentative support for the Mixed-Use corridor proposed for various sites along South End Road. She said they and many others in the area have concerns about the traffic and worry that possible development in that area might worsen that congestion. However, they also feel that if development of this area is done carefully with neighborhood involvement, there is also a potential to actually decrease some of the traffic problems.

They would also note that the MUC-1 classification includes such possible uses as publicly owned parks, playgrounds, play fields, and community or neighborhood centers. A review of the Comprehensive Plan Map and the South End area will show that there are no green spaces or open spaces in that whole area. There has been a lot of development in that area in recent years, so if there is concern about decreasing the traffic congestion in the area, one place to start is to ensure that there are sufficient recreation areas for children and families to enjoy within walking distances of their residences. Therefore, they would encourage the use of the MUC-1 designation when appropriate.

The last area for comment was regarding the proposed zoning for tax lot 300, which is located on Rose Road. **Galligan** said they have submitted 19 signatures from the Lafayette area and other signatures supporting this portion of her testimony, and she clarified that they spoke with those people specifically about this portion of her testimony, not the previous part, so there would be no misunderstanding.

She said tax lot 300 is currently zoned R-6 MH, and the zoning designation with this Plan change is that it be zoned R-6. They are asking that the city review this designation and take this opportunity to more appropriately zone this property to R-10, saying this is their only opportunity to discuss this change of zoning and the zoning of their own properties. In 1992 when the city added the R-6 MH zoning designation to its Code and revised the Comprehensive Plan to allow for this as its overlay zone for this area, there was no requirement for public notice and no effort was made to involve the neighbors in the decision. When tax lot 300 was annexed into the city in 1999, public notice was required and there was an annexation vote. A review of all the required notices, the voters' information, and the subsequent Planning Commission minutes shows that the property is referred to FU-10 or Low-Density Residential with multiple zoning possibilities, and the actual zoning designation of R-6 MH was never mentioned, so no one involved in that process knew what the actual zoning of that area was. The city decision-makers never actually considered whether or not this was an appropriate zoning of corresponding density for this particular piece of property.

This property is being proposed as Low-Density Residential, the same as their property. The City designates R-10 as the zoning for that yet it is proposing that this piece be zoned R-6.

The surrounding area is developed as R-10 or currently being proposed as Low-Density Residential except this piece of property. If the zoning were allowed, it would create an isolated 6 ½ plot of High-Density in an area of 10,000 square foot lots. The proposed Comprehensive Plan states that when environmental constraints reduce the amount of buildable land or when adjacent land differs in uses or density, the city is to implement Comprehensive Plan and Zoning designations that encourage compatible transitional uses. The goal is to protect and maintain neighborhoods, and allowing a zone of R-6 on this piece of property does not fulfill this goal or follow the policy.

The Planning Commission is aware, she said, that there are serious concerns in this area under discussion regarding acceptable control of groundwater and stormwater, traffic, and compatibility with surrounding zoning. The density of development obviously impacts these issues.

When faced with a recent development proposal on this property, this body made comments such as, "We are looking for places for increased density, and this is not the place. The proposal is too dense at the edge of a rural transition and there needs to be a transition." Comments were also made regarding the traffic problems, such as, "...a dense development that it would create on a dead-end road." That proposal would have allowed 42 homes on that property. R-6 zoning would allow up to 38, which is not a significant decrease in the density.

She said they do not think R-6 zoning would allow for adequate consideration of concerns regarding development on this property that have been expressed by both the neighborhood and the City. During a recent hearing on this property, the comment was made by the Chair of this Commission that "This property would be a beautiful property if it were scaled down and created in a way that enhanced and tried to take advantage of the wetlands and tried to mitigate the waters throughout without the density that is being proposed here."

She said this expresses exactly how those in the neighborhood feel. They acknowledge that the city needs to increase its housing units and is looking for ways to increase its density, but they feel that the facts make it clear that this is not the piece of property to help the city meet the increased density needs. Therefore, they ask that it be appropriately zoned R-10.

Tom Geil, 16470 Trail View Drive, said he lives in the Trail View neighborhood and was in attendance with many of his neighbors—almost all of the homeowners in the neighborhood, in fact, and he said he was representing himself and those neighbors who had to leave because of the hour.

Geil said he spoke a few weeks ago to the City Council because he had written a letter to editor of *The Oregon City News* inviting the Council to his bedroom to see the view he will have if Ziegler puts in the new road that is proposed. This road is proposed to curve just 25-30 feet outside his bedroom window and then follow the narrow area behind his lot and another lot to get through a narrow pinch point between Mr. Rich Lee-Cohn's area and his property.

He said they moved into this area without any knowledge of these plans, although this was apparently changed quite some time ago. Nevertheless, he said the neighborhood probably didn't exist when this plan was developed and, in fact, some of the homes are still being finished. However, he invited the Commissioners to come to his home and see from any direction to see what is there and what would occur.

He then read from a written statement on behalf of the neighbors that:

- Most of them are new to process, having just moved into this new area, and are not even sure about all these numbers they've been hearing tonight—R-6, R-10.

- They are very concerned that just within the last two weeks the forest and all the undergrowth has been crushed or trampled already behind their homes.
- They have been told that there is nothing that can be done about this destruction right now because it doesn't belong to Oregon City.

Therefore, he said, they would plead that someone be honest with us. The builders, Syntex Homes, have already misled them by misrepresentations regarding the Urban Growth Boundary which had apparently already been moved prior to their buying their homes.

Also, according to *The Oregonian*, Kent Ziegler said he informed them (Syntex Homes) about the plans last fall and they told the buyers that they knew nothing about any plans in that neighborhood. However, one of the wives of the one of the Clackamas County Council members said Mr. Ziegler was encouraged to purchase this property and develop it as a complete community parcel rather than doing it piecemeal. Geil said, If this city really wants Mr. Ziegler to work with the existing neighborhood, wouldn't it make more sense for the city to tell Mr. Ziegler to be a little patient with his anxiousness to tear down these forests until this Plan is adopted and decisions are made as to what will happen.

This directly affects the livability of their area. During the recent Wal-Mart hearings, Geil said that Commissioners present this evening used phrases such as "fragile and unique area," "protect the integrity of our existing neighborhoods," "residential buffers," "Our Commission highly values neighborhoods," and "hiking trails for families." He noted that there is a nice trail and all kinds of forest right behind their homes that could be used by neighbors and families. This is one of the last forests left in the lower part of Holcomb Blvd., and a park is needed in that area.

He said they can see clearly that if Ziegler and others tear down the forests prior to the property being annexed into the city, there is nothing that the citizens or the City Council can do because the forests are already gone, which appears to be the plan.

Therefore, they would beg both Commissions to give them fair consideration as the city's newest citizens and newest taxpayers.

Dan West, 16396 Willamette Valley Drive (in the same Syntex development Geil was just discussing), said he really concurred with Cohn-Lee's thoughts about what needs to be considered in the Plan and about the Park Place Village proposal by Ziegler. He would also encourage the Commission to ask itself whether this development is really needed or if this development is really wanted. He didn't think there was any organization really willing to support the need for this development and he thinks if the Commissioners were to talk with the Trail View residents, they would find it is not wanted.

Another consideration is whether the current infrastructure, such as roads, will support such a development there. There are two roads that lead out of this area, Redland Road and Holcomb Road, and although there is talking about building another road to the two, but they all conjoin in one place at the bottom of the hill onto one road to 213. The congestion that already exists in the morning peak hour already gives the answer that we don't need another road such as would come from this type of development.

Schools are already overcrowded, he said, and yet another development of perhaps 600 units would only add to that burden. The answer to this question would seem to be that at this time we don't have a plan or solution for this.

Finally, he asked if the proposal would improve the livability of the area. The forests are already being torn down, and the residents don't see that as improving the livability of the area.

Taking this all into perspective, **West** said he thinks the issues are whether development is needed or wanted here, whether there is infrastructure to support it, and whether it will improve the livability. In addition, he has heard much testimony about the process seeming to be so rushed, and he would suggest that if it isn't wanted or needed, don't do it.

Laura Pastore, 15034 Journey Drive, said she also lives in the Syntex development. She first noted that she felt bad for the people who couldn't get inside and were told they could come to the next meeting because, she said, some of them might not be able to come again at that time, so the Commission would not be able to hear their comments. Furthermore, she saw several people in their 50's and 60's come in and then leave because of the hour.

She strongly urged the Commission to consider the values they were taught by their parents and how they might apply today, and to consider the livability of these residents who have purchased homes in this area. Specifically, she would encourage them to walk the area and then consider Ziegler's plan, the scope of it, and how much has changed since he started the process.

She was also concerned about the safety of the children on Holcomb, because, in fact, they do ride bikes and skateboard on that road because there are no sidewalks between the school and their homes. She also concurred with prior comments that there are no parks in the area and the only open space is at the school.

Finally, she, too, felt like things are moving too fast, which could endanger people's lives. She said it must be discouraging after spending so much time on the project to have so many people come and speak in opposition, but if so many have come forth, there must be a reason, so she encouraged them to slow down and carefully consider their actions.

When **Chair Carter** asked if the property these last few people were so concerned about is inside or outside the city limits, **Drentlaw** said it is outside, which is part of the problem because the city has no jurisdiction over what happens there. In response to a citizen comment about that, **Chair Carter** reminded the public that although the city has no jurisdiction until property is annexed into the city, that annexation is based upon the vote of the citizens. Therefore, at this point Ziegler has the right to cut those trees if he so chooses.

She then reiterated that the Commission is listening to all the comments being presented but it is very difficult to balance property owner rights, the needs of the City, and the needs of the citizens, and that the Commission would deliberate these issues at the appropriate time.

Leigh Ann Youngblood, 13514 SE 145th Avenue, Clackamas, Oregon said she and her family will soon be moving into the Trail View development in January at the completion of construction of their home. She said she only learned about this proposed road about two weeks ago. She said the road will skirt her neighborhood and at one point will only be about 100 feet from her neighbor's (Geil's) home. She said they are leaving the Sunnyside area and moving to Trail View because of the rural setting, but she never thought her dream home, her family's investment, would be right next to a major thoroughfare.

Not only is she concerned about the location of the road, but the traffic congestion and the steep sloping of the road. Therefore, she was in attendance to oppose the road in the hope that the residents of Trail View will have input into the development of the land behind them.

Dan Lundquist, 16431 Willamette Valley Drive (part of the Trail View development), said he lived in the Sunnyside area for about eight years, during which he watched it grow quickly and with very poor planning. For that reason, he left there and moved here with the knowledge that growth will come but also with the intent to be a part of managing that growth in an appropriate manner.

He said when construction was being done along Bradley, that traffic was routed along Holcomb, and it was awful, particularly in the mornings, so he can't imagine what it would be like with the addition of such a new large development. So, he said, they need to work together to find a plan that will work for everyone as well as for the future growth of the city.

Lisa Brown, 15046 Journey Drive, said she and her husband, Jason, are also Trail View residents. She said she thinks the residents basically moved out there for the same reasons—the rural setting, the privacy of the trees, and the tight-knit community—but that is now quickly disappearing, even before the proposed plan has come about. So, she hopes the Commission will listen to their concerns and take into consideration the number of people involved, and hopefully they can work together to create a plan with which everyone can be happy. The residents know that growth will come; they are just concerned about being surrounded by townhouses, retail businesses, etc. Furthermore, such development will lower the values of their single-family homes.

John Dingess, 18896 S. Rose Road, said the present Comprehensive Plan leaves a lot to be desired, particularly in the section about review and updates. He said it could be interpreted that any change almost would require a public hearing and notification. When he asked members of the Planning Department about some of the items, he was told that it seems like it is open to interpretation because some things call for a hearing and others don't, as though members of the Planning Department can decide whether or not a hearing is necessary.

He said some properties have been zoned at a specific zone under the Comprehensive Plan as long as 20 years ago and at the time of some of those zonings verbiage was put in the manual saying that when that property is annexed into the city and it has a certain zoning attached, that zoning will remain and that there will be no opportunity for a public hearing. However, he said in the intervening time, many things could change, including development patterns, uses of the surrounding area, etc., so he doesn't think it is proper to allow annexation of property into the city and require that the original zoning be kept on the property without some sort of review.

He said he would like to see the new Comprehensive Plan written to be very explicit as to how and when hearings will be required, including when notifications will be required. He said he currently lives across the road from the city limits. However, everything the city does impacts his property. In the past, there was apparently no requirement to notify him because he lives outside the city limits, but he would like to see wording that would require notification to those residents as well.

Although she already knew the answer, **Chair Carter** asked the City Attorney if the citizens have any recourse about what is happening outside the city, even though the city itself cannot do anything. **Sullivan** said the difficulty is that if Ziegler is following the rules of Clackamas County and the rules don't forbid cutting down a forest, then there is nothing to be done. If there is an issue of future annexation to the city, certainly the City Commission can consider the issues that have arisen at this time. It doesn't mean they can't or won't annex, but it does make it a consideration that goes to the Commission because they have a discretionary role in this as to whether to send this out to a vote. Then there is also a separate issue of whether or not the property, when it is sent out to a vote, is actually voted (which is determined by the voters). So there are two discretionary points at which a request for annexation could go awry, but right now if the developer is following the Clackamas County rules, there are no cross-jurisdictional issues with which the city can do anything about it.

When asked a question out of order by a citizen, **Sullivan** said he would be happy to discuss this with him after the meeting, but he couldn't at the moment within the parameters of this hearing.

Chair Carter said she asked the question publicly, albeit against the better judgment of staff, because it is very upsetting to have so many citizens come before the Planning Commission to plead for help and not be able to do anything for them. She said the citizens must figure out a way to take this upon themselves because the City cannot do it for them. When she reiterated that the voters allow or disallow annexation, not the Planning Commission or the City Commission or the Planning Department, the citizen (Geil, I think) said his issue was that Ziegler was publicly quoted in *The Oregonian* as saying that he was moving forward with his plan because he was being encouraged by both the City and the County Commissioners to do the whole project as one plan.

Sullivan suggested that one action the citizens might take would be to go to the Clackamas County Commissioners, who have jurisdiction over this site and who could pass an ordinance. However, he noted that currently there is apparently no ordinance to bar Ziegler from doing what he is doing, and until there is an ordinance, the County Commissioners can't stop him either if he is, in fact, following the existing Clackamas County law.

Upon being asked another question from the audience (which the Chair allowed) about whether or not this property has been annexed already, **Chair Carter** said again, No. She then stated again that he must first annex into the city before he can do his development, and furthermore, the citizens control by their vote whether or not that annexation will occur.

Sullivan clarified that, according to his understanding, this piece is being added to the UGB (which is a separate action from annexation), but he also understands that this is still under appeal so nothing is currently happen. Therefore, if there is a misrepresentation by the developer or the builder, that is probably a private action.

Therefore, **Chair Carter** reiterated that the city has no jurisdiction over property that may or may not at some future time come into the UGB other than to perhaps change the recommendation of the designation on the Comp Plan for property that is already within the UGB, saying again that this is very complicated.

Konkol noted that the staff really does field many calls and questions and they would encourage citizens to call because they could probably get many answers to their questions before coming to a public hearing such as this. He explained that the Comprehensive Plan is the first step, then a zone is assigned once property is brought into the city. Currently, the subject site is still outside the city and, depending on the outcome of the appeal of the UGB expansion court case, it might not even be included in the UGB. After discussions with Ziegler, he said it is his (Konkol's) understanding that the property owner with whom Ziegler has contracted maintained his timber rights for that property. So he has held that property for a very, very long time and he has decided to exercise his timber rights on that property. Therefore, it is not necessarily Ziegler who is doing the logging.

Konkol also clarified that the reason developments are encouraged to be done in large pieces is in order to get a complete development, including sidewalks, etc., to resolve issues such as the current one along Holcomb. For example, the situation on Holcomb is that there is a sidewalk along one development, then nothing for about a half mile, then a couple more sidewalks, which makes it very piecemeal.

Chair Carter added that staff does its very best to try and notice everyone about important issues and in this instance, proper advertising/noticing was done a year and a half ago when the open houses were first held regarding amendments to the Comprehensive Plan via television, newspapers, newsletters, etc., so there has been sufficient time for public involvement. She said she would allow some informal interchange this evening because this was not a judicial hearing and some folks had raised their hands.

One person said until she got a notice in the mail directly that her property could be affected because they don't take the paper and they don't have cable TV. **Chair Carter** said the reason they don't notify everyone by mail about every proposed development or application is because a city-wide notification is very expensive and we simply can't afford it. In this case, several things were combined (the Comp Plan, Ordinance changes, etc.) into one hearing process for the sake of saving the money rather than noticing each issue individually.

Another citizen said he was encouraged by attending this evening and hearing what was being said because he felt like the Commissioners were listening with real intent. He also said that obviously an attempt was made to communicate, but since it doesn't appear to have worked, he would ask again that this process be slowed down to give everyone a change to respond.

Another gentleman said he had seen the notices and had attended some workshops to which he had been invited, but because he lives 30 feet across the road from the city limits, mostly he has been given the impression that the city doesn't care at all what he and other citizens in the same situation thought. At least, he said, the new Comprehensive Plan includes provision for noticing to residents who live nearby any adjoining area.

Drentlaw clarified that a notice was sent to everyone within the UGB on this particular round.

Chair Carter expressed again her feeling how much the City tries to do right and live right, and that the Planning Commission is completely, she thinks, one voice about our environment, livability, water resources, canyons, wildlife, etc., and that many of these issues are now addressed in the Comp Plan that were never included before. She said we are moving forward as much as the State allows in planning, and she reiterated that the public process, if allowed to work, can bring about a good result. Based on what has been said this evening, she predicted some very serious discussion yet to come.

Powell moved to continue this hearing to a date certain of Nov. 24th and a place certain of the Pioneer Center. With general consensus, the Chair thanked the people for their participation this evening and encouraged them to come to that meeting if they still had concerns or wanted to give input.

5. ADJOURN PUBLIC HEARING

With no other business at hand, the meeting was adjourned.

Linda Carter, Planning Commission
Chairperson

Tony Konkol, Planning Associate

**CITY OF OREGON CITY
PLANNING COMMISSION MINUTES
(Pioneer Community Center)
November 24, 2003**

COMMISSIONERS PRESENT

Chairperson Linda Carter
Commissioner Dan Lajoie
Commissioner Renate Mengelberg
Commissioner Lynda Orzen
Commissioner Tim Powell

STAFF PRESENT

Sean Cook, Associate Planner
Dan Drentlaw, Planning Director
Nancy Kraushaar, City Engineer & Public Works Director
Ed Sullivan, City Attorney
Gillian Zacharias, Consultant from David Evans & Associates

COMMISSIONERS ABSENT

None.

1. CALL TO ORDER

Chair Carter called the meeting to order.

2. PUBLIC COMMENT ON ITEMS NOT LISTED ON AGENDA

None.

3. APPROVAL OF MINUTES: August 20, 2003, September 3, 2003, and September 22, 2003.

Powell moved to approve all three sets of minutes as submitted. **Mengelberg** seconded the motion, and it passed unanimously.

4. HEARINGS:

Chair Carter gave the parameters and procedures for the three quasi-judicial hearings on the agenda this evening. There were no expressions of ex parte contacts, conflicts of interest, or bias declared regarding any of these hearing items, nor were there any challenges against the Planning Commission or any individuals on the Planning Commission to hear these items.

(Note: Full copies of all staff reports, applications, and related documents are available in the public record for review through the Planning Department.)

AN 03-01 (Quasi-Judicial Hearing), Applicant: Daniel Kearns/Tom Gentry. Request to annex 3 parcels totaling 4.29 acres into the city limits. The parcels are located at 19391 Leland Road (3-2E-7DB, Tax Lot 6300), 19411 Leland Road (3-2E-7DB, Tax Lot 6400) and 19431 Leland Road (3-2E-7DB, Tax Lot 6500).

AN 03-02 (Quasi-Judicial Hearing), Applicant: Vern Johnson/Mark Handris. Request to annex 3 parcels totaling 9.18 acres into the city limits. The parcels are located 300 feet northwest of the Renee Way and White Lane intersection and identified as Clackamas County Map 3-1E-12D, Tax Lots 1503, 1593, and 1600.

AN 03-03 (Quasi-Judicial Hearing), Applicant David and Nancy Wheeler. Request to annex 4 parcels totaling 7.62 acres into the city limits. The parcels are located on the west side of Leland Road at the

intersection of Silverfox Parkway and Leland Road. The parcels are identified as Clackamas County Map 3-2E-7DB, Tax Lots 6600, 6700, 6800, and 6900.

Drentlaw said staff recommended that all three annexations be continued to Dec. 8, 2003 in order to allow more time for discussion of the legislative hearing.

Orzen moved to continue annexation files AN 03-01, AN 03-02, and AN 03-03 to a date certain of Monday, Dec. 8, 2003. **Lajoie** seconded the motion.

Powell asked if the applicants were aware of this, which **Drentlaw** affirmed.

Upon voting, the motion passed unanimously.

L 03-01 (Legislative Hearing), Applicant: City of Oregon City. Request for the approval of amendments to the Oregon City Comprehensive Plan, Oregon City Comprehensive Plan Map, Oregon City Zoning Ordinances: Chapters 12, 16 and 17, Oregon City Zoning Map changes from R-6/MH to R-6 Single-Family, RD-4 Two-Family to R-3.5 Dwelling District, Central Business District and Tourist Commercial to Mixed Use Downtown, and M-1 Light Industrial and M-2 Heavy Industrial to GI General Industrial, Adoption of a new Water Master Plan, and Sanitary Sewer Master Plan. (Cont'd. from 11/10/04)

Chair Carter said that, due to the overwhelming response two weeks ago and again this evening, this portion of the hearing (continued from Nov. 10th) would be handled a little differently. She explained that she would be coming out from behind the table and that **Drentlaw** would join her to present the changes to the Comp Plan. **Kraushaar** would also explain again about the public process that has occurred regarding the Comp Plan. **Chair Carter** further explained that her purpose for coming out from behind the table was to show that this is a partnership between those citizen volunteers who serve on the Planning Commission and the City staff, all of whom have been working on this very large project which they were charged with by the City. She said they would explain further the foundation/framework of what the Comprehensive Plan does and how they arrived at some of the decisions that resulted (shown on the map), noting that at this point they are still open for discussion and are not final until they are adopted. Then the public could give their testimony. She also asked that if people had further questions for clarification, they ask those at the time of their testimony (which again is a little different than the normal procedure), and she said staff would try to answer those questions at the end, if time allowed.

Chair Carter said it was very difficult for the Commission and staff to determine at the beginning how to improve the Comprehensive Plan in order to meet today's needs as well as those of perhaps the next ten years, although, admittedly, it might still need a little adjusting during that time period. Part of the problem was that they were working with a Comp Plan that was more than 20 years old, thus very out of date or no longer pertinent, particularly to some of the development that is occurring today. Therefore, getting a grasp of the big picture of what the city needs to be functional, healthy, economically viable, and to have a desirable quality of living and to keep the character (historical, rural, and environmental) proved to be very challenging. She said public testimony tends to be oriented toward a particular piece or pieces of the Comp Plan, which is needed, but the decision-making process is based on the entire plan and the affects and best interests of the entire city, both now and into the future.

She said the Planning Commission and the City staff have a vision and concept that she thinks reflects the desires of the citizens—that being to protect and enhance our environmental features and to do building/construction in such a way that allows us to be functional.

Having said that, **Chair Carter** said she thinks the rural element is very important, and one of the solutions for maintaining the rural feel is to put the density inside the city along the transit corridors, which is reflected in the proposed designations for mixed urban development. The details for this include access to buses, bike paths, and pedestrian walkways for an urban-friendly environment, thus allowing for protection of the rural environment. Without such a plan, she said, Metro and the State will say we must still increase our density and they will likely suggest putting it in the rural areas.

Drentlaw said one of the questions, conceptually, is where to locate the increased density and where to locate certain commercial areas. He said the focus of this plan has been to focus development into the downtown area, for which ordinances have been drafted to allow Mixed Use with higher densities. This also includes the Parker landfill and The Cove, he said. The proposed plan includes a corridor designation along 7th Street and Molalla up to the Beavercreek/Molalla intersection, which is also a focus of Mixed Use. A typical example would be retail on the first floor, and offices and/or rental units on the second and third floors.

Drentlaw said the other controversial area has been the industrial area off Beavercreek Road, although a portion of that is already zoned for industrial. He said one of the issues is that the list of allowable industrial uses is fairly tight, so perhaps staff could answer questions if there were any. The other question is why this location was chosen, to which he replied that it is the only part of the city where there are relatively large pieces of undeveloped property which are, for the most part, flat.

Drentlaw then talked about the differences between the two maps on display, saying that the one on the left was the Comprehensive Plan Map, which only paints a very general picture of where the city will go in the next 20-40 years. The other map was the Zoning map, which is a partial zoning map of the city, and it shows the potential changes for the city, which, he noted, are actually fairly insignificant. He said he made the distinction because if people want to know the zoning for their property(ies), they need to look at the Zoning map, not just the Comp Plan map.

Drentlaw said another common question is, What is the process for development? For instance, will the area shown in purple actually develop as "purple"? He said it might, but there are four major steps which must occur before that happens, all of which involve public hearings. They are:

1. A review of the Comprehensive Plan Map, which is currently happening in the form of public forums at both the Planning Commission and the City Commission hearings to follow.
2. Annexation of lands, which must be heard by both Commissions and, if approved by the City Commission, must be passed by a majority of votes in a general vote.
3. Rezoning, which includes another public hearing.
4. Site Plan and Review, which is done by the Planning staff but which is also a public process.

Regarding certain industrial property, **Chair Carter** said that the Herburger, Hall, and Roberts family came forth two weeks ago and suggested that they had hired a planning consulting firm to help them devise a master plan for this area. She commended them for taking a proactive approach in deciding what to do with that area, noting that this decision is in the hands of the citizens as well as the city, and she applauded their effort.

She said there is a gentleman who was upset about the idea of the Mixed Use zoning around the hospital. She explained that the hospital serves the whole area, and the local citizens are likely to go there if they need medical service. She noted that the Women's Center services 80% of all the women and all the births that occur in this area. The hospital must have room to expand and the only possible direction is across the street. She said the Comprehensive Plan says we must preserve and protect existing housing as much as possible within the context of what is realistic, but she said if the hospital cannot expand within our city, eventually they would be

forced to move outside of our city, and we don't want to lose Willamette Falls Hospital. Specifically, we don't want to lose the jobs they offer or the convenience they offer, and we don't want to lose them as a community partner that does so much for the city, so even though we might need to put up with some inconvenience during the process, we need to look at the end product and value to our community.

In addition to the idea that the Herberger family is considering for the industrial area, she said there is also opportunity for the parcels along Beaver Creek Road. She said we have not done a good job in the past of utilizing, protecting, and enhancing our view corridors, and the property on Beaver Creek Road could be built up with views of Newell Creek Canyon and Mt. Hood.

Finally, she reiterated that the public process on this project has been very extensive but also very complicated, in part because the Comp Plan is so enormous and was so outdated.

Gillian Zachariahs of David Evans & Associates said they were hired in 2002 to assist the City in updating the Comprehensive Plan. One of the first things they did was to form a Citizens Technical Advisory Committee comprised of representatives of neighborhoods associations, local businesses, Affordable Housing, the development community, youth, the School District, Metro, environmental interests, and the Planning Commission. The role of the Advisory Committee was to make sure that stakeholders were represented in the process and to act as an advisory body to staff, to the Planning Commission, and to the City Commission.

She said the consultants worked with staff to begin to update the Plan, filling in the data that was needed and working with the City to develop new policies and goals for each of the elements. Next they took that information to the Technical Advisory Committee for their input, during which time they met six times from April to October of 2002. (Those meetings were advertised and were open to the public.) They also held three open houses for the general public.

In addition, they sent out one-page newsletters to those on the mailing list, which included neighborhood associations, city committees, media, people who had participated in the first City Future visioning process, and anybody else who participates regularly in city processes. The newsletters described progress on the process and advertised the open houses. Copies of the newsletters were also placed at City Hall and libraries and were distributed at neighborhood association meetings.

Press releases were sent to *The Oregonian*, *The Oregon City News*, *Oregon Spectator*, *Trail News*, and Willamette Falls Cable Access prior to each of the open houses. Notices of the Technical Advisory Committee meetings were distributed to the media. In addition, information was provided to the *Trail* newsletter that was sent out with the water and sewer bills in the April, August, and September, 2002 issues.

After the final open house, the consultants (David Evans & Associates) worked with staff to finalize the Comprehensive Plan, which has been working through the process to arrive at this point (the hearing process).

Drentlaw introduced **Kraushaar** to give a description of the Water Distribution Plan and the Sewer Plan, and she began with an explanation of the Water Master Plan. She said the first step is to look at all of the conditions, whether they be streets, pipes for sewer, pipes for water, etc., all of which must be inventoried to see what is available for today. Another step is to identify problem areas (inadequate flows, pipe leaks, etc.) Another consideration is what is not available today that is needed for today, and then, planning for the future (for growth, including calculating for pipe size and storage capacity). Finally, a list of improvements (the Capital Improvements Plan) is compiled, which identifies what is needed for deficiencies in the existing system or improvements to ensure sufficient piping for the future.

Kraushaar said the Capital Improvements Plan tells the city 1) how we need to spend our money and 2) how much money we need. For example, it is used to help set the sewer rates and the water rates. It is also used for calculating System Development Charges (SDC's) for the growth part of the system (bigger pipes or building reservoirs), which are collected with every building permit for use in expanding the system. It is important, then, to have technically accurate information in order to responsibly determine the rates and charges, and then manage the project so that the right things are done at the right time.

Moving to the topic of water, **Kraushaar** said water usage is determined by the times of the year (i.e., watering lawns and gardens in the summertime). So, even though we might not need the peak amounts of water during a good portion of the year, we must make sure we have sufficient storage for those times when we do need it. Today we have reservoirs throughout Oregon City for a total storage of about 16 million gallons. We also have about 140 miles of pipe which vary in age from a week to one hundred years, from 1 inch up to 20 inches, made of many kinds of materials. The ductile iron is our current standard, so the City has been replacing the asbestos-lined pipes with these because they are expected to last about 100 years.

Because of all the hills and bluffs in the city, it is not easy to provide constant water pressure, so there are about a dozen pressure zones throughout the city. These require pump stations and pressure reducing valves throughout the city to control the flow of water, especially during hard storms. (The current minimum for water pressure standards to residences in Oregon City is 40 psi, and the maximum is 100 psi.)

There are also fire flow standards, which vary according to the types of land usage. For example, industrial has a much higher fire demand, both to accommodate large flows for fighting a fire and to still ensure water flow at a residence three blocks away while a fire is being fought. Therefore, there is a 20 psi minimum standard during fighting a fire.

Regarding consideration of water demand, staff uses data given by Metro along with projections for growth (both for size and speed of growth). Some considerations include the fact that growth is somewhat driven by the market and that the amount of water used might be driven by conservation or other programs. Therefore, the plan projects the water demand for the next twenty years in order to service all the customers. Staff calculated for a 2% growth rate, a 3% growth rate, and how much would be needed if all the land to the Urban Growth Boundary (UGB) were built out. The result is a variation, but planning is then done for those incremental growths.

Another consideration is that of different water demand characteristics, such as peak hours, a maximum day out of the year, the maximum month of the year, and the average annual. These figures are used to size the pipes, but there are other requirements to size the reservoirs. Today, our storage requirements are about 14 million gallons, and we have about 16.25, which is good. For future storage, it is anticipated that we will need about another half million gallons per year, which we need to start planning for.

Kraushaar said there is a very complicated model which shows all the pipes in Oregon City. That model is then used to determine which pipes are too small, which pipes are needed for the extra flows for growth, and capacities for pipes, pump stations, and reservoirs. The result of all these studies is the Capital Improvement Program for water, and, based on how soon the water will be needed; different phases of improvements are determined. The estimated cost for the next 20 years is approximately \$41 million for water improvements, the majority of which is for pipelines because a) we have an old system, and b) we have a lot of pipes. She said we are trying to replace them on a regular basis so that all pipes are replaced every 100 years.

Kraushaar said that the big 10.5 million gallon reservoir was originally built in the early twentieth century. An addition was done in 1950 that doubled its capacity. She noted that although the structure has some steel in it, the majority of it is concrete and if there were a big earthquake, there would be some significant damage. This

would result not only in safety and health concerns, but economic concerns as well because businesses could be out of water for weeks. Therefore, one of the big projects that has been identified is improvement to this reservoir.

Another big project is leak detection so those pipes can be replaced in order not to lose water, and conservation is yet another big issue because the less water we use, the less it costs.

Moving to the Wastewater (Sanitary Sewer) Master Plan, **Kraushaar** said there are about 110 miles of sanitary sewer pipes in Oregon City. She explained that Oregon City only handles the collection system—that is, we maintain and operate the pipes which take the sewer to the waste water treatment plant at the Park Place interchange, and Clackamas County operates the waste water treatment plant.

Unlike water, wherein every single pipe is modeled, in doing wastewater only the trunk lines are considered. She said we have about 12 drainage basins for sanitary sewer in Oregon City and those basins flow into the trunk pipe, which tends to be larger than 8 inches (normal size pipe for waste water). Opposite of the higher need for water in summer months, there is more water flowing into the sewer system in the winter via leakage, manholes, and because many of the stormwater pipes are still connected to sanitary sewer.

In calculating the flows, known data is used for single-family and multi-family residences. In commercial areas, a density equivalent of R-8 (an 8,000 square foot lot) is used. For industrial, the calculation is 3,000 gallons per acre per day.

Another important part of the evaluation for waste water is to consider known problems. For instance, there is a lot of grease in the pipes in areas with a lot of restaurants (as along Molalla), so this requires a good maintenance program.

Other areas for consideration are where growth will be occurring and where pipes will need to be extended. For instance, there are some areas in Oregon City that are still on septic systems and as those fail, these homes will be connected to the sewer system.

Kraushaar showed a map that identifies 1) where improvements need to be made in the wastewater system, basically around replacing pump stations that are too old and worn; 2) in areas where the pipe size needs to be increased to accommodate pipe size; and 3) areas that already have problems.

Kraushaar said the Wastewater Master Plan has resulted in \$16 million worth of total improvements. One thing that is important about wastewater, she said, is that we must make sure we are complying with the Clean Water Act, which was probably one of the most important environmental acts in Congress affecting you.

Chair Carter moved to public testimony, noting that this hearing is a continuation from the hearing on Nov. 10, 2003, and she reiterated the earlier comments that this would be a little more relaxed format than usual because of the forum and asked that citizens express any questions they might have but expect that staff would answer those later, time permitting.

Cook said staff would call first those people (about a dozen) who attended the last meeting but didn't get to testify, and would then move to those who signed up to testify this evening.

Linda Lord, 142 Holmes Lane, said she has a particular interest in increased density in established neighborhoods. For some time she has been attempting to restrict the redevelopment of the Rivercrest neighborhood. She quoted Chair Carter as saying in a Planning Commission meeting that, "The Planning Commission is interested in the best interests of this city..." and, regarding the question of infill, "It is

in the best interests of the city to be able to utilize and infill property that is available without having expensive infrastructure to go on.” **Lord** said she agrees with that. At the time (talking about adding a substandard lot to the Rivercrest neighborhood and granting a variance to allow that to happen), **Chair Carter** said, “If there was anything about this lot that was substandard or detrimental to the neighborhood, the neighborhood would be here telling us it was detrimental. An important fact to me in this situation is that we have not had the neighborhood here objecting. All the times when we have our hearings, when the neighborhoods feel very strongly about something, they are here in mass and they are very, very vocal, and their opinion weighs in very, very strongly with us, and we take it seriously.”

Lord suggested that the reason the Commission didn’t hear from the Rivercrest Neighborhood neighbors at that time was because they were not informed of the city’s intention to redevelop their neighborhood with another three dozen houses in their six-block subdivision. They have since learned of that and have made it their business. As a result, on Monday, Nov. 10th, 117 Rivercrest landowners representing 72 properties filed a suit against those who wish to divide their lots in Rivercrest to enforce a deed restriction. This is a very strong voice saying that infill of established neighborhoods is not in the best interests of the residents of those neighborhoods, at least not of theirs (Rivercrest’s).

She said the Planning Commission that considered the request at that time said that the variance being requested was a provision that “went against the Comprehensive Plan principle of protecting every citizen’s privacy.” She suggested to this Planning Commission, then, that they very carefully consider the question of infill of established neighborhoods and consider the reason people weren’t at that first round yet now they are concerned. Her quick answer was that at the time she asked the Neighborhood Association Steering Committee to present a forum on increased density in Rivercrest, she was told that the neighborhood association didn’t want to handle anything that was controversial, and that position has not changed, she said. Information that has been focused to the neighborhood association for those residents has not been disseminated. There was no mention at their last neighborhood association meeting in October nor was there any mention of the Comprehensive Plan in the newsletter that she (Lord) knows of, and the next meeting is not scheduled until February. When, she asked, are they supposed to be able to give the vital input of the citizens’ voice? Therefore, she asked that the Planning Commission consider at least one round of neighborhood association meetings in their process so people can get the information and react to it to get information back to the Planning Commission in appropriate fashion.

Lord said she is concerned about the delegation of authority in the Comprehensive Plan to staff members that belongs most appropriately to a quasi-judicial process. An example of that would be in the approval of accessory dwelling units. In the Ordinance change, she said there is a whole list of accessory dwelling units requirements, but right in the middle it says, “If something doesn’t fit these requirements and the staff thinks it is not practical to enforce them, the staff can make a decision to allow it.” She said it seems to her like staff decisions are only for ministerial decisions, not for those where there is a contested issue or where significant legal decision-making has to be made. Therefore, she asked the Commission to reconsider those places where they are thinking that delegation would be appropriate.

Finally, she had comments regarding the process used in enforcing the Comprehensive Plan. In recent litigation, she said, LUBA ruled in a case of Oregon City that “The City Commission is not obligated to identify each criterion and verbally explain in a public meeting how it resolved the legal and evidentiary issues and why its resolution of the issues led the City Commission to conclude that the variance criteria are met.”

Lord said she couldn’t believe it when the appellant courts said that’s true—the city doesn’t have to talk about what the criteria are, how the evidence fits, and make its decision in a public meeting where it can be heard and commented upon by the public. It just doesn’t make sense, she said. They said the “public meetings law” doesn’t apply, but she said if that’s not an Oregon State law, it should be an Oregon City municipal ordinance.

The other argument the city attorneys made in this litigation process was that the only substantial evidence needed to grant a variance was the applicant's own testimony. No independent corroboration was required. Lord said that's outrageous. If the applicant only has to tell a story and not provide evidence, how is our Comprehensive Plan going to be applied? Who will enforce it?

She concluded by asking again that the Planning Commission consider these deficiencies in the ordinances to make sure that the citizens' rights to participate in the public land use process are protected and more clearly defined.

Erin Morris, 16380 Trailview Drive, said she moved here about three months ago because she fell in love with the area, with new development yet still within an urban setting. She was unaware that the Comprehensive Plan and a lot of future development would be occurring right around their new home. She attended the recent Park Place Neighborhood Association meeting, from which she understood that some studies were being done on the roads. She would, then, propose to leave the area near the Holcomb Blvd as FU-10 to maintain the larger lots and the rural area. In other words, she would like to see that remain as low-density property rather than high-density, as proposed in these amendments.

Bob Short said he works for Glacier Northwest, with his office at 1050 N. River Street, Portland, which operates the concrete plant at 16381 Main Street in Oregon City. He said any of those on the Planning Commission during the Waterfront Master Plan and probably during the Downtown Master Plan have probably heard some of his comments, but he wanted to make a couple of comments this evening and then ask some questions about the process for implementing the Comp Plan.

He said the concrete plant has been in operation since the early 60's. It went through the '64 flood and the '96 flood. That area has traditionally been an industrial area, including a lot of mining in Clackamette Cove. There is considerable landfill there. There are areas within that area that the Waterfront Master Plan identified as mixed use or public use or recreation that are likely contaminated. It is also, from his company's point of view, an ideal location for the use because it is close to the transportation system. He said they have about 30 jobs there that are hourly, high wage, full benefit homeowner jobs.

He said they have been a part of this community for a long time but it appears that the long-range plan is to phase that facility out so, noting that the Zoning Map shows that area as General Industrial on that site, he asked how it would transition into the Mixed Use downtown and what timeframe is being contemplated.

He said they agree that there are some challenges in that area if it is to be developed as Commercial or Mixed Use because of the constraints provided by the terrain and also because it is in a flood plain, but he is curious about the timeframe in particular. In other words, at what point would his company become a non-conforming use?

Drentlaw said they would be a non-conforming use once the zoning is changed, and at this point there are not proposals to change the zoning. However, should he as a private property owner decide to initiate a re-zone to this Mixed Use district, it would then be consistent with the non-conforming, so this is just the first step.

Short said they don't contemplate a different use for this property so he was curious as to under what conditions the use might be changed without their permission, so to speak.

Drentlaw said the city isn't proposing a rezone, so at this point it would have to be initiated by **Short** as the property owner.

Short thanked him for the explanation and added that staff has a hard job, especially because they are doing a good job, even though it might seem like they only hear from the public when the citizens don't like something.

Maylis Shook, 15152 S. Loder Road, said she has lived in many different places and is not naïve to the fact that there won't be growth. However, she said at the last meeting she heard testimony from many people who seemed to be "blindsided." She said they found out they were part of Metro when the garbage company notified them. However, she said they have only had a couple of months to try to understand what is being proposed. She said she understands that their whole area is going to be zoned Industrial and she understands that it is being proposed to be more campus-style. She said she thinks the description of the proposed Mixed Use with retail, offices, and residential sounds good, but she asked how they can be assured that there won't be some really unattractive businesses coming in right across from the high school, for instance. Also, mention was made of making good use of the view properties for industrial development, yet that very same development would take out the views of the mountains which are currently visible, which seems like a waste.

She noted that some have testified that they don't want high-density homes in the Park Place neighborhood, although she thinks it would be natural to move some of those out by the high school because she said, from personal experience, people want to know foremost about the schools for their children, from gradeschools to colleges. She said if she were looking into moving and saw that there was an industrial area directly across from the high school, she would not want her kids in that environment for four years.

She said a lot of people in South End were concerned about Commercial there, and she agreed that it seems like most people would want to stay on the main corridors for their shopping, so she doesn't think there would be very much demand for commercial in the South End area.

She also asked, If this is changed to Industrial, how soon would the current property owners be forced out?

Chair Carter said she didn't think anyone would be forced out. **Shook** stated hearing about a man who has property on 213 has been denied building permits because he doesn't fall within the required zoning, so they have reason to be concerned. **Cook** said the property owner controls the destiny of it. She replied that she owns two acres and she asked, "What happens?"

Nora Lee, 16463 Willamette Valley Drive, began by thanking the Chair for the opening statements. She said she had just moved into the Trail View neighborhood in June and she, too, values that rural living and enjoys the R-10 lot sizes and the country setting.

She said she understands there are plans for a development called Park Place Village, which is an 172-acre development around her neighborhood, and she has concerns regarding the roads that will be abutting her neighbors' properties and concerns about the need for a road that would cut so close to their properties.

She said that if progress is going to proceed, it is important to consider the livability aspect. If there is a way to have parks, try to address the present residents and be sensitive to the people who are living next to the planned development to see if there is a way for everyone to work together to make it a livable place for all.

She also had concerns about the additional resulting traffic. She said she currently drives down Holcomb Boulevard which feeds into Abernethy Road, which then hooks onto Hwy. 213, which gets backed up during rush hour. Her concern is that if this development were to proceed, the additional traffic would only exacerbate the problems.

She is also concerned about the school capacity.

In summary, she reiterated her request that the Commission be sensitive to the needs and concerns of current residents as they proceed with the hard job of the planning process.

Julie Talley, 15577 S. Saddle Lane, said she and her husband moved to this area about a year and a half ago with their three children, and they moved here (just south of the industrial area and the golf course) because they loved the rural feel of the area and surroundings. Although it has been stated that great efforts have been made to contact people about the proposed changes, she said they were not told of any possibility of this becoming industrial area when they bought their property.

As a taxpayer, a parent, and a public educator, she said she can't understand why the city would want an industrial area across from the brand new high school. She said she doesn't see how this can be conducive to a safe and an environmentally sound educational environment for our children. Living on Saddle Lane, she said she is aware of some of the noise pollution and the increasing traffic, so she can't imagine the potential if it is industrial, even if there are some restrictions, because it is commonly known that those restrictions are set but then they get changed when people come in.

Regarding the comment that this is planning for ten years down the road, she said that is just what she and her husband were doing when they bought their home. They want to drive by rural pasture area, they want to see Mt. Hood, they want to live next to a golf course, and they want to watch the small airplanes land and take off. Yet if this goes Industrial, they quite likely would not choose to remain here to raise their children.

Finally, she said she has heard the term "Metro" used often in the last couple of weeks and she said she hopes the Commission is really working for the people of Oregon City and not just smoothing the way for perhaps a different hidden agenda of an urbanizing agency called Metro.

Molly Green, 15605 S. Saddle Lane, said she is truly concerned about the intentions of the City Planning members sitting before this group tonight. It seems, she said, in the minds of the City Planners that the dye has already been cast and that the Commission is going to push through these agendas regardless of what is said this evening. In her experience because her husband is in commercial construction, she said these meetings are nothing more than a chance for the citizens to vent their frustrations rather than a chance for them to actually participate in the planning process.

She said she moved to Beavercreek in order to achieve a good quality of life for her family, not to move next to an industrial park and she really wonders how the City Planners and City Council members would like to have the property adjacent to their homes rezoned Industrial against their wishes.

While the laws of this community have been set up to protect the rights of the individual property owners, she said it is quite obvious by the actions of this committee that they are trying to impose their agendas on our community regardless of the wills of the individual property owners who would be most impacted. This should be a wake-up call to all citizens to become educated in the political processes involved and take an active role in getting this committee on track so the community can have control over its own destiny instead of a few individuals making the decisions that involve everyone.

She said she personally would like to be placed on a watch-dog list, or even form one, so that she could be notified in a more timely manner of issues that affect our community. As it stands now, they are only notified of changes right before they take place without a chance for anyone to act. The kind of meeting before us is the perfect example of a group that is trying to force its ideas on the community. While we are all busy working, raising kids, and trying to make a living in these hard economic times, she said, the City Planners that were elected by us to serve us in our best interests are busy trying to undermine the community where we live. She

said we all have to be responsible for the decisions we make now, and she pleaded that we come to the decision that Beaver Creek Road cannot handle the added burden of traffic that an industrial park would bring.

Jim Kozel, 11466 Finnegan's Way, said two weeks ago he had talked to the Commission about citizen input having equal weight to that of the planners and developers in the planning process from the beginning to ensure citizen and neighborhood association participation from the start. Section 1 of the Comprehensive Plan should include an action item to include one or more items similar to that of Section 2 of the County's Comprehensive Plan, such as Section 2.9.b: "Community organizations should review and advise the County on changes in the Land Use Plan and Zoning Ordinance and may submit zoning recommendations to the County." He continued to read, "City Neighborhood Association bond issue should be extended to the Urban Growth Boundary and have significant roles in the land use and zoning of the land being annexed into the city."

Furthermore, he said he thinks Section 12 of the Comprehensive Plan should include an action item to include County Community Planning organizations representing areas within and contiguous to the Urban Growth Boundary and the Land Use and Zoning process.

Kozel said it is his understanding that the planners are proposing the deletion of the Planned Unit Development (PUD) section of the Municipal Code, Section 17.64, which he thinks is good. In the case of the Rose Vista Proposal, that is a classic example of where a PUD degrades a neighborhood and doesn't strengthen it. However, should the city decide to keep PUD's as part of its zoning, then it should be amended to require the incorporation of a homeowners association for the operation and maintenance of the common areas and enforcement of the CC&R's.

Kozel said another item is to bring further continuity in the South End Road area, saying in particular that tax lot 3S-1E-1CD, 300 on Rose Road should be rezoned from R-6 to R-10 to conform to the rest of the area.

In reviewing the September 2002, City Work Session minutes leading to some of the Urban Growth Boundary changes, he said some of the discussions have led to some of those changes to the Comprehensive Plan. He suggested that both the City Commission and the Planning Commission should closely review the proposed changes to ensure that citizen input and needs are truly addressed in conjunction with changes that support the UGB process.

Kozel said staff and the Commission have done a lot to get to this point tonight and he suggested, in consideration of all the testimony submitted in the last two weeks and being submitted yet this evening, that perhaps all future land use applications and annexations be deferred until all the Comp Plan Municipal Codes are updated and in effect.

John and Chris Kozinski, 18370 Holly Lane, introduced themselves. She said they live just above the area that will be annexed, not actually in it, but they had brought some different information that they felt the Commission needs to understand.

Mr. Kozinski said they are concerned about Holly Lane itself, specifically wondering why that can't be made a dead-end. He said the way the traffic flows through there is incredible—like a super highway—and it is only going to get worse as time goes on.

Another issue of concern is that they have not received any notices about these meetings and this is upsetting, particularly because they can't even get the correct location when they hear through the grapevine that there is going to be a meeting.

Ms. Kozinski said there is no quality of life along Holly Lane. She said they moved there to raise their family in a rural setting, as everyone else has cited, but it is no longer a family area. She said the traffic congestion really needs to be considered because the Holly Lane, Redland Road area cannot take 1,300 cars (650 homes, 2 cars per home).

She said they brought an article from *The Oregonian* (dated April, 1999) that talks about the unstable land on Holly Lane. She said the land on Holly Lane has loose soil. In the last big flood, she said two homes were crushed in half and slid down the hillside. In the earthquake, two homes a half block from them slid off their foundations, the earth liquefied, and the homes are gone. She said this is loose soil that cannot hold 650 new homes, and it could turn into another "Kelso, Washington" incident. This type of catastrophe would hit the city's budget hard and, she said, we will have another flood.

Mr. Kozinski said another concern is that one of the biggest trailer parks in the area is located right below them and there is only one way in and one way out. The addition of another 650 homes would add an amount of traffic that Holly Road, Redland Road, and Beaver Creek cannot handle. He said he knows this is tough, but we must consider the future.

Ms. Kozinski said they would propose that before any annexations are approved onto Holly Lane the city complete geographical studies and traffic studies, and advise everybody within five miles of the findings so they know what they are sitting on. She said their home moves, their retaining wall moves, and their driveway cracks constantly from the gradual moving of the land. Furthermore, she said they live along a canyon that is so steep she can't even walk down into it, and it definitely is not a place for a lot of homes. She said it is appropriate for rural designation and that Metro is trying to keep it out of the UGB specifically because of the unstable loose land which goes all the way through Oregon City and Carver.

She said they would also like to be notified of the next meeting.

Dan Berge, 20122 S. Molalla Avenue, said he owns Continental Satellite. He said when he was annexed into the city he should have been Commercial. He said they were grandfathered into the County and he used to get his building permits from the County but now he would have to apply to the City for the Commercial designation, which is a \$3-4,000 application fee. However, if that were rolled into the Comprehensive Plan, he would not have to pay that fee. He said he is one of the few people who provides quality jobs because he hires hire-educated, higher-paid personnel for the expertise of his product and he said he has had his business in this general location since the early 80's.

He said he would like to keep his business here but it is a struggle. He is getting ready to do some new projects but he doesn't know whether he can or not within the City, although he knew that he could when he was in the County and, admittedly, he would like to save the \$3-4,000.

Powell asked for confirmation that he has already annexed into the City. **Berge** said he personally didn't do it but it was done, but he knows it is not Commercial.

Chair Carter reiterated an earlier comment to a man who testified that until he requests a change in the zoning, it will not happen, and the same would be true in Berge's case, even though he was asking if it could simply be rolled into this process in the Comp Plan changes.

Berge said he understood that the zoning changes occurring now are partly so that everyone doesn't have to pay these fees, which is why he was specifically stating for the record that he would like to be included in this process, and **Chair Carter** said that is one of the advantages of this project.

Berge added that some of the previous Planning Commissioners knew of his situation and he naively thought his situation would automatically be taken care of, and since he hadn't gotten any of the earlier notices, he was just now getting involved. He said he could also understand that it costs money to notice everyone in the city, and he was there to plead his case.

Finally, **Berge** asked what the process is now, since it appears that the course has been set.

Chair Carter said several people have mentioned thus far that they feel that the process has been locked in and that this process has no value, to which she strongly reiterated that is not the case. She said the Commissioners are listening to what the citizens are saying because this is *our* city's Comprehensive Plan. She said we the people who are on the committee, we the people who are on the Planning Commission, and we the people who are the staff of this city do not have all the answers, which is exactly why the public hearing process is in place. She said some of the comments may have value to this particular topic and result in change and some of the comments may have value but may not result in what a particular person is hoping for, but all comments are being heard. However, it is the job of the Planning Commission and the City Commission to try and choose what is in the best interests of the city.

Roberta Hoffard, 1161 Josephine Street, said she is opposed to the changes being proposed in the Comprehensive Plan regarding the changes along South End Road. Some sites have been chosen for Commercial sites and she said that neighborhood association, according to what she was able to glean in the last week, was not aware that some commercial sites were being proposed along South End Road. Therefore, this was a surprise to both the neighbors and the neighborhood association.

She said she is opposed to some of these sites as Commercial sites for the following reasons:

- South End Road is a narrow corridor that comes up the bluff of Oregon City, and is also very windy. She said currently the area is low-density residential and there has been a lot of residential building along South End Road. Now, if we start adding Commercial higher-density, South End Road and the hill itself would not be able to handle the traffic because of the natural barrier of the bluff, which is always sloughing off.
- It is not possible to cut into the bluff to widen the road because of the Rivercrest neighborhood above, and the greenway and Coffee Creek are below. She said perhaps the top could be widened, but there is only one way up because there are no roads that can come in east to west due to the natural bluff.
- There is a lot of wildlife in that area, and the old Canemah area comes along that bluff. There is also an empty fire station at the end of the road, which was the subject of great discussion.
- Several years ago (15-20 years ago) the property across from South End Grocery was Commercial. People at that time gathered signatures to keep it R-10 because they didn't want higher density, understanding that the corridor along the natural bluff wasn't conducive to anything but low-density residential.

In summary, she asked that the Commission give this consideration because there is simply not sufficient ingress/egress to handle high volumes of traffic.

Kathy Hogan, 19721 S. Central Point Road, submitted the minutes from the neighborhood association meeting of Nov. 20, 2003 into the record and said she was speaking on behalf of both the South End and Hazel Grove neighborhoods as well as herself. The minutes stated that they wanted said minutes entered into the public record, and they included the following concerns:

1. Concerns about traffic, schools, and over burden of existing services.
2. Commercial property will increase traffic, goes by two schools, and will produce wear and tear on the streets.

3. Worried about pushing it by sneakily.
4. Traffic increases.
5. Children using road going to school, and Chapin Park will have danger.
6. Concerns about Planning Dept. changing story every time you talk to them.
7. Added truck traffic.
8. Changing in livability in area and over-burden of services.
9. Business trucks cannot come up South End Road hill so they would be travelling on residential Warner-Parrott Road, Central Point, and Parker.
10. No apartment houses or duplexes.
11. Worried about ingress and egress of cars coming in out of a grocery store. South End is natural bluff watershed.
12. Only apartments would be put there—not grocery—and more crime. Road comes with either.
13. Natural bluff and Willamette River.
14. Commercial property on South End Road would detract from downtown.
15. 7th Street area would be better. Should have mass transit in South End area to move people to shopping areas, and would be better on 7th Street because they have transit there.
16. Area is not conducive to business. Should not be competition to business already there. Should put effort into business already there.
17. Concern with shopping densities. Strip malls near apartments would make higher crime rate and loss of the neighborhood feel.
18. Lose security and add traffic noises. Don't want widening of South End or Warner-Parrott. We want to keep our apartment near parks. Neighbors moved here for neighborhood feel. Don't want noise or traffic. Why Commercial district when we have Red Soils and downtown? When County offices are finished on Beavercreek, downtown will be completely business.
19. We need more police, park, and schools. Currently there are no funds for that. Worried that church would sell and we would have a strip mall or apartments.
20. Piece of property next to Fire Dept. is designated as Park. (**Hogan** said she understood that that was once a park so she didn't think businesses could be located there without a vote of the people.)
21. Noise, light pollution, crime, safety, traffic impact, the area, out of the character of the existing neighborhood. South End Market already has a problem of loitering and changed their hours to close at midnight because of theft problems.
22. Would hate to see apartments in residential areas.
23. One neighbor would like 8,000 square foot lots.
24. Warner-Parrott area is wetland area. If the people drive to limited Commercial spots, they would each get in their cars and drive to several different stores, not just one place.

(**Hogan** noted that the secretary that evening had written everyone's comments, whether or not they were repeating prior comments.)

Hogan then referred to page 74 of the proposed Amendments to the Oregon City Municipal Code and read,

“Lesser requirements allowed by Planning Commission: The Planning Commission may permit lesser requirements than those specified in the Parking and Loading requirements above where it can be shown that, owing to special and unusual circumstances relating to a specific piece of property, the enforcement of the above off-street parking and loading instructions could cause undue or unnecessary hardships.”

She asked who would establish the grounds of “lesser requirements”. She said she assumes this is for Commercial and she asked why lesser requirements would be allowed for Commercial that would impact the people within that area, and why staff would be allowed to do less than the requirements.

Chair Carter reiterated the wording, “may permit lesser requirements... where it can be shown that, owing to special and unusual circumstances relating to a specific piece of property, the enforcement of the above off street parking and loading instructions could cause undue or unnecessary hardships.” In other words, a person would have to come before the Planning Commission and convince them that they are suffering some kind of undue or unnecessary hardship.

Hogan said that perhaps it would cause an adverse effect on the ingress and egress on the vehicles in the neighborhood, and **Chair Carter** said that would be part of the considerations for the Planning Commission.

Finally, **Hogan** noted that the minutes didn’t reflect a comment that going down South End Road to Hwy. 99 is not conducive to truck traffic because it is so curvy. In fact, she noted that young people have been killed along that stretch because it is so dangerous. With that said, she said she would hope that Commercial would be taken off the board for this area.

Furthermore, she said Rose Road should all be R-10, not R-6 or R-8, so it is all the same. This would also relieve the water situation in this area, which has been part of the problem.

The document submitted by **Hogan** would be identified in the record as Exhibit B.

L.K. Oly Olson, 19788 S. Impala Lane (just off South End Road), said regarding the land use proposals, Policy 2.1.2 indicates a need to reduce reliance on the private automobile, 2.1.3 emphasizes shared parking and landscaping, and policy 2.5.4 proposes to develop small retail centers in residential neighborhoods. He said the idea of having a central area dates back to pioneer days where it was a place for gathering and for shopping. Everything that was needed was available in the town or at least provided by the town. He said Oregon City, as he understands it, is proposing to use the same concept in developing these small retail centers. In reality, he said, this will only cause an increase in the reliance of personal automobiles because if there are a number of community centers throughout, they won’t be able to provide for all the needs at each one so people will have to drive from mini-center to mini-center, which will actually increase the amount of traffic. Also, the trucks needed to provide the materials to these mini-centers will need to use the roads, thus increasing congestion.

He said he thinks the right approach, in order to reduce the use of the automobile, is to build larger centers, which has proven to be effective across the nation. A large mall will provide nearly everything the people want, it will reduce the need to drive from mini-center to mini-center, and if people are offered a centralized parking area, they are more prone to walk from store to store rather than drive.

Another advantage to larger shopping areas is that delivery trucks will only have to go to a central delivery point rather than having to go from mini-mall to mini-mall, which the roads cannot handle. A large truck can drop off one load at one store rather than many small drop-offs at several mini-malls. This would decrease congestion, decrease the fill requirements, and take less time.

The consequence of having more traffic on the roads also means we would have to improve not only one road, but every road to the many centers.

He said the people have chosen to live in the outside areas, befitting their life styles. In the case of South End Road, he said there are almost exclusively residential areas of various sizes. He agreed with prior testimony that having a commercial area at the first curve would be disruptive and that South End Road will not be able to tolerate that kind of traffic. If we put in a number of mini-centers, as being proposed, and the traffic has to use South End Road, this would require a significant amount of improvement. By imposing these unwanted zone changes with the mini-centers, he said, he thinks it will destroy the neighborhood concept that the neighbors have chosen to live in. Thus, he would suggest an additional study of this area.

Joyce Carmella, 18750 Lassen Court, said they moved to this address in May from a very busy road, and specifically they moved because of the traffic, so she said the Commission could imagine how they feel about the proposed changes to South End Road. She said a neighbor tried to attend the last Planning Commission hearing but were turned away at the door. Since then, she attended a neighborhood association meeting to find out more about the issues, and since then she and 29 others have signed. She read from the petition,

“Opposed to Commercial Development Land Use Zoning Change on South End Road. We the undersigned are opposed to the proposed change in land use zoning on South End Road. We support retaining single-family residential units and R-10 zoning to maintain the livability of our neighborhood. We are very concerned about the proposed changes, the increased traffic, safety concerns, noise and light pollution, and the loss of our neighborhood community.”

Cook noted that this petition would be entered into the record as Exhibit E.

Ralph Kiefer, 15119 Oyer Drive, identified himself as chair of the Park Place Neighborhood Association Land Use Committee and said he was representing the neighborhood association. He said their Land Use Committee wrote a letter to the Planning Commission on Oct. 28th in which they requested that all areas near Livesay Road between Holcomb Blvd. and Redland Road that are designated for higher uses in the proposed Comprehensive Plan be designated as Low-Density Residential at this time. The committee acted on behalf of the neighborhood association because of the timing of the deadlines.

At the Park Place neighborhood general meeting of Nov. 17th, those who attended voted 35:0 to endorse this letter from the Land Use Committee, and a copy of that letter (dated Nov. 21st) should already be in the record. Unfortunately, they omitted stating the date of the meeting, which was Nov. 17th.

He said their reason is as follows: The Park Place neighborhood has begun the process of planning a neighborhood plan for the Park Place neighborhood. He explained that currently Park Place goes all the way down to the river, including Clackamette Cove, but in their study they would plan to include all of the proposed UGB areas that might conceivably be annexed into the city, which would include the Holly Lane area and all the area around Holcomb Blvd. So they are proposing to study this in considerable detail with potential funding from the city. By designating these higher use areas as Low-Density Residential at this time, they would have time to make progress on the preparation of their neighborhood plan and to receive input from their Park Place neighbors on the issue.

Ralph Kiefer, 15119 Oyer Drive, then identified himself as the elected secretary of the Oregon City Natural Resources Committee, a seven-person committee, and he noted that he was appointed by the City Commission. He was asked by the committee to present testimony on their behalf, thus the reason for a separate presentation.

He said the Planning Commission had just received a letter from this committee requesting that they delay approval of the proposed Comprehensive Plan document until this committee has had an opportunity to review, assess, and evaluate their suggested amendments to the Plan.

He said they had their first meeting earlier this month, they have met twice, and their first order of business is to review the recommended additions and revisions of the reasons for the proposed Comprehensive Plan. The first meeting was scheduled for an hour and it ran for three hours. The second meeting was scheduled for two hours and it ran for four hours. They are meeting again Dec. 4th, and they hope to finalize their response at that time as somebody has taken ownership for each of the 13 sections of the Plan.

Based on their progress to date, he anticipated there would be several hundred suggested revisions, additions, and deletions from the committee. They would attempt to compile and edit their recommendations by the next Planning Commission meeting date of Dec. 8th but the logistics of getting all of their additions, revisions, and deletions to the Commission at that time are staggering, so their request would be to postpone presenting those recommendations until the next regularly scheduled meeting after Dec. 8th.

Cook noted that the letter from the Natural Resource Committee is recorded as Exhibit C and the letter from the Park Place Neighborhood Association is Exhibit A.

Kara Birkeland, who works at 419 Main Street (part of the Blue Heron Paper Company), said her comments this evening were to address the proposed redesignation of the Blue Heron paper site from Industrial to MUD. She said they would request to keep their Industrial status. She said they are interested in how the Comp Plan can declare a shortfall in industrial sites when it is purposely trying to eliminate one of them.

She said Blue Heron is an employee owned and operated company since it was purchased in May of 2000. Many of the employees have put in decades of hard work to get the company where it is today. She said many of the employees took wage and benefit cuts in exchange for shares of stock in the company. They believe those will have value that will supplement their retirement. The redesignation of the site will most certainly reduce the value of their stock, and 250 employees in this community would lose a chunk of their retirement income, not to mention possibly their livelihood.

She said this facility has been providing a benefit to this neighborhood for many years, and she asked if they are to see all of this zoned away. Is this fair for those 250 employees?

She said they also feel there may be an error in the intentions of the proposed Comprehensive Plan, which claims it is using the 1999 Oregon City Downtown Community Plan and the 2001 Oregon City Waterfront Master Plan to support its implementation. However, each of these plans specifically excludes the Blue Heron site. She said they request that the Comprehensive Plan eliminate the redesignation of this workplace and restore its future.

Jerry Lord, 419 Main Street (Blue Heron Paper Company), said he has worked at Blue Heron since 1988, explaining that he works for the Technical Department and that he serves on the Board of Directors representing the hourly employees. He said he was here to request that in the final Comprehensive Plan the mill not be redesignated for non-Industrial. The mill is part of the history of this city and it does not seem fair to do this. He said they are competing in a world market and if they fail, he said, let them fail because they can't compete, not because some people think they don't fit into their long-range plans. They currently support 250 full-time employees and their families, all of whom have made a large investment through reductions in wages and other concessions. The mill is not just a job—it is part of their retirement with an investment in an ESOP.

He said when he talked with people at the mill, he had a heavy heart for each one. Many wanted to come this evening and speak but it was felt it would take too much time, so he brought letters—147 to be exact, all of which he requested to be submitted into the record individually. He also noted that about half of the work force were on days off, so he didn't have time to obtain all the letters they might have otherwise.

In summary, he asked on behalf of all the employees that the mill not be redesignated as non-Industrial and that they be allowed to fulfill the dream they started.

Mike Sievers, President of the Blue Heron Paper Company, started by thanking the employee representatives for coming to support the company and to thank the Commission for listening to their situation, asking that they give consideration to this testimony. He then said that they had already talked about who and what they are at the paper mill, so he wanted to elaborate on some of their concerns and thoughts regarding the proposed rezoning. He said he would list the main thoughts first, then elaborate on some of them, and continued as follows:

- They are deeply concerned that the proposed Comprehensive Plan would redesignate this historic mill site for non-industrial use.
- This designation would limit their ability to adapt and evolve the mill over time, as is required for them to stay competitive in the paper business.
- Because of its access to water, this is a unique industrial site that should be maintained for that purpose for the Oregon City economy.
- They are concerned that plans for zoning for any other use will reduce the inventory of industrial sites in the Oregon City area—an area that is already crying for industrial sites, it would seem.
- Because they believe the site is suitable only for industrial uses, they are also concerned that this Plan designation eventually could result in the creation of a derelict, undevelopable site in downtown Oregon City.
- The paper company is a huge recycler, converting old newspapers and magazines and mixed office waste into new news credit, and into bag papers for the fast food industry, all of which are produced at this mill site.
- This site is the only site Blue Heron Paper Company has.
- They sell a rich mix of prominent newspapers and commercial printers throughout the Western U.S. and to many fast food companies.
- In regard to comments about the number of local employees and the types of jobs at the mill, it is important to note that all of the jobs are high-paying, family-wage jobs, providing jobs for a cross-section of educated people, whether they have a high school education or GED, or they are highly educated. These jobs also include a very nice benefits package, and they would be very hard to replace in this community.
- The mill has a very large economic impact on this whole area. Many of the employees live in Oregon City—about 25% live directly in Oregon City and the majority of the rest live in the very near community. The mill has a payroll of about \$12 million, which goes into the local economy, without consideration to the multiplier effects. The mill purchases between \$2 and \$3 million a year in goods and services from the local area, and they spend about \$38 million in the surrounding area within about a 35-mile radius of the mill.
- Through the companies that their employees patronize, they provide a steady flow of business to many Oregon City establishments as well, including restaurants, bakeries, grocery stores, and the local

competition that provides safety glasses. On this basis, he believes the mill is probably one of the most important employees in the city economy.

- Like all manufacturing operations, they must continually evolve their processes and adapt their facilities. This means they must continually invest capital improvements to remain competitive. If this Plan designates the mill site for Mixed Commercial and Residential use, the eventual rezoning to these uses is inevitable, at least in their opinion. Although they understand that the current industrial use will be grandfathered as the existing use, the rezoning would dramatically restrict the mill's ability to modernize and evolve ultimately over time.
- A Plan designation as non-industrial only would indicate to investors that future industrial use will be restricted. This could frustrate their ability to raise the capital necessary for continued growth and competitiveness.
- In short, the Plan designation for Commercial and Industrial use is an eventual death sentence for their operation. The result would obviously have an equally devastating impact on their employees, who have already discussed the impacts. The employees gave up wages and benefits; they've got a stake in the company; and they're looking to convert that back into some kind of financial benefit in their retirement, so to jeopardize the company jeopardizes their retirement.
- The Blue Heron Mill site is prime Industrial property with unique value. The property was originally developed as an industrial site. Its unparalleled access to the water is what makes it unique and valuable today.
- Although also used for a woolen mill, this site has hosted a paper mill for almost its entire history. Oregon City grew up around these industrial uses. The mill has been in the very heart of its entire history, just as that history is an important part of the community today.
- As a result of this long history, the mill has very important water rights for industrial use. These water rights have the oldest priority date of which they are aware on the Willamette River, making that extraordinarily valuable. They also are substantial, which supports the mill's operation and would support another water-dependent industrial use if Blue Heron were to stop operating there. Obtaining water rates for similar flow at another industrial site anywhere in the Portland area would probably be all but impossible.
- In addition to water access, this site has well established infrastructure for industrial uses, including good railroad access, good electrical service, an elaborate wastewater treatment system, and good access to the Interstate for truck traffic.

In short, this is an excellent industrial site that should be considered for nothing less than industrial use.

Sievers said that, although the concerns he had mentioned thus far relate to maintaining the viability of the paper mill, this Plan designation is inconsistent with State-wide goals to preserve existing industrial lands. The State-wide goal specifically sets priority for preserving industrial sites. Not only is the mill property an existing industrial site, it is a very high quality industrial site, with its unique infrastructure for that purpose. The proposal to redesignate this prime industrial use for mixed use is inconsistent with State Goal 9.

Metro's data reports that Oregon City has adequate residential land for forecast improvements, but lacks industrial land to accommodate Metro's job allocations. The proposed Plan designation for the paper mill site would have the effect of increasing the hypothetical need for industrial-zoned land.

This same Comprehensive Plan uses an alleged shortfall of industrial-zoned land to justify expansion of the Urban Growth area to include new properties to be Industrial-zoned. Therefore, the proposed plan is internally

inconsistent by redesignating prime industrial land to other uses while at the same time expanding the UGB in an effort to find adequate industrial land.

Rather than zoning out of existence the mill and its contribution to Oregon City's economy, they would urge the Commission to consider ways to embrace this industrial use and its long heritage as part of the downtown vision.

According to the staff report, the City released the draft Comprehensive Plan on Sept. 11, 2003. To support the extension of the Mixed Use Downtown Plan designation through the Blue Heron Mill site, the Plan indicates that this action implements the 1999 Downtown Community Plan and the 2001 Waterfront Master Plan. However, neither of these plans appears to support this action.

Given the magnitude of the change for the Blue Heron site and the evident lack of any meaningful planning foundation, the community as a whole, and Blue Heron in particular, need additional time to research the planning and policy phases for this change and to consider the magnitude of this recommended change. He said they believe the City committees, including the Natural Resource Committee, have not had ample opportunity to weigh in on this redesignation proposal. For these reasons they believe that State-wide Planning Goal 1 requires that the City go the extra mile to ensure sufficient citizen involvement, and they request that the Planning Commission provide additional time for research, review, and comments concerning the Mixed Use Downtown Plan designation proposal.

Also, **Sievers** said they formally request that the designation of M-2 Heavy Industrial District be retained for the Blue Heron site.

Chair Carter said he had presented some very good information, which she appreciated.

Cook noted that the document Sievers submitted (the hard copy of his testimony) would be entered into the record as Exhibit D, and the previous packet with 100-plus letters would be entered as Exhibit F, # 1-1xx.

Dianna Jensen, 16463 Willamette Valley Drive in the Trail development, said she came here in 1971 from Iowa because she fell in love with this little piece of heaven and the attitude of its people to preserve its beauty. She asked if the Commission had ever had a dream that was worth working for and waiting for to make it come true, and said that the residents of Trail View have all had that dream. A couple of years ago, she and her partner began to search for the perfect house, the perfect neighborhood, and the perfect setting. After two years of searching, they found it in Trail View with its natural beauty, serene atmosphere, and dark skies.

However, the dream began to shatter, first with the deception they feel the Syntax developers gave them in the idea that progress was years away. She said they paid hefty premiums for their beautiful spots, but soon woke up to the crashing sounds of nearby tree removal in preparation for the Ziegler Village. Then she found out from a reporter that the property behind her house was zoned for a mobile home park, which would result in the values of their houses being reduced by 20-25%.

In summary, she asked that the Commission consider those residents at Trail View and consider what they are going to approve into existence. She believes in progress but, she asked, what about preserving the wildlife, the trees, and those natural areas left to enjoy away from the business of life?

Jensen then asked the following questions:

- Have any of the Commissioners ever been to any of these sites that the citizens are talking about? (Yes.)

- Who do the citizens talk to about concerns about what is occurring around their properties? Who does care, and who is there to help them?
- Is there a City ordinance for disclosure from builders regarding what is happening in the various areas?
- Who decides the zoning designations for each property, and what are the citizens' resources for getting these questions answered?
- Are there City ordinances regarding downing forests and/or preserving them?

Chair Carter spoke personally to answer some of her questions, saying that she is equally appalled that trees are just cut randomly to make money because she thinks trees belong to the earth and we can very easily destroy the livability of our environment if we don't take some kind of action to preserve that livability. To that extent, she has several issues that she has been thinking about during her term on the Planning Commission, especially during this review of the Comprehensive Plan, which spur her to become more proactive about certain issues. She said we do have some Planning laws relating to how we do our planning, but personally, she doesn't think some of them are working very well, and tree-cutting example is one of them. She said she has spoken to Mayor Norris and a Commissioner, and it is her desire to have a joint meeting with the County Commissioners, the County Planning Commission, our City Commission, and this Planning Commission to create some policy about how to protect our urban environment and the livability we treasure. We are not just a historic city, she said. We are also a rural environment, which is very important to her to maintain. She reiterated that the purpose of this whole process is to have some better control by having a better Comprehensive Plan based on the input of the citizens, but the issues are much bigger than just reviewing the Comprehensive Plan. That said, she said she is ready to move forward on some of the land use issues and other issues to maintain the livability of Oregon City.

Jensen asked if the Planning Commission is the body that would work with Ziegler regarding his development, and **Sullivan** (the City Attorney) said this property is not in the city so, until it is brought into the city, only the County has jurisdiction over it. In other words, the City cannot regulate anything outside its own city limits. (See State Statute 197.277 passed in 1987.)

He said the timber industry went to the legislature in the 1980's and said that counties cannot stop timber cut on county lands. Therefore, if someone wants to cut trees on timber lands and gets the permit from Forestry, they can do so. However, that is not the case if the land were inside the city. So, he said, there may well have been some economic considerations when the trees were cut that Jensen referred to.

Jensen asked if the properties zoned behind her are not set, and she asked how they would go about getting that changed. Staff said no, and **Sullivan** said she could go to the County Commissioners and ask them to do it. Particularly, he noted, if the land is scheduled to be brought into the city and she is concerned about the future, this is the time to talk about it.

Jensen said another major concern is that when the Oregonian reporter called her, he said that if it was zoned toward the mobile home park, the values of their house properties would go down \$20-25,000. Specifically, she asked if the zoning determination could really affect their properties, and **Chair Carter** said it could, noting that this is one of the issues she thinks needs to be addressed because the city has no control over anything that happens outside the city boundary yet the citizens inside the city limits are looking to the City to help them preserve their quality of life.

Tom Geil, 16470 Trail View Drive, said he hoped the Commissioners had received his letter apologizing for being so agitated at the last meeting. Obviously, he said, the frustrations they have heard from a lot of people just flowed out.

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Jensen said another major concern is that when the Oregonian reporter called her, he said that if it was zoned toward the mobile home park, the values of their house properties would go down \$20-25,000. Specifically, she asked if the zoning determination could really affect their properties, and **Chair Carter** said it could, noting that this is one of the issues she thinks needs to be addressed because the city has no control over anything that happens outside the city boundary yet the citizens inside the city limits are looking to the City to help them preserve their quality of life.

Tom Geil, 16470 Trail View Drive, said he hoped the Commissioners had received his letter apologizing for being so agitated at the last meeting. Obviously, he said, the frustrations they have heard from a lot of people just flowed out.

He said he came this evening to say that he still has concerns that Metro has dictated to the City (and all other cities) what they must do and has told developers that if they purchase land, Metro will help them get it developed. Therefore, people are frustrated that no matter what they might say, it is pretty much a done deal. He said tax dollars are on the line (\$6 million for Park Place Village alone), and that it is only political politeness to hold these Commission meetings because, basically, things are going to proceed anyway. That, he thinks, is the frustration people are feeling because they are not sure whether it will do any good for them to come to meetings and express their thoughts and opinions.

He noted that when he came, he thought he was alone in this frustration but he has heard many people express the same and he was also grateful to hear the Commission state clearly that they really are listening to the people and considering their input before making any final recommendations to the City Commission, and that they really do care about the future of Oregon City.

Chair Carter reiterated that as long as she is on this Commission, she will guarantee that the planning process will include public input in any determinations to be made because the public process is extremely important, both for the trust of the people and for the result of the best and highest interest of our city as a whole.

Geil expressed appreciation for her stance and encouraged citizens to participate in the public process, based on his current understanding of how this body works.

David Porter, End of the Oregon Trail Interpretative Center, 1726 Washington Street, said he was happy to see this work on the Comp Plan being done, even though there is work yet to be done. He said in reviewing the Plan he first listed those things he really liked, including recognition of open spaces, illusion to the historic sites and landmarks in the City, references integrating the transportation system with public facilities, specific acknowledgment of recreational facilities and places like the Oregon Trail Interpretative Center, recognition of tourism in the Economic Development section, and other things. He said those things are great strengths to carry the city forward but they have been missing as tools and as reference points in prior planning.

The one area which surprised him was the zoning around the new Amtrak station and the interpretative center. He said about three years all of the property owners in the area, in anticipation of this process, said they would like the area to be rezoned as Tourist Commercial (which was a proposed zone at that time). However, the Comp Plan as proposed identifies this area as Mixed Use Downtown (MUD). He said there are many allowed uses in MUD which would be very appropriate but there are many allowable uses listed which are not tourism-based and which would not encourage the kind of development the local property owners are trying to work toward in this area. So, while he felt very good about the general terms, he was somewhat surprised that there wasn't a more direct, stronger reference to the development of Tourist Commercial.

He said when he looked at the MUD criteria, he noted a couple of things. For example, there are minimum height limits for buildings above 1,000 square feet in the MUD, which would probably affect the interpretative center's ability to build other interpretative facilities on their site because they likely would develop facilities that were above 1,000 square feet but not necessarily appropriately built out to the 28-foot height limit.

Similarly, there are interpretative things that have been discussed that would be constrained by having a MUD zoning for that area. In particular, they have discussed a recreation of a mid-nineteenth century farm development with working oxen. There is a reference to allowance of stable activity in the MUD but, at least the way he reads it, it would be very hard to do the interpretative plan of activity they have been discussing with these constraints.

Porter said if they are really serious about encouraging tourism as an economic development tool, he would urge the Commission to be consistent and follow through with zoning that encourages development that supports that tourism base in the Comp Plan because they already have this area that really has a strong base and several anchor facilities, in which much has been invested.

Karen Montoya, 137 Deer Road Drive, South End Neighborhood Association Chair, said there were about 35 people in attendance at a recent meeting, all of whom were against any kind of commercial use or apartments to be placed within that neighborhood association area. In fact, one of the families said they had recently heard of some of things being planned and was told that his neighbors wanted to have stores closer to them, although she didn't think when people were asked via surveys or other methods that they realized this would mean they would be located "in their back door."

Montoya said she has lived in the area for six years, during which she has met and talked with over 100 neighbors, and no one has expressed interest in having a store or other commercial businesses that close to this neighborhood. All preferred to keep it in the area where it is currently. Furthermore, they preferred that any new apartments be built next to existing apartments for better land use.

She said there is also a transportation issue, noting that Oregon City is already struggling with transportation problems brought on by Tri-Met, for which there needs to be some improvement. If more Commercial or more apartments were to be located in this area, she said she isn't sure Tri-Met could meet the demand, particularly since they don't seem interested in serving low-population areas.

Regarding the water issue, she said most of the streets in the area still have open pits—they are not culverted in.

Another transportation issue is that if commercial or apartment development were to occur, not only would the amount of traffic increase, but there would be more left-hand and right-hand turns through traffic on South End Road, Warner-Parrott, and the various side streets, which would only create more bottleneck situations.

Elizabeth Bracer-Lindsay, 21341 S. Ferguson Road, Beavercreek, Oregon, identified herself as the speaker for the Beavercreek Community Planning Organization and CPO. She said as of their monthly CPO meeting in October, the Beavercreek CPO had not received any kind of information from Oregon City concerning the proposed amendments to the Comprehensive Plan.

She said the lands to the south of Oregon City are the Beavercreek community, and the lands to the east, which include the proposal for the industrial sites, have been assigned to the Beavercreek CPO by the County, which recognizes their CPO as speaking for those areas.

She extended an invitation to the City staff and the Commissions, when making plans that about the Beavercreek area or the lands in the area that are represented by the Beavercreek CPO, to please open communications directly with them because they would like to know of those plans and they would like to provide input in order to work together for ideas that would be mutually beneficial. Therefore, she said they would like to get copies of the what is happening and they would like to have representatives attend their CPO meetings. They would also like to represent the citizens within their CPO boundaries.

Since they didn't receive any notice to the last meeting, they didn't have an opportunity to prepare an official response but, based on their past opinions on different issues, she said she expected that their community would probably be most concerned about negative impacts on the transportation infrastructure and about rezoning of the golf course since it is the front door to their community.

Ron Saunders, 15211 S. Taggart Road (an Oregon City address but outside the city), said last year he had the opportunity to attend several open houses which was great because he was able to give input about his property and learn about the city's plans for future land uses, which helped him formulate some plans. He submitted a document (accepted into the record by Cook as Exhibit G) summarizing his comments.

He said he has three acres of land at the intersection of Molalla Avenue and Trails End Highway across from Clackamas Community College that is currently zoned FU-10 and classified Industrial and Low-Density Residential. The city has proposed that the Comprehensive Plan designation be changed to Commercial, to which he agrees.

He said he would ask the Commission to change the underlying zoning to Commercial because FU-10 is not a City zone. Rather, it is kind of a holding zone whereby the property is held as FU-10 until it is brought into the city and rezoned. It is then generally rezoned to a zone that is in conformance with the Comprehensive Plan. Since the proposed Comp Plan designation is recommended to be Commercial, he would ask that the FU-10 and the Industrial both be changed to Commercial, and the Single-Family Residential as well since it would not make sense to leave it as residential in the midst of industrial.

With no more public testimony this evening, **Chair Carter** said she and Drentlaw had discussed that the next appropriate action might be to close the public hearing but leave the record open to accept further written comment to a date specific (to be determined) to allow other neighborhood associations or the environmental group or others to make additional written comment. After that date certain, no more written materials would be accepted in order that staff could prepare a packet and distribute it to the Commission to give them time to work on it. Because there are so many issues, the Planning Commission wanted to have a work session in order to sit down with staff and discuss these many issues. She said there is simply too much to accurately or honestly deliberate everything without having some time to discuss everything in a work session first. The other Commissioners concurred with those comments.

Drentlaw said there is a regular Planning Commission meeting scheduled for Monday, Jan. 12, 2004 and the next one after that would be Jan. 26, 2004. If the record were to be closed on Dec. 10th, that would give staff enough time to compile the information for the Commissioners to review. He suggested holding the work session on Jan. 12th for formal deliberations on Jan. 26th.

Mengelberg asked if closing the record on Dec. 10th was too soon for neighborhood associations to meet and submit their comments, but **Chair Carter** said if they want to participate, they need to get together and not just put this off until whenever they might next conveniently meet. This is on the table now, they have come forth to give their testimony, and if there is any additional testimony that is pertinent and not already heard, it needs to be submitted quickly for consideration. However, it seems as though most of the issues have already been heard and at this point there doesn't seem to be much new information. Therefore, she thought two additional weeks for submitting pertinent new information should be sufficient in order to keep the process moving to get the new and much-needed Comp Plan in place. For instance, she said all development that is occurring or is currently being reviewed is occurring under the old rules, which is not necessarily resulting in the development that we need or want.

When asked if there would be any reason why they couldn't have another public meeting that was simply dedicated to the deliberations but with no further public input, **Chair Carter** said every additional meeting requires more staff time, more expense, and involves a lack of budget for extra notifications to those in the county, for instance, who live in these outlying county areas. Because of the 120-day planning rules, we can't just table items indefinitely that are currently on the docket, so then we would have to call for an additional meeting because this item is so time-consuming.

Powell moved to close the oral portion of the public hearing this evening, close the written portion of the public hearing on Dec. 10th, hold a work session (open) on Jan. 12th, and plan for an opportunity to deliberate on Jan. 26th. **Lajoie** seconded the motion, and it passed unanimously, although **Orzen** noted that she could not be in attendance on Jan. 12th.

Sullivan clarified that the work session and the meeting for deliberations are public meetings, so everyone is invited to attend to hear what is discussed. However, there would be no public input at those meetings.

In response to a question about submitting written comments, **Chair Carter** said the City has an e-mail address for those who choose to submit them in that way.

When asked where the meetings would be held, staff said the meeting on Jan. 12th would likely be held in the City Commission chambers (at City Hall). **Chair Carter** noted that when there is a large attendance, that has its drawbacks, yet there are also logistical drawbacks to moving the meeting elsewhere, such as this evening. **Powell** said he would prefer that the work session be held at City Hall if possible because staff would have access to all of their materials to answer questions. Regarding deliberations, depending on what else is on the agenda, he said that meeting could perhaps be moved to a larger site. **Chair Carter** concurred with **Powell's** reasons for holding the work session at City Hall and declared that to be the site for the Jan. 12th meeting.

Chair Carter then officially closed the verbal public hearing for the Comprehensive Plan this evening, noting that written materials could be submitted until the close of business Dec. 10th, after which no further comments would be received. A work session will be held on Jan. 12th at City Hall, and deliberations and hopefully a recommendation to the City Commission will be done on Jan. 26th.

Sullivan added that the City Commission process is an entirely different hearing process at which the public will again have the opportunity to participate. **Chair Carter** said she hopes that this Commission has listened sufficiently to make a good recommendation to the City Commission so that the public is quite satisfied, and **Powell** reiterated that the City Commission makes the final decision.

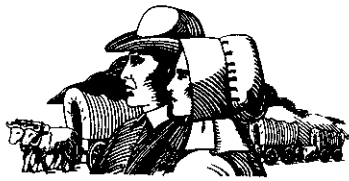
When asked if the City Commission can change the recommendations submitted by the Planning Commission, he was told yes.

5. ADJOURN PUBLIC HEARING

With no other business at hand, the meeting was adjourned.

Linda Carter, Planning Commission
Chairperson

Sean Cook, Associate Planner



CITY OF OREGON CITY

INCORPORATED 1844

Community Development Department
Planning Division

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TO: Planning Commission

FROM: Tony Konkol, Associate Planner

DATE: January 20, 2004

RE: Legislative File L 03-01: Comprehensive Plan Update and Zoning Code Amendments

Dear Commissioners:

The packet for the January 26, 2004 Planning Commission meeting includes the amended Comprehensive Plan Map and Zoning Map based on the January 12, 2004 Planning Commission work session and the proposed Zoning Code. The Comprehensive Plan language has not been amended since the original document, dated November 3, 2003, was presented at the November 10, 2003 Planning Commission Hearing, thus it has not been included in this mailing. Any amendments to the Comprehensive Plan or other documents that are based on the Planning Commission work session scheduled for January 21, 2004 will be presented at the hearing.

The amended Zoning Code – Version 6, has been included. There have been minor changes throughout the document addressing spelling and grammatical errors and providing consistency of amended code sections throughout the entire code. In addition to minor changes throughout the document, changes have been made to the Mixed Use Commercial, Mixed Use Employment, and Mixed Use Downtown chapters, reduction of setbacks in the R-3.5 and R-2 zones, updating of tables to reflect new zoning and comprehensive plan designations, and a new chapter, Master Plan, has been added. Staff will be presenting the new Master Plan language at the hearing.

The minutes of the November 10th and November 24th Planning Commission Hearings and the most recent proposed Comprehensive Map, Zoning Map, Comprehensive Plan, and Amended Zoning Code are available at City Hall, the Oregon City Library, and on the Oregon City web site.

“Preserving Our Past, Building Our Future”

Amendments to the Oregon City Municipal Code

City of Oregon City **Planning Division**

Dan Drentlaw – Community Development Director

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The Planning Division is committed to providing equal access to information and hearings. For equal access to information, call the Planning Division at (503) 657-0891.

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Chapter 12.04 – Streets and Sidewalks Generally

12.04.010 Construction specifications--Improved streets.

All sidewalks hereafter constructed in the city on improved streets shall be constructed ~~of concrete and shall not be less than six feet in width except in residential areas which shall not be less than four and one-half feet in width, and shall be located abutting the property line, unless upon a special permit granted by the city engineer to city standards and widths required in the Oregon City Transportation~~ System plan. The curb shall be constructed at the same time as the construction of the sidewalk and shall be located as provided in the ordinance authorizing the improvement of said street next preceding unless otherwise ordered by the city commission. Both sidewalks and curbs are to be constructed according to plans and specifications provided by the city engineer. (Prior code §9-1-1)

12.04.031 Liability for Sidewalk Injuries

- (1) The owner or occupant of real property responsible for maintaining the adjacent sidewalk shall be liable to any person injured because of negligence of such owner or occupant in failing to maintain the sidewalk in good condition.**
- (2) If the City is required to pay damages for an injury to persons or property caused by the failure of a person to perform the duty, which this ordinance imposes, the person shall compensate the City for the amount of the damages paid. The City may maintain an action in a court of competent jurisdiction to enforce this section.**

12.04.032 Required Sidewalk Repair

- (1) When the Public Works Director determines that repair of a sidewalk is necessary he or she shall issue a notice to the owner of property adjacent to the sidewalk.**
- (2) The notice shall require the owner of the property adjacent to the defective sidewalk to complete the repair of the sidewalk within 90 days after the service of notice. The notice shall also state that if the repair is not made by the owner, the City may do the work and the cost of the work will be assessed against the property adjacent to the sidewalk.**
- (3) The Public Works Director shall cause a copy of the notice to be served personally upon the owner of the property adjacent to the defective sidewalk, or the notice may be served by registered or certified mail, return receipt requested. If after diligent search the owner is not discovered, the Public Works Director shall cause a copy of the notice to be posted in a conspicuous place on the property, and such posting shall have the same effect as service of notice by mail or by personal service upon the owner of the property.**
- (4) The person serving the notice shall file with the City Recorder a statement stating the time, place and manner of service or notice.**

12.04.033 City May Do Work

If repair of the sidewalk is not completed within 90 days after the service of notice, the Public Works Director shall carry out the needed work on the sidewalk. Upon completion of the work, the Public Works Director shall submit an itemized statement of the cost of the work to the Finance Director. The City may, at its discretion, construct, repair or maintain sidewalks deemed to be in disrepair by the Public Works Director for the health, safety and general welfare of the residents of the City.

12.04.034 Assessment of Costs

Upon receipt of the report, the Finance Director shall assess the cost of the sidewalk work against the property adjacent to the sidewalk. The assessment shall be a lien against the property and may be collected in the same manner as is provided for in the collection of street improvement assessment.

Chapter 12.08 – Community Forests and Street Trees

12.08.020 Street tree planting requirements.

All new construction or major redevelopment shall provide street *trees* adjacent to all street frontage. Species of *trees* shall be selected based upon vision clearance requirements, but shall in all cases be selected from the Oregon City street tree list. If a setback sidewalk has already been constructed or the engineering manager determines that the forthcoming street design shall include a setback sidewalk, then all street *trees* shall be installed with a planting strip. If existing street design includes a curbside sidewalk, then all street *trees* shall be placed within the front yard setback, exclusive of any utility easement.

- A. ~~Street trees shall be planted a maximum of forty feet on center for the length of the lot frontage, as practicable. The planning manager may permit tighter spacing of trees if the lot frontage is constrained by driveway locations or other obstructions.~~ **One street tree shall be planted for every thirty-five feet of property frontage. The tree spacing shall be evenly distributed throughout the total development frontage. The Community Development Director may approve an alternative street tree plan if site constraints prevent meeting the placement of one street tree per thirty-five feet of property frontage.**
- B. The following dimensional standards shall be maintained when planting *trees*:
 - 1. ~~Twenty-five~~**Fifteen** feet from street lights;
 - 2. Five feet from fire hydrants;
 - 3. ~~Twenty~~ feet from stop signs;
 - 4. ~~Twenty-five~~ **Twenty** feet from intersections;
 - 5. ~~No less than three feet in tree lawn widths (landscape areas) from curbs or curb lines and sidewalks. The tree committee may grant alternatives to this standard in areas where less than three feet is available for planting;~~
 - 6. A minimum of five feet (at mature height) below power lines.
- C. All *trees* shall be a minimum of two inches in caliper at six inches above the root crown and installed to city specifications.
- D. All *trees* shall be pruned tight to the trunk at ~~between eight and ten feet to a height that ensure~~**provides adequate clearance for street cleaning equipment and ensures ADA compliant adequate clearance for pedestrians, and street cleaning equipment.** ~~The tree committee may grant exceptions to this requirement if the cost of such trees is prohibitive or if the supply of trees grafted in this manner is limited or not available. (Ord. 01-1010 (part), 2001)~~

12.08.042 Public tree removal.

Existing street trees shall be retained and protected during construction unless removal is specified as part of a land use approval or in conjunction with a public facilities construction project, as approved by the ~~planning manager~~ **Community Development Director**. ~~Except for a~~ **diseased or hazardous street trees, as determined by a registered arborist and verified by the city, any tree that is removed may be removed and shall be replaced with one 2" caliper tree measured 6 inches above the root crown that is with a of a similar caliper tree and tree species, unless the species is not included on the street tree list in, which case, the tree shall be replaced with a species from the street tree list. A non-diseased, non-hazardous street tree that is removed shall be replaced with ½ the required replacement trees found in Table 16.12.310-1 (Fractions shall be rounded to the nearest whole number). All new street trees will have a minimum two-inch caliper trunk measured six inches above the root crown. If it is not practical to replace trees removed with like caliper trees, then the total sum of the newly planted trees shall equal the sum of removed tree caliper. The planning manager** **Community Development Director** may approve off-site installation of replacement trees where necessary due to planting constraints. (Ord. 01-1010 (part), 2001)

Chapter 12.12 – Utility Wires and Poles

12.12.040 Erection restrictions.

All poles for the purpose set forth in this chapter shall be of cedar and not less than forty feet long; provided, that in the residence portion of the city the engineer in his discretion may designate a shorter length but not less than thirty-five feet and shall not vary more than six inches from the perpendicular; the poles shall be cleared of all bark and dressed or shaved smooth, and otherwise present a neat appearance; and shall have two coats of paint when put up, and shall be repainted once in every two years thereafter a dark green color. No wires or cables shall be stretched or suspended on any pole less than twenty-eight feet above the ground or established grade of the street. (Prior code §9-9-4)

Chapter 12.24 – Pedestrian/Bicycle Access

12.24.010 Purpose.

Pedestrian/bicycle accessways are intended to provide direct, safe and convenient connections ~~within and from new subdivisions and planned developments to~~ between residential areas, retail and office areas, institutional facilities, industrial parks, transit streets, ~~and~~ neighborhood activity centers, and transit orientated developments where public street connections for automobiles, bicycles and pedestrians are unavailable. Pedestrian/bicycle accessways should only be used in areas where public street options are unavailable, impractical or inappropriate. (Ord. 94-1034 §1(part), 1994)

12.24.020 Definitions.

As used in this chapter:

"Accessway" or "pedestrian/bicycle accessway" means any off-street path or way which is intended for the primary use of pedestrians and bicyclists and which provides direct routes ~~within and from new subdivisions and planned developments to~~ between residential areas, retail store and office areas, institutional facilities, industrial parks, transit streets, ~~and~~ neighborhood activity centers, and transit orientated developments where such routes are not otherwise provided by the street system. Off-street bicycle paths in excess of four hundred feet in length are not considered accessways and are not subject to the requirements of this chapter.

12.24.040 Development standards.

- A. Entry points shall align wherever practical with pedestrian crossing points along adjacent streets and with adjacent street intersections.
- B. ~~Accessways shall not exceed four hundred feet in length between streets.~~ Accessways shall be free of horizontal obstructions and have a nine-foot, six-inch high vertical clearance to accommodate bicyclists. To safely accommodate both pedestrians and bicycles, accessway right-of-way widths shall be as follows:
 1. ~~For a~~ Accessways under two hundred feet in length, shall have a fifteen-foot wide right-of-way with a centered ~~tenseven-foot~~ wide paved surface and two four-foot planter strips.
 2. ~~For accessways two hundred to four hundred feet in length, a twenty-foot wide right-of-way with a centered ten-foot wide paved surface.~~
 3. If an accessway also provides secondary fire access or a public utility corridor, the right-of-way width shall be at least twenty-three feet wide with a centered fifteen-foot wide paved surface and two four-foot planter strips.
- C. Accessways shall be direct with at least one end point of the accessway always visible from any point along the accessway. On-street parking shall be prohibited within fifteen feet of the intersection of the accessway with public streets to preserve safe sight distance and promote safety.
- D. To enhance pedestrian and bicycle safety, accessways shall be lighted with pedestrian-scale lighting. Accessway lighting shall be to a minimum level of ~~three~~ 0.5 footcandles, a 1.5 foot-candle average, and a maximum to minimum ratio of 7:1 and shall be oriented not to shine upon adjacent ~~residence~~ properties. Street lighting shall be provided at both entrances and may also be required at intermediate points along the accessway as necessary for safety as determined by the review authority. Lamps shall include a high pressure sodium bulb with an unbreakable lens.
- E. Wherever practicable, accessways shall have a maximum slope of five percent and avoid the use of stairways.
- F. The planter strips on either side of the ~~A~~ accessways shall be fenced and screened ~~landscaped~~ along adjacent property ~~in residential areas by:~~

1. ~~A vegetation screen at least forty-eight inches high with an additional four-foot high evergreen vegetation screen; or~~ **An evergreen hedge screen of thirty to forty-two inches high or shrubs spaced no more than four feet apart on average; and**
 2. ~~A minimum five-foot high chain link fence with a row of three to four-foot high evergreen shrubs or climbers planted along the fence; or~~ **Ground cover covering one hundred percent of the exposed ground. No bark mulch shall be allowed except under the canopy of shrubs and within two feet of the base of trees; and**
 3. ~~If there is an existing fence on private property adjacent to the accessway, a four-foot high evergreen vegetative screen; Two-inch minimum caliper trees shall be planted on both sides of the accessway in an alternating pattern and with a maximum of twenty feet of separation between the tree on the opposite side of the path in order to increase the tree canopy over the accessway.~~
 4. ~~In satisfying the requirements of this section, evergreen plant materials that grow over four feet~~ **forty-two inches in height shall be avoided. All plant materials shall be selected from a list of suitable plant materials which the city shall maintain;**
 5. ~~The review authority may waive the requirement for vegetative screening upon demonstration that a vegetative screen is not practicable.~~
- G. Accessways shall be designed to prohibit **unauthorized** motorized traffic. Curbs, ~~and removable, lockable posts and bollards~~ are suggested mechanisms to achieve this.
- H. Accessway surfaces shall be paved with all weather materials as approved by the city. **Pervious materials are encouraged.** Accessway surfaces shall be designed to drain stormwater runoff to the side or sides of the accessway. Minimum cross slope shall be two percent. ~~Unpaved portions of the accessway, excluding gravel shoulders, shall be planted in an evergreen ground cover. Where the right-of-way is twenty feet or more, a row of approved two-inch minimum caliper trees, of medium size not to exceed twenty-five feet in height at maturity, shall be planted at twenty-foot spacings on one side of the path.~~
- I. In parks, greenways or other natural resource areas, accessways may be approved with a five-foot wide gravel path with wooden, brick or concrete edgings. (Ord. 94-1034 §1(part), 1994)
- J. The Community Development Director may approve an alternative accessway design due to existing site constraints.

12.24.060 Ownership, liability and maintenance of accessways.

To insure that all pedestrian/bicycle accessways will be adequately maintained over time, the hearings body shall require one of the following:

- A. That the accessways be dedicated to the public as public right-of-way prior to the final approval of the development; or
- B. That the developer incorporate the accessway into a ~~recorded easement or tract~~ which specifically requires the ~~property owner and future property owners~~ to provide for the ownership, liability and maintenance of the accessway. (Ord. 94-1034 §1(part), 1994)

Chapter 16.04 – General Provisions and Administration of Land Divisions**16.04.010 Purpose.**

This title is enacted in compliance with ORS 92.010 through 92.160 to establish procedures and standards for partitioning and subdividing land within the city. These regulations, along with the requirements of the city's underlying zoning, provide the dimensional requirements for building lots, street locations, street designs, rights-of-way, locational requirements for houses on residential lots, the provision of adequate open space for recreation and community facilities, and the basic requirements for the installation of public utilities, all with the aim of achieving:

Chapter 16.08 – Subdivisions: Process and Standards**16.08.040 Preliminary subdivision plat--Required plans.**

The preliminary subdivision plat shall specifically and clearly show the following features and information on the maps, drawings, application form or attachments. All maps and site drawings shall be at a minimum scale of one inch to fifty feet.

- A. Site Plan. A detailed site development plan showing the location and dimensions of lots, streets, pedestrian ways, transit stops, common areas, building envelopes and setbacks, all existing and proposed utilities and improvements including sanitary sewer, stormwater and water facilities, total impervious surface created (including streets, sidewalks, etc.) and an indication of existing and proposed land uses for the site. A subdivision connectivity analysis prepared by a transportation engineer licensed by the State of Oregon which describes the existing and future vehicular, bicycle and pedestrian connections between the proposed subdivision and existing or planned land uses on adjacent properties. The subdivision connectivity analysis shall include shadow plats of adjacent properties demonstrating how lot and street patterns within the proposed subdivision will extend to and/or from such adjacent properties and can be developed meeting the existing Oregon City Municipal Code design standards.

Chapter 16.12 – Minimum Improvements and Design Standards for Subdivisions

16.12.010 Purpose and general provisions.

All land divisions shall be in conformance with the policies and design standards established by this chapter, the **Oregon City Comprehensive Plan and ancillary documents**, and with applicable standards in the city's public facility master plan and city design standards and specifications. In reviewing applications for land division, the ~~decision-maker~~ **City Engineer** shall take into consideration any approved land divisions and the remaining development potential of adjacent properties. All street, water, sanitary sewer, storm drainage and utility plans associated ~~with~~ any land division must be reviewed and approved by the city engineer prior to construction. All streets, driveways or storm drainage connections to another jurisdiction's facility or right-of-way must be reviewed by the appropriate jurisdiction as a condition of the preliminary plat and when required by law or intergovernmental agreement shall be approved by the appropriate jurisdiction. (Ord. 98-1007 §1(part), 1998)

16.12.030 Street design--Minimum right-of-way.

- A. Unless otherwise required by the ~~decision-maker~~ **City Engineer**, all accessways and private access driveways shall comply with the following ~~Street Design s~~Standards identified in the **Oregon City Transportation System Plan**. An alley will have a minimum right-of-way of 20 feet and a pavement width of 16 feet.

Table 16.12.030 STREET DESIGN STANDARDS		
Type of Street	Minimum Right-of-Way Width	Required Pavement Width
Major arterial	80 to 100 feet	58 to 74 feet
Minor arterial	60 to 80 feet	34 to 66 feet
Collector street	60 to 70 feet	34 to 50 feet
Local street	40 to 50 feet	32 to 34 feet
Alley	20 feet	16 feet
Private street	None	20 feet

16.12.050 Street design--Alignment.

As far as is practicable, streets other than local or constrained streets shall be aligned with existing streets by continuation of the center lines. For local streets, staggered street alignment resulting in "T" intersections shall, wherever practicable, leave a minimum distance of two hundred feet between the center lines of streets having approximately the same direction and, in no case, shall be less than one hundred feet. The minimum distance between streets intersecting a collector or arterial shall be five hundred feet between center lines, unless the decision-maker finds that a lesser distance will not pose a safety hazard. (Ord. 98-1007 §1(part), 1998)

As far as is practicable, streets shall be aligned with existing streets by continuation of the center lines. Unless the City Engineer finds that a lesser distance will not pose a safety hazard, streets shall comply with the Minimum City Street Intersection Spacing Standards identified in the Oregon City Transportation System Plan.

16.12.150 Street design--Pedestrian and bicycle safety.

Where deemed necessary to ensure public safety, reduce traffic hazards and promote the welfare of pedestrians, bicyclists and residents of the subject area, the ~~decision-maker~~ City Engineer may require that local streets be so designed as to discourage their use by non-local automobile traffic. (Ord. 98-1007 §1(part), 1998)

The City Engineer may require Neighborhood Traffic Management Measures, including chicanes, chokers, curb extensions, circles, and other management measures to ensure public safety. The City discourages the use of traffic bumps as a traffic management measure and shall be used only when determined to be necessary by the City Engineer.

16.12.180 Street design--Planter strips.

Where practicable, all development proposed along local streets shall include vegetative planter strips that are four-five feet in width or larger and, located adjacent to the curb. Development proposed along collector or arterial streets may use tree wells located near the curb in lieu of a planter strip, in which case each tree shall have a protected area of at least six feet in diameter to ensure proper root growth. Trees shall be selected and planted in accordance with Chapter 12.08, Street Trees. Individual abutting lot owners shall be legally responsible for maintaining in a healthy and attractive condition all trees and vegetation in the planter strip. If a homeowners' association is created as part of the development, the association may assume the maintenance obligation through a legally binding mechanism, e.g., deed restrictions, maintenance agreement, etc., which shall be reviewed and approved by the city attorney. Failure to properly maintain trees and vegetation in a planter strip shall be a violation of this code and enforceable as a civil infraction. (Ord. 98-1007 §1(part), 1998)

16.12.232 Building Sites – Minimum Density

All subdivision layouts shall achieve at least 80% of the maximum density of the base zone for the net developable area as defined in Section 17.04.

16.12.235 Calculations of Lot Area.

A subdivision in a Single Family Dwelling District may include lots that are up to 10% less than the required minimum lot area of the applicable zoning designation provided the entire subdivision on average meets the minimum site area requirement of the underlying zone. The average lot area is determined by calculating the total site area devoted to dwelling units and dividing that figure by the proposed number of dwelling lots.

Accessory dwelling units are not included in this determination nor are tracts created for non-dwelling unit purposes such as open space, storm water tracts, or accessways.

A lot that was created pursuant to this section, may not be further divided unless the average lot size requirements are still met for the entire subdivision.

When a lot abuts a public alley, an area equal to the length of the alley frontage along the lot times the width of the alley right-of-way measured from the alley centerline may be added to the area of the abutting lot in order to satisfy the lot area requirement for the abutting lot. It may also be used in calculating the average lot area.

16.12.238 Flag Lots

- A. Flag lots shall not be created through the Subdivision process except where an existing dwelling unit on the site is located so that it precludes a land division that meets the minimum lot width and depth standards of the underlying zone.
- B. A joint accessway shall be provided unless the existing dwelling unit is located on the property to prevent a joint accessway. A perpetual reciprocal access easement and maintenance agreement shall be recorded for the joint accessway, in a format acceptable by the city attorney.
- C. The pole shall connect to a public street.
- D. The pole shall be at least 20 feet wide for the entire length.
- E. The pole shall be part of the flag lot and must be under the same ownership as the flag portion of the lot.

16.12.290 Building site--Setbacks and building location.

This standard ensures that lots are configured in a way that development can be oriented toward streets to provide a safe and better environment for pedestrians and bicyclists. Lots located on a neighborhood collector, collector or minor arterial streets shall locate the front yard setback on and orient the front of the primary structure to face the neighborhood collector, collector or minor arterial street. An alternative to the lot orientation, which incorporates landscaping and fencing into the lot and street design, may be approved if it is found to accomplish the objective of this standard by the Community Development Director.

Garage setbacks in residential areas shall be a minimum of twenty feet from the public right-of-way where access is taken, except for alleys. Garages on an alley shall be set back a minimum of five feet in residential areas. Any special building setback lines established in a subdivision or partition shall be shown on the preliminary and final plats or guaranteed through deed restrictions or easements. (Ord. 98-1007 §1(part), 1998)

16.12.310 Building site--Protection of trees.

Site planning, including the siting of structures, roadways and utility easements, shall provide for the protection of tree resources. All trees with a diameter six inches or greater measured four feet from the ground shall be preserved wherever practicable outside the building area, which is defined as right-of-way, public utility easements, and within the building setbacks of each lot. Where the decision-maker Community Development Director determines it is impracticable or unsafe to preserve these trees, the applicant may be allowed to remove the trees so long as they are replaced in accordance with an approved landscape plan that includes new plantings of at least two inches in caliper measured six inches above the root crown and the plan must meet, at a minimum, the requirements of Table 16.12.310-1.

Table 16.12.310-1 Tree Replacement Requirements	
Size of tree removed (inches in diameter at the 4-foot height)	Number of Trees to be planted.
6 to 12	3 trees
13 to 18	5 trees
19 to 24	8 trees
25 to 30	10 trees
31 and over	15 trees

Where the ~~decision-maker~~**Community Development Director** finds this requirement would cause an undue hardship, the requirement may be modified in a manner which the ~~decision-maker~~**Community Development Director** finds will reasonably satisfy the objectives of this section. The ~~decision-maker~~**Community Development Director** may impose conditions to avoid disturbance to tree roots from grading activities and to protect trees and other significant vegetation identified for retention from harm. Such conditions may include, if necessary, the advisory expertise of a qualified consulting arborist or horticulturist both during and after site preparation, and a special maintenance/management program to provide protection to the resource as recommended by the arborist or horticulturist. (Ord. 98-1007 §1(part), 1998)

Chapter 16.16 PARTITIONS--PROCESS AND STANDARDS**16.16.010 Purpose and general provisions.**

- A. Partitions shall be processed as a Type II decision by the ~~planning manager~~Community Development Director in the same manner as set forth in Section 16.04.020(A) and the applicable provisions in Chapter 16.12, and Chapter 17.50, and the goals and policies of the city's Comprehensive Plan and ancillary documents. Approval shall be granted only upon determination that all applicable requirements of this title and ORS Chapter 92 have been met.
- B. If a parcel of land to be partitioned will create lots large enough to be divided again, the ~~planning manager~~Community Development Director may require the applicant to supply a hypothetical non-binding plan or "shadow plat" depicting possible future development of the resulting lots. (Ord. 98-1007 §1(part), 1998)
- C. **Lot Size Limitations for Partitions.** A parcel of land or the aggregate of contiguous parcels under the same ownership containing sufficient net buildable area to be subdivided by the minimum lot size requirements of the underlying zone into 4 or more lots shall be subject to the Subdivision procedures and standards specified in Sections 16.08 and 16.12. The calculation of the net buildable area for the parcel or lot to be divided shall be determined by the Community Development Director.
- D. An original parcel may be partitioned once if solely for the purpose of segregating one separate smaller parcel for an existing or proposed single-family house. The original parcel shall be exempt from the Lot Size Limitation for Partitions found in (C) above. The parcel to be created for the single-family house shall not contain sufficient lot area to allow further partitioning under the standards of the applicable existing zone including the use of administrative variances.

16.16.030 Partition application submission requirements.

A partition application shall include five copies of the proposed partition to the ~~planning manager~~Community Development Director on a reproducible material, drawn at a minimum scale of one inch equals one hundred feet with the following information:

- A. A completed application on a form as provided by the planning division;
- B. A boundary survey prepared by an Oregon professional land surveyor;
- C. Legal descriptions of the parent parcel(s) and the resulting parcels to be created;
- D. Copies of proposed deeds for the parcels to be created;
- E. A receipt from the county assessor's office indicating that all taxes for the lot or parcels involved are paid in full for the preceding tax year;
- F. The name and address of the owner and the land surveyor or engineer, if any;
- G. County tax assessment map number(s) of the land to be partitioned;
- H. The map scale and true north point;
- I. Approximate courses and distances of all parts of the partition;
- J. Around the periphery of the proposed partition, the boundary lines and names of adjacent partitions and subdivisions, streets and tract lines of adjacent parcels of property;
- K. The location, width and names of all existing or platted streets, other public ways and easements within the proposed partition, and other important features, such as the general outline and location of permanent buildings, pedestrian/bicycle accessways, watercourses, power lines, telephone lines, railroad lines, gas lines, water lines, municipal boundaries and section lines;
- L. All areas designated as being within the flood management overlay district regulated under Chapter 17.42;
- M. All areas identified as unstable slopes and regulated under Chapter 17.44; and

- N. All water quality resource areas designated and regulated under the water quality resource area overlay district in Chapter 17.49. (Ord. 99-1013 § 7, 1999; Ord. 98-1007 §1(part), 1998)
- O. A connectivity analysis prepared by an architect, engineer, or other appropriate professionals licensed by the State of Oregon which describes the existing and future vehicular, bicycle and pedestrian connections between the proposed partition and existing and planned land uses on adjacent properties. The connectivity analysis shall include shadow plats of adjacent properties showing how lots and connectivity patterns within the proposed partition will extend to and/or from adjacent properties and can be developed meeting the existing Oregon City Municipal Code design standards.

16.16.040 Frontage width requirement.

~~Where a joint accessway is provided pursuant to Section 16.16.050(B), all parcels of land that are created by a partition in a one-family or two-family zoning district shall collectively have a minimum frontage of twenty feet in width, for one or two parcels, or twenty-four feet in width, for three or more parcels, on an existing public, county, state or federal road or street, as approved by the city engineer. For parcels that cannot have a joint access, due to topography, twenty feet of frontage shall be required for each parcel on an existing public, county, state or federal road or street. For parcels of land created by a partition in all other zoning districts other than the R-10, R-8, R-6, and R-3.5 zone, the parcels shall have a minimum of thirty feet of frontage on an existing public, county, state or federal road or street. (Ord. 98-1007 §1(part), 1998) A joint accessway shall be provided unless the configuration, topography, or an existing dwelling unit is located on the property to prevent a joint accessway. No private accessway may serve more than five single-family homes.~~

16.16.050 Accessway requirements Flag Lots – R-10, R-8, R-6, and R-3.5.:

- A. ~~———— A. ———~~ Flag lots may be permitted in Partitions only where the configuration, of topography, or an existing dwelling unit is located on the property so that it ~~of the property would~~ would otherwise preclude the partitioning and development of the property. ~~A perpetual reciprocal access easement and maintenance agreement shall be recorded for the joint accessway, in a format acceptable by the city attorney.~~
- B. A joint accessway shall be provided unless the existing topography of the site or the dwelling unit is located on the property to prevent a joint accessway. A perpetual reciprocal access easement and maintenance agreement shall be recorded for the joint accessway, in a format acceptable by the city attorney. No private accessway may serve more than five single-family homes.
- BC. Accessways shall have a pavement width of at least sixteen feet to service one to two units or twenty feet to service three or more units. No private accessway may serve more than five single-family homes. A fire access corridor shall be provided to all parcels with a minimum width of sixteen feet to service two units or twenty feet to service three or more units as based on the zoning, as approved by the city engineer and fire chief. **A narrower pavement width may be approved by the Building Official and Fire Chief if additional fire suppression devices are provided to assure an adequate level of fire and life safety.** No vehicular obstruction, including trees, fences, landscaping or structures, shall be located within the fire access corridor. (Ord. 98-1007 §1(part), 1998) 1(part), 1998)
- C. ~~A fire access corridor shall be provided to all parcels with a minimum width of sixteen feet to service two units or twenty feet to service three or more units as based on the zoning, as approved by the city engineer and fire chief. No vehicular obstruction, including trees, fences, landscaping or structures, shall be located within the fire access corridor. (Ord. 98-1007 §1(part), 1998) 1(part), 1998)~~
- D. The pole must connect to a public street.

- E. The pole must be at least 8 feet wide for its entire length.
- F. The pole must be part of the flag lot and must be under the same ownership as the flag portion of the lot.

16.16.060 Pavement requirements.

Accessways for lots created through the partitioning process shall satisfy the requirements of Section 16.16.040 and 16.16.050. If the proposed accessway exceeds one hundred fifty feet in length, it shall be paved to a minimum width of twenty feet and, if more than two residences are served, a turnaround for emergency vehicles shall be provided. The turnaround shall be approved by the city engineer and fire chief. Improvements shall comply with Chapter 16.12, Minimum Improvements and Design Standards for Land Divisions. (Ord. 98-1007 §1(part), 1998)

Chapter 17.04 - Definitions

17.04.190 Cul-de-sac.

"Cul-de-sac" means a street not more than three hundred fifty feet in length having one end open to traffic and being terminated by a vehicle turnaround. The cul-de-sac is measured from the edge of the right-of-way of the intersecting street to the edge of the pavement at the end of the cul-de-sac. (Prior code §11-1-6(part))

17.04.205 Development.

"Development" means ~~any short plat, partition, subdivision or planned unit development that is created under the city's land division or zoning regulations. (Ord. 91-1020 §1(part), 1991; prior code §11-1-6(part))~~ any man-made change defined as the construction of buildings or other structures, mining, dredging, paving, filling, grading or site clearing, and grubbing in amounts greater than 10 cubic yards on any lot or excavation.

17.04.390 Net Developable Area

"Net Developable Area" means the area of a parcel of land or the aggregate of contiguous parcels under the same ownership remaining after deducting any portion of the parcel or aggregate of parcels with one or more of the following characteristics:

- a. elevation within the 100-Year Floodplain, as identified on the Federal Emergency Management Agency Flood Insurance Rate Maps;
- b. the area within an underlying Water Resource Overlay District governed by Section 17.49 that has been delineated by a Water Resource determination and decision;
- c. steep slopes exceeding 35%. Applicant may make a request for the Community Development Director to determine whether to make further adjustments for slopes above 25% per Section 17.44.060.H.
- d. open space
- e. public facilities and rights-of-way

17.04.273 Front Façade

The exterior wall/foundation of a building exposed to the front lot line.

17.04.275 Front lot line.

~~For purposes of the solar access regulations,~~ "Front lot line" means a lot line abutting a street. For corner lots, the front lot line is that with the narrowest frontage. When the lot line abutting a street is curved, the front lot line is the chord or straight line connecting the ends of the curve. For a flag lot, the front lot line is the shortest lot line adjoining the pole portion of the lot, excluding the unbuildable portion of the pole (see Figure 1, codified at the end of this title). (Ord. 91-1020 §1(part), 1991; prior code §11-1-6(part))

17.04.382 Multiple family residential units.

A structure located on one tax lot and containing three or more attached dwelling units in any vertical or horizontal arrangement.

17.04.621 Single-family detached residential units.

One dwelling unit, freestanding and structurally separate from other dwelling units or buildings, located on a lot.

17.04.620 Single-family attached residential units.

Two or more dwelling units attached side by side with some structural parts in common at a common property line on separate tax lots.

17.04.345 Lot, Depth.

The perpendicular distance measured from the mid-point of the front lot lines to the mid-point of the opposite, usually rear, lot line.

17.04.373 Lot, Width.

The perpendicular distance measured between the mid-points of the two principal opposite side lot lines and at approximately right angles to the lot depth.

17.04.503 Porch

A roofed open area, which may be screened, attached to or part of and with direct access to or from a building.

17.04.545 Rear Lot Line.

A lot line which is opposite to and more distant from the front lot line. In the case of a corner lot, the Community Development Director shall determine the rear lot line. In the case of an irregular or triangular shaped lot, an imaginary lot line ten feet in length shall be drawn within the lot parallel to and at the maximum distance from the front lot line. A lot line abutting an alley is a rear lot line.

17.06.020 Classification of zoning districts.

For the purpose of this title and to carry out these regulations, the city is divided into districts, known as:

R-10 single-family dwelling district
 R-8 single-family dwelling district
 R-6 single-family dwelling district
~~R-6/MH single-family manufactured home dwelling district~~
~~RD-4 two-family dwelling district~~
 RC-4 McLoughlin conditional residential district
 R-3.5 dwelling district
 R-2 multi-family dwelling district
~~RA-2 multi-family dwelling district~~
 LOC limited office conditional district
 LO limited office district
 NC neighborhood commercial district
 HC historic commercial district
 LC limited commercial district
 C general commercial district
~~CBD central business district~~
~~TC tourist commercial district~~
~~M-1 light industrial district~~
~~M-2 heavy industrial district~~
 GI General Industrial
 CI Campus Industrial
 MUC-1 Mixed Use Corridor
 MUC-2 Mixed Use Corridor
 MUE Mixed Use Employment
 MUD Mixed Use Downtown

17.06.050 Zoning of annexed areas.

All lands within the urban growth boundary of Oregon City have been classified according to the appropriate city land use designation as noted on the comprehensive plan map (as per the city/ county urban growth management area agreement). The planning department shall complete a review of the final zoning classification within sixty days after annexation.

The zoning classification shall reflect the city land use classification as illustrated in Table 17.06.050.

Table 17.06.050
CITY LAND USE CLASSIFICATIONS

Residential Plan Classification	City Zone
Low-density residential	R-10, R-8, R-6
Low-density residential/MD	R-6/MH
Medium-density residential	RD-4 R-3.5
Medium-density residential/MD	RD-4
High-density residential	RA-2

Commercial Plan Classification	City Zone
General commercial	C
Mixed Use Downtown	MUD
Tourist-commercial Mixed Use Corridor	TCMUC I, MUC II, LOC, LO, NC, LC, HC
Limited-commercial Mixed Use Employment	LOC, LO, NC, LCMUE
Mixed Use Downtown	MUD
Industrial Plan Classification	City Zone
Industrial/Campus	M-1, Campus CI, GI
Industrial/Light	M-1
Industrial/Heavy	M-2

17.06.070 Requirements table.

To facilitate public understanding of this title, and for the better administration and convenience of use thereof, the following summary of maximum dwelling units per acre, minimum lot area per dwelling unit, maximum building height, and maximum setback regulations for the various zoning districts is set forth in the following table. For further information, please review the regulations of each individual zoning district. (Ord. 92-1024 §3, 1992; prior code §11-3-1)

OREGON CITY STANDARDS

	Maximum dwelling units per acre (number)	Minimum lot area (square footage)	Maximum height (feet)	Minimum front yard (feet)	Minimum interior side yard (feet)	Minimum corner side yard (feet)	Minimum rear yard (feet)
R-10 Single-Family	4.4	10,000	35	25/20	10/8	20/15	20
R-8 Single-Family	5.5	8,000	35	20/15	9/7	20/15	20
R-6 Single-Family	7.3	6,000	35	20/10	9/5	15	20
R-6 MH Single-Family	6.4	6,800	20	15	7/5	15	10
RC-4 McLoughlin Conditional	10.9	6,000*	35	15	9/5	15	10
RD-4 Two-Family	10.9	SF 6,000 DU 8,000	35	15	9/7	20	15
R-3.5	12.5	SF 3,500 DU 7,000	35	5	9/7 0/9	15	15
RA-2 Multi-Family	19.8/21.8	SF 6,000 DU 8,000 MF 10,000/2,000 per unit	45	15/5	10/9	20/15	Existing 10 New 20
LOC Limited Office Conditional	10.9	*	25	15	10	15	10
LO Limited Office	19.8	*	35	15	10	15	10

NC Neighborhood Commercial	7.3	*	25	15	10	15	10
HC Historic Commercial	7.3	*	25	15	10	10	10
LC Limited Commercial	7.3*	*	35	10	0	10	10
C General Commercial	19.8 21.8	*	35	10	0	10	10
CBD Central Business	19.8	*	75	0	0	0	0
GI _ General Industrial	0	----	40	10	0	10	10
M-1 Light Industrial							
M-2 Heavy Industrial	0	—	75	10	0	10	10

*See district description for further information

Chapter 17.08 - R-10 Single-Family Dwelling District

17.08.020 Permitted uses.

Permitted uses in the R-10 district are:

- A. Single-family dwellings~~detached residential units~~;
- B. Publicly owned parks, playgrounds, playfields and community or neighborhood centers;
- C. Home occupations;
- D. ~~Farms, commercial or truck gardening and horticultural nurseries on a lot not less than twenty thousand square feet in area (commercial buildings are not permitted);~~
- ED. Temporary real estate offices in model homes, located on and limited to sales of real estate on a single piece of platted property upon which new residential buildings are being constructed;
- FE. Accessory uses, and buildings, and dwellings;
- GF. Family day care provider, subject to the provisions of Section 17.54.050;
- H. ~~Site-built manufactured homes. (Ord. 94-1014 §2(part), 1994; Ord. 92-1026 §1(part), 1992; prior code §11-3-2(A))~~

17.08.030 Conditional uses.

The following conditional uses are permitted in this district when authorized by and in accordance with the standards contained in Chapter 17.56:

- A. Golf courses, except ~~midget~~ miniature golf courses, driving ranges or similar commercial enterprises;
- B. Uses listed in Section 17.56.030. (Prior code §11-3-2(B))

17.08.040 Dimensional standards.

Dimensional standards in the R-10 district are:

- A. Minimum lot areas, ten thousand square feet;
- B. Minimum average lot width, ~~seventy-five~~sixty-five feet;
- C. Minimum average lot depth, ~~one hundred~~eighty feet;
- D. Maximum building height, two and one-half stories, not to exceed thirty-five feet;
- E. Minimum required setbacks:
 - 1. Front yard, ~~twenty-five~~ feet minimum depth,
 - 2. Attached and detached garage, twenty feet minimum depth from the public right-of-way where access is taken, except for alleys. Garages on an alley shall be setback a minimum of five feet in residential areas.
 - 23. Interior side yard, ten feet minimum width for at least one side yard; eight feet minimum width for the other side yard,
 - 34. Corner side yard, ~~twenty~~fifteen feet minimum width,
 - 45. Rear yard, twenty feet minimum width,
 - 56. Solar balance point, setback and height standards may be modified subject to the provisions of Section 17.54.070. (Ord. 91-1020 §2(part), 1991; prior code §11-3-2(C))
- F. Garage Standards:
 - 1. The length of the garage wall facing the street may be up to 40% of the length of the street facing building façade, or
 - 2. The garage may be up to 50% of the length of the façade if the garage is recessed a minimum of 5 feet from the longest street facing façade, and,
 - 3. On corner lots, only one street-facing wall must meet the standards in (1) or (2) above, and
 - 4. A garage wall that faces the street may be no closer to the street than the longest street facing wall of the house except as provided in subsections (5) and (6) below.
 - 5. A garage may extend up to 5 feet in front of the longest front façade if:

- a. There is a covered front porch and the garage does not extend beyond the front line of the porch, or
 - b. The garage is part of a two level façade that has a window (minimum 12 square feet, with 4" trim or shutters) on the second level that faces the street.
- 6. Garages may be side-oriented to the front lot line if windows occupy a minimum of 15% of the street-facing wall of the garage.
- 7. Exception. Where the street facing façade of the building is less than 24 feet long, the garage wall facing the street may be up to 12 feet long if there is one of the following:
 - a. interior living area above the garage. The living area must be set back no more than 4 feet from the street facing garage wall; or
 - b. A covered balcony above the garage that is at least the same length as the street facing garage wall, at least 6 feet deep, and accessible from the interior living area of the dwelling unit.

Chapter 17.10 - R-8 Single-Family Dwelling District**17.10.020 Permitted uses.**

Permitted uses in the R-8 district are:

- A. Single-family dwellings detached residential units;
- B. Publicly owned parks, playgrounds, playfields and community or neighborhood centers;
- C. Home occupations;
- D. ~~Farms, commercial or truck gardening and horticultural nurseries on a lot not less than twenty thousand square feet in area (commercial buildings are not permitted);~~
- ED. Temporary real estate offices in model homes, located and limited to sales of real estate on a single piece of platted property upon which new residential buildings are being constructed;
- FE. Accessory uses, and buildings, and dwellings;
- GF. Family day care provider, subject to the provisions of Section 17.54.050;
- H. ~~Site-built manufactured homes. (Ord. 94-1014 §2(part), 1994; Ord. 92-1026 §1(part), 1992; prior code §11-3-3(A))~~

17.10.030 Conditional uses.

The following conditional uses are permitted in this district when authorized by and in accordance with the standards contained in Chapter 17.56:

- A. Golf courses, except ~~midget~~ miniature golf courses, driving ranges or similar commercial enterprises;
- B. Uses listed in Section 17.56.030. (Prior code §11-3-2(B))

17.10.040 Dimensional standards.

Dimensional standards in the R-8 district are:

- A. Minimum lot area, eight thousand square feet;
- B. Minimum average lot width, ~~seventy~~sixty feet;
- C. Minimum average lot depth, ~~one hundred~~seventy-five feet;
- D. Maximum building height, two and one-half stories, not to exceed thirty-five feet;
- E. Minimum required setbacks:
 - 1. Front yard, ~~twenty~~feet-fifteen feet minimum-depth,
 - 2. Attached and detached garage, twenty feet minimum depth from the public right-of-way where access is taken, except for alleys. Garages on an alley shall be setback a minimum of five feet in residential areas.
 - 23. Interior side yard, nine feet minimum for at least one side yard, seven feet minimum for the other side yard,
 - 34. Corner side yard, ~~twenty~~fifteen feet minimum width,
 - 45. Rear yard, twenty feet minimum widthdepth,
 - 56. Solar balance point, setback and height standards may be modified subject to the provisions of Section 17.54.070. (Ord. 92-1030 §1, 1992; Ord. 91-1020 §2(part), 1991; prior code §11-3-3(C))
- F. Garage Standards:
 - 1. The length of the garage wall facing the street may be up to 40% of the length of the street facing building façade, or
 - 2. The garage may be up to 50% of the length of the façade if the garage is recessed a minimum of 5 feet from the longest street facing façade, and,
 - 3. On corner lots, only one street-facing wall must meet the standards in (1) or (2) above, and
 - 4. A garage wall that faces the street may be no closer to the street than the longest street facing wall of the house except as provided in subsections (5) and (6) below.
 - 5. A garage may extend up to 5 feet in front of the longest front façade if:

- a. There is a covered front porch and the garage does not extend beyond the front line of the porch, or
 - b. The garage is part of a two level façade that has a window (minimum 12 square feet, with 4" trim or shutters) on the second level that faces the street.
- 6. Garages may be side-oriented to the front lot line if windows occupy a minimum of 15% of the street-facing wall of the garage.
- 7. Exception. Where the street facing façade of the building is less than 24 feet long, the garage wall facing the street may be up to 12 feet long if there is one of the following:
 - a. Interior living area above the garage. The living area must be set back no more than 4 feet from the street facing garage wall; or
 - b. A covered balcony above the garage that is at least the same length as the street facing garage wall, at least 6 feet deep, and accessible from the interior living area of the dwelling unit.

Chapter 17.12 - R-6 Single-Family Dwelling District

17.12.020 Permitted uses.

Permitted uses in the R-6 district are:

- A. Single-family dwellings ~~detached residential units~~;
- B. Publicly owned parks, playgrounds, playfields and community or neighborhood centers;
- C. Home occupations;
- ~~D. Farms, commercial or truck gardening and horticultural nurseries on a lot not less than twenty thousand square feet in area (commercial buildings are not permitted);~~
- ED. Temporary real estate offices in model homes, located on and limited to sales of real estate on a single piece of platted property upon which new residential buildings are being constructed;
- FE. Accessory uses, and buildings, and dwellings;
- GF. Family day care provider, subject to the provisions of Section 17.54.050;
- H. ~~Site-built manufactured homes. (Ord. 94-1014 §2(part), 1994; Ord. 92-1026 §1(part), 1992; prior code §11-3-4(A))~~

17.12.030 Conditional uses.

The following conditional uses are permitted in this district when authorized by and in accordance with the standards contained in Chapter 17.56:

- A. Golf courses, except ~~midget miniature~~ golf courses, driving ranges or similar commercial enterprises;
- B. Uses listed in Section 17.56.030. (Prior code §11-3-2(B))

17.12.040 Dimensional standards.

Dimensional standards in the R-6 district are:

- A. Minimum lot areas, six thousand square feet;
- B. Minimum average lot width, ~~sixty~~ fifty feet;
- C. Minimum average lot depth, ~~one hundred~~ seventy feet;
- D. Maximum building height, two and one-half stories, not to exceed thirty-five feet;
- E. Minimum required setbacks:
 - 1. Front yard, ~~twenty~~ ten feet minimum width ~~depth~~,
 - 2. Attached and detached garage, twenty feet minimum depth from the public right-of-way where access is taken, except for alleys. Garages on an alley shall be setback a minimum of five feet in residential areas.
 - 23. Interior side yard, nine feet minimum width for at least one side yard; five feet minimum width for the other side yard,
 - 34. Corner side yard, fifteen feet minimum width,
 - 45. Rear yard, twenty feet minimum width ~~depth~~,
 - 56. Solar balance point, setback and height standards may be modified subject to the provisions of Section 17.54.070. (Ord. 91-1020 §2(part), 1991; prior code §11-3-4(C))
- F. Garage Standards:
 - 1. The length of the garage wall facing the street may be up to 40% of the length of the street facing building façade, or
 - 2. The garage may be up to 50% of the length of the façade if the garage is recessed a minimum of 5 feet from the longest street facing façade, and,
 - 3. On corner lots, only one street-facing wall must meet the standards in (1) or (2) above, and
 - 4. A garage wall that faces the street may be no closer to the street than the longest street facing wall of the house except as provided in subsections (5) and (6) below.
 - 5. A garage may extend up to 5 feet in front of the longest front façade if:

- a. There is a covered front porch and the garage does not extend beyond the front line of the porch, or
 - b. The garage is part of a two level façade that has a window (minimum 12 square feet, with 4" trim or shutters) on the second level that faces the street.
- 6. Garages may be side-oriented to the front lot line if windows occupy a minimum of 15% of the street-facing wall of the garage.
- 7. Exception. Where the street facing façade of the building is less than 24 feet long, the garage wall facing the street may be up to 12 feet long if there is one of the following:
 - a. interior living area above the garage. The living area must be set back no more than 4 feet from the street facing garage wall; or
 - b. A covered balcony above the garage that is at least the same length as the street facing garage wall, at least 6 feet deep, and accessible from the interior living area of the dwelling unit.

~~Chapter 17.13 — R-6/MH Single-family Dwelling District~~
THIS SECTION IS DELETED FROM THE CODE

Chapter 17.14 McLoughlin Conditional District

17.14.050 Dimensional standards.

Dimensional standards in the RC-4 district are:

A. Density. Minimum lot area:

1. Single family dwellings, six thousand square feet;
2. Two-family dwellings, eight thousand square feet.

B. ~~Reconstruction~~ **Rebuilding of Damaged Structures** ~~Buildings~~. A building structure containing an existing residential use in excess of this density standard which is substantially damaged by fire, other calamity, act of God, or the public enemy may be ~~reconstructed~~ rebuilt to its original ~~condition~~ density provided that ~~reconstruction~~ rebuilding be started within one year following the damage and reconstruction be completed within eighteen months of the time reconstruction is commenced.

~~Chapter 17.16 RD-4 Two-Family Dwelling District~~
THIS SECTION IS DELETED FROM THE CODE

Chapter 17.16 – R-3.5 Dwelling District

17.16.010 Designated.

This residential district allows single-family **attached and detached residential units**, and two-family dwellings. (Prior code §11-3-6(part))

17.16.020 Permitted uses.

Uses permitted in the ~~RD-4-3.5~~ district are:

- A. Two-family dwellings (duplexes);
- B. Single-family ~~detached residential units~~dwellings;
- C. Single-family attached residential units~~dwellings~~(No more than six dwelling units may be attached in a row);
- D. Publicly owned parks, playgrounds, playfields and community or neighborhood centers;
- E. Home occupations;
- ~~F. Farms, commercial or truck gardening and horticultural nurseries on a lot not less than twenty thousand square feet in area (commercial buildings are not permitted);~~
- GF. Temporary real estate offices in model homes, located on and limited to sales of real estate on a single piece of platted property upon which new residential buildings are being constructed;
- HG. Accessory uses, and buildings, **and dwellings**;
- IH. Family day care provider, subject to the provisions of Section 17.54.050;
- ~~J. Manufactured dwelling parks, if designated MR/MDP, and subject to the provisions of Chapter 17.66;~~
- ~~K. Site-built manufactured homes. (Ord. 99-1027 §2, 1999; Ord. 94-1014 §2(part), 1994; Ord. 92-1024 §5, 1992; prior code §11-3-6(A))~~

17.16.030 Conditional uses.

The following conditional uses are permitted in this district when authorized by and in accordance with the standards contained in Chapter 17.56:

- A. Golf courses, except ~~midget~~ miniature golf courses, driving ranges or similar commercial enterprises;
- B. Uses listed in Section 17.56.030. (Prior code §11-3-6(B))

17.16.040 Dimensional standards.

Dimensional standards in the ~~RD-4-3.5~~ district are:

- A. Minimum Lot Area.
 - ~~1. Two-family dwellings, eight thousand square feet;~~
 - ~~2. Single-family dwellings, six thousand square feet;~~
 - ~~3. Single-family attached dwellings, four thousand square feet;~~
 - 1. Residential uses, three thousand five hundred square feet per unit.**
 - ~~4. Non-residential uses, six thousand square feet zero minimum;~~
- B. Minimum average lot width, ~~sixty~~twenty-five feet, except for single-family attached units, in which case the minimum lot width per lot is forty feet;
- C. Minimum average lot depth, ~~one hundred~~seventy feet;
- D. Maximum building height, two and one-half stories, not to exceed thirty-five feet;
- E. Minimum Required Setbacks.
 - 1. Front yard, ~~fifteen~~five feet minimum depth,
 - 2. Interior side yard,
 - Detached unit, 5 feet minimum depth**
 - Attached unit, -7 feet minimum depth on the side that does not abut a common property line. nine feet width for at least one side yard; seven feet minimum width for the other side, with the minimum nine foot side yard**

applying to single-family attached dwellings on the side that does not abut the common property line;

3. Corner side yard, twentyten-foot minimum width,
4. Rear yard, fifteen-foot minimum depth,
5. Solar balance point, setback and height standards may be modified subject to the provisions of Section 17.54.070. (Ord. 99-1027 §3, 1999; Ord. 91-1020 §2(part), 1991; prior code §11-3-6(C))
6. Attached and detached garages, twenty feet minimum depth from the public right-of-way where access is taken, except for alleys. Garages on an alley shall be setback a minimum of five feet.

F. Garage Standards:

1. The length of the garage wall facing the street may be up to 40% of the length of the street facing building façade, or
2. The garage may be up to 50% of the length of the façade if the garage is recessed a minimum of 5 feet from the longest street facing façade, and,
3. On corner lots, only one street-facing wall must meet the standards in (1) or (2) above, and
4. A garage wall that faces the street may be no closer to the street than the longest street facing wall of the house except as provided in subsections (5) and (6) below.
5. A garage may extend up to 5 feet in front of the longest front façade if:
 - a. There is a covered front porch and the garage does not extend beyond the front line of the porch, or
 - b. The garage is part of a two level façade that has a window (minimum 12 square feet, with 4" trim or shutters) on the second level that faces the street.
6. Garages may be side-oriented to the front lot line if windows occupy a minimum of 15% of the street-facing wall of the garage.
7. Exception. Where the street facing façade of the building is less than 24 feet long, the garage wall facing the street may be up to 12 feet long if there is one of the following:
 - a. Interior living area above the garage. The living area must be set back no more than 4 feet from the street facing garage wall; or
 - b. A covered balcony above the garage that is at least the same length as the street facing garage wall, at least 6 feet deep, and accessible from the interior living area of the dwelling unit.

17.16.050 Lots of record:

An existing lot of record with a minimum lot size of five thousand square feet may only be occupied by a single-family dwelling, providing that yard requirements are met. An existing lot with an area of less than five thousand square feet is subject to variance procedures, pursuant to Chapter 17.60. If the variance is granted, the only permitted use of the lot is a single-family dwelling. (Prior code §11-3-6(D))

17.16.060 Single-family attached dwelling residential units and duplex units.

The following standards apply to single-family dwellings, in addition to the standards in Section 17.16.040.

- A. Maintenance Easement. Prior to building permit approval, the applicant shall submit a recorded mutual easement that runs along the common property line. This easement shall be sufficient to guarantee rights for maintenance purposes of structure and yard, but in no case shall it be less than five feet in width.
- B. Conversion of Existing Duplexes. Any conversion of an existing duplex unit into two single-family attached dwellings shall be reviewed for compliance with the requirements in Section 17.16.040(A)(3), 17.16.040(B) and 17.16.040(E)(2), and the sState of Oregon One and Two

Family Dwelling Specialty Code prior to final recordation of the land division replat. (Ord. 99-1027 §4, 1999)

~~Chapter 17.18 – RA-2 Multi-Family Dwelling District~~
Chapter 17.18 – R-2 Multi-Family Residential District

17.18.010 Designated.

The purpose of this residential district is to allow for single-family **attached residential units**, two-family and multi-family ~~dwelling~~**residential units**. (Prior code §11-3-7(part))

17.18.020 Permitted uses.

Permitted uses in the RA-2 district are:

- A. ~~Multi-family dwellings~~**residential units**;
- B. Two-family dwellings;
- C. ~~Single-family dwellings~~ **attached residential units**;
- D. Publicly owned parks, playgrounds, playfields and community or neighborhood centers;
- E. Home occupations;
- F. ~~Farms, commercial or truck gardening and horticultural nurseries on a lot not less than twenty thousand square feet in area (commercial buildings are not permitted);~~
- GF. Temporary real estate offices in model homes, located on and limited to sales of real estate on a single piece of platted property upon which new residential buildings are being constructed;
- HG. Accessory buildings;
- IH. Family day care provider, subject to the provisions of Section 17.54.050. (Prior code §11-3-7(A)); and
- I. **Management and associated offices and building necessary for the operations of a multi-family residential development.**

17.18.030 Conditional uses.

The following conditional uses are permitted in this district when authorized and in accordance with the standards contained in Chapter 17.56:

- A. Golf courses, except ~~midget~~**miniature** golf courses, driving ranges or similar commercial enterprises;
- B. Uses listed in Section 17.56.030;
- C. Mobile home parks. (Prior code §11-3-7(B))

17.18.040 Dimensional standards.

Dimensional standards in the RA-2 district are:

- A. Minimum lot area:
 - 1. ~~Single-family dwellings, six thousand square feet,~~
 - 2. ~~Two-family dwellings, eight thousand square feet,~~
 - 3. ~~Multi-family dwellings, four thousand square feet minimum for each of the first two units, and two thousand square feet minimum for each additional unit;~~**Residential units, 2,000 square feet per unit.**
 - 4. ~~Nonresidential uses, six thousand square feet~~**zero minimum;**
- B. Minimum average lot width, ~~sixty~~**twenty** feet;
- C. Minimum average lot depth, ~~one hundred~~**seventy** feet;
- D. Maximum building height, ~~three~~**four** stories, not to exceed ~~forty~~**fifty-five** feet;
- E. Minimum required setbacks:
 - 1. Front yard, ~~fifteen~~**five** feet minimum depth (May be reduced to zero through Site Plan and Design Review),
 - 2. ~~Interior~~**Side** yard, **five** feet minimum width
~~ten feet minimum width,~~

3. Corner side yard, twentyten feet minimum width,
 4. Rear yard,
 - a. Residential units prior to adoption of this ordinance, ten feet minimum depth'
 - b. Nonresidential and Multiple family residential units, ten feet minimum depth,
 - c. Single Family attached residential units and duplex development after adoption of this ordinance, twenty feet minimum depth;
 5. Buffer Area. If a multi-family dwellingresidential unit in this district abuts or faces an R-10, R-8, or R-6 or RD-4 zoneuse, there shall be required a landscaped yard of twentyfiveten feet on the side abutting or facing the adjacent zone in order to provide a buffer area and landscaping thereof shall be subject to site plan review.; The Community Development Director may waive any of the foregoing requirements if it is found that the requirement is unnecessary on a case by case basis.
 6. Solar balance point, setback and height standards may be modified subject to the provisions of Section 17.54.070. (Ord. 91-1020 §2(part), 1991; prior code §11-3-7(C))
 7. Attached and detached garages, twenty feet minimum depth from the public right-of-way where access is taken, except for alleys. Garages on an alley shall be setback a minimum of five feet.
- F. Garage Standards:**
1. The length of the garage wall facing the street may be up to 40% of the length of the street facing building façade, or
 2. The garage may be up to 50% of the length of the façade if the garage is recessed a minimum of 5 feet from the longest street facing façade, and,
 3. On corner lots, only one street-facing wall must meet the standards in (1) or (2) above, and
 4. A garage wall that faces the street may be no closer to the street than the longest street facing wall of the house except as provided in subsections (5) and (6) below.
 5. A garage may extend up to 5 feet in front of the longest front façade if:
 - a. There is a covered front porch and the garage does not extend beyond the front line of the porch, or
 - b. The garage is part of a two level façade that has a window (minimum 12 square feet, with 4" trim or shutters) on the second level that faces the street.
 6. Garages may be side-oriented to the front lot line if windows occupy a minimum of 15% of the street-facing wall of the garage.
 7. Exception. Where the street facing façade of the building is less than 24 feet long, the garage wall facing the street may be up to 12 feet long if there is one of the following:
 - a. Interior living area above the garage. The living area must be set back no more than 4 feet from the street facing garage wall; or
 - b. A covered balcony above the garage that is at least the same length as the street facing garage wall, at least 6 feet deep, and accessible from the interior living area of the dwelling unit.

17.18.050 Lots of record.

An existing lot of record with a minimum lot size of five thousand square feet may only be occupied by a single-family dwelling, providing that yard requirements are met. An existing lot with an area of less than five thousand square feet is subject to variance procedures, pursuant to Chapter 17.60. If the variance is granted, the only permitted use of the lot is a single-family dwelling. (Prior code §11-3-7(D))

17.18.060 Single-Family Attached Dwellings

The following standards apply to single-family attached residential units and duplex units.

- A. Maintenance Easement. Prior to building permit approval, the applicant shall submit a recorded mutual easement that runs along the common property line. This easement shall

be sufficient to guarantee rights for maintenance purposes of structure and yard, but in no case shall it be less than five feet in width;

- B. Conversion of Existing Duplexes. Any conversion of an existing duplex unit into two single-family attached residential units shall be reviewed for compliance with the requirements of this Chapter 17.18, and the State of Oregon One and Two Family Dwelling Specialty Code prior to final recordation of the land division replat.

Chapter 17.26 HC HISTORIC COMMERCIAL DISTRICT

The maximum height standard has been raised and additional permitted uses have been added]

17.26.020 Permitted uses.

Permitted uses in the HC district are all historic commercial uses, defined as:

Antique shops
Apparel stores
Art, gallery supplies
Bakery, retail
Book stores
Coffee shops
Craft stores
Delicatessen stores
Drug stores
Florist shops
Gift shops
Grocery, fruit or vegetable stores
Hair salons
Interior decoration, including drapery and upholstery
Jewelry stores
Music stores
Notion or variety stores
Offices
Photography studios
Plant or garden shops
Restaurants
Studios, art, dance, music, photo

Uses, as approved by the Community Development Director, that are consistent with the purpose of the HC zoning district.

Uses permitted in the R-6 single-family dwelling district. (Prior code §11-3-11(A))

17.26.030 Conditional uses.

The following conditional uses and their accessory uses are permitted in this district when authorized by and in accordance with the standards contained in Chapter 17.56:

- ~~A. Uses permitted in the C general commercial district;~~
- ~~B. Uses permitted in the LC limited commercial district;~~
- ~~C. Uses permitted in the LO limited office district;~~
- ~~D. Uses permitted in the NC neighborhood commercial district;~~
- ~~E. Bed and breakfast inns. (Ord. 96-1026 §2, 1996; prior code §11-3-11(B))~~

- A. Uses listed in Section 17.56.030.

17.26.040 Historic building preservation.

Existing historic buildings (defined as primary, secondary or compatible buildings in a National Register Historic district) shall be used for historic commercial or residential use. If, however, the owner can demonstrate to the planning commission that no economically feasible return can be gained for a particular structure, and that such structure cannot be rehabilitated to render such an economic return, the planning commission may grant an exception to the Historic Building Preservation Policy. Such an exception shall be the minimum necessary to allow for an economic return for the land, while preserving the integrity of the Historic Building Preservation Policy in other structures in the area. The planning

commission may condition the grant of any such application to these ends. The planning commission may delay action on such an application subject to consideration by the historic review board as provided in Chapter 17.40. (Prior code §11-3-11(C))

17.26.050 Dimensional standards.

A. Minimum lot area:

1. Residential, five thousand square feet,
2. Nonresidential, minimum not required;

B. Minimum required setbacks:

1. Front yard, fifteen feet minimum depth,
2. Interior side yard, ten feet minimum width,
3. Corner side yard, ten feet minimum width,
4. Rear yard, ten feet minimum depth;

~~C. Maximum building size; two thousand square feet;~~

- DC. Maximum building height, two and one-half stories, not to exceed thirty-five feet for new buildings. (Prior code §11-3-11(D))**
~~one and one-half stories, not to exceed twenty-five feet for new buildings. (Prior code §11-3-11(D))~~

Chapter 17.28- Limited Commercial District**17.28.040 Dimensional standards.**

Dimensional standards in the LC district are:

A. Minimum lot size:

1. Residential, six thousand square feet,
2. Nonresidential, minimum not required;

B. Maximum building height, two and one-half stories, not to exceed thirty-five feet;

C. Minimum required setbacks:

1. Front yard, ten feet minimum depth,
2. Interior side yard, no minimum,
3. Corner side yard, ten feet minimum width,
4. Rear yard, ten feet minimum depth;

~~D. Maximum building size:~~

- ~~1. Six thousand square feet if one story,~~
- ~~2. Four thousand square feet per story if more than one story. (Prior code §11-3-12(C))~~

**THIS IS A NEW CHAPTER TO THE OREGON CITY MUNICIPAL CODE
CHAPTER 17.29“MUC” - MIXED USE CORRIDOR DISTRICT**

SECTIONS

- 17.29.010 Designated**
- 17.29.020 Permitted uses**
- 17.29.030 Conditional uses**
- 17.29.040 Prohibited uses**
- 17.29.050 Dimensional standards, MUC-1**
- 17.29.060 Dimensional standards, MUC-2**
- 17.29.070 Dimensional standards, signage**
- 17.29.080 Explanation of certain standards**

17.29.010 DESIGNATED

The Mixed Use Corridor (MUC) District is designed to apply along selected sections of transportation corridors such as Mollala Avenue, 7th Street and Beavercreek Road, and along Warner-Milne Road. A mix of high-density residential, office, and small-scale retail uses are encouraged in this District. Commercial uses are only allowed in conjunction with mixed-use office and residential developments, except for small stand-alone buildings. Moderate density (MUC-1) and high density (MUC-2) options are available within the MUC zoning district. The area along 7th Street is an example of MUC-1, and the area along Warner-Milne Road is an example of MUC-2.

17.29.020 PERMITTED USES.

Permitted uses in the “MUC” District are defined as:

- A. Banquet, conference facilities and meeting rooms**
- B. Bed and Breakfast, and other small lodging facilities for up to ten guests per night**
- C. Child Care facilities**
- D. Health and fitness clubs**
- E. Medical and Dental Clinics, outpatient; infirmary services**
- F. Museums and Cultural Facilities**
- G. Offices**
- H. Outdoor markets, such as produce stands, craft markets, and farmers markets that are operated on the weekends and after 6pm during the weekday.**
- I. Postal Services**
- J. Publicly owned parks, playgrounds, play fields and community or neighborhood centers**
- K. Repair shops, for radio and television, office equipment, bicycles, electronic equipment, shoes and small appliances and equipment**
- L. Restaurants, eating and drinking establishments without a drive through**

- M. Retail services, including personal, professional, educational and financial services; laundry and dry-cleaning;**
- N. Retail trade, including gift shops, bakeries, delicatessens, florists, pharmacies, specialty stores and any other use permitted in the Neighborhood, Historic or Limited Commercial Districts, provided the maximum footprint for a stand alone building with a single use does not exceed 10,000 square feet.**
- O. Senior Housing, including congregate care, residential care and assisted living facilities; nursing homes and other types of group homes¹**
- P. Studios and galleries, including dance, art, photography, music and other arts**
- Q. Units, single-family detached residential existing prior to adoption of this ordinance**
- R. Units, single-family attached residential and two-family**
- S. Units, multifamily residential**
- T. Utilities – Basic and linear facilities, such as water, sewer, power, telephone, cable, electrical, and natural gas lines, not including major facilities such as sewage and water treatment plants, pump stations, water tanks, telephone exchanges and cell towers.**
- U. Veterinary clinics or pet hospitals, pet day care**

17.29.030 CONDITIONAL USES

The following uses are permitted in this District when authorized and in accordance with the process and standards contained in Chapter 17.56:

- A. Clubs/Lodges**
- B. Car Washes**
- B. Drive-in or drive-through facilities**
- C. Emergency Services**
- D. Museums and Cultural Facilities**
- E. Outdoor markets that do not meet the criteria of Section 17.29.020.H above**
- F. Public utilities and services, including courts, libraries, and general government offices**
- G. Religious Institutions**
- H. Retail trade, including gift shops, bakeries, delicatessens, florists, pharmacies, specialty stores and any other use permitted in the Neighborhood, Historic or**

¹ Residential development where each living unit has its own kitchen with a stove, sink and refrigerator will be treated as apartments, and subject to the density requirements of Section 17.29.050.H.

Limited Commercial Districts that have a footprint for a stand alone building with a single use in excess of 10,000 square feet.

- I. Schools, including trade schools and technical institutes**
- J. Vehicle fuel sales**

17.29.040 PROHIBITED USES

The following uses are prohibited in the MUC District:

- A. Bulk retail or wholesale uses**
- B. Hotels and motels, commercial lodging**
- C. Hospitals**
- D. Indoor and outdoor recreation facilities**
- E. Kennels**
- F. Motor vehicle and heavy equipment service², repair, sales, rental or storage**
- G. Outdoor sales or storage³**
- H. Self-service storage**

17.29.050 DIMENSIONAL STANDARDS, MUC-1

- A. Minimum lot areas: None**
- B. Maximum building height: Whichever is less - 45 feet or 3 stories**
- C. Minimum required setbacks if not abutting a residential zone: None**
- E. Minimum required interior and rear yard setbacks if abutting a residential zone: 20 feet, plus one-foot additional yard setback for every one-foot of building height over 35 feet.**
- F. Maximum allowed setbacks:**
 - 1. Front yard: 5 feet (May be extended with Site Plan and Design Review section 17.62.055)**
 - 2. Interior side yard: None**
 - 3. Corner side yard abutting street: 30 feet provided the Site Plan and Design Review requirements of section 17.62.055 are met**
 - 4. Rear yard: None**
- G. Parking standards. The minimum required off-street vehicular parking standards requirements of Chapter 17.25 may be reduced by 10% for mixed-use transit orientated projects, subject to a determination by the Community Development Director that the project qualifies as a "mixed-use" project**

² Heavy equipment includes but is not limited to construction equipment and machinery and farming equipment

³ Except secured areas for overnight parking or temporary parking of vehicles used in the business

- H. Maximum lot coverage of the building and parking lot: 80%
- I. Minimum required landscaping (including parking lot): 20%.

17.29.060 PERMITTED USES, MUC -2

Those uses allowed in 17.29.020 with the following exception:

- A. Retail Trade, including gift shops, bakeries, delicatessens, florists, pharmacies, specialty stores and any other use permitted in the Neighborhood, Historic or Limited Commercial Districts, provided the maximum footprint for a stand alone building with a single use does not exceed 60,000 square feet.

17.29.070 DIMENSIONAL STANDARDS, MUC-2

- A. Minimum lot area: None
- B. Minimum Floor Area Ratio: 0.35
- C. Minimum building height: 25 feet or 2 stories
- D. Maximum building height: 60 feet
- E. Minimum required setbacks if not abutting a residential zone: None
- F. Minimum required interior and rear yard setbacks if abutting a residential zone: 15 feet, plus one foot additional yard setback for every two feet of building height over 35 feet.
- G. Maximum allowed setbacks
 - 1. Front yard: 5 feet (May be expanded with Site Plan and Design Review section 17.62.055)
 - 2. Interior side yard: None
 - 3. Corner side yard abutting street: 20 feet provided the Site Plan and Design Review requirements of section 17.62.055 are met.
 - 4. Rear yard: None
- H. Parking standards: The minimum required off-street vehicular parking standards of Chapter 17.25 may be reduced by 25% for mixed-use projects, subject to a determination by the Planning Director that the project qualifies as a "mixed-use" project.
- I. Maximum site coverage of building and parking lot: 90%
- J. Minimum landscaping requirement (including parking lot): 10%.

17.29.080 EXPLANATION OF CERTAIN STANDARDS

- A. Floor Area Ratio (FAR)
 - 1. Purpose
Floor area ratios are a tool for regulating the intensity of development. Minimum FARs help to achieve more intensive forms of building development in areas appropriate for larger-scale buildings and higher residential densities.

2. Standards

a. The minimum floor area ratios contained in 17.29.050 and 17.29.060 apply to all non-residential and mixed-use building development, except stand-alone commercial buildings less than 10,000 square feet in floor area.

b. Required minimum FARs shall be calculated on a project-by-project basis and may include multiple contiguous blocks. In mixed-use developments, residential floor space will be included in the calculations of floor area ratio to determine conformance with minimum FARs.

c. An individual phase of a project shall be permitted to develop below the required minimum floor area ratio provided the applicant demonstrates, through covenants applied to the remainder of the site or project or through other binding legal mechanism, that the required density for the project will be achieved at project buildout.

B. Building Height**1. Purpose**

Minimum and maximum building height standards serve several purposes. They promote a compatible building scale and relationship of one structure to another. Building height standards also establish a consistent streetscape.

A minimum 2-story (25') building height is established for the MUC-2 District to ensure that the Zoned MUC-2 will develop with at least two-story buildings.

2. Standards

Minimum and maximum building heights are specified in 17.29.050 and 17.29.060. The minimum building height standard applies generally to new commercial, residential, and mixed-use buildings. The minimum height requirement does not apply to accessory structures, or to buildings with less than 1,000 square feet of floor area.

D. Other standards

See OCMC Chapter 17.62 for additional details on building setbacks, building orientation and primary entrances, and ground floor window requirements.

**THIS IS A NEW CHAPTER TO THE OREGON CITY MUNICIPAL CODE
CHAPTER 17.31 "MUE" -- MIXED USE EMPLOYMENT DISTRICT**

SECTIONS

- 17.31.010 Designated**
- 17.31.020 Permitted uses**
- 17.31.030 Limited uses**
- 17.31.040 Conditional uses**
- 17.31.050 Prohibited uses**
- 17.31.060 Dimensional standards**
- 17.31.070 Explanation of certain standards**

17.31.010 DESIGNATED

The MUE zone is designed for employment-intensive uses such as large offices and research and development complexes. Some commercial uses are allowed, within limits. The County offices and Willamette Falls Hospital are examples of such employment-intensive uses.

17.31.020 PERMITTED USES

Permitted uses in the MUE district are defined as:

- A. Auditoriums, exhibition halls**
- B. Banks, savings, credit union, stocks & mortgages**
- C. Banquet, conference facilities and meeting rooms**
- D. Carpenter shops, wood product manufacturing¹**
- E. Child care facilities**
- F. Clinics, outpatient; infirmary services**
- G. Employment training and business services**
- H. Health and fitness clubs, including tennis courts and swimming pools, but exclusive of spectator sports facilities**
- I. Hotels and motels, commercial lodging**
- J. Hospitals, Medical Centers, and Emergency Service Facilities**
- K. Industrial uses including design, light manufacturing, processing, assembly, packaging, fabrication and treatment of products made from previously prepared or semi-finished materials¹**
- L. Offices**

¹ These uses shall have no or minimal off-site impacts, e.g. noise, glare, odor, and vibration, and all activities shall be conducted wholly within an enclosed building.

- M. Outdoor markets, such as produce stands, craft markets, and farmers markets that are operated on the weekends and after 6pm during the weekday.**
- N. Postal services**
- O. Printing, publishing, bookbinding, graphic or photographic reproduction, blueprinting or photo processing, photo engraving**
- P. Public utilities and services, including courts, libraries, and general government offices**
- Q. Research and development offices and laboratories, related to scientific, educational, electronics, and communications endeavors¹**
- R. Single-family detached residential existing prior to adoption of this ordinance**
- S. Software development**
- T. Transit and passenger rail center & station, exclusive of transit storage areas**
- U. Utilities**

17.31.030 LIMITED USES

The following permitted uses, alone or in combination, shall not exceed 20% of the total gross floor area of all of the other permitted and conditional uses within the MUE development site or complex. The total gross floor area of two or more buildings may be used, even if the buildings are not all on the same parcel or owned by the same property owner, as long as they are part of the same development site, as determined by the Community Development Director.

- A. Art stores, galleries, photography studios and shops**
- B. Bakeries, retail**
- C. Barber shops, beauty shops, other personal services**
- D. Custom dressmaking, tailoring**
- E. Drug stores, pharmacies**
- F. Dry cleaners**
- G. Grocery, fruit or vegetable stores**
- H. Office equipment (sales and service)**
- I. Restaurants, eating and drinking establishments**

¹ These uses shall have no or minimal off-site impacts, e.g. noise, glare, odor, and vibration, and all activities shall be conducted wholly within an enclosed building.

- J. Specialty retail shops, including but not limited to florist, music, gifts, confectionery, books, stationary, hobby, jewelry, bath and kitchen ware, shoes, linen, furniture, hardware, garden supply, appliances and electronics stores, delicatessens, provided the maximum footprint for a stand alone building with a single use does not exceed 60,000 square feet.**
- K. Trade schools and technical and professional institutes, business schools, job training, vocational rehabilitation, exclusive of elementary, secondary, and full curricula colleges and universities.**

17.31.040 CONDITIONAL USES

The following conditional uses are permitted when authorized and in accordance with the process and standards contained in Chapter 17.56.

- A. Ambulance services**
- B. Building materials, sales and supplies (as described in OCMC 17.31.080(A), and not including outdoor storage or outdoor display and sales of building materials**
- C. Correctional, detention and work release facilities**
- D. Drive-in or drive-through facilities for banks, restaurants, pharmacies, and other commercial uses**
- F. Museums and cultural institutions**
- G. Outdoor markets that do not meet the criteria of Section 17.31.020.M above**
- F. Private clubs and lodges**
- G. Public facilities, such as sewage treatment plants, water towers, pumps stations, recycling and resource recovery centers**
- H. Veterinary or pet hospital, dog daycare**
- I. Schools - elementary, secondary, and full curricula colleges and universities**

17.31.050 PROHIBITED USES

The following uses are prohibited in the MUE district:

- A. Bulk fuel dealerships and storage yards, including card locks**
- B. Concrete mixing and sale**
- C. Contractors equipment yard**
- D. Distributing, wholesaling and warehousing**
- E. Draying, trucking and automobile freighting yard**
- F. Entertainment centers and facilities, outdoor**

- G. Foundry casting lightweight non-ferrous metals
- H. Ice or cold storage plant
- I. Junk yards, salvage yards, wrecking yards, storage yards and recycling centers
- J. Kennels
- K. Machinery, equipment or implement sales, service or rental relating to farming and construction (heavy equipment)
- L. Motor vehicle, travel trailer, recreation vehicle, motorcycle, truck, manufactured home, and boat sales, leasing, rental or storage
- M. Recreational vehicle (RV) parks, including sites established or maintained for travel trailers, truck campers, camping trailers, and self-propelled motor homes
- N. Religious institutions, such as churches, mosques and synagogues
- O. Self-storage facilities
- P. Storage yard for contractor's equipment, transit vehicles, and related vehicle or equipment maintenance activities
- Q. Warehouse/freight movement
- R. Wholesale and bulk sales

17.31.060 DIMENSIONAL STANDARDS

- A. Minimum lot areas: None
- B. Minimum Floor Area Ratio (as described as 17.31.080(B): 0.35
- C. Minimum building height: None
- D. Maximum building height: except as otherwise provided in subsection D(1) of this section building height shall not exceed sixty feet.
 - 1. In that area bounded by Leland Road, Warner Milne Road and Molalla Avenue, and located in this zoning district, the maximum building height shall not exceed eighty-five feet in height.
- E. Minimum required setbacks: No side or rear yard setbacks are required, except that a 50-foot setback shall be required wherever the MUE zone directly abuts any type of commercial or residential zone
- F. Maximum allowed setbacks: No maximum limit provided the Site Plan and Design Review requirements of Section 17.62.055 are met. Development of a campus with an approved Master Plan in the MUE zone is exempt from Section

17.62.055.D.1 of Site Plan and Design Review. All other standards are applicable.

- G. Maximum site coverage of the building and parking lot: 80%**
- H. Minimum landscape requirement (including the parking lot): 20%**
The design and development of the landscaping in this district shall:
 - 1. Enhance the appearance of the site internally and from a distance;**
 - 2. Include street trees and street side landscaping;**
 - 3. Provide an integrated open space and pedestrian way system within the development with appropriate connections to surrounding properties;**
 - 4. Include, as appropriate, a bikeway walkway or jogging trail;**
 - 5. Provide buffering or transitions between uses;**
 - 6. Encourage outdoor eating areas appropriate to serve all the uses within the development;**
 - 7. Encourage outdoor recreation areas appropriate to serve all the uses within the development.**

**THIS IS A NEW CHAPTER TO THE OREGON CITY MUNICIPAL CODE
CHAPTER 17.34 "MUD" -- MIXED USE DOWNTOWN DISTRICT**

SECTIONS

- 17.34.010 Designated**
- 17.34.020 Permitted uses**
- 17.34.030 Conditional uses**
- 17.34.040 Prohibited uses**
- 17.34.050 Pre-existing industrial uses**
- 17.34.060 Dimensional standards, except for within overlay area**
- 17.34.070 Dimensional standards, historic downtown overlay area**
- 17.34.080 Dimensional standards, signs**
- 17.34.090 Explanation of certain standards**

17.34.010 DESIGNATED

The Mixed-Use Downtown (MUD) District is designed to apply within the traditional downtown core along Main Street, and includes the "north-end" area, generally between 5th Street and Abernethy Street, and some of the area bordering McLoughlin Boulevard. A mix of high-density residential, office and retail uses are encouraged in this District, with primarily retail and service uses on the ground floor, and primarily office and residential uses on the upper floors. The emphasis is on those uses that encourage pedestrian and transit use. This District includes an overlay design sub-district for the historic downtown area. The design standards for this sub-district require a continuous storefront façade featuring streetscape amenities to enhance the active and attractive pedestrian environment.

17.34.020 PERMITTED USES

Permitted uses in the "MUD" District are defined as:

- A. Any use permitted in the Neighborhood, Historic, Limited or General Commercial zone districts, unless otherwise restricted in Sections 17.34.030 or 17.34.040**
- B. Banquet, conference facilities and meeting rooms**
- C. Child care facilities**
- D. Clubs/lodges**
- E. Residential Units, single-family detached residential existing prior to adoption of this ordinance**
- F. Residential Units, single-family and two-family attached**
- G. Residential Units, multi-family**
- H. Heath and fitness clubs**
- I. Hotel and motel, commercial lodging**
- J. Indoor recreational facilities, including theaters**
- K. Marinas**

- L. Medical and dental clinics, outpatient; infirmary services**
- M. Museums and cultural facilities**
- M. Offices**
- N. Outdoor markets, such as produce stands, craft markets, and farmers markets that are operated on the weekends and after 6pm during the weekday.**
- O. Postal services**
- P. Publicly owned parks, play fields and community or neighborhood centers**
- Q. Religious institutions**
- R. Repair shops, for office equipment, bicycles, electronic equipment, shoes and small appliances**
- S. Restaurants, eating and drinking establishments**
- T. Retail services, including professional, educational and financial services; laundry and dry-cleaning**
- U. Retail trade, including grocery, hardware, and gift shops, bakeries, delicatessens, florists, pharmacies, specialty stores provided the maximum footprint of a free standing building with a single use does not exceed 60,000 square feet.**
- V. Senior housing, including congregate care, residential care and assisted living, nursing homes and other types of group homes**
- W. Studios and galleries, including dance, art, photography, music and other arts**
- X. Utilities**

17.34.030 CONDITIONAL USES

The following uses are permitted in this District when authorized and in accordance with the process and standards contained in Chapter 17.56.

- A. Car washes**
- B. Drive-in or drive-through facilities**
- C. Emergency services**
- D. Hospitals**
- E. Motor vehicle service, repair, sales, rental or storage**
- F. Outdoor markets that do not meet the criteria of Section 17.34.020.N above**

- G. Outdoor recreational facilities
- H. Repairs shop for small engines, such as lawnmowers, leaf blowers and construction-related equipment
- I. Retail trade, including grocery, hardware, and gift shops, bakeries, delicatessens, florists, pharmacies, and specialty stores in a free standing building exceeding a foot print of 60,000 square feet
- J. Bulk retail and wholesale uses
- K. Public utilities and services, including courts, libraries, and general government offices

17.34.040 PROHIBITED USES

The following uses are prohibited in the MUD District

- A. Kennels
- B. Outdoor storage and sales, not including outdoor markets allowed in Section 17.34.030
- C. Self-service storage
- D. Public facilities, such as sewage and water treatment plants, water towers, pump stations, and recycling and resource recovery centers

17.34.050 PRE-EXISTING INDUSTRIAL USES

Tax Lots 100 and 200 located on Clackamas County Tax Assessors Map #22E30DD and Tax Lot 700 located on Clackamas County Tax Assessors Map #22E29CB have special provisions for Industrial Uses. These properties can maintain and expand their Industrial Uses on existing tax lots. New construction and substantial exterior alterations on these tax lots are subject to the Downtown Community Plan Design Standards located in OCMC 17.62.100. A change in use is allowed as long as there is no greater impact on the area than the existing use.

17.34.060 DIMENSIONAL STANDARDS, EXCEPT FOR WITHIN HISTORICAL OVERLAY AREA

- A. Minimum lot area: None
- B. Minimum Floor Area Ratio for stand-alone office, commercial buildings or mixed-use buildings with a residential component: 0.35
- C. Minimum building height: 25 feet or 2 stories
- D. Maximum building height: 75 feet, except for the following locations where the maximum building height shall be 45 feet:
 - 1. Properties between Main Street and McLoughlin Boulevard and 11th and 16th streets;
 - 2. Property within 500 feet of the End of the Oregon Trail Center property; and
 - 3. Property within 100 feet of single-family detached or detached units.

- E. Minimum required setbacks, if not abutting a residential zone: None**
- F. Minimum required interior side yard and rear yard setback if abutting a residential zone: 15 feet, plus one additional foot in yard setback for every two feet in height over 35 feet.**
- G. Maximum allowed setbacks:**
 - 1. Front yard: 20 feet provided the Site Plan and Design Review requirements of section 17.62.055 are met**
 - 2. Interior side yard: No maximum**
 - 3. Corner side yard abutting street: 20 feet provided the Site Plan and Design Review requirements of section 17.62.055 are met**
 - 4. Rear yard: No maximum**
 - 5. Rear yard abutting street: 20 provided the Site Plan and Design Review requirements of section 17.62.055 are met**
- H. Parking standards: The minimum required off-street vehicular parking standards of Chapter 17.52 may be reduced by 25% for mixed-use projects subject to a determination by the Community Development Director that the project qualifies as a "mixed-use" project.**
- I. Maximum site coverage including the building and parking lot: 90%**
- J. Minimum landscape requirement (including parking lot): 10%.**

17.34.070 DIMENSIONAL STANDARDS, HISTORIC AREA OVERLAY

- A. Minimum lot area: None**
- B. Minimum Floor Area Ratio for stand-alone office or commercial buildings or mixed-use buildings with a residential component: 0.5**
- C. Minimum building height: 25 feet or 2 stories**
- D. Maximum building height: 58 feet**
- E. Minimum required setbacks, if not abutting a residential zone: None**
- F. Minimum required interior and rear yard setback if abutting a residential zone: 20 feet, plus one foot additional yard setback for every three feet in building height over 35 feet.**
- G. Maximum allowed setbacks:**
 - 1. Front yard: 10 feet provided the Site Plan and Design Review requirements of section 17.62.055 are met**
 - 2. Interior side yard: No maximum**
 - 3. Corner side yard abutting street: 10 feet provided the Site Plan and Design Review requirements of section 17.62.055 are met**
 - 4. Rear yard: No maximum**
 - 5. Rear yard abutting street: 10 feet provided the Site Plan and Design Review requirements of section 17.62.055 are met**

- H. **Parking standards:** The minimum off-street vehicular parking requirements of Chapter 17.52 may be reduced by 50%. Off-street, vehicular parking requirements may be waived by the Community Development Director if the property is within a parking management district.
- I. **Maximum site coverage of the building and parking lot:** 100%
- J. **Minimum landscape requirement:** Development within the Historic Overlay District is exempt from required landscaping standards in 17.62.050(A)(1). However, landscaping features or other amenities are required, which may be in the form of planters, hanging baskets, and architectural features such as benches and water fountains that are supportive of the pedestrian environment. Where possible, landscaped areas are encouraged to facilitate continuity of landscape design. Street trees and parking lot trees are required.

17.34.080 EXPLANATION OF CERTAIN STANDARDS

- A. **Floor Area Ratio (FAR)**
 - 1. **Purpose**

Floor area ratios are a tool for regulating the intensity of development. Minimum FARs help to achieve more intensive forms of building development in areas appropriate for larger-scale buildings and higher residential densities.
 - 2. **Standards**
 - a. The minimum floor area ratios contained in 17.34.050 and 17.34.060 apply to all non-residential and mixed-use building developments.
 - b. Required minimum FARs shall be calculated on a project-by-project basis and may include multiple contiguous blocks. In mixed-use developments, residential floor space will be included in the calculations of floor area ratio to determine conformance with minimum FARs.
 - c. An individual phase of a project shall be permitted to develop below the required minimum floor area ratio provided the applicant demonstrates, through covenants applied to the remainder of the site or project or through other binding legal mechanism, that the required density for the project will be achieved at project buildout.
- B. **Building Height**
 - 1. **Purpose**

Minimum and maximum building height standards serve several purposes. They promote a compatible building scale and relationship of one structure to another. Building height standards also establish a consistent streetscape.

The Masonic Hall is currently the tallest building in downtown Oregon City, with a height of 58 feet measured from Main Street. The maximum building height limit of 58 feet will ensure that no new building will be taller than the Masonic Hall.

A minimum 2-story (25') building height is established for the Historic Downtown Overlay sub-district to ensure that the traditional building scale for the downtown area is maintained.

2. Standards

Minimum and maximum building heights are specified in 17.34.050, 17.34.060 and 17.34.070. The minimum building height standard applies generally to new commercial, residential, and mixed-use buildings. The minimum height requirement does not apply to accessory structures, or to buildings with less than 1,000 square feet of floor area.

C. Setbacks

1. Purpose

Building setbacks work with standards for building height and floor area ratios to ensure placement of buildings in a way that creates an attractive streetscape and pleasant pedestrian experience. These regulations also ensure compatibility of building orientation, leading to a consistent street character.

2. Standards

- a. Minimum and maximum building setbacks are specified in 17.34.050, 17.34.060 and 17.34.070.**

D Other Standards

See OCMC Chapter 17.62 for additional details on building setbacks, building orientation and primary entrances, and ground floor window requirements.

~~Chapter 17.36 M-1 LIGHT INDUSTRIAL DISTRICT~~**Chapter 17.36 GI – GENERAL INDUSTRIAL****THIS SECTION COMBINES THE EXISTING M-1 Light Industrial and M-2 Heavy Industrial Zones****17.36.010 Designated.**

The ~~light~~**General Industrial** district is designed to allow ~~low-impact~~ uses relating to manufacturing, processing and distribution of goods. **The uses permitted on the General Industrial Lands are intended to protect existing Industrial and Employment Lands to improve the region's economic climate and protect the supply of sites for employment by limiting new and expanded retail commercial uses to those appropriate in type and size to serve the needs of businesses, employees, and residents of the Industrial areas. (Prior code §11-3-15(part))**

17.36.020 Permitted uses--Within buildings.

A. In the ~~M-1~~**GI** district, the following uses are permitted if enclosed within a building:

- Carpenter shop and wood product manufacture, excluding planing mill and lumber mill
- Commercial or industrial laundry
- Distributing, wholesaling and warehousing, excluding explosives and substances which cause an undue hazard to the public health, welfare and safety
- Electroplating, machine or welding shop
- Foundry casting lightweight nonferrous metals
- Frozen food lockers
- Ice or cold storage plant
- Photo engraving
- Veterinary or pet hospital, kennel or hatchery
- Necessary dwellings for caretakers and watchmen (all other residential uses are prohibited).
- Retail sales and services, including eating establishments for employees (I.E. a café or sandwich shop), located in a single building or in multiple buildings that are part of the same development shall be limited to a maximum of 20,000 square feet or 5% of the building square footage, whichever is less, and the retail sales and services shall not occupy more than 10 percent of the net developable portion of all contiguous Industrial Lands.**

B. The following uses may occupy a building or yard space other than required setbacks and such occupied yard space shall be enclosed by a sight-obscuring wall or fence of sturdy construction and uniform color or an evergreen hedge not less than six feet in height located outside the required yard; further provided, that such wall or fence shall not be used for advertising purposes:

Storage facilities**Concrete mixing and sales**

- Contractor's equipment yard
- Drying, trucking and automobile freighting yard
- Retail feed or fuel yard
- Retail lumber yard and building material yard, excluding concrete mixing
- Small boat yard for the building or repair of boats not exceeding sixty-five feet in length. (Ord. 00-1003 §9, 2000: prior code §11-3-15(A)(1), (2))

17.36.030 Conditional uses.

The following conditional uses are permitted in this district when authorized and in accordance with the standards contained in Chapter 17.56:

~~Concrete mixing and sales~~

Public recycle drop/receiving center
Public recycle warehouse
Railroad terminal and railroad freighting facilities
Solid waste transfer facility

Solid waste processing facility

Plants or facilities engaged in resource recovery as defined in Section 8.20.020

Industrial uses, defined as all uses not permitted or conditional in the GI – General

Industrial zone provided that such uses do not present an undue hazard to the public health, welfare and safety.

Uses listed in Section 17.56.030

(Ord. 93-1022 §§1(part), 2, 1993; prior code §11-3-15(B))

17.36.035 Prohibited uses

Wrecking yards

17.36.040 Dimensional standards.

Dimensional standards in the ~~M-IGI~~ district are:

- A. Minimum lot area, minimum not required;
- B. Maximum building height, three stories, not to exceed forty feet;
- C. Minimum required setbacks:
 1. Front yard, ten feet minimum depth,
 2. Interior side yard, no minimum width,
 3. Corner side yard, ten feet minimum width,
 4. Rear yard, ten feet minimum depth;
- D. Buffer Zone. If a use in this zone abuts or faces a residential or commercial ~~zoneuse~~, a yard of at least twenty-five feet shall be required on the side abutting or facing the adjacent residential ~~zoneuse and commercial uses~~ in order to provide a buffer area, and **sight obscuring** landscaping thereof shall be subject to site plan review. **The Community Development Director may waive any of the foregoing requirements if he/she determines that the requirement is unnecessary in the particular case.** (Ord. 93-1022 §1(part), 1993; prior code §11-3-15(C))

Chapter 17.37 (CI) CAMPUS INDUSTRIAL DISTRICT

17.37.010 Designated.

The campus industrial district allows a mix of clean, employee-intensive industries, and offices with associated services. **These areas provide jobs that strengthen and diversify the economy. The uses permitted on Campus Industrial Lands are intended to improve the region's economic climate and to protect the supply of sites for employment by limiting incompatible uses within Industrial and Employment Areas and promoting industrial uses, uses accessory to industrial uses, offices for industrial research and development and large corporate headquarters.**

17.37.020 Permitted uses.

The following uses may occupy up to one hundred percent of the total floor area of the development, unless otherwise described:

- A. Experimental, film or testing laboratories;
- B. Industries which manufacture from, or otherwise process, previously prepared materials;
- C. Printing, publishing, bookbinding, graphic or photographic reproduction, blueprinting or photo processing;
- D. Trade schools including technical, professional, vocational, and business schools
- E. Corporate or government headquarters or regional offices with fifty or more employees.
- F. Computer component assembly plants
- ~~G. Veterinary or pet hospital, kennel or hatchery~~
- ~~H. Recreational indoor racing wholly conducted within an enclosed structure.~~
- ~~I. Distribution warehouse~~
- ~~J. Postal Distribution Center~~
- G. Information and Data processing centers
- H. Software and Hardware development
- I. Engineering, architectural and surveying services
- J. Non-commercial, educational, scientific and research organizations
- K. Research and development activities
- L. Industrial and professional equipment and supply stores, which may include service and repair of the same
- M. Retail sales and services, including eating establishments for employees (I.E. a café or sandwich shop), located in a single building or in multiple buildings that are part of the same development shall be limited to a maximum of 20,000 square feet or 5% of the building square footage, whichever is less, and the retail sales and services shall not occupy more than 10% of the net developable portion of all contiguous Industrial Lands.
- N. Financial, insurance, real estate, or other professional offices necessary to a permitted industrial use.

17.37.030 Conditional uses.

The following conditional uses may be established in a campus industrial district subject to review and action on the specific proposal, pursuant to the criteria and review procedures in Chapters 17.50 and 17.56:

- ~~A. Uses permitted in Section 17.36.020(A) Distribution or warehousing~~
- ~~B. Offices, except corporate or government headquarters or regional offices allowed under Section 17.37.020 above may occupy up to seventy percent of the total floor area of the development.~~
- EB. Financial institutions, as an accessory use to a permitted use located in the same building as the permitted use and limited to ten percent of the total floor area of the

development. Financial institutions shall primarily serve the needs of businesses and employees within the development, and drive-through features are prohibited.

D. ~~Limited residential uses which are subject to the following criteria:~~

- ~~1. Adult congregate living facilities for senior citizens is defined as any institution, building, or buildings, residential facilities for elderly and disabled persons or other place which undertakes, through its ownership or management to provide housing, meals and the availability of other support services;~~
- ~~2. The uses in subsection D(1) of this section shall not occupy more than five acres within all lands zoned campus industrial;~~
- ~~3. Residential densities shall not exceed the density permitted in the RA-2 zone;~~
- ~~4. Additional setbacks, buffering, and additional landscaping may be required to reduce the possible adverse effects on adjacent properties in the underlying zone.~~

EC. Any other use which, in the opinion of the Planning Commission, is of similar character of those specified in Sections 17.37.020 and 17.37.030. In addition, the proposed conditional uses:

1. Will have minimal adverse impact on the appropriate development of primary uses on abutting properties and the surrounding area considering location, size, design and operating characteristics of the use;
 2. Will not create odor, dust, smoke, fumes, noise, glare, heat or vibrations which are incompatible with primary uses allowed in this district;
 3. Will be located on a site occupied by a primary use, or, if separate, in a structure which is compatible with the character and scale or uses allowed within the district, and on a site no larger than necessary for the use and operational requirements of the use;
 4. Will provide vehicular and pedestrian access, circulation, parking and loading areas which are compatible with similar facilities for uses on the same site or adjacent sites.
- (Ord. 99-1026 §1(A), 1999; Ord. 93-1022 §3(part), 1993)

17.37.040 Dimensional standards.

Dimensional standards in the ~~M-1 (CI)~~ district are:

- A. Minimum lot area: no minimum required.
 - B. Maximum building height: except as otherwise provided in subsection B(1) of this section building height shall not exceed forty-five feet.
 1. In that area bounded by Leland Road, Warner Milne Road and Molalla Avenue, and located in this zoning district, the maximum building height shall not exceed eighty-five feet in height.
 - C. Minimum required setbacks:
 1. Front yard: twenty feet minimum depth;
 2. Interior side yard: no minimum width;
 3. Corner side yard: twenty feet minimum width;
 4. Rear yard: ten feet minimum depth.
 - D. Buffer zone: If a use in this zone abuts or faces a residential ~~or commercial zone use~~, a yard of at least twenty-five feet shall be required on the side abutting or facing the adjacent residential or commercial zone in order to provide a buffer area, and landscaping thereof shall be subject to site plan review.
- If the height of the building exceeds forty-five feet, as provided in subsection B(1) of this section for every additional story built above forty-five feet, an additional twenty-five foot buffer shall be provided. (Ord. 99-1026 §2, 1999; Ord. 93-1022 §3(part), 1993)

17.37.050 Development standards.

All development within the ~~M-1(CI)~~ district is subject to the review procedures and application requirements under Chapter 17.50, and the development standards under Chapter 17.62. **Multiple building developments are exempt from the setback requirements of Chapter 17.62.055.** In addition, the following specific standards, requirements and objectives shall apply to all development in this district. Where requirements conflict, the more restrictive provision shall govern:

- A. Landscaping. A minimum of fifteen percent of the developed site area shall be used for landscaping. The design and development of landscaping in this district shall:
 - 1. Enhance the appearance of the site internally and from a distance;
 - 2. Include street trees and streetside landscaping;
 - 3. Provide an integrated open space and pedestrian ~~way~~-system within the development with appropriate connections to surrounding properties;
 - 4. Include, as appropriate, a bikeway, pedestrian walkway or jogging trail;
 - 5. Provide buffering or transitions between uses;
 - 6. Encourage outdoor eating areas conveniently located for use by employees;
 - 7. Encourage outdoor recreation areas appropriate to serve all the uses within the development.
- B. Parking. No parking areas or driveways, except access driveways, shall be constructed within the front setback of any building site or within the buffer areas without approved screening and landscaping.
- C. Fences. Periphery fences shall not be allowed within this district. Decorative fences or walls may be used to screen service and loading areas, private patios or courts. Fences may be used to enclose playgrounds, tennis courts, or to secure sensitive areas or uses, including but not limited to, vehicle storage areas, drainage detention facilities, or to separate the development from adjacent properties not within the district. Fences shall not be located where they impede pedestrian or bicycle circulation or between site areas.
- D. Signs. One ground-mounted sign may be provided for a development. Other signage shall be regulated by Title 15.
- E. Outdoor Storage and Refuse/Recycling Collection Areas.
 - 1. No materials, supplies or equipment, including company owned or operated trucks or motor vehicles, shall be stored in any area on a lot except inside a closed building, or behind a visual barrier screening such areas so that they are not visible from the neighboring properties or streets. No storage areas shall be maintained between a street and the front of the structure nearest the street;
 - 2. All outdoor refuse/recycling collection areas shall be visibly screened so as not to be visible from streets and neighboring property. No refuse/recycling collection areas shall be maintained between a street and the front of the structure nearest the street.
(Ord. 93-1022 §3(part), 1993)

Chapter 17.38 M-2 HEAVY INDUSTRIAL DISTRICT
This Section is replaced with the GI – General Industrial Zone

Chapter 17.40 HISTORIC OVERLAY ZONE

17.40.020 DEFINITIONS

“New Construction”: An additional new building or structure separate from the existing building mass that is larger than 200 square feet on all properties located within a Historic Overlay District. Any building addition that is 30 percent or more in area (be it individual or cumulative) of the original structure shall be considered new construction.

17.40.060 EXTERIOR ALTERATION AND NEW CONSTRUCTION:

- A. Except as provided pursuant to subsection I of this section, no person shall alter any historic site in such a manner as to affect its exterior appearance, nor shall there be any new construction in an historic district, conservation district, historic corridor, or on a landmark site, unless a certificate of appropriateness has previously been issued by the historic review board. **Any** building addition that is thirty percent or more in ~~size~~ **area** of the ~~original historic~~ building (be it individual or cumulative) shall be considered new construction in a district. Further, no major public improvements shall be made in ~~athe~~ district unless approved by the board and given a certificate of appropriateness.

17.40.65 HISTORIC PRESERVATION INCENTIVES

- A. **Purpose.**
Historic preservation incentives increase the potential for historically designated properties to be used, protected, renovated, and preserved. Incentives make preservation more attractive to owners of locally designated structures because they provide flexibility and economic opportunities.
- B. **Eligibility for historic preservation incentives.**
All exterior alterations of designated structures and new construction in historic and conservation districts are eligible for historic preservation incentives if the exterior alteration or new construction has received a certificate of appropriateness from the Historic Review Board per OCMC 17.50.110(c)
- C. **Incentives allowed.**
The dimensional standards of the underlying zone as well as for accessory buildings (OCMC 17.54.100) may be adjusted to allow for compatible development if the expansion or new construction is approved through historic design review.
- D. **Process.**
The applicant must request the incentive at the time of application to the Historic Review Board.

Chapter 17.44 US UNSTABLE SOILS AND HILLSIDE CONSTRAINT OVERLAY DISTRICT

17.44.050 Development permit--Application--Information.

E. A soil erosion control plan, based on ~~Clackamas County's Erosion/Sedimentation Control Plans Technical Guidance Handbook (1991 or as subsequently amended)~~**the Oregon City Public Works Standards for Erosion and Sedimentation Control (Ordinance 99-1013)** and containing:

1. A description of existing topography and soil characteristics;
2. Specific descriptions or drawings of the proposed development and changes to the site which may affect soils and create an erosion problem;
3. Specific methods of soil erosion and sediment control, incorporating the following features, to be used before, during and after construction:
 - a. The land area to be grubbed, stripped, used for temporary placement of soil, or to otherwise expose soil shall be confined to the immediate construction site,
 - b. The duration of exposure of soils to erosion shall be kept to the minimum practicable,
 - c. Wet weather measures as required in ~~Clackamas County's Erosion/Sedimentation Control Plans Technical Guidance Handbook~~**the Oregon City Public Works Standards for Erosion and Sedimentation Control (Ordinance 99-1013).**,
 - d. Prior to grading, clearing, excavating or construction, temporary diversions, sediment basins, barriers, check dams or other methods shall be provided as necessary to hold sediment and erosion. During construction, water runoff from the site shall be controlled, and sediment resulting from soil removal or disturbance shall be retained on site per ~~Clackamas County's Erosion/Sedimentation Control Plans Technical Guidance Handbook~~**the Oregon City Public Works Standards for Erosion and Sedimentation Control (Ordinance 99-1013).**,

17.44.090 Stormwater drainage.

The applicant shall submit a permanent and complete stormwater control plan. The program shall include, but not be limited to the following items as appropriate: curbs, gutters, inlets, catch basins, detention facilities and stabilized outfalls. Detention facilities shall be designed to city standards as set out in the city's drainage master plan and design standards. The review authority may impose conditions to ensure that waters are drained from the development so as to limit degradation of water quality consistent with ~~Clackamas County's Surface Water Quality Facilities Technical Guidance Handbook~~**Oregon City's Title III section of the Oregon City Municipal Code 17.49 and the Oregon City Public Works Stormwater Management Design Manual and Standards Plan** or other adopted standards subsequently adopted by the city commission. Drainage design shall be approved by the city engineer before construction, including grading or other soil disturbance, has begun. (Ord. 94-1001 §2(part), 1994)

17.44.100 Construction standards.

C. Measures shall be taken to protect against landslides, mud flows, soil slump and erosion. Such measures shall include sediment fences, straw bales, erosion blankets, temporary sedimentation ponds, interceptor dikes and swales, undisturbed buffers, grooving and stair stepping, check dams, etc. The applicant shall comply with the measures described in ~~Clackamas County's Technical Guidance Handbook~~**the Oregon City Public Works Standards for Erosion and Sedimentation Control (Ordinance 99-1013).**

Chapter 17.49 – Water Resource Overlay District

17.49.020 Definitions.

Development. For the purpose of this chapter the following definition of "development" applies: any manmade change defined as **the construction of** buildings or other structures, mining, dredging, paving, filling, ~~or~~ grading, **or site clearing, and grubbing** in amounts greater than ten cubic yards on any lot or excavation. In addition, any other activity that results in the removal of more than ten percent of the existing vegetation in the water quality resource area on a lot is defined as development. Development does not include the following:

1. Stream enhancement or restoration projects approved by the city;
2. Farming practices as defined in ORS 30.930 and farm use as defined in ORS 215.203, except that buildings associated with farm practices and farm uses are subject to the requirements of this chapter; and
3. Construction on lots in subdivisions meeting the criteria of ORS 92.040(2) (1995).

17.49.040 Administration.

- A. This chapter establishes a water quality resource area overlay district, which is delineated on the water quality and flood management areas map attached and incorporated by reference as a part of this document. The official map is on file in the office of the city recorder.
 1. The Oregon City local wetland inventory, as amended, shall be a reference for identifying areas subject to the water quality resource area overlay district.
 2. Applicants are required to provide the city with a field-verified delineation of the water quality resource areas on the subject property as part of their application. An application shall not be complete until this delineation is submitted to the city. If the protected water feature is not located on the subject property and access to the water feature is denied, then existing data may be used to delineate the boundary of the water quality resource area. **The Water Resource determination shall be processed as a Type II application.**
 3. The standards for development contained in this chapter are applicable to areas located within a water quality resource area. Applications for development on a site located in the water quality resource area overlay district may request a determination that the subject site is not in a water quality resource area and this is not subject to the standards of Section 17.49.050. **The Water Resource Exemption determination shall be processed as a Type I application.**
 - a. Applicants for a determination under this section shall submit a site plan meeting the following requirements:
 - i. The site plan must be drawn at a scale of no less than one inch equals twenty feet;
 - ii. The site plan must show the location of the proposed development and the lot lines of the property on which development is proposed;
 - iii. The site plan must show the location of the protected water feature. If the protected water feature is a wetland, the delineation must be made by a qualified wetlands specialist pursuant to the 1987 Corps of Engineers Delineation Manual. For all other protected water features, the location must be established by a registered professional engineer or surveyor licensed by the state of Oregon.
 - iv. The site plan must show the location of the water quality resource area;
 - v. If the proposed development is closer than two hundred feet to the protected water feature, the site plan must include contour intervals of no greater than five feet; and
 - vi. If the vegetated corridor is fifteen feet, the site plan must show the protected water feature's drainage area, including all tributaries.

- b. Alternatively, an applicant may have the city staff gather the information necessary to determine the location of the water quality resource area by making an application therefor and paying to the city a fee as set by resolution of the eCity eCommission.
- e.a.** Determinations under this section will be made by the ~~planning manager~~**Community Development Director**, or designee, as a Type II decision.

17.49.070 Density transfers.

- A. The purpose of this section is to allow density accruing to portions of a property within the water quality resource area to be transferred outside the water quality resource area.
- ~~B. Development applications for subdivisions that request a density transfer shall be proposed as part of a planned unit development and shall comply with Chapter 17.64, Planned Unit Development.~~
- CB.** Development applications for partitions that request a density transfer shall:
 - 1. Provide a map showing the net buildable area to which the density will be transferred;
 - 2. Provide calculations justifying the requested density increase;
 - 3. Demonstrate that the minimum lot size requirements can be met based on an average of all lots created, including the water quality resource area tract created pursuant to Section 17.49.060, and that no residential lot created is less than five thousand square feet;
 - 4. Demonstrate that, with the exception of the water quality resource area parcel created pursuant to Section 17.49.060, no parcels have been created which would be unbuildable in terms of minimum yard setbacks;
 - 5. Meet all other standards of the base zone.
- DC.** The area of land contained in a water quality resource area may be excluded from the calculations for determining compliance with minimum density requirements of the zoning code. (Ord. 99-1013 §10(part), 1999)

Chapter 17.50 – ADMINISTRATION AND PROCEDURES

17.50.030 Summary of the city's decision-making processes.

The following decision-making processes chart shall control the city's review of the indicated permits:

Table 17.50.030
PERMIT APPROVAL PROCESS

PERMIT TYPE	I	II	III	IV	Expedited Land Division
Compatibility review	X				
Code interpretation and similar use determination			X		
Conditional use permit (CUP)			X		
Extension		X			
Final plat	X				
Historic review			X		
Lot line adjustment and abandonment	X				
Major modification to a prior approval	X	X	X	X	X
Minor modification to a prior approval		X			
Partition		X			X
Planned unit development preliminary "PUD" plan			X		
Planned unit development final "PUD" plan	X				
Reconsideration	X				
Revocation				X	
Site plan and design review		X			
Subdivision		X			X
Minor variance		X			
Zone change & plan amendment				X	
Zone change upon annexation with no discretion	X			X	
Zone change upon annexation with discretion				X	
Water Resource Exemption	X				
Water Resource Review		X			
Unstable Soils and Hillside Constraint Overlay District		X			

17.50.050 Preapplication conference and neighborhood meeting.

- A. Prior to submitting an application for any form of permit, the applicant shall schedule and attend a preapplication conference with city staff to discuss the proposal. **For proposals of a conditional use permit, subdivision, or a commercial, office, or industrial use of over 10,000 square feet, the applicant may** shall also schedule and attend a meeting with the city-recognized neighborhood association in whose territory the application is proposed. **Although not required for other projects than those identified above, a meeting with the neighborhood association is highly recommended. The applicant shall send, by certified mail, return receipt requested, a letter to the Chairperson of the Neighborhood Association and the Citizen Involvement Committee Council describing the proposed project. A meeting shall be scheduled within 30 days of the notice. If the Neighborhood Association does not want to, or cannot meet within a reasonable amount of time, the applicant shall hold a meeting after 6pm or on the weekend. The meeting shall be noticed to the Neighborhood Association and the Citizen Involvement Committee Council and shall be held within the boundaries of the Neighborhood Association or in a City facility. An application shall not be deemed complete until a copy of the certified letter is provided.**
- B. Preapplication Conference. To schedule a preapplication conference, the applicant shall contact the ~~planning manager~~**Community Development Director**, submit the required materials, and pay the appropriate conference fee. At a minimum, an applicant should submit a short narrative describing the proposal and a proposed site plan, drawn to a scale acceptable to the city, which identifies the proposed land uses, traffic circulation, and public rights-of-way. The purpose of the preapplication conference is to provide staff from all affected city departments with a summary of the applicant's development proposal and an opportunity for staff to provide the applicant with information on the likely impacts, limitations, requirements, approval standards, fees and other information that may affect the proposal. The ~~planning manager~~**Community Development Director** shall provide the applicant(s) with the identity and contact persons for all affected neighborhood associations. Following the conference, the ~~planning manager~~**Community Development Director** shall provide the applicant with a written summary of the preapplication conference.
- C. Affected Neighborhood Association Meeting. The purpose of the meeting with the recognized neighborhood association is to inform the affected neighborhood association about the proposed development and to receive the preliminary responses and suggestions from the neighborhood association and the member residents.
- D. Notwithstanding any representations by city staff at a preapplication conference, staff is not authorized to waive any requirements of this code, and any omission or failure by staff to recite to an applicant all relevant applicable land use requirements shall not constitute a waiver by the city of any standard or requirement.
- E. A preapplication conference shall be valid for a period of six months from the date it is held. If no application is filed within six months of the conference or meeting, the applicant must schedule and attend another conference before the city will accept a permit application. The ~~planning manager~~**Community Development Director** may waive the preapplication requirement if, in the manager's opinion, the development does not warrant this step. (Ord. 98-1008 §1(part), 1998)

17.50.070 Completeness review and one-hundred-twenty-day rule.

- A. Upon submission, the ~~planning manager~~**Community Development Director** shall date stamp the application form and verify that the appropriate application fee has been submitted. The ~~planning manager~~**Community Development Director** will then review the application and all information submitted with it and evaluate whether the application is complete enough to process. Within thirty days of receipt of the application, the ~~planning manager~~**Community Development Director** shall complete this initial review and issue to the applicant a written statement indicating whether the application is

complete enough to process, and if not, what information must be submitted to make the application complete.

B. Upon receipt of a letter indicating the application is incomplete, the applicant has one hundred eighty days within which to submit the missing information or the application shall be rejected and all materials and the unused portion of the application fee returned to the applicant. If the applicant submits the requested information within the one-hundred-eighty-day period, the ~~planning manager~~**Community Development Director** shall again verify whether the application, as augmented, is complete. Each such review and verification shall follow the procedure in subsection A of this section.

The application will be deemed complete for the purpose of this section upon receipt by the Community Development Division of:

- a. All the missing information;
- b. Some of the missing information and written notice from the applicant that no other information will be provided; or
- c. Written notice from the applicant that none of the missing information will be provided.

C. Once the ~~planning manager~~**Community Development Director** determines the application is complete enough to process, or the applicant refuses to submit any more information, the city shall declare the application complete. ~~and take final action on the application within one hundred twenty days of that date unless the applicant waives or extends the one hundred twenty day period.~~ **Pursuant to ORS 227.178, the City will reach a final decision on an application within 120 calendar days from the date that the application is determined to be or deemed complete unless the applicant agrees to suspend the 120 calendar day time line or unless State law provides otherwise.** The one-hundred-twenty-day period, however, does not apply in the following situations:

1. Any hearing continuance or other process delay requested by the applicant shall be deemed an extension or waiver, as appropriate, of the one-hundred-twenty-day period.
2. Any delay in the decision-making process necessitated because the applicant provided an incomplete set of mailing labels for the record property owners within three hundred feet of the subject property shall extend the one-hundred-twenty-day period for the amount of time required to correct the notice defect.
3. The one-hundred-twenty-day period does not apply to any application for a permit that is not wholly within the city's authority and control.
4. The one-hundred-twenty-day period does not apply to any application for an amendment to the city's comprehensive plan or land use regulations nor to any application for a permit, the approval of which depends upon a plan amendment.

D. The 120 calendar day time line specified in Section 17.50.070.C may be extended at the written request of the applicant. The total of all extensions may not exceed 240 calendar days from the date the application was deemed complete.

~~D~~**E.** The approval standards which control the city's review and decision on a complete application are those which were in effect on the date the application was first submitted. (Ord. 98-1008 §1(part), 1998)

Chapter 17.52 – Off-Street Parking and Loading

17.52.010 Number of spaces required.

At any time of erection of a new structure or at the time of enlargement or change in use of an existing structure within any district in the city, off-street parking spaces shall be provided in accordance with this section. ~~If parking space has been provided in connection with an existing use, the parking space shall not be eliminated if elimination would result in less space than is required by this section. Where square feet are specified, the area measured shall be the gross floor area primary to the functioning of the particular use of the property, but shall exclude space devoted to off-street parking or loading. Where employees are specified, persons counted shall be those working on the premises, including proprietors, during the largest shift at peak season.~~ Where calculation in accordance with the following list results in a fractional space, any fraction less than one-half shall be disregarded and any fraction of one-half or more shall require one space.

TO BE REMOVED

Use	Standard
RESIDENTIAL	
One family dwelling, Two-family dwelling or	Two parking spaces for each dwelling unit.
Multi-family dwelling	At least one of the two required spaces shall not be located in a required yard.
Boarding or lodging house	To be determined as part of the conditional use processes.
Mobile homes	Two parking spaces for each mobile home. One of the parking spaces may be located in the required accessway.
COMMERCIAL RESIDENTIAL	
Hotel and motel	One space per guest room.
Club, lodge	Spaces to meet the combined requirements of the uses being conducted such as hotel, restaurant, auditorium, etc.
INSTITUTIONAL	

Welfare or correctional institution	One space per five beds for patients or inmates.
Nursing home, sanitarium rest home, home for the aged	One space per five beds for patients or residents.
Hospital	One space per one and one-half beds.
PLACE OF PUBLIC ASSEMBLY	
Church or other religious assembly building	One space per four seats or eight feet of bench length in the auditorium.
Library, reading room	One space per four hundred square feet of floor area.
Preschool nursery; kindergarten	Two spaces per teacher.
Elementary, junior high school or high school	One space per classroom plus one space per administrative employee plus one space per four seats or eight feet of bench length in the auditorium, assembly room or stadium, whichever is greater.
College, commercial school for adults	One space per five seats in classroom.
Other auditorium; meeting room	One space per four seats or eight feet of bench length.
COMMERCIAL AMUSEMENT	
Stadium, arena, theater	One space per four seats or eight feet of bench length
Bowling alley	Two spaces per alley.
Dance hall, skating rink	One space per two hundred square feet of floor area.
Moorages	One space per boat berth.
COMMERCIAL	

Retail store except as provided for shopping centers	One space per two hundred square feet of floor area.
Shopping center	One space per two hundred square feet of floor area.
Service or repair shop; retail store handling exclusively bulky merchandise such as automobiles and furniture	One space per six hundred square feet of floor area.
Bank, office, medical and dental clinic	One space per three hundred square feet of floor area.
Eating and drinking establishment, billiard and pool halls	One space per two hundred square feet of floor area.
Mortuaries	One space per four seats or eight feet of bench length in chapel.
Swimming pools and gymnasiums	One space per two hundred square feet
Tennis courts, racquet ball courts	Two spaces per court.
INDUSTRIAL	
Storage warehouse; rail or trucking freight terminal	One space per fifteen hundred square feet of floor area.
Manufacturing establishment; wholesale establishment	One space per six hundred square feet of floor area.

(Prior code §11-5-1)

TO BE ADDED

LAND USE	PARKING REQUIREMENTS: The parking requirements are based on spaces per 1,000 square feet gross leasable area unless otherwise stated.	
	MINIMUM	MAXIMUM
Single-Family Dwelling	1.00 per unit	2.00 per unit

Residential Unit (<500 sq-ft)	1.00 per unit	2.00 per unit
Multi-Family: 1 bedroom	1.25 per unit	2.00 per unit
Multi-Family: 2 bedroom	1.5 per unit	2.00 per unit
Multi-Family: 3 bedroom	1.75 per unit	2.00 per unit
Boarding/Lodging House	Case Specific	Case Specific
Mobile Homes	N/A	2.00 per unit
Hotel/Motel	1.0 per guest room	1.0 per quest room
Club/Lodge	To meet requirements of combined uses	To meet requirements of combined uses
Welfare/Correctional Institution	N/A	1 per 5 beds
Nursing Home/Rest home	N/A	1 per 5 beds
Hospital	N/A	1 per 1.5 beds
Religious Assemble Building	0.25 per seat	0.25 per seat
Library/Reading Room	N/A	2.50
Preschool Nursery/Kindergarten	N/A	2 per teacher
Elementary/Junior High School	N/A	1 per classroom + 1 per administrative employee + 0.25 per seat in auditorium / assembly room / stadium
High School	0.20 per # staff and students	0.30 per # staff and students
College/Commercial School for Adults	0.20 per # staff and students	0.30 per # staff and students
Auditorium/Meeting Room	N/A	0.25 per seat
Stadium/Arena/Theater	N/A	0.25 per seat
Bowling Alley	N/A	2 per alley
Dance Hall/Skating Rink	N/A	5.00
Moorages	N/A	1 per boat berth
Retail Store/Shopping Center	4.10	5.00

Service/Repair Shop/Automotive or Furniture Store	N/A	1.67
Bank	N/A	3.33
Office	2.70	3.33
Medical or Dental Clinic	N/A	3.33
Fast Food with Drive Thru	N/A	5.00
Other Eating Establishments	N/A	5.00
Drinking Establishment/Pool Hall	N/A	5.00
Mortuaries	N/A	0.25 per seat
Swimming Pool/Gymnasium	N/A	5.00
Sports Club/Recreation Facilities	4.30	5.40
Tennis/Racquet Ball Courts	1.00	1.30
Movie Theater	0.30 per seat	0.40 per seat
Storage Warehouse/Freight Terminal	0.30 per gross sq-ft	0.40 per gross sq-ft
Manufacturing/Wholesale Establishment	1.60 per gross sq-ft	1.67 per gross sq-ft
Light Industrial/Industrial Park	N/A	1.60

17.52.020 Administrative provisions.

- A. The provision and maintenance of off-street parking and loading spaces are continuing obligations of the property owner. No building or other permit shall be issued until plans are presented that show property that is and will remain available for exclusive use as off-street parking and loading space. The subsequent use of property for which the building permit is issued shall be conditional upon the unqualified continuance and availability of the amount of parking and loading space required by this title. Use of property in violation is a violation of this title. Should the owner or occupant of a lot or building change the use to which the lot or building is put, thereby increasing off-street parking or loading requirements, it is unlawful and a violation of this title to begin or maintain such altered use until the required increase of off-street parking or loading is provided.
- B. Requirements for types of buildings and uses not specifically listed herein shall be determined by the ~~planning commission~~ **Community Development Director**, based upon the requirements of comparable uses listed.

- C. In the event several uses occupy a single structure or parcel of land, the total requirements for off-street parking shall be the sum of the requirements of the several uses computed separately. Shopping centers shall be considered a retail use.
- D. Owners of two or more uses, structures, or parcels of land, may agree to utilize jointly the same parking and loading spaces when the hours of operation do not overlap, provided that satisfactory documentation is presented to the planning department.
- E. Off-street parking for dwellings shall be located on the same lot with the dwelling. ~~Other required parking spaces shall be located not farther than five hundred feet from the building or use they are required to serve dwelling.~~ Other required parking spaces shall be located not farther than five hundred feet from the building or use they are required to serve, measured in a straight line from the building.
- F. Required parking spaces shall be available for the parking of operable passenger automobiles of residents, customers, patrons and employees only, and shall not be used for storage of vehicles or materials or for the parking of trucks used in conducting the business or use.
- G. ~~Any use may develop more parking than required, provided other requirements such as landscaping are met. However, any proposal to develop more than twice as much parking as required must be referred to the planning commission, which may approve or deny the number of spaces. Energy conservation shall be the principal criteria for such review.~~

HG Completion Time for Parking Lots. Required parking spaces shall be improved and available for use before the final inspection is completed by the building inspector. An extension of time, not to exceed one year may be granted by the building inspector providing that a performance bond, or its equivalent, is posted equaling one hundred fifty percent of the cost of completion of the improvements as estimated by the building inspector, provided the parking space is not required for immediate use. In the event the improvements are not completed within one year's time, the improvements shall be constructed under the direction of the city, utilizing the proceeds of the performance bond or its equivalent as necessary.

IH. Lesser Requirements Allowed by Planning Commission. The planning commission may permit lesser requirements than those specified in the parking and loading requirements above where it can be shown that, owing to special and unusual circumstances related to a specific piece of property, the enforcement of the above off-street parking and loading restrictions would cause an undue or unnecessary hardship. Section 17.60.030 shall be the grounds for establishing lesser requirements. (Prior code §11-5-2)

17.52.030 Design review.

- A. Development of parking lots shall require site plan review.
- ~~B. Screening. Public lots and other areas used for the parking, service, sale or storage of vehicles shall be separated from public right-of-ways by a landscaped area at least five feet in width, or by a low wall approximately thirty inches in height, excepting only necessary driveway access. There shall be similar separation from all other necessary driveway access. There shall be similar separation from all other abutting property lines, excepting in those locations where access or parking is shared between adjoining land owners. Where parking areas abut an R-district, there shall be a wall, sight-obscuring fence, or sight-obscuring landscaping not less than six feet in height.~~

CB Access. Ingress and egress locations on public thoroughfares shall be located in the interests of public traffic safety. Groups of more than four parking spaces shall be so located and served by driveways that their use will require no backing movements or other maneuvering within a street right-of-way other than an alley. No driveway with a slope of greater than fifteen percent shall be permitted without approval of the city engineer.

DC Surfacing. Required off-street parking spaces and access aisles shall have paved surfaces adequately maintained. **The use of impervious asphalt/concrete and alternative designs that reduce storm water and improve water quality are encouraged.**

ED Drainage. Drainage shall be designed in accordance with the requirements of Chapter 13.12 and the city Public Works Stormwater and Grading Design Standards.

FE Lighting. Artificial lighting which may be provided shall ~~not create or reflect a substantial glare in a residential zone or on adjacent dwellings~~, enhance security, be appropriate for the use, and avoid adverse impacts on surrounding properties and the night sky through appropriate shielding. The lighting shall not cause a measurement in excess of 0.5 footcandles of light on other properties.

GF Dimensional Requirements. Parking spaces shall be ~~a minimum of nine feet by twenty feet~~ **eight and one half feet by eighteen feet**; parking at right angles to access aisles shall require twenty-four feet backing distance in aisle width. Requirements for parking developed at varying angles are according to the table included in this section. ~~With the approval of the site plan review, up to twenty-five percent of the required parking may be reduced in size to eight feet in width by sixteen feet in length and marked for the use of compact cars only. Any parking in excess of the number of spaces required may also be eight feet by sixteen feet, if marked for the use of compact cars only. In no case may aisle widths be reduced for compact cars parking.~~ An overhang of one and one-half feet from face of curb may be included in the length of a parking space. A parking space shall not be less than seven feet in height when within a building or structure, and shall have access by an all-weather surface to a street or alley. (Ord. 99-1029 §9, 1999; prior code §11-5-3)

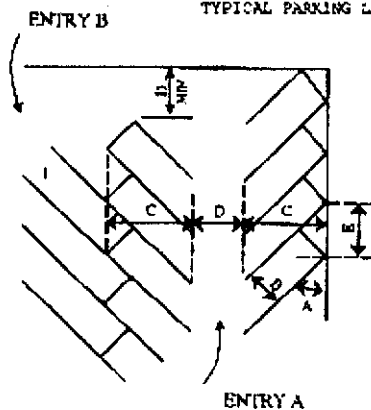
PARKING STANDARD/PARKING ANGLE SPACE DIMENSIONS

A Parking Angle	B Stall Width	C Stall Curb to	D Aisle Width	E Curb Length	F Overhang
0 degrees	98.5	9.0	12	23	0
	9.5	9.5	12	23	
	10	10.0	12	23	
45 degrees	98.5	19.8	13	12.7	1.4
	9.58.5	20.1	13	13.4	

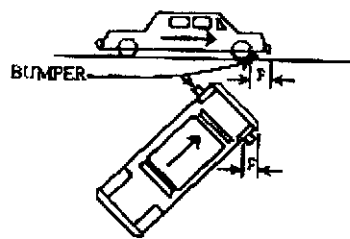
	10	20.5	13	14.1	
50 degrees	98.5	20.4	16	11.7	1.5
	98.5	20.7	16	12.4	
	10	21	16	13.1	
60 degrees	98.5	21	18	10.4	1.7
	98.5	21.2	18	11.0	
	10	21.5	18	11.5	
70 degrees	98.5	21.0	19	9.5	1.9
	98.5	21.2	18.5	10.1	
	10	21.2	18.0	10.6	
90 degrees	9	20.0	24	9	2.0
	98.5	20.0 18.0	24	98.5	
	10	20.0	24	10	

All dimensions are to the nearest tenth of a foot

TYPICAL PARKING LAYOUT



NOTE: SPACE 1 CONTINGENT UPON ENTRY B



OVERHANG

NOTE: Overhang dimensions are intended to indicate possible location from parking area edge for location of bumpers.

17.52.090 Parking lot landscaping.

A. Purpose.

The purpose of this code section includes the following:

to enhance and soften the appearance of parking lots; to limit the visual impact of parking lots from sidewalks, streets and particularly from residential areas; to shade and cool parking areas; to reduce air and water pollution; **to reduce storm water impacts and improve water quality**, and to establish parking lots that are more inviting to pedestrians and bicyclists.

B. Definitions.

"Parking Lot" means public lots and other areas used for the parking, service, sale, or storage of vehicles.

"Interior parking lot landscaping" means landscaping located inside the surfaced area used for on-site parking and maneuvering.

"Perimeter parking lot landscaping" means **a minimum five-foot wide landscaped planter strip** ~~landscaping~~ located outside of, and adjacent to, the surfaced area used for on-site parking ~~and~~, maneuvering, **and pedestrian access.**

C. Development Standards

Parking lot landscaping is required for all uses, except for single- and two-family residential dwellings. **A licensed landscape architect shall prepare the landscaping plan.**

1. The landscaping shall be located in defined landscaped areas ~~which that~~ are uniformly distributed throughout the parking or loading area. **Interior P**parking lot landscaping ~~can~~**shall not** be counted toward the fifteen percent minimum total site landscaping required by Section 17.62.050(1). ~~One tree shall be planted for every eight parking spaces. These trees~~**Parking lot trees shall be a mix of deciduous shade trees and coniferous trees. The trees** shall be evenly distributed throughout the parking lot as both interior and perimeter landscaping to provide shade. **Where parking areas abut a residential district, there shall be a wall, sight-obscuring fence, or sight-obscuring landscaping not less than six feet in height. Slight modifications to landscaping location may be proposed for review that enhances the reduction of non-shaded impervious parking lot area.**

2. Perimeter Parking Lot Landscaping and Parking Lot Entryway/Right-of-way Screening.

Parking Lot Entryways and Perimeter Parking Lot Landscaping areas not abutting the building or where access/parking is shared between adjoining land owners shall be bordered by a minimum five-foot wide landscaped planter strip with:

- a) **trees spaced a maximum of thirty-five feet apart (minimum of one tree on either side of the entryway is required). When the parking lot is adjacent to a public right-of-way, the parking lot trees shall be offset from the street trees;**
- b) **ground cover, such as wild flowers, covering one hundred percent of the exposed ground. No bark mulch shall be allowed except under the canopy of shrubs and within two feet of the base of trees; and**

- c) an evergreen hedge screen of thirty to forty-two inches high or shrubs spaced no more than four feet apart on average. The hedge/shrubs shall be parallel to and not nearer than two feet from the right-of-way line. The required screening shall be designed to allow for free access to the site and sidewalk by pedestrians.

Visual breaks, no more than five feet in width, shall be provided every thirty feet within evergreen hedges abutting public right-of-ways.

3. Parking area/Building Buffer.

Parking areas shall be separated from the exterior wall of a structure, exclusive of pedestrian entranceways or loading areas, by one of the following:

- a) minimum five-foot wide landscaped planter strip (excluding areas for pedestrian connection) abutting either side of a parking lot sidewalk with:
- b) trees spaced a maximum of thirty-five feet apart;
- c) ground cover such as wild flowers, covering one hundred percent of the exposed ground. No bark mulch shall be allowed except under the canopy of shrubs and within two feet of the base of trees; and
- d) an evergreen hedge of thirty to forty-two inches or shrubs placed no more than four feet apart on average.
- e) seven-foot sidewalks with shade trees spaced a maximum of thirty-five feet apart in three-foot by five-foot tree wells.

4. Interior Parking Lot Landscaping.

In addition to Perimeter Parking Lot Landscaping, surface parking lots shall have a minimum ten percent of the interior of the gross area of the parking lot devoted to landscaping to improve the water quality, reduce storm water runoff, and provide pavement shade. Pedestrian walkways or any impervious surface in the landscaped areas are not to be counted in the percentage. In addition, the Perimeter Parking Lot Landscaping shall not be included in the ten percent requirement.

- a) a minimum of one tree per six parking spaces.
- b) ground cover, such as wild flowers, covering one hundred percent of the exposed ground. No bark mulch shall be allowed except under the canopy of shrubs and within two feet of the base of trees.
- c) shrubs shall be spaced no more than four feet apart on average.
- d) no more than 8 contiguous parking spaces shall be created without providing an interior landscape strip between them. Landscape strips provided between rows of parking shall be a minimum of six feet in width to accommodate:
- e) pedestrian walkways shall have shade trees spaced a maximum of every thirty-five feet in a minimum three-foot by five-foot tree wells; or

- f) trees spaced every thirty-five feet, shrubs spaced no more than four feet apart on average, and ground cover covering one hundred percent of the exposed ground. No bark mulch shall be allowed except under the canopy of shrubs and within two feet of the base of trees.

5. **Alternative Landscaping Plan.** The city encourages alternative designs that utilize innovative "green" designs for water quality management of parking lot storm water. An applicant may prepare an Alternative Landscaping Plan and specifications which meet the intent of the requirements in subsection 1-5 above and the intent of the district to be approved by the Community Development Director.

~~2. Landscaped areas both internal and perimeter shall have a minimum width of at least five feet. Landscaped areas shall contain:~~

- ~~a. Shade trees spaced as appropriate to the species, not to exceed forty feet apart on average;~~
- ~~b. Shrubs, spaced no more five feet apart on the average; and~~
- ~~c. Ground cover such as grass, wild flowers or other landscaping material covering one hundred percent of the exposed ground. No bark mulch shall be allowed except under the canopy of shrubs and within two feet of the base of trees.~~

~~3. The amount of interior landscaped area is based upon the number of required parking spaces.~~

~~a. Parking lots with over twenty spaces shall have a minimum ten percent of the interior of the gross area of the parking lot devoted to landscaping. Pedestrian walkways or any impervious surface in the landscaped areas are not to be counted in the percentage. In addition, the perimeter landscaping shall not be included in the ten percent figure.~~

~~b. Parking lots with ten to twenty spaces shall have a minimum five percent of the interior of the gross area of the parking lot devoted to landscaping. The perimeter landscaping shall not be included in the five percent measurement.~~

~~c. Parking lots with fewer than ten spaces shall have the standard perimeter landscaping and at least two shade trees.~~

45. All areas in a parking lot not used for parking, maneuvering, or circulation shall be landscaped.

65. The landscaping in parking areas shall not obstruct lines of sight for safe traffic operation and shall comply with all requirements of Chapter 10.32, Traffic Sight Obstructions.

67. Irrigation facilities shall be located so that landscaped areas can be properly maintained and so that the facilities do not interfere with vehicular or pedestrian circulation.

78. Off-street loading areas and garbage receptacles shall be located so as not to hinder travel lanes, walkways, public or private streets or adjacent properties.

89. Garbage receptacles and other permanent ancillary facilities shall be enclosed and screened appropriately.

910 All plant materials, including trees, shrubbery and ground cover, shall be selected for their appropriateness to the site, drought tolerance, year-round greenery and coverage and staggered flowering periods. Species found on the Oregon City native plant list are strongly encouraged and species found on the Oregon City nuisance plant list are prohibited.

11. Landscaping shall incorporate design standards in accordance with Chapter 13.12, Stormwater Management.

12. Required landscaping trees shall ~~possess the following characteristics~~ **be of a:**

~~a. Three~~ **Minimum two-inch** minimum caliper size, **planted** according to American Nurseryman Standards, **and selected from the Oregon City Street Tree List;**

~~b. Generous spreading canopy for shade;~~

~~c. A canopy that spreads at least six feet up from grade in, or adjacent to, parking lots, roads or sidewalks unless the tree is columnar in nature;~~

~~d. Roots that do not break up the adjacent paving;~~

~~e. No sticky leaves or sap dripping trees;~~

~~f. No seed pods or fruit bearing trees (flowering trees are acceptable);~~

~~g. Resistance to disease;~~

~~h. Compatibility to planter size;~~

~~i. Tolerance to drought unless irrigation is provided;~~

~~j. Attractive foliage or form in all seasons; and~~

~~k. A mix of deciduous and coniferous trees~~

Chapter 17.54 – Supplemental Zoning Regulations and Exceptions

17.54.010 Accessory buildings and uses.

Accessory buildings and uses shall comply with all requirements for the principal use except where specifically modified by this title and shall comply with the following limitations:

~~A. Fences, Hedges and Walls. No fence, hedge or wall in any single family dwelling districts shall exceed five feet in height in a front yard, subject also to the provisions of Chapter 10.32. This section was replaced by Section 17.54.100 – Fences.~~

~~AB. Signs.~~ Signs shall be permitted as provided in Chapter 15.28.

~~BC. Dimensional Requirements.~~ The following setbacks and other dimensional requirements shall apply to all accessory structures and uses:

1. Two Hundred Square Feet or Less. An interior side or rear yard setback behind the front building line may be reduced to three feet for any detached accessory structure which is two hundred square feet or less in area and does not exceed a height of ten feet. No portion of any such structure shall project across a lot line.

2. Two Hundred One to Five Hundred Square Feet. The interior side and rear yard setbacks may be reduced to three feet for one accessory structure, and its projections, within this category when located behind the front building line of the primary structure, provided the structure and its projections:

- a. Are detached and separated from other structures by at least four feet;
- b. Do not exceed a height of ten feet. The three foot setback requirement will be increased one foot for each foot of height over ten feet to a maximum of fifteen feet in height. This setback need not exceed the setback requirements required for the principal building. No accessory structure shall exceed one story;
- c. The accessory building must be constructed with the same exterior building materials as that of the primary structure, or an acceptable substitute to be approved by the planning division.

3. Over Five Hundred Square Feet. One accessory structure in excess of five hundred square feet in area may be approved by the planning division. An accessory structure in excess of five hundred square feet in area must meet the setback requirements of the district in which it is located, and must also meet the following provisions:

- a. The accessory building must be **compatible with the primary structure and** constructed with the same exterior building materials as that of the primary structure, or an acceptable substitute to be approved by the planning division.
- b. The lot must be in excess of twenty thousand square feet.
- c. The square footage of the accessory structure shall not exceed the square footage of the ground floor of the primary structure. In no case may the accessory building exceed eight hundred square feet in area, or exceed one story.
- d. The accessory structure shall not be used to house a home occupation.
- e. The accessory structure shall not exceed the height of the primary structure.

~~CD. Private Stable.~~ A private stable may be permitted on a lot having a minimum area of twenty thousand square feet. The capacity of a stable shall not exceed one horse or other domestic hoofed animal for each twenty thousand square feet of lot area. A stable shall be located not less than twenty-five feet from any street line.

~~DE. Antenna and Antenna Structures.~~ No noncommercial antenna or antenna structure (including those of extension type) shall exceed the maximum building height standard for the zoning district in which it is located. No antenna or antenna structure shall be located in required yards.

~~EF. Swimming Pools.~~ In-ground and above-ground swimming pools shall be constructed not less than three feet from the side or rear yard lines. Swimming pools shall comply with the front yard requirement for the principal building. A pool must be surrounded by a fence no less than four feet in height.

~~FG. Conference and Meeting Rooms.~~ Conference or meeting rooms designed primarily for use by employees or clients (or members in the case of trade unions) in furtherance of the principal permitted use.

GH. Barbed Wire and Electric Fences. It is unlawful for any person to erect any electric fence or any fence constructed in whole or in part of barbed wire or to use barbed wire as a guard to any parking lot or parcel of land, except as erected in connection with security installations at a minimum height of six feet, providing further that prior written approval has been granted by the city manager. (Prior code §11-4-1)

17.54.020 Projections from buildings.

A. Ordinary building projections such as cornices, eaves, overhangs, canopies, sunshades, gutters, chimneys, flues, sills or similar architectural features may project into the required yards not more than twenty-four inches.

B. **Porches and Uncovered balconies,** decks or fire escapes more than thirty inches from the ground may project not more than five feet into any required rear or front yard. (Prior code §11-4-2)

ACCESSORY DWELLING UNITS

17.54.090- ACCESSORY DWELLING UNITS

Definitions

Purpose and Intent

Standards and Criteria

Application Procedures

DEFINITIONS

1. "Accessory Dwelling Unit" (ADU) is a habitable living unit that provides the basic requirements of shelter, heating, permanent cooking, and sanitation.

2. "Principle Dwelling Unit" is the existing and primary residence for a particular Tax Lot.

PURPOSE AND INTENT

A. The installation of an ADU in new and existing single-family dwellings (herein after Principle Dwelling Units) shall be allowed in single-family zones subject to specific development, design, and owner-occupancy standards. This section is not applicable to licensed residential care homes or facilities.

B. The purpose of allowing ADUs is to:

1. Provide homeowners with a means of obtaining, through tenants in either the ADU or the Principle Dwelling Unit, rental income, companionship, security, and services.

2. Add affordable units to the existing housing inventory.

3. Make housing units available to moderate-income people who might otherwise have difficulty finding homes within the City.

4. Develop housing units in single-family neighborhoods that are appropriate for people at a variety of stages in the life cycle.
5. Protect neighborhood stability, property values, and the single-family residential appearance of the neighborhood by ensuring that ADUs are installed under the conditions of this Section.

STANDARDS AND CRITERIA

A. ADUs shall meet the following standards and criteria:

1. The design and size of the ADU shall conform to all applicable standards in the building, plumbing, electrical, mechanical, fire, health, and any other applicable codes. Increased firewalls or building separation may be required as a means of assuring adequate fire separation from one unit to the next. Applicants are encouraged to contact, and work closely with, the Building Division of the City's Community Development Department to assure that Building Code requirements are adequately addressed.
2. When there are practical difficulties involved in carrying out the provisions of this Section, the Planning Division may grant approvals for individual cases.
3. Any additions to the existing dwelling unit shall not encroach into the existing setbacks in the underlying zone. However, access structures (e.g. stairs or ramps) may be allowed within the setback if no access can be granted to the unit without encroaching into the setback area.
4. The ADU may be attached to, or detached from, the Principle Dwelling Unit. The detached ADU may not be located in front of the primary dwelling unit.
5. Only one ADU may be created per lot or parcel.
6. An ADU may be developed in either an existing or a new residence.
7. The ADU shall not exceed the height of the Principle Dwelling Unit
8. The property owner, which shall include title holders and contract purchasers, must occupy either the Principle Dwelling Unit or the ADU as their permanent residence, for at least 7 months out of the year, and at no time receive rent for the owner-occupied unit.
9. In no case shall an ADU be more than 40 percent of the Principle Dwelling Unit's total floor area, nor more than 800 square feet, nor less than 300 square feet, nor have more than 2 sleeping areas. The primary entrance to the ADU shall be located in such a manner as to be unobtrusive from the street. If an ADU is part of an accessory building, such as a garage, the combined size shall not exceed 1,000 square feet.
10. The ADU shall be compatible with the Principle Dwelling Unit, specifically in:
 - a. Exterior finish materials. The exterior finish material must be the same or visually match in type, size and placement, the exterior finish material of the Principle Dwelling Unit

b. Trim. Trim must be the same in type, size, and location as the trim used on the Principle Dwelling Unit.

c. Windows. Windows must match those in the Principle Dwelling Unit in proportion (relationship of width to height) and orientation (horizontal or vertical).

d. Eaves. Eaves must project from the building walls at the same proportion as the eaves on the Principle Dwelling Unit.

11. Parking.

a. Purpose. The parking requirements balance the need to provide adequate parking while maintaining the character of single-dwelling neighborhoods and reducing the amount of impervious surface on a site. More parking is required when a vacant lot is being developed because, generally, the site can more easily be designed to accommodate two parking spaces while minimizing impervious surface. In situations where an accessory dwelling unit is being added to a site with an existing dwelling unit, it is appropriate to not require additional impervious surface if adequate on-street parking is available.

b. The following parking requirements apply to accessory dwelling units.

(1) No additional parking space is required for the accessory dwelling unit if it is created on a site with a Principle Dwelling Unit and the roadway for at least one abutting street is at least 28 feet wide.

(2) One additional parking space is required for the accessory dwelling unit as follows:

i When none of the roadways in abutting streets are at least 28 feet wide; or

ii When the accessory dwelling unit is created at the same time as the Principle Dwelling Unit.

APPLICATION PROCEDURE

1. Application for a building permit for an ADU shall be made to the building official in accordance with the permit procedures established in OCMC 15.12, and shall include:

a. A letter of application from the owner(s) stating that the owner(s) shall occupy one of the dwelling units on the premises, except for bona fide temporary absences, for 7 months out of each year.

2. The registration application or other forms as required by the building official shall be filed as a deed restriction with Clackamas County Records Division to indicate the presence of the ADU, the requirement of owner-occupancy, and other standards for maintaining the unit as described above.

3.The building official shall report annually to the Community Development Director on ADU registration with the number of units and distribution throughout the City.

4.Cancellation of an ADU's registration may be accomplished by the owner filing a certificate with the building official for recording at the Clackamas County Records Division, or may occur as a result of enforcement action.

This section replaces section 17.54.010.A – Fences.

Chapter 17.54.100 Fences

A SIGHT OBSCURING FENCE; SETBACK AND HEIGHT LIMITATIONS

A sight or non-sight obscuring fence may be located on the property or in a yard setback area subject to the following:

A. Generally.

1. The fence, hedge or wall is located within:

- a. A yard that is adjacent or abutting a public right-of-way shall not exceed 42 inches in total height.
- b. A yard that is not adjacent or abutting a public right-of-way shall not exceed six feet in total height

B. Exception. Fence, hedge, or wall on retaining wall. When a fence, hedge or wall is built on a retaining wall or an artificial berm that is not adjacent or abutting a public right-of-way, the following standards shall apply:

1. When the retaining wall or artificial berm is 30 inches or less in height from the finished grade, the maximum fence or wall height on top of the retaining wall shall be six feet.
2. When the retaining wall or earth berm is greater than 30 inches in height, the combined height of the retaining wall and fence or wall from finished grade shall not exceed 8 ½ feet.
3. Fences, hedges or walls located on top of retaining walls or earth berms in excess of 30 inches above finished grade may exceed the total allowed combined height of 8 ½ feet provided that the fence or wall is located a minimum of two feet from the retaining wall and the fence or wall height shall not exceed six feet.

17.56.030 Uses requiring conditional use permit.

Uses requiring conditional use permit are:

- A. Ambulance services in LO, C, M-1 and M-2 districts;
- B. Boarding and lodging houses, bed and breakfast inns, and assisted living facilities for senior citizens;
- C. Boat repair, for boats not exceeding twenty-five feet in length, in the C district;
- D. Cemeteries, crematories, mausoleums, and columbariums;
- E. Child care centers and nursery schools;
- F. Churches;
- G. Colleges and universities, excluding residential districts;
- H. Correctional facilities, in M-1 and M-2 districts;
- I. Emergency service facilities (police and fire), excluding correctional facilities;
- H. Government and Public Service buildings**
- J. Helipad in conjunction with a permitted use, excluding residential districts;
- K. Hospitals, excluding residential districts;
- L. Houseboats;
- M. Hydroelectric generating facilities in M-1 and M-2 districts only;
- N. Motor vehicle towing and temporary storage in M-1 or M-2 districts; recreational vehicle storage in C, M-1 or M-2 districts;
- O. Museums;
- P. Nursing homes;
- Q. Parking lots not in conjunction with a primary use;
- R. Private and public schools;
- S. Private clubs and lodges, excluding residential districts;
- T. Public utilities, including sub-stations and communication facilities (such as towers, transmitters, buildings, plants and other structures);
- U. Public Housing Projects**
- ~~UV.~~ Radio and television transmitters or towers, excluding residential districts;
- ~~VW.~~ Sales and service establishments of manufactured homes and recreational vehicles in C, M-1 and M-2 districts;
- ~~WX.~~ Stadiums, arenas and auditoriums, excluding residential districts;
- ~~XY.~~ Welfare institutions and social service organizations, excluding residential districts. (Ord. 98-1004 §§1, 2, 1998; Ord. 91-1025 §2, 1991)

Chapter 17.60 - Variance**17.60.030 Variances--Procedures.**

A. A request for a variance shall be initiated by a property owner or authorized agent by filing an application with the city recorder. The application shall be accompanied by a site plan, drawn to scale, showing the dimensions and arrangement of the proposed development. When relevant to the request, building plans may also be required. The application shall note the zoning requirement and the extent of the variance requested. Procedures shall thereafter be held under Chapter 17.50. In addition, the procedures set forth in subsection D of this section shall apply when applicable.

B. A nonrefundable filing fee, as listed in Section 17.50.480, shall accompany the application for a variance to defray the costs.

C. Before the planning commission may act on a variance, it shall hold a public hearing thereon following procedures as established in Chapter 17.50.

D. Minor variances as defined in subsection E of this section shall be processed as a Type II decision and shall be reviewed pursuant to the requirements in Section 17.50.030(B).

E. For the purposes of this section, minor variances shall be defined as follows:

1. Variances to setback and yard requirements to allow additions to existing buildings so that the additions follow existing building lines;
2. Ten percent variances to width, depth and frontage requirements;
3. Twenty percent variances to residential yard/setback requirements, provided that no side yard shall be less than five feet;
4. Ten percent variances to nonresidential yard/setback requirements;
5. Five percent variances to lot area requirements;
6. ~~Ten percent variances to required number of parking spaces. (Ord. 00-1003 §12, 2000; prior code §11-8-4)~~

Chapter 17.62 – Site Plan and Design Review

This is a new section to the Oregon City Municipal Code.

17.62.035 Minor Site Plan and Design Review

This section provides for a minor site plan and design review process. This section is a Type II decision subject to administrative proceedings described in OCMC 17.50. This section may only be utilized as the appropriate review process when authorized by the Community Development Director. The purpose of this type of review is to expedite design review standard for uses and activities that require only a minimal amount of review, typical of minor modifications and/or changes to existing uses or buildings. Minor site plan and design review applies to uses and activities, such as:

- 1. Modification of an office, commercial, industrial, institutional, public or multi-family structure for the purpose of enhancing the aesthetics of the building and not increasing the interior usable space (for example covered walkways or entryways, addition of unoccupied features such as clock tower, etc.).**
- 2. Addition of five percent or less of total square footage of a commercial, office, institutional, public, multi-family, or industrial building.**
- 3. Revisions to parking alignment and/or related circulation patterns.**
- 4. Accessory buildings smaller than 1,000 square feet on commercial, office, institutional, public, multi-family, or industrial properties.**
- 5. Other land uses and activities may be added if the Community Development Director makes written findings that the activity/ use will not increase off-site impacts and is consistent with the type and/or scale of activities/uses listed above.**

The application for the minor site plan and design review shall contain the following elements:

- a. A narrative explaining all aspects of the proposal in detail and addressing each of the criteria listed in 17.62.035 (A) and (B).**
- b. Site plan drawings showing existing conditions and proposed conditions.**
- c. Architectural drawings, including building elevations and envelopes, if architectural work is proposed.**
- d. Mailing labels of property owners within 300 feet of the subject property.**
- e. Additional submittal material may be required by the Community Development Director on a case-by-case basis.**

One original application form must be submitted with signatures by the property owner(s). Three copies at the original scale and one copy of a reduced to 11 X 17 inches or smaller of all drawings and plans must also be submitted.

17.62.036 Development Standards for Minor Site Plan and Design Review

All development shall comply with the Section 17.62.050(1-6 and 8-15) when deemed applicable by the Community Development Director.

If applicable, the Community Development Director may review the proposal based on selected standards for a site plan and design review as described in Section 17.62.050 and add conditions

to ensure the proposed modification meets the intent of the site plan and design review standards.

Chapter 17.62.050.A Standards

1. A minimum of fifteen percent of the lot area being developed shall be landscaped. Natural landscaping shall be retained where possible to meet the landscaping requirement. Landscape design and landscaping areas shall serve their intended functions and not adversely impact surrounding areas. The landscaping **plan shall be prepared by a registered Landscape Architect and** include a mix of vertical (trees and shrubs) and horizontal elements (grass, groundcover, etc.). **No bark mulch shall be allowed except under the canopy of shrubs and within two feet of the base of trees.** The principal planner shall maintain a list of trees, shrubs and vegetation acceptable for landscaping. For properties within the central business district, and for major remodeling in all zones subject to this chapter, landscaping shall be required to the extent practicable up to the fifteen percent requirement. Landscaping also shall be visible from public thoroughfares to the extent practicable.

6. Parking, including carpool, vanpool and bicycle parking, shall comply with city **off-street** parking standards, **Chapter 17.52**. Off-street parking and loading-unloading facilities shall be provided in a safe, well-designed and efficient manner. ~~and shall be buffered from the street and from adjacent residential zones by means of landscaping or by a low fence or wall not greater than three feet six inches in height, but not to the extent of restricting visibility necessary for safety and security.~~ Off-street parking design shall consider the layout of parking, opportunities to reduce the amount of impervious surface, storage of all types of vehicles and trailers, shared parking lots and common driveways, garbage collection and storage points; and the surfacing, lighting, screening, landscaping, concealing and other treatment of the same. The review authority, at its discretion, may reduce the required number of off-street parking spaces for the purpose of preserving an existing specimen tree. ~~Carpool, vanpool and bicycle parking shall be provided in accordance with Section 17.52.040 through 17.52.070.~~

11. Site planning, including the siting of structures, roadways and utility easements, shall provide for the protection of tree resources. Trees of six-inch caliper or greater measured four feet from ground level shall, whenever practicable, be preserved. ~~outside buildable area.~~ Where the ~~planning manager~~ **Community Development Director** determines that it is impractical or unsafe to preserve such trees, the trees shall be replaced in accordance with an approved landscape plan that includes new plantings of **at least two inches in caliper, and the plan must at a minimum meet the requirements of Table 16.12.310-1.** ~~of similar character at least two inches to two and one half inches in caliper~~

Table 16.12.310-1 Tree Replacement Requirements	
Size of tree removed (inches in diameter)	Number of Trees to be planted.
6 to 12	3 trees
13 to 18	5 trees
19 to 24	8 trees
25 to 30	10 trees

31 and over

15 trees

Specimen trees shall be preserved where practicable. Where these requirements would cause an undue hardship, the review authority may modify the requirements in a manner which, in its judgment, reasonably satisfies the purposes and intent of this subsection. The review authority may impose conditions to avoid disturbance to tree roots by grading activities and to protect trees and other significant vegetation identified for retention from harm. Such conditions may include, if deemed necessary by the review authority, the advisory expertise of a qualified consulting arborist or horticulturist both during and after site preparation, and a special maintenance and management program to provide protection to the resources as recommended by the arborist or horticulturist.

23. For a residential development, site layout shall achieve at least 80% of the maximum density of the base zone for the net developable area. Net developable area excludes all areas for required right-of-way dedication, land protected from development through water resource and steep slopes, and required open space or park dedication.

17.62.070 On-site pedestrian access.

C. The on-site pedestrian circulation system shall be lighted to a minimum level of ~~three~~ **0.5 foot-candles, a 1.5 foot-candle average, and a maximum to minimum ratio of 7:1** to enhance pedestrian safety and allow employees, residents, customers or the public to use the walkways at night. Pedestrian walkway lighting through parking lots shall be **lighted to a 0.5 foot-candle average and a maximum to minimum ratio of 10:1** designed to light the walkway and enhance pedestrian safety. **Artificial lighting which may be provided shall enhance security, be appropriate for the use, and avoid adverse impacts on surrounding properties and the night sky through appropriate shielding. The lighting shall not cause a measurement in excess of 0.5 footcandles of light on other properties.**

17.62.080 Special development standards along transit streets.

2. Main building entrances shall be well lighted and visible from the transit street. The minimum lighting level for building entries shall be ~~four~~ **three foot-candles**. Lighting shall be a pedestrian scale with the source light shielded to reduce glare.

Chapter 17.64 Planned Unit Development

This Section shall be removed from the Code.

Chapter 17.65 Master Plan

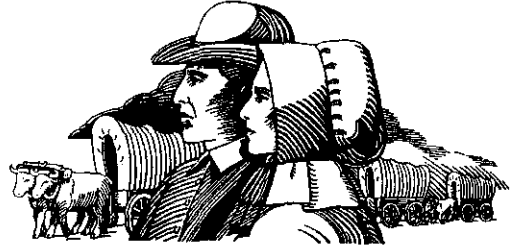
This Section shall be added to the Code.

CITY OF OREGON CITY

Planning Commission

320 WARNER MILNE ROAD
TEL (503) 657-0891

OREGON CITY, OREGON 97045
FAX (503) 657-7892



STAFF REPORT VARIANCE (Type III Decision) Date: January 20, 2004

FILE NO.: VR 03-23 Variance

APPLICATION TYPE: Type III

HEARING DATE: January 26, 2004
7:00 p.m., City Hall
320 Warner Milne Road
Oregon City, OR 97045

APPLICANT: Mark Herring
923 Clearbrook Drive
Oregon City, Oregon 97045

PROPERTY OWNER: Mark Herring & Jesse Davalos
923 Clearbrook Drive
Oregon City, Oregon 97045

REQUEST: The Applicant is requesting approval for Variances to the Minimum Lot Area for two residential lots.

LOCATION: Lot 9 & 10 of Darnell's Addition located at 418 Dewey Street, Oregon City, Oregon 97045, and identified as Clackamas County Map 2-2E-32CC, Tax Lot 1600 (0.22 acres, zoned R-6 Single-Family Residential Dwelling District).

RECOMMENDATION: Approval

REVIEWERS: Christina Robertson-Gardiner, Associate Planner

VICINITY MAP: Exhibit 1

The decision of the Planning Commission is final unless appealed to the City Commission within ten (10) days following the decision in accordance with OCMC 17.50. Only persons who participated either orally or in writing have standing to appeal the decision of the Planning Commission. Grounds for the appeal are limited to those issues raised either orally or in writing before the close of the public record. The application, decision (including specific conditions of approval), and supporting documents are available for inspection at the Oregon City Planning Division. Copies of these documents are available (for a fee) upon request. IF YOU HAVE ANY QUESTIONS ABOUT THIS APPLICATION, PLEASE CONTACT THE PLANNING DIVISION AT (503) 657-0891.

BACKGROUND:

The subject property in this application is 418 Dewey Street (Lots # 9 and # 10 in the Darnell's Addition). Darnell's Addition was platted in 1891.

The existing house and accessory garage are located on the east side of the 100' X 100' Taxlot, but are built over the line which separates the original lots 9 & 10 of the subdivision (Exhibit 2). The Applicant wishes to re-recognize Lot 9 as a Lot of Record and perform a Lot Line Adjustment to move the horizontal line separating Lots 9 and 10 to a vertical line, which bisects the lot in half. Per 17.12050 Lots of Record are recognized as buildable lots. Once recognized, new construction must meet the underlying zone's setbacks.

Once a Lot of Record Line is moved, it no longer retains its status as a preexisting Lot of Record. Type I Ministerial Lot Line Adjustments cannot be approved if the resulting lots do not meet the minimum lot size standards for the underlying zone, in this case 6,000 square feet in the R-6 Single Family District. The existing 5,000 square foot lot arrangement of the neighborhood would not change if the Variance was granted, only the orientation (East/West vs. North/South) would change.

Therefore, the Applicant is requesting a Planning Commission Variance to the Minimum Lot Size for both Lot 9 and 10 from 6,000 square feet to 5,000 square feet.

BASIC FACTS:

1. **Zoning/Permitted Use:** The property is zoned "R-6" Single-Family Dwelling District and is designated as "LR" Low Density Residential in the City's Comprehensive Plan.
2. **Property Description:** Lots 9 & 10 of Darnell's Addition, located at 418 Dewey Street, Oregon City, Oregon 97045, and identified as Clackamas County Map 2-2E-32CC, Tax Lot 1600 (0.22 acres, zoned R-6 Single-Family Residential Dwelling District).
3. **Dimensional Standards:** The "R-6", Single-Family Dwelling District, requires the following:

Minimum Lot Area:	6,000 square feet
Minimum Lot Width:	50 feet
Minimum Lot Depth:	100 feet
Front Yard Setback:	20 feet
Interior Side Yard:	5 feet/ 9 feet
Corner Side Yard:	15 feet
Rear Yard Setback:	20 feet
4. **Surrounding Uses/Zoning:** The subject property abuts the Molalla Avenue Commercial District to the West and other R-6 Single Family properties to the East.
5. **Comments:** Notice of the proposal was sent to property owners within three hundred feet of the subject property, the Mt. Pleasant Neighborhood Association, and was published in the Clackamas County Review. No written comments were received by the Planning Division concerning this proposal from the Neighborhood Association or any neighbors. Additionally, transmittals were sent to various City departments and other agencies regarding the proposed development. Relevant comments received from City departments are addressed in the body of this report.

DECISION-MAKING CRITERIA:

Municipal Code Standards and Requirements

OCMC, Title 17- Zoning:

Chapter 17.12, "R-6", Single Family Dwelling District

Chapter 17.50, Administration and Procedures

Chapter 17.60, Variances

ANALYSIS:

The requested Variance to Lot Area is necessary to build a logical and compatible infill dwelling. If the Variance to Lot Size is granted for both Lots 9 and 10, all new construction will meet the underlying zone's setbacks.

According to procedures set forth in Section 17.60.010, the Planning Commission may authorize Variances from the requirements of this title. The Planning Commission may attach conditions to protect the best interest of the surrounding property or neighborhood and otherwise achieve the purpose of this title. No Variances shall be granted to allow the use of property for a purpose not authorized within the zone in which the proposed use would be located.

Section 17.60.020 *Variances—Grounds* states that a Variance may be granted if the Applicant meets six approval criteria:

A. That the literal application of the provisions of this title would deprive the Applicant of rights commonly enjoyed by other properties in the surrounding area under the provisions of this title; or extraordinary circumstances apply to the property which do not apply to other properties in the surrounding area, but are unique to the Applicant's site;

As stated by the Applicant, unique circumstances apply to these two lots. The orientation of Lots 9 and 10 do not match the location of the existing house. New construction, without a Variance, is allowed on the newly created Lot of Record (Lot 9), but it would require either total or partial demolition of the existing house. The requested Variance would alleviate this condition.

The requested Variance would allow the Applicant to build a new house that could ensure neighborhood compatibility. The Variance for Lot Area is needed to make the lots conform to the existing development on site. Staff finds that the Applicant's request is reasonable and meets this standard.

Therefore, the Applicant satisfies this criterion.

B. That the Variance from the requirements is not likely to cause substantial damage to adjacent properties, by reducing light, air, safe access or other desirable or necessary qualities otherwise protected by this title;

The granting of the Variance to reduce the lot size will not likely cause damage to adjacent properties. The intent of this criterion is to ensure that the Variance is viewed in the context of the surrounding properties. All Lots of in the original Darnell's addition were created as 5,000 square foot lots. The existing 5,000 square foot lot arrangement of the neighborhood would not change if the Variance was granted, only the orientation (East/West vs. North/South) would changed. Based on the information provided, the request should not likely reduce light, air, safe access or other desirable qualities as protected under this ordinance.

Therefore, the Applicant satisfies this criterion.

- C. The Applicant's circumstances are not self-imposed or merely constitute a monetary hardship or inconvenience. A self-imposed difficulty will be found if the Applicant knew or should have known of the restriction at the time the site was purchased;**

If the Applicant developed without the Variance by either demolishing the rear porch or even the entire house, the self-imposed circumstance would be eliminated. However, forcing demolition would be less desirable for both the Applicant and the City.

Therefore, the Applicant satisfies this criterion.

- D. No practical alternatives have been identified which would accomplish the same purposes and not require a Variance;**

As stated by the Applicant (Exhibit 3), the other options are to demolish the existing house and build two new houses or partially demolish the existing house and build a new house behind the existing garage. While these are options, they are neither practical nor is it in the City's interest to promote demolition of older homes.

The purpose of this criterion is to ensure that all practical and reasonable alternatives to the Variance have been considered. Staff and the Applicant did analyze the available options. No practical alternatives were found.

Therefore, the Applicant satisfies this criterion.

- E. That the Variance requested is the minimum Variance that would alleviate the hardship;**

The intent of this criterion is to require that the Variance application does not reduce the required standard beyond that which is needed for the specific application. The reduction of the Lot Area standard would allow the Applicant to build a new house on a newly created Lot of Record and is the minimum Variance needed to resolve the situation as requested.

Therefore, the Applicant satisfies this criterion.

- F. That the Variance conforms to the comprehensive plan and the intent of the ordinance being varied.**

The requested Variance would allow the Applicant to develop the subject property for single-family residential use, as intended by the City Code and the Comprehensive Plan. The granting of the Variances supports this intent.

Therefore, the Applicant satisfies this criterion.

CONCLUSION AND DECISION:

Based on the analysis and findings as described above, staff recommends approval of the requested Variances under City File # VR 03-23 for the property located at 418 Dewey Street, Oregon City, Oregon 97045, and identified as Clackamas County Map 2-2E-32CC, Tax Lot 1600 (0.22 acres, zoned R-6 Single-Family Residential Dwelling District).

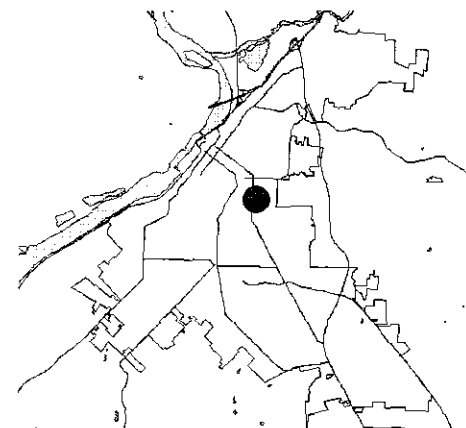
EXHIBITS:

1. Vicinity Map
2. Site Plan
3. Applicant's Narrative
4. Site Photos (January 20, 2004)

cc: File VR 03-23
Building Division



418 Dewey Street
VR 03-23



City of Oregon City
P.O. Box 3040
320 Warner Milne Road
Oregon City, OR 97045

The data on this map is the best
information available from the
records of the City of Oregon City.
Errors and omissions may exist.

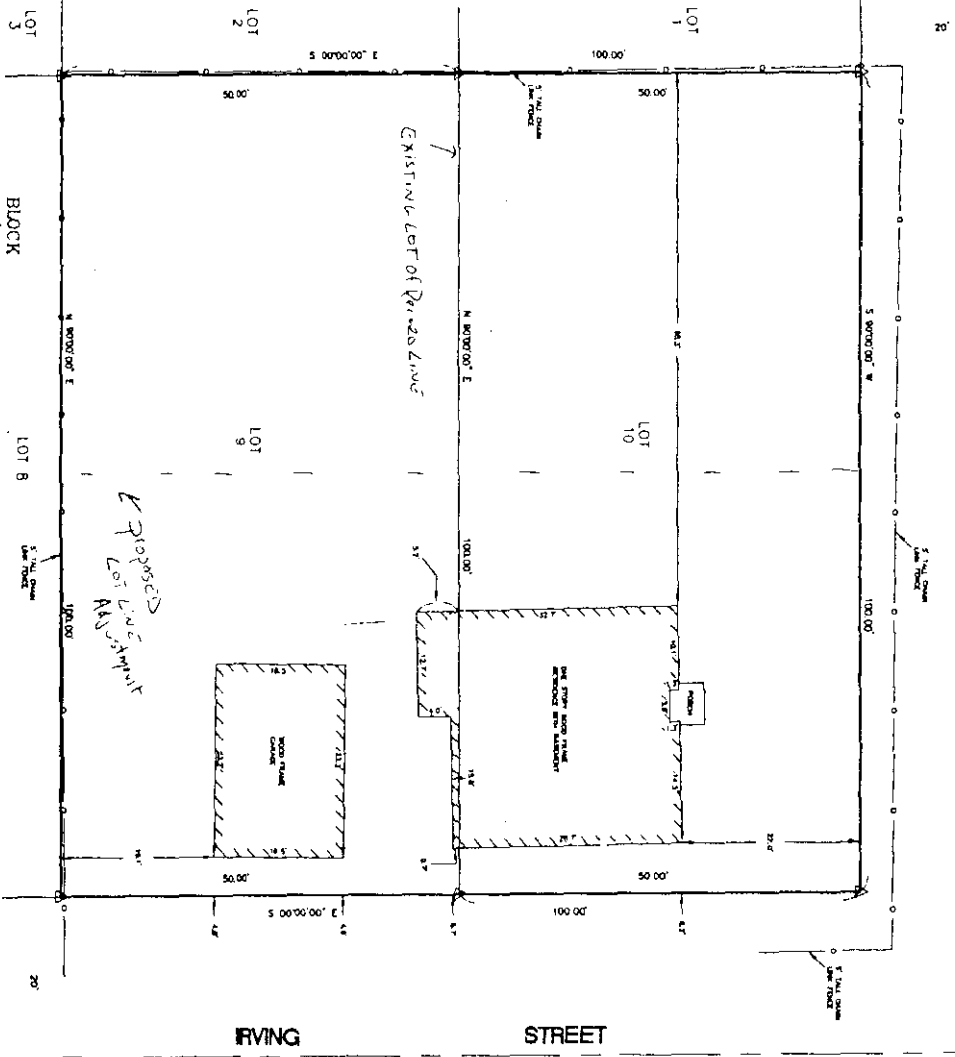
Exhibit 1

SURVEY SKETCH

FOR: MARK HERRING

BEING LOTS 8 AND 10, BLOCK 1,
"DARNELL'S ADDITION TO OREGON CITY"
IN THE SW 1/4 SEC. 32, T2S, R2E, W1E
CLATSOP COUNTY, OREGON
FEBRUARY 13, 2003 MAP 2 ZE 300C

DEWEY STREET



NOTES

1. THE BOUNDARIES AS SHOWN ON THIS MAP ARE APPROXIMATE. ONLY THIS MAP DOES NOT REPRESENT A SURVEY TO BE RECORDED, BUT WAS DONE FOR SITE/TOWN INFORMATION ONLY.
2. THIS SURVEY IS MADE FOR THE ORIGINAL PURPOSE OF THE SURVEY, AND IS NOT TO BE USED FOR ANY OTHER PURPOSES. IT IS NOT TO BE USED TO SHOW HEREON TO ANY OTHER INSTITUTIONS OR SUBSEQUENT PERSONS OF THE PROPERTY.
3. SURVEY IS VALID ONLY IF PRINTED WITH SEAL AND SIGNATURE OF SURVEYOR.
4. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH. A SURVEYOR COULD NOT BE HELD RESPONSIBLE FOR ANY ENCUMBRANCES OR OTHER MATTERS THAT MAY AFFECT THE TITLE OF THIS PROPERTY, AND ATTORNEY HAS BEEN MADE IN THIS SURVEY TO SHOW SUCH MATTERS THAT MAY AFFECT THE

LEGEND

△ STATION "APPROXIMATE PROPERTY CORNER"



SCALE 1" = 4'

REGISTERED PROFESSIONAL LAND SURVEYOR
OSCEOLA HERRING, P.E. SAID
FEB 13, 2003
SURVEYED BY:
ANDY PARR AND ASSOCIATES, INC.
16057 BOONES FERRY ROAD
LAKE OSWEGO, OREGON 97035
PH: 503-636-1341
PROJECT: 03070
DRAWING: 030701.DWG
DATE: 02/13/03

Exhibit 2

CITY OF OREGON CITY

Community Development Department, 320 Warner Millne Road,
P.O. Box 3040, Oregon City, OR 97045, (503) 657-0891 Fax: (503) 657-7892
www.ci.oregon-city.or.us

LAND USE APPLICATION FORM

REQUEST:

- | Type II | Type III | Type III / IV |
|--|--|---|
| <input type="checkbox"/> Partition | <input type="checkbox"/> Conditional Use | <input type="checkbox"/> Annexation |
| <input type="checkbox"/> Site Plan/Design Review | <input checked="" type="checkbox"/> Variance | <input type="checkbox"/> Plan Amendment |
| <input type="checkbox"/> Subdivision | <input type="checkbox"/> Planned Development | <input type="checkbox"/> Zone Change |
| <input type="checkbox"/> Extension | <input type="checkbox"/> Modification | |
| <input type="checkbox"/> Modification | | |

OVERLAY ZONES: ☐ Water Resources ☐ Unstable Slopes/Hillside Constraint

Please *print or type* the following information to summarize your application request:

APPLICATION # 02-03-23 (Please use this file # when contacting the Planning Division)

APPLICANT'S NAME: MARK HERRING

PROPERTY OWNER (if different): MARK HERRING AND TESSE DAVAKOS

PHYSICAL ADDRESS OF PROPERTY: 418 DEWEY STREET OREGON CITY OR 97045

DESCRIPTION: TOWNSHIP: 25 RANGE: RE SECTION: 32 TAX LOT(S): 1600 (LOTS 9+10)

PRESENT USE OF PROPERTY: ONE SINGLE FAMILY DWELLING

PROPOSED LAND USE OR ACTIVITY:

SEPERATE LOTS IN ORDER TO BUILD AN ADDITIONAL SINGLE FAMILY DWELLING.
TO DO THIS, WE NEED TO CHANGE EXISTING LOT LINE FROM E TO W INTO NORTH TO SOUTH

DISTANCE AND DIRECTION TO INTERSECTION:

ON CORNER OF DEWEY & IRVING
CLOSEST INTERSECTION: DEWEY / IRVING - CORNER

PRESENT ZONING: _____

TOTAL AREA OF PROPERTY: 10,000 SF

Land Divisions

PROJECT NAME: _____

NUMBER OF LOTS PROPOSED: _____

MINIMUM LOT SIZE PROPOSED: _____

MINIMUM LOT DEPTH PROPOSED: _____

MORTGAGEE, LIENHOLDER, VENDOR, OR SELLER: ORS
CHAPTER 227 REQUIRES THAT IF YOU RECEIVE THIS
NOTICE, IT MUST BE PROMPTLY FORWARDED TO
PURCHASER

VICINITY MAP

To be provided by the APPLICANT
at the time application is submitted

Exhibit 3

INSTRUCTIONS FOR COMPLETING LAND USE APPLICATIONS:

1. All applications must be either typed or printed (black ink). Please make the words readable.
2. The application must be submitted with the correct fee(s).
3. If you mail in the application, please check with the Planning Division to ensure that it was received and that all necessary fees and information are with the application form.
4. If you wish to modify or withdraw the application, you must notify the Planning Division in writing. Additional fees may be charged if the changes require new public notice and/or if additional staff work is necessary.
5. With the application form, please attach all the information you have available that pertains to the activity you propose.
6. Prior to submitting the application, you must make complete a Pre-Application meeting to discuss your proposal with members of the Planning Division and any other interested agencies. Applicant is then to provide all necessary information to justify approval of the application.
7. The front page of the application contains a brief description of the proposal and will serve as the public notice to surrounding properties and other interested parties of the application. This is why neatness is important.
8. Detailed description, maps, and other relevant information should be attached to the application form and will be available for public review. All applicable standards and criteria must be addressed prior to acceptance of the application. The content of the attached information may be discussed with the planner who conducted the Pre-Application Conference prior to submission of the application.
9. Incomplete applications will be returned.

APPLICANT'S SIGNATURE: Mark

MAILING ADDRESS: 923 CLEARBROOK DR.

CITY: OREGON CITY STATE: OR ZIP: 97045 PHONE: (503) 708-0091

PROPERTY OWNER SIGNATURE(S): Mark

MAILING ADDRESS: 923 CLEARBROOK DRIVE

CITY: OREGON CITY STATE: OR ZIP: 97045 PHONE: (503) 708-0091

**If this application is not signed by the property owner,
then a letter authorizing signature by an agent must be attached**

DATE SUBMITTED: _____

RECEIVED BY: _____

FEE PAID: _____

RECEIPT #: _____

August 13, 2003

Oregon City Planning Department

RE: Lot of Record, Lot Line Adjustment, and Variance

I would like to be able to build a new home on a lot next to a home I own. In order to do this, I will need to do two things. I will need to re-establish a lot line for a Lot of Record and then do a Lot Line Adjustment. To accomplish both of these things, I will need to have a variance. These changes are requested of lots 9 & 10 of Tax Lot 1600. The location is T-2S, R-RE, Section 32. After re-establishing the lot line between lots 9&10, I would like to move the lot line from the current east/west direction to a north/south direction. This will not change the size or shape of either lot. It is just changing the center line of a square parcel. This is the easiest way to get to the final result of building a new tax generating home.

We have been told by the Planning Department that we can build a new home on lot nine, as long as the current building is not on the current lot line. At present time, this home is about 8 inches across the current lot line. If we remove 8 inches of the back of the house (and a small back porch), we can build on Lot 9. If forced to we will do this. It will be a hardship. If that is what we have to do, we will do it to be able to build a new home. A couple of problems would exist with this scenario. Of course the cost of the work to the existing home and the current garage would be on the same lot as the new home. These two structures would be inconsistent in design and style, yet on the same lot. If we move the lot line, none of these problems exist any longer.

If we could simply re-establish the Lot of Record, knowing it is going to be moved, and once it is moved, these 8 inches of problem does not exist, the problem is solved. We can build a new home and both homes would have consistent structures on them. Per the Planning Department, we can put the additional home on this parcel. One plan requires \$20,000 worth of demolition and reconstruction. One does not! Either way, the end result is an additional home. Both final homes will look the same. One plan just causes a hardship that could be avoided.

I realize I am doing this process a little out of order. I need to find out what our final outcome will be, in order to determine the path to take to get there. That outcome will be decided by the Variance.

In summary, this new home will enhance the neighborhood. It will add a new tax and revenue. It will help to increase density. The lot size and shape will not change. A new house can already be added (with unnecessary modifications to the existing home). We just want to take a more common sense approach to resolve this problem.

Mark Herring
923 Clearbrook Drive
Oregon City, OR 97045
Home phone: 503-655-2513
Cell phone: 503-708-0091

Oregon City Planning Department
Variance grounds

I would like to be able to build a new home on a lot next to a home I own. In order to do this, I believe I will need to do three things. I will need to re-establish a lot line, do a lot line adjustment (to move the direction of that lot line), and a variance for the lot size of current zoning. These changes are requested of lot 9&10 of tax lot 1600. The location is 2-2S, R-RE, Section 32.

- A. Other properties that immediately surround this property in question are of lot sizes of 5000square feet or less. These lots of 5000 sf were made lots of record many years ago. With density concerns being important, now more than ever, I would hope to re-establish these lots. Upon doing this, the one lot would be split in half. I would like to then move the lot line from east/west to north/south. The lots would be the same square footage as before. The original lot would still be cut in half. I have heard there are even new lots being established in other new areas of Oregon City, with lot sizes of 5000 square feet.
- B. This variance will not change the current qualities enjoyed by the surrounding neighbors. I do plan to build a new home on this lot. There is only one adjacent residential neighbor to this house, in the back yard. There will be one commercial neighbor who can not even see either lot.
- C. The hardship this causes is a simple problem. The current house is on the old lot line, by seven inches. What I am trying to do is say, that doesn't matter because I don't want to use that lot line, I want to move it. Once I move the direction of the lot line, the building will qualify with all current set backs and zoning requirements. This will allow consistency for the current home and Garage. If the current lot line is re-established, the house and garage for the house will be on two different lots. I would like to keep the current garage with the current home and build a new house and garage on the adjacent lot. I was told by Christina (OC Planning Dept), I could already build on lot nine if I took of seven inches of the current house. I am willing to do that, but I don't see the need. The key thing is, I can build a house on lot nine, with some modifications to the current structure. The house will be built in basically the same spot, either way. By getting you're approval, I won't have to cut the back seven inches of the current house off.
- D. The Variance is a key element in the chain of events that must take place for this to take place. I have been told by OC planning, this is what needs to be done.
- E. Yes this is the minimum variance that would alleviate this hardship. I am trying to take what I have been told is the path of least resistance, and the only path.
- F. The variance to the new "plan" would be in compliance with several other areas zoning requirements within Oregon City. Also, I understand density is a big issue. This would help the density of Oregon City, as well as be consistent with the lot sizes in this area. There are quite a few surrounding properties with 5000 sf lots, or less. The new home I propose to build will enhance the area. It will be a new home to dress up the area the area of older homes currently in the surrounding area.

Mark Herring, 923 Clearbrook Drive, Oregon City, OR 97045
Home phone... 503-655-2513 cell phone... 503-708-0091

11=1

CANCELLED TAX LOTS

13200

500
7700E1
5500
6600
4101
4102
4103
4200
6800

SEE MAP 2 2E 32 CB

ST.

PEARL

MYRTLE

STREET

WARREN ST.

DEWEY

ST.

ST. HWY. 213

IRVING ST.

B ST.

8200 AVE

L LA

D ST.

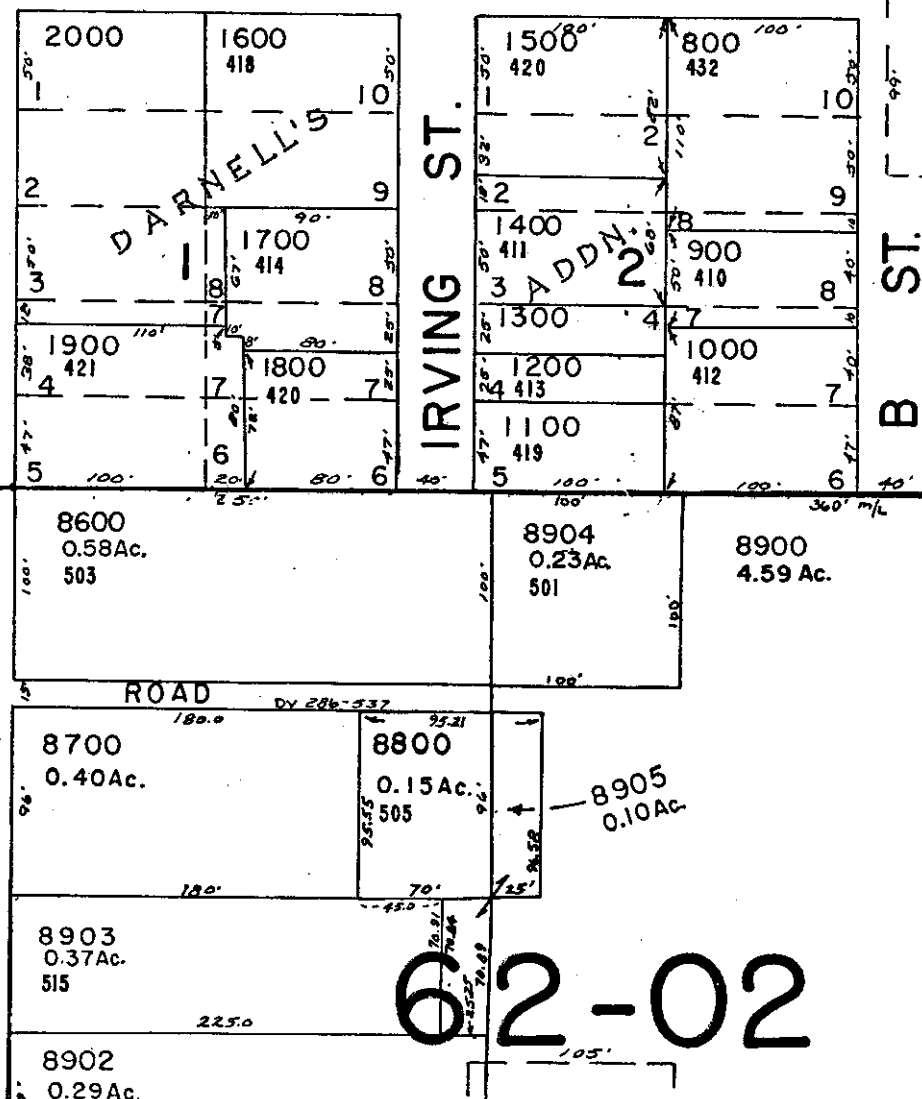
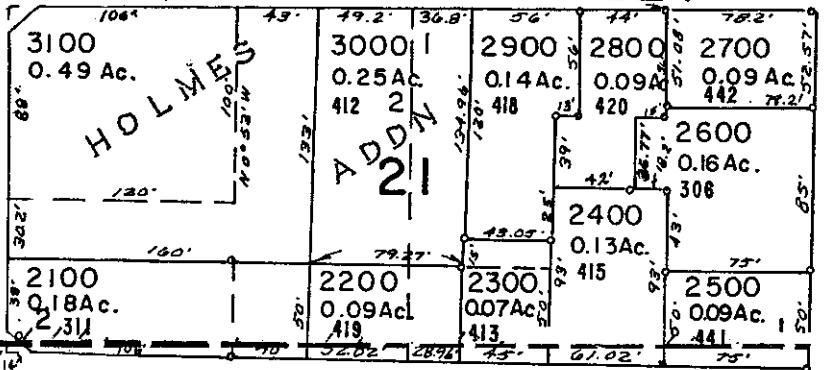
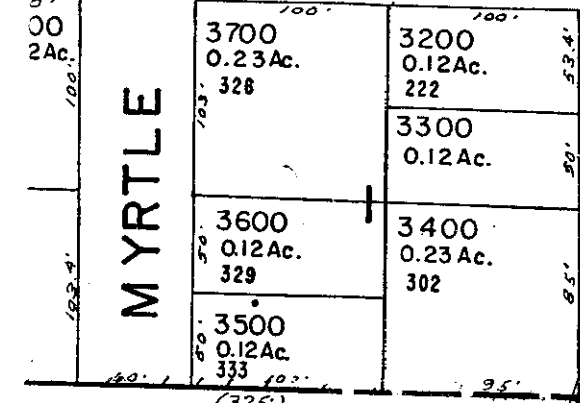
AVE

ASANT

7700

7700E2
7700E3
0.33Ac.
501

8300
0.44Ac.
592



62-02



Photo #1 Looking SW at 418 Dewey from the intersection of Dewey and Irving Street



Photo #2: Looking West along Dewey from the intersection of Dewey and Irving Street

Exhibit 4



Photo #3: Looking South at 418 Dewey Street from Dewey Street

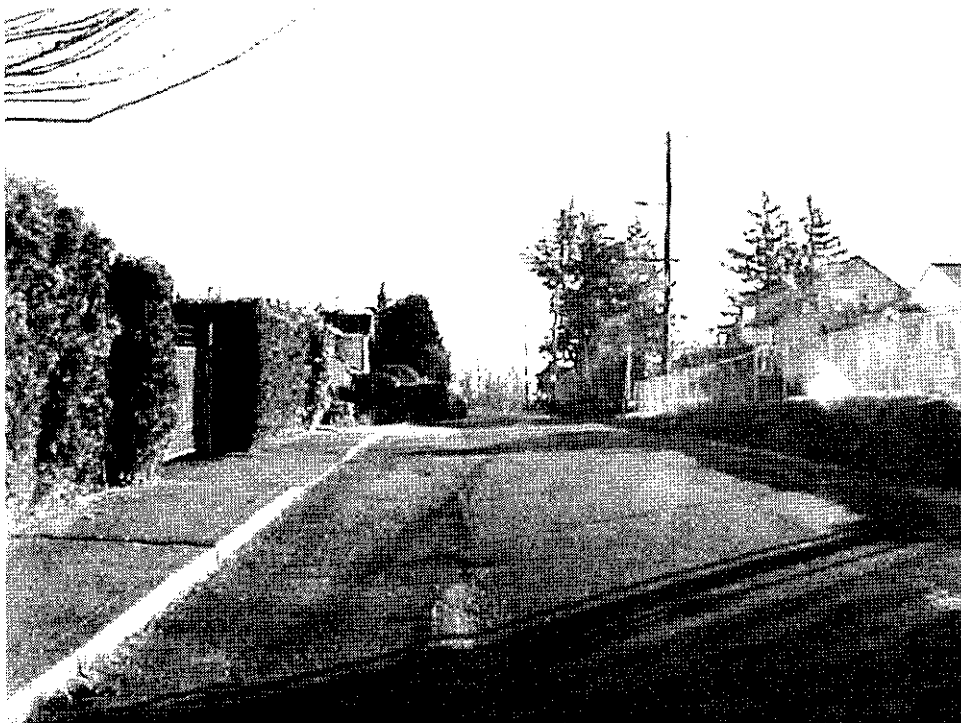


Photo #4: Looking East along Dewey Street from the intersection of Dewey and Molalla Avenue



Photo #5: Looking NW at 418 Dewey Street from Irving Street.

VR 03-23

418 Dewey Street



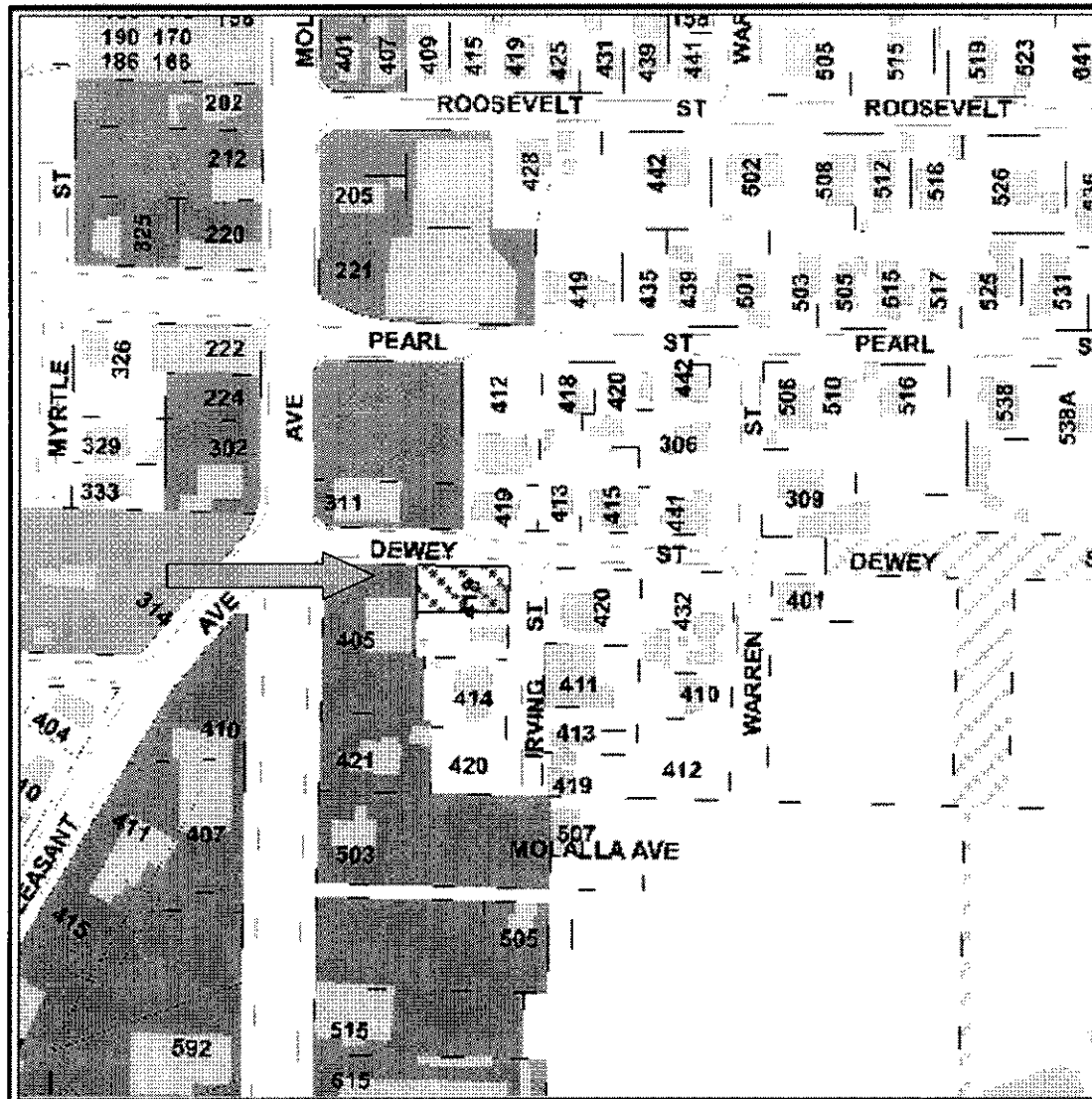
CITY OF OREGON CITY

OC PLANNING COMMISSION

HEARING DATE: 1/26/04

CASE FILE: VR 03-23

EXHIBIT: A



418 Dewey Street



City of Oregon City
P.O. Box 3741
531 Warner Blinn Road
Oregon City, OR 97045

The data on this map is the best
information available from the
records of the City of Oregon City.
Errors and omissions may exist.

Map created with OCMap

01/26/2004

APPLICANT:

Mark Herring
923 Clearbrook Drive
Oregon City, Oregon 97045

PROPERTY OWNER:

Mark Herring & Jesse Davalos
923 Clearbrook Drive
Oregon City, Oregon 97045

REQUEST:

The Applicant is requesting approval for Variances to the Minimum Lot Area for two residential lots.

LOCATION:

Lot 9 & 10 of Darnell's Addition located at 418 Dewey Street, Oregon City, Oregon 97045, and identified as Clackamas County Map 2-2E-32CC, Tax Lot 1600 (0.22 acres, zoned R-6 Single-Family Residential Dwelling

[illegible]

STREET

MARK HERRING

BEING LOTS 9 AND 10, BLOCK 1,
"BARNETT'S ADDITION TO OREGON CITY"
IN THE SW 1/4 SEC. 32, T.2S., R.2E., W.M.
CLACKAMAS COUNTY, OREGON
FEBRUARY 13, 2003 MAP 2 ZE 35CC

1. THE DOWNSIDES ARE: SHOWING ON THE MAP AS APPROXIMATELY ONLY; THIS MAP DOES NOT REPRESENT A SURVEY TO BE RECORDED; BUT THIS IS NOT THE BEST REASON FOR ONLY.
2. THIS SURVEY IS MADE FOR THE SPECIAL PURPOSE OF THE SURVEY ONLY. IT DOES NOT REPRESENT A SURVEY TO BE RECORDED; BUT THIS IS NOT THE BEST REASON FOR ONLY.
3. SURVEY IS MADE ONLY BY SHOT AND SIGHTING OF SURVEYORS. THIS SURVEY DOES NOT CONSTITUTE A TITLE DESIGNATION OF SURVEYORS. THERE ARE CERTAIN REQUIREMENTS, CONDITIONS, AND REASONS THAT COULD AFFECT THE TITLE OF THIS PROPERTY, BUT ATTEMPTING THIS MAY BE THE ONLY WAY TO SHOW SUCH MATTERS NOT TO AFFECT TITLE.

SET LATH APPROPRIATE
PROPERTY CORRECTION

Exhibit Z

SUPERVED BY:
ANDY PARRIS AND ASSOCIATES, INC.
16057 BOONES FERRY ROAD
LAKE OSWEGO, OREGON 97035
PH: 503-636-3341
PROJECT: 02010

PROJECT: 03010
DRAWING: 030105A7.DWG
DATE: 08/02/201

✿ The requested Variance would allow the Applicant to build a new house that could ensure neighborhood compatibility.

✿ The Variance for Lot Area is needed to make the lots conform to the existing development on site.

✿ The existing 5,000 square foot lot arrangement of the neighborhood would not change if the Variance was granted, only the orientation (East/West vs. North/South) would be changed.

✿ The request should not likely reduce light, air, safe access or other desirable qualities.

✿ No practical alternatives were found.

✿ The reduction of the Lot Area standard would allow the Applicant to build a new house on a newly created Lot of Record and is the minimum Variance needed to resolve the situation.

✿ If approved, the Applicant would not be forced to demolish the existing house.



Photo #1 Looking SW at 418 Dewey from the intersection of Dewey and Irving Street



Photo #2: Looking West along Dewey from the intersection of Dewey and Irving Street

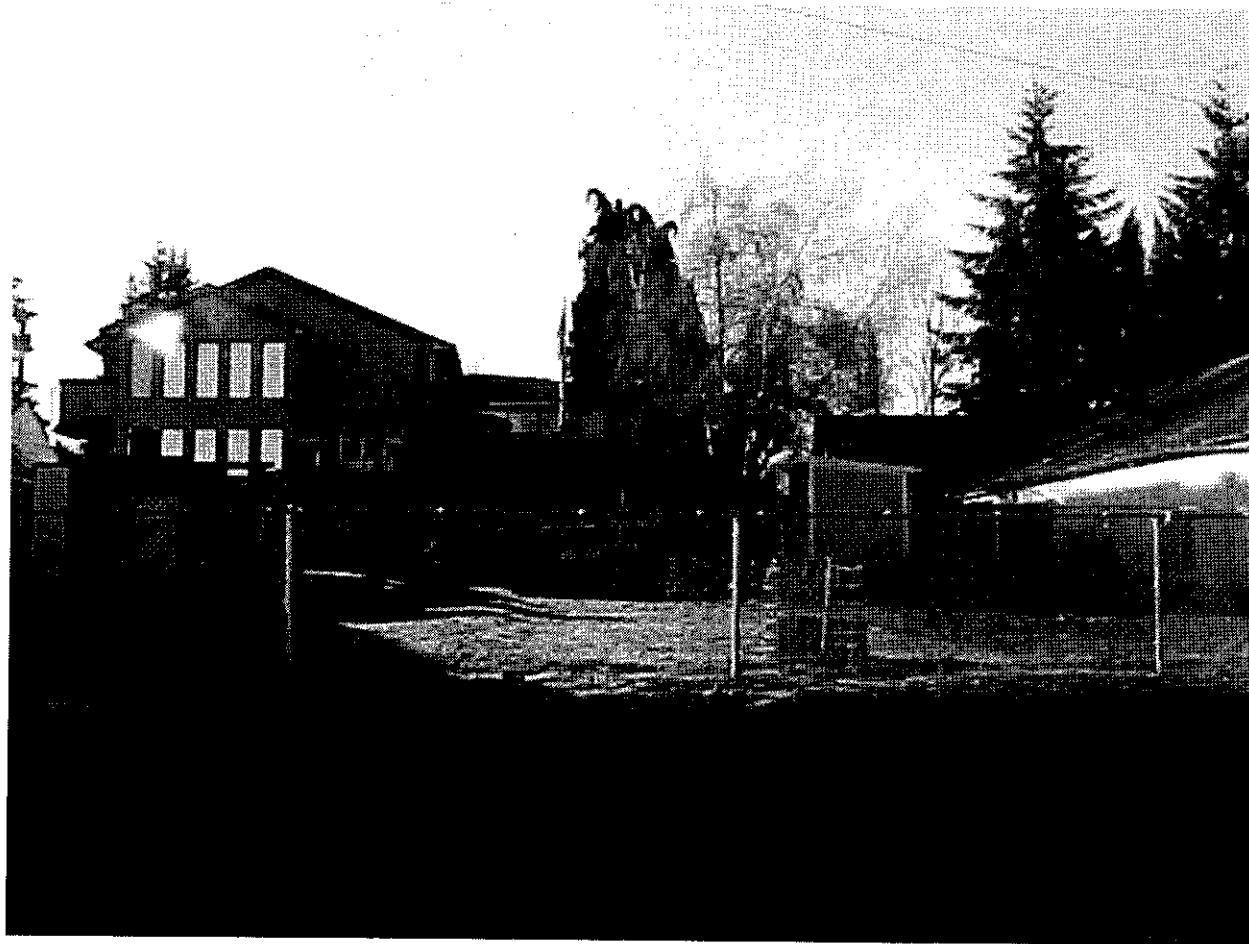


Photo #3: Looking South at 418 Dewey Street from Dewey Street

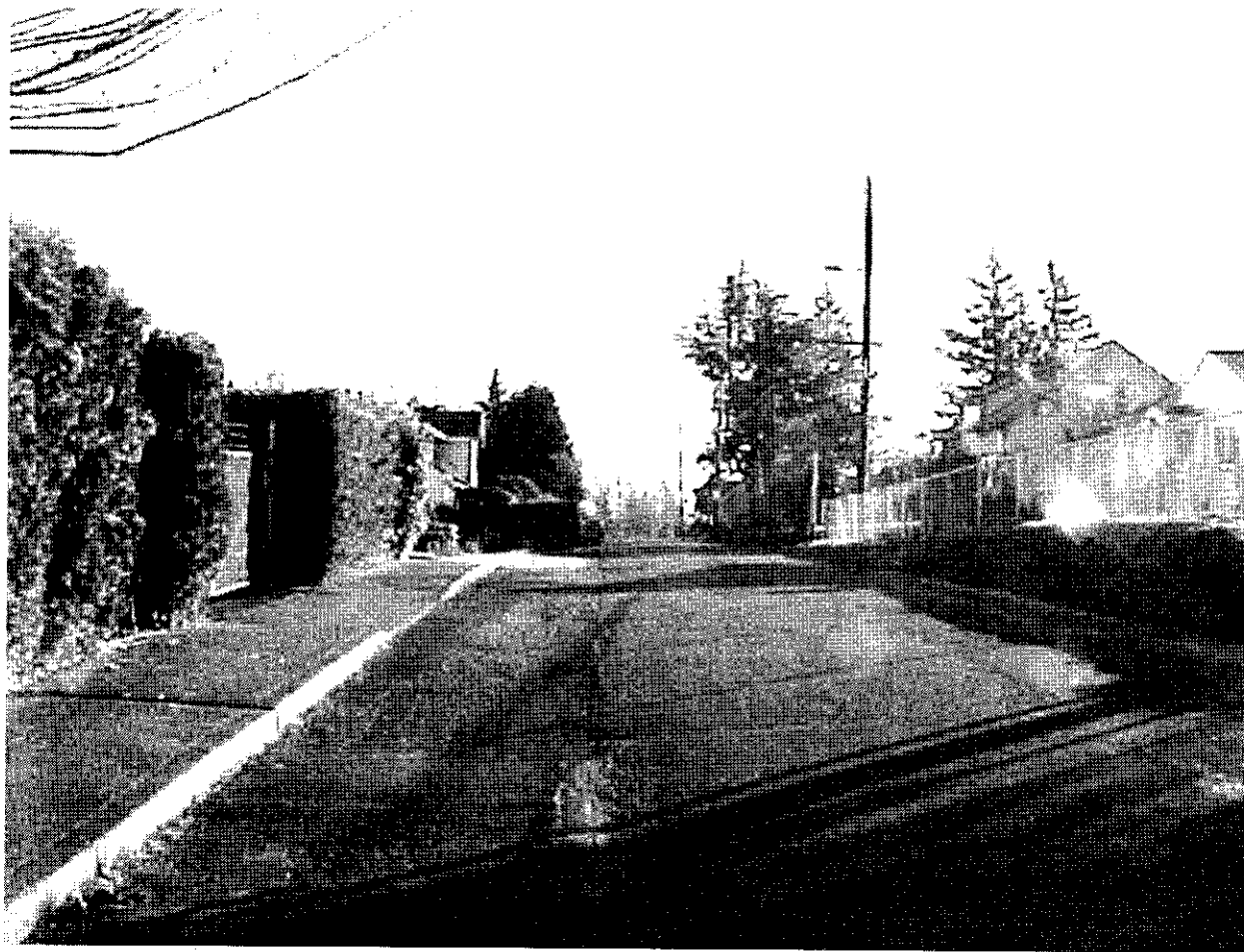


Photo #4: Looking East along Dewey Street from the intersection of Dewey and Molalla Avenue

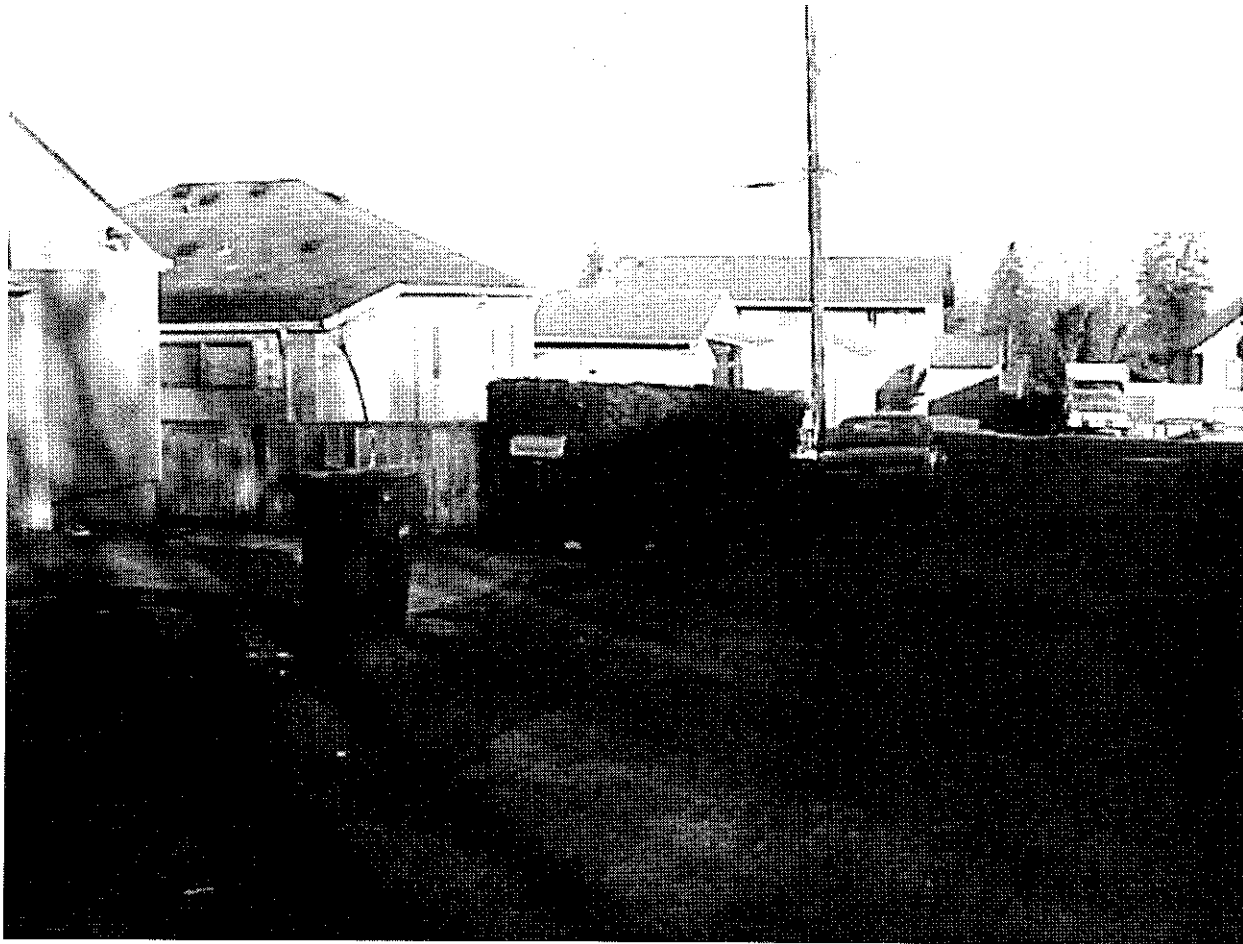


Photo #5: Looking NW at 418 Dewey Street from Irving Street

Tony Konkol

From: Tom Sisul [tomsisul@sisulengineering.web-ster.com]
Sent: Monday, October 27, 2003 7:55 AM
To: Tony Konkol
Subject: admendments to development code

Tony:

I have reviewed portions of the development code amendments and have only a couple of mechanical type questions.

The first; New Section 16.12.232 discusses that minimum density is 80% of maximum density. What I cannot find is how maximum density is calculated. Is the intent to use a calculation, or must one first layout a plan for the maximum density? A calculation would be nice for ease of use, but I foresee problems with the calculation method on oddly shape parcels where the lot dimensions would not fit well with the shape of the parcel that could be developed. Whatever is decided to be used, I feel like it needs to be addressed in the code for clarity inregards to the minimum density.

The second; I am somewhat confused with which residential zonings would be considered medium density and which are high density. In seems like Table 17.06.050 could be used to clarify this, but perhaps you have it elsewhere in the code.

Thanks,
Tom Sisul

11/13/2003

OC PLANNING COMMISSION
HEARING DATE: 1/26/04
CASE FILE: E 03-01
EXHIBIT: A

November 7, 2003

To Whom It May Concern:

I'm writing this letter of testimony to object to the rezoning of the land off of Beavercreek. I have been looking for a house in Oregon City in that specific neighborhood and I have stopped because I don't want to live next to an industrially zoned area. My family and I really like the idea of living in a "bedroom" community and commuting to work from there. If we wanted to live in an industrial area, we would be looking in St. Johns, NOT Oregon City! I don't want my children growing up in that environment. I'm looking for a good community atmosphere, not a cold, uncaring industrial park. My children need to go to a high school that's not across from a junkyard or sewage plant. As much as I would like to believe that there wouldn't be trouble from the high school students at the industrial area there; I'm also realistic and know that having a wrecking yard, etc across from the high school is just inviting mischief.

I work for Clackamas Community College and I'm disturbed by the thought of the observatory that they just finished on campus not being used because you can't see the stars through the lights from industry.

I believe that traffic would be an even bigger issue than it already is. By putting industry on Beavercreek you will have big semi trucks and delivery trucks coming and going on the already overused Beavercreek road and Highway 213. There is enough road rage on those roads as it is without having big trucks plugging up the roads and intersections making matters worse.

Thank you for listening to my plea to not rezone the Beavercreek road area to industrial.

Sincerely,

A handwritten signature in black ink, appearing to read "Kelly Steigleder". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Kelly Steigleder

We also note that the MUC 1 classification includes such possible uses as publicly owned parks, playgrounds, play fields and community or neighborhood centers. If you review the City's Comprehensive Plan map, you will see that in the entire South End area, one of significant development over the past few years, there are no green/open space designations. If there is concern about decreasing the traffic congestion in this area, one place to start is to ensure that there are sufficient recreation areas for children/families to enjoy within walking distance of their residences. We encourage the use of the MUC designation for this purpose when appropriate.

The last area that I would like to comment on is the proposed zoning for tax lot 300, located on Rose Road. The neighbors along Rose Road and those in the Lafayette area support these comments. We have attached the signatures from the Lafayette neighbors. I would like to make it clear that this issue is the only one of the several I have discussed that we have had the opportunity to review with our Lafayette neighbors. They may or may not support my earlier comments.

Tax Lot 300 is currently zoned R-6/MH. It is being proposed that this zoning designation be changed to R-6. We are asking that the City review this designation and take this opportunity to more appropriately zone this piece of property R-10. This is our only opportunity to discuss the zoning of this property and the zoning of our properties. In 1992 when the city added the R-6/MH zoning designation to its code and revised the Comprehensive Plan to allow for our area to have this zone as its overlay zone there was no requirement for public notice. When tax lot 300 was annexed into the city in 1999, public notice was required, as was an annexation vote. All of the required notices, voter's information and subsequent Planning Commission minutes refer to the property as FU-10 or LR, with multiple zoning possibilities. Nowhere is R-6/MH mentioned. There was no way for the affected neighbors or the voters to know that the property was actually already zoned R-6/MH. The City decision makers never looked at whether or not this was an appropriate zoning or corresponding density for this particular piece of property. This is the time to do that.

This property is being proposed as LR, the same as our property. The city designates R-10 as the zoning for LR property, yet is proposing this piece be zoned R-6. The surrounding area is developed as R-10 or currently being proposed as LR with an R-10 overlay, except this piece of property. If this zoning were allowed, it would create an isolated 6.5 acre plot of high density in an area of 10,000 square foot lots. The proposed Comprehensive Plan states in Policy 2.4.6 that when environmental constraints reduce the amount of buildable land, and/or where adjacent land differs in uses or density, implement comprehensive plan and zoning designations that encourage compatible transitional uses. The Goal is to protect and maintain neighborhoods. Allowing a zone of R-6 on this piece of property does not fulfill this goal or follow the policy.

In the hearings regarding Amendments to the Oregon City Municipal Code, we the undersigned endorse comments made by Kathleen Galligan specifically supporting:

- Amendment of the City Municipal Code to Delete the PUD ordinance
- Comprehensive Plan Zoning Designation Changes of our area from LR/MH to LR
- Municipal Code changes to allow LR to become R-10 once annexed to the city (instead of R-6/MH)
- Tentatively, the MUC classification of some land in this area, with a note of concern regarding traffic as well as encouragement of open space, parks and neighborhood center uses
- Request to amend the Comprehensive Plan zoning map to zone Tax Lot 300 to R-10 instead of R-6

Name:

Mary S Rough Mary S Rough

Address:

18944 S Rose Rd.

Oregon City, OR 97045

Signature:

John S. Rough Mary S Rough

Name:

John S. Rough

Address:

18944 S Rose Rd

Oregon City, OR 97045

Signature:

John S. Rough

Name:

Bob Pease

Address:

18878 Rose Rd

Oregon City, OR

Signature:

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 - Request to amend the Comprehensive Plan zoning map to zone Tax Lot 300 to R-10 instead of R-6
-

Name:

Ed Burton

Address:

18799 S Rose Rd

Oregon City, OR 97045

Signature:

Ed Burton

Name:

Address:

Signature:

Name:

Address:

Signature:

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 - Request to amend the Comprehensive Plan zoning map to zone Tax Lot 300 to R-10 instead of R-6
-

Name:

Melanie M. Schwahn

Address:

18848 S. Rose Rd.
Oregon City, OR 97045-8929

Signature:

Melanie M. Schwahn

Name:

Katie S. Breedlove

Address:

18848 S. Rose Rd.
Oregon City, OR 97045-8929

Signature:

Katie S. Breedlove

Name:

Jean Henkel

Address:

18875 S. DEER LN
OREGON CITY, OR 97045

Signature:

Jean Henkel

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 - Request to amend the Comprehensive Plan zoning map to zone Tax Lot 300 to R-10 instead of R-6
-

Name: Milo Schmeltzer

Address: 18908 S. Deer Ln
Oregon City OR.

Signature: Milo Schmeltzer

Name: Norene Schmeltzer

Address: 18908 S. Deer Ln
Oregon City, OR

Signature: Norene Schmeltzer

Name: JUDY PORTER

Address: 18802 S. ROSE RD.
OREGON CITY, OR 97045

Signature: Judy Porter

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 - Comprehensive Plan Zoning Designation Changes of our area from LR/MH to LR
 - Municipal Code changes to allow LR to become R-10 once annexed to the city (instead of R-6/MH)
 - Tentatively, the MUC classification of some land in this area, with a note of concern regarding traffic as well as encouragement of open space, parks and neighborhood center uses
 - Request to amend the Comprehensive Plan zoning map to zone Tax Lot 300 to R-10 instead of R-6
-

Name: Mike - Bev Gornick

Address: 18974 S. Rose Rd
Oregon City

Signature: Michael Gornick
Beverly Gornick

Name: Kathleen Galligan

Address: 18996 S Rose Rd
Oregon City, OR 97045

Signature: Kathleen Galligan

Name: Elizabeth Wakeman

Address: 18996 S Rose Rd
Oregon City, OR 97045

Signature: Elizabeth A. Wakeman

In hearings regarding Amendments to the Oregon City Municipal Code, we the undersigned support comments made by Kathleen Galligan to propose a zoning change to R10 of 3S-1E-1CD, Tax Lot 300 on Rose Rd.

Name LARRY Winslow

Address 18948 LaFayette Ave

OREgon CITY

Signature Larry Winslow

Name Don Simms

Address 18952 LAFAYETTE AVE

OREGON CITY

Signature [Signature]

Name Robert Washburn

Address 18977 Lafayette Ave

Or. City Or - 97045

Signature _____

Name AK Blanton

Address 18954 Lafayette Ave

OR CITY, OR 97045

Signature AK Blanton

In hearings regarding Amendments to the Oregon City Municipal Code, we the undersigned support comments made by Kathleen Galligan to propose a zoning change to R10 of 3S-1E-1CD, Tax Lot 300 on Rose Rd.

Name Kelly Wigmore

Address 18845 Lafayette

Oregon City, OR 97045

Signature Kelly Wigmore

Name Dee Huggett

Address 18865 Lafayette

Oregon City, Or

Signature Dee Huggett

Name Tammi Bradley

Address 18895 Lafayette

Ore. City, Or. 97045

Signature Tammi Bradley

Name Tamee Chadwick

Address 18916 Lafayette Ave

Oregon City, OR

Signature Tamee Chadwick

In hearings regarding Amendments to the Oregon City Municipal Code, we the undersigned support comments made by Kathleen Galligan to propose a zoning change to R10 of 3S-1E-1CD, Tax Lot 300 on Rose Rd.

Name Candace Walch
Address 18805 Lafayette Ave
Oregon City OR 97045
Signature Candace Walch

Name Elizabeth J. Smith
Address 18830 Lafayette Ave
Oregon City, OR
Signature Elizabeth J. Smith

Name _____
Address _____
Signature _____

Name _____
Address _____
Signature _____

In hearings regarding Amendments to the Oregon City Municipal Code, we the undersigned support comments made by Kathleen Galligan to propose a zoning change to R10 of 3S-1E-1CD, Tax Lot 300 on Rose Rd.

Name Don Gilkison

Address 18876 Lafayette Ave.
Oregon City, Or. 97045

Signature _____

Name _____

Address _____

Signature _____

Name _____

Address _____

Signature _____

Name _____

Address _____

Signature _____

The Oregonian: Thursday October 2, 2003: "I'm really excited about that project," said Tom Lemons, an Oregon City commissioner. "It just sounds like a really neat thing he's trying to do out there...He's talking about doing it as its own little community."

The Oregonian – Thursday October 2, 2003: "Hungerford's opposition is understandable, but development is unavoidable as the Portland area grows, said Larry Patterson, Oregon City's acting city manager. "We have to accept some of that burden...and make some accommodation for that growth," said Patterson, "unless we shut the gates, and we can't do that."

The Oregonian – Thursday October 2, 2003: "The advantage of a large piece is we can do a better job of master planning," said Dan Drentlaw, Oregon City's community development director. "You can see how all the transportation connections will be made."

The Oregonian – Thursday October 2, 2003: "If part of the land does not come within the urban growth boundary, Ziegler said, he would develop that portion that already is within the boundary, provided he can get it annexed to the city."

It makes sense to keep planning while appeal is pending, Richard Benner, Metro senior staff Attorney said. "If I were in (Ziegler's) shoes, I'd be doing the same thing."

As I indicated on Monday evening, even one of the County Commissioner's wives has indicated to one of our neighbors, in a private conversation, that both the county and the city prompted Mr. Ziegler to purchase the property with the encouragement of both bodies that he would be encouraged to develop it. "He wouldn't have purchased the land without that assurance."

I, and my fellow neighbors, thank Linda Carter and the others for stepping outside the bounds of the hearing session to note that we had a lot of neighbors present, testifying about how this change to the comprehensive plan would change our neighborhood. We had 13 in the room at that late hour, but we had nearly 30 in the outer area. We only have 41 homes in our development, and a portion of those are not even completed, yet some of those new residents also appeared at City Hall on last Monday evening.

While the City Attorney seemed somewhat perturbed about the raising of hands for questioning his stated decision (or opinion), the point that I was trying to raise was clearly that it may not be true that nothing can be done. The intent of the hearings are to discuss future growth and how it fits in with changes to the comprehensive plan.

If, as is clearly evident in the Oregonian, the city and the county are encouraging to Mr. Ziegler to develop these areas, why can't those two entities simply request Mr. Ziegler to slow down on his aggressive tearing apart of the environment around us. Sure, you can't enforce it legally, but it would seem to us that knowing how concerned your tax-paying citizens are, that the county and the city officials could simply ask him to work with you to not destroy what is irreplaceable in this fragile environment.

November 14, 2003

Planning Commission
The City Oregon City
320 Warner-Milne Road
Oregon City, OR 97045

Let me place before the Planning Commission some suggestions and directions that can ensure an adequate supply of land for major industrial employers that can offer good family, living wage jobs. There are other contiguous lands not listed and/or identified in your New Comprehensive Plan Proposal, where the UGB could be extended that are better suited to more of the criteria found in your comprehensive plan. The question is where these lands should be and how the proposed changes to the Comprehensive Plan and the UGB, can best identify industrial zoning and land set-a-sides. The accepted and understood criteria found in your policy 2.6.3 used to ensure that there is enough land available within Oregon City's Urban Growth Boundary to meet the needs for future industrial and/or commercial development can be better applied to other locations.

Let me propose that Oregon City and Metro look south, on Highway 99/McLoughlin Blvd. corridor, just south of the Historic Canemah Neighborhood. This contiguous area is just outside of Oregon City's current city limits and the UGB. These properties can extend for miles along this corridor. They currently have little residential use and should be considered as prime industrial lands with few negative impacts. These properties have great transportation access for freight mobility and also have critical rail and river access. When compared to all of the other proposed zoning changes to create industrial land set-a-sides this area should be the hands down winner. I believe that if you were to weight by value your Glen Oak Area, Beavercreek Road Area and any proposal that could include area's off of South End Road, you would find that this area and corridor south of Oregon City on Highway 99/McLoughlin is better suited.

Most everyone will agree that there is a need for more industrial lands to be available to the residents of Oregon City. With even more planned growth in housing and population in Oregon City, it is an imperative that you site and zone more industrial lands with a greater expansion of the Urban Growth Boundary then now reflected. There is a critical need to create and locate lands close jobs that reduce the distance the public must commute to work. These lands and locations should have very good access to public transportation, bike and walking paths, highways and freight, rail, and river corridors. The freight mobility equation must be good, allowing businesses to operate in the most cost effective way. These lands and locations should be contiguous to Oregon City and/or its neighboring municipalities. They should have good and affordable access to city, county, and metro services. There should be good access to services and utilities that include; water and sewer, parks and schools, police and fire protection. These lands and locations set-a-side with its zoning should have low negative impacts on existing neighborhoods. They should encourage the growth of affordable and high-density housing.

The only thing that would make this proposal even better is the building of a bridge across the Willamette River from I-205 direct to it. With the creation of an exit and bridge over the Willamette River off of I-205, you could greatly enhance the potential of this area. This crossing of the Willamette River, hillside to hillside, could be close to the Willamette area of West Linn. It would provide the connection of this proposed industrial area that would straddle Highway 99/McLoughlin Blvd and the Union Pacific Rail Road Tracks and a developing hillside community East of South End Road. I have sited a path that should be protected as soon as possible for this eventuality. This proposal would do more to tie Clackamas County together and create JOB's then all other proposals that Metro, Clackamas County and the City of Oregon City have on the table.

The Hillside west of South End Road to Highway 99/McLoughlin Blvd. could be developed in large lots with exclusive housing with an exaggerated tax base. With large lots this area would be more desirable then West Linn. Apartments and high-density housing would be situated on the lower hillside next to the transportation corridor.

Paul O. Edgar
211 5th Avenue, Oregon City, OR 97045
(503) 656-6704



Mr. Dan Drentlaw
Oregon City Planning Commission
November 24, 2003
Page 2

In contrast to the proposed redesignation of the Blue Heron Paper Company site, Goal 2.6 and Policies and Action Items following thereafter require that the City maintain its existing supply of land zoned for industrial uses and protect existing industrial areas from incompatible land uses, minimizing “deterrents” to desired industrial development. These Goals, Policies and Action Items are also intended to implement Metro’s Functional Plan, which directs the preservation of existing industrial uses from incompatible development. Moreover, while eliminating the industrial land use designation for the Blue Heron site, the Plan declares a “shortfall” of industrial properties, justifying an urban growth area expansion to support additional industrial development.

Plan Chapter 7, “Economic Development,” does not specifically mention the proposed redesignation of the Blue Heron site, and in fact punctuates the contribution of the Blue Heron Paper Company to the local economy, and adopts policies to preserve and protect existing industrial sites. The Plan does, however, on page 7-7, reference the MUD district and states the following:

“The effect will be to replace some exclusively industrial land with mixed uses that will generate employment but not in light or heavy industries.”

Aside from the unique attributes of the Blue Heron Paper Company site, and its significant contribution to the local economy (as described in verbal testimony), neither the Downtown Community Plan nor the Waterfront Master Plan in any way support the redesignation of the Blue Heron Paper Company site from industrial to mixed use. While the Staff Report and “Project Summary,” as well as the draft Plan language suggest that this action is taken to “implement” these plan documents, both plans stop short of the Blue Heron Paper Company site, and in no way support the change recommended.

B. The Redesignation Is Not Compatible With State Law

In reviewing this proposal, please consider the following legal issues.

1. In accordance with ORS Chapter 197, and in particular ORS 197.175, the City’s zoning ordinances must conform to the Comprehensive Plan. We question a strategy that adopts a Comprehensive Plan land use designation on the one hand, and a zoning map which is incompatible with the land use designation. Moreover, neither the Comprehensive Plan nor the



Mr. Dan Drentlaw
Oregon City Planning Commission
November 24, 2003
Page 4

the land use change is reasonable or capable of being accomplished, the Plan inaccurately relies upon precursor planning documents to support this redesignation, and does not sufficiently document why this redesignation is necessary or in any way serves the public interest. Given these factors, and given the relatively short period of time for public review, Statewide Planning Goal 1 (Citizen Involvement) compels that the Blue Heron Paper Company, and the community as a whole, be given a greater opportunity to review and comment on this attribute of the Plan, the planning foundation at the core of the Blue Heron redesignation, and have the opportunity to provide additional testimony and comment. We request that this proposed redesignation either be eliminated from the Plan, or that the Planning Commission's hearing be continued for additional review and discussion of this aspect of the proposed Plan.

Thank you for the opportunity to comment. Please feel free to call me with any questions.

Very truly yours,

Timothy L. McMahan

cc: Mr. Mike Siebers
Ms. Kate McCutcheon
Mr. Bruce Martin
Mr. J. Mark Morford

including a full package of benefits. Those are jobs that would be hard to replace.

2. And, many of these employees live right here in Oregon City.

3. Our payroll alone injects approximately \$12 million into the local economy, without consideration of multiplier effects.

4. We purchase between \$2 and \$ 3 million in goods and services from the local area and spend over \$38 million on goods and services within a 35 mile radius.

Again, this is without consideration of multiplier effects.

5. Through the company's and our employees patronage, we provide predictable income to many OC businesses be they restaurants, bakeries, grocery stores, or opticians in the eye glasses business.

6. Besides the considerable property tax payments we make each year, we do what we can to be a good community steward. We donate our facilities for Chamber of Commerce meetings and other worthy uses. We are Chamber members, we support OC schools through contributions to their sports programs and the adopt a classroom program, we were the strongest financial supporter of the Oregon City Visioning process and have always tried to respond whenever the city needed something. We loan out our equipment when needed, have donated lumber to use to enhance city parks, and most recently donated the land at the corner of the seawall just west of 5th street and Hwy 99 where the new falls viewing area was built.

7. On this basis, we believe we probably are one of the most, if not the most, important employer to the Oregon City economy.

D. Like all manufacturing operations, we must continuously evolve our processes and adapt our facilities.

1. This means we must continuously invest in capital improvements to remain competitive.

2. We currently have two major initiatives that will require millions of additional capital investment in our plant.

3. If this plan designates our mill site for mixed commercial and residential use, the eventual rezoning to those uses is inevitable. Although we understand that our current industrial use would be grandfathered as an existing use, the rezoning would dramatically restrict our ability to modernize and evolve the mill over time.

E. A plan designation as nonindustrial would indicate to investors that future industrial use will be restricted. This could frustrate our ability to raise the capital necessary for plant modernization.

F. In short, the plan designation for commercial and residential use is a death sentence for our mill.

G. That result would obviously have an equally devastating impact on our employees. Since our employees share ownership in the business, they are relying on the company to remain vibrant thus preserving their stocks value for conversion into supplemental income at retirement. A non-industrial designation jeopardizes that value and, in a sense, their retirement nest egg.

IV. The Blue Heron mill site is prime industrial property with unique value.

A. Our mill site has been an industrial site for 160 years. Did you realize that it is the oldest industrial site in the Northwest? Not just Oregon, but the entire Northwest?

1. The facilities at this site would be extraordinarily expensive to remove for redevelopment.
 2. The shoreline location would drastically restrict redevelopment.
 3. What's more, the mill sits immediately across the river from other intense industrial uses, making it an undesirable vista point for retail or residential uses.
 4. In short, it is hard to imagine how the use of this site could be changed to mixed retail and residential in the face of these physical and regulatory obstacles.
- E. The net effect, therefore, would be a closed paper mill that cannot be practically redeveloped for any other use.
- F. We do not believe that would be a good result for Oregon City in any way.

VII. Rather than zoning out of existence our mill and its contribution to Oregon City's economy, we urge the commission to consider ways to embrace this industrial use and its long heritage as part of the downtown vision.

- A. We want to see downtown Oregon City revitalized.
- B. We would like to have more restaurants and other retail options for our employees.
- C. Affordable housing close to the mill would also have an obvious appeal for our workforce.
- D. We are willing to work with the City on efforts to ensure an appropriate transition from any mixed use area to our industrial use area.
- E. And, we continue to be willing to explore ways to provide access on our mill property to vista points for the falls.
- F. Rather than driving industry out of the downtown area, we hope you will find ways to take advantage of all that our industrial use provides to the community.

VIII. According to the Staff Report, the City released the draft Comprehensive Plan on September 11, 2003.

- A. To support the extension of the Mixed Use Downtown plan designation through the Blue Heron Mill site, the Plan indicates that this action implements the 1999 Downtown Community Plan and the 2001 Waterfront Master Plan. However, neither of these plans appears to support this action.
- B. Given the magnitude of the change for the Blue Heron site and the evident lack of any meaningful planning foundation, the Community as a whole and Blue Heron in particular need additional time to research the planning and policy basis for this change and to consider the magnitude of this recommended change.
- C. We believe that City committees, including the Natural Resource Committee have not had an ample opportunity to "weigh in" on this re-designation proposal.
- D. For these reasons, we believe that Statewide Planning Goal 1 requires that the City go the "extra mile" to ensure sufficient citizen involvement. We request that the Planning Commission continue this hearing to provide additional time for research, review and comments concerning the MUD plan designation proposal.

IX. Thank you for the opportunity to speak with you here tonight.

November 24, 2003

Christina Robertson-Gardiner, Associate Planner
City of Oregon City
Planning Division
320 Warner Milne Road
Oregon City, OR 97045

Dear Ms. Robertson-Gardiner:

Re: Proposed comprehensive plan zoning for tax lot 3-2E-07B-02300, 19367 S. Pease Rd.

We have received information about the amendments to the Oregon City Comprehensive Plan that allow City of Oregon City to meet the Metro 2017 requirements for housing units and for City of Oregon City to meet comprehensive plan goals and policies.

Our piece of property has not yet been incorporated into the City of Oregon City. Your plans are documenting the plans for county properties within the Urban Growth Boundary as well as significant changes city-wide to meet future land use goals and objectives.

Current Planning Designations for 19367 S. Pease Road are:

County Zoning

Low Density Residential in the Comprehensive Plan

We would like to request consideration for recommending a change to the zoning in the comprehensive plan. A change to MR – medium density residential. The county pieces adjacent to our piece are being designated MR.

We believe MR – medium density residential would meet City of Oregon City goals and policies better than LR – low density residential.

The property contains an old grove of trees that enhances the neighborhood and the property. Medium density residential would allow flexibility for designing future housing that would preserve most if not all of the grove. Medium density would contribute to City of Oregon City's goals and policies. Specifically:

Goal 4.1: Environmental Quality

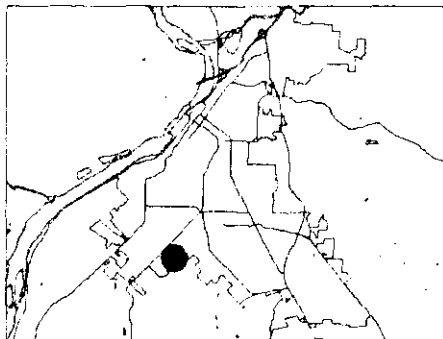
Policy 4.1.4 – Medium density zoning that allows preserving of grove would preserve the existing tree canopy. Allowing natural systems to improve the air quality. Or put another way would not take away existing tree canopy from City of Oregon City inventory.

Oregon City: Property Report

Printed November 17, 2003

Taxlot: 3-2E-07B -02300

Site Address: 19367 S PEASE RD



Taxlot Information

Taxlot Number: 3-2E-07B -02300

Site Address: 19367 S PEASE RD

OREGON CITY

OR 97045

Owner Information:

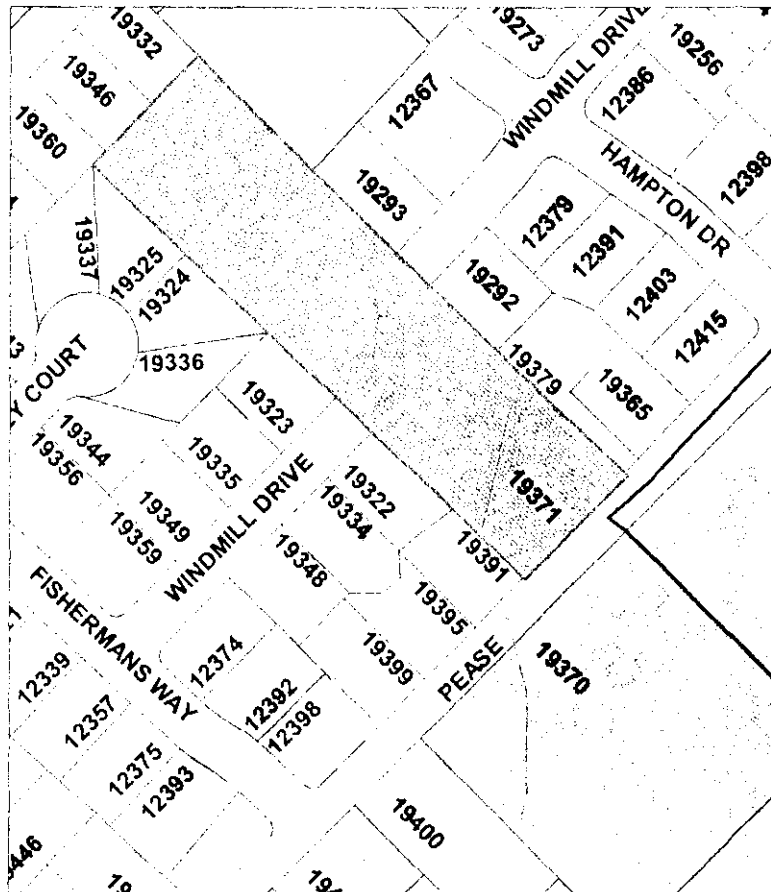
Last Name: DOLSEN

First Name: FREDERICK & NORA STE

Address: 12730 NE FLETT RD

GASTON

OR 97119



Property Information

Eden Parcel ID: 7614

Parcel Area (acres - approx): 2.3

Parcel Area (sq. ft. - approx): 100188

TwN/Rng/Sec: 03S 02E 7

Tax Map Reference: 32E07B

Assessments

As of: 12/24/2002

Land Value: \$102,679

Building Value: \$33,330

Exempt Value: \$0

Net Value: \$136,009

Planning Designations

Zoning: County

- County

Comprehensive Plan: Ir

- Low Density Residential

Subdivision: NONE

Neighborhood Assn:

Urban Renewal District:

Historic District:

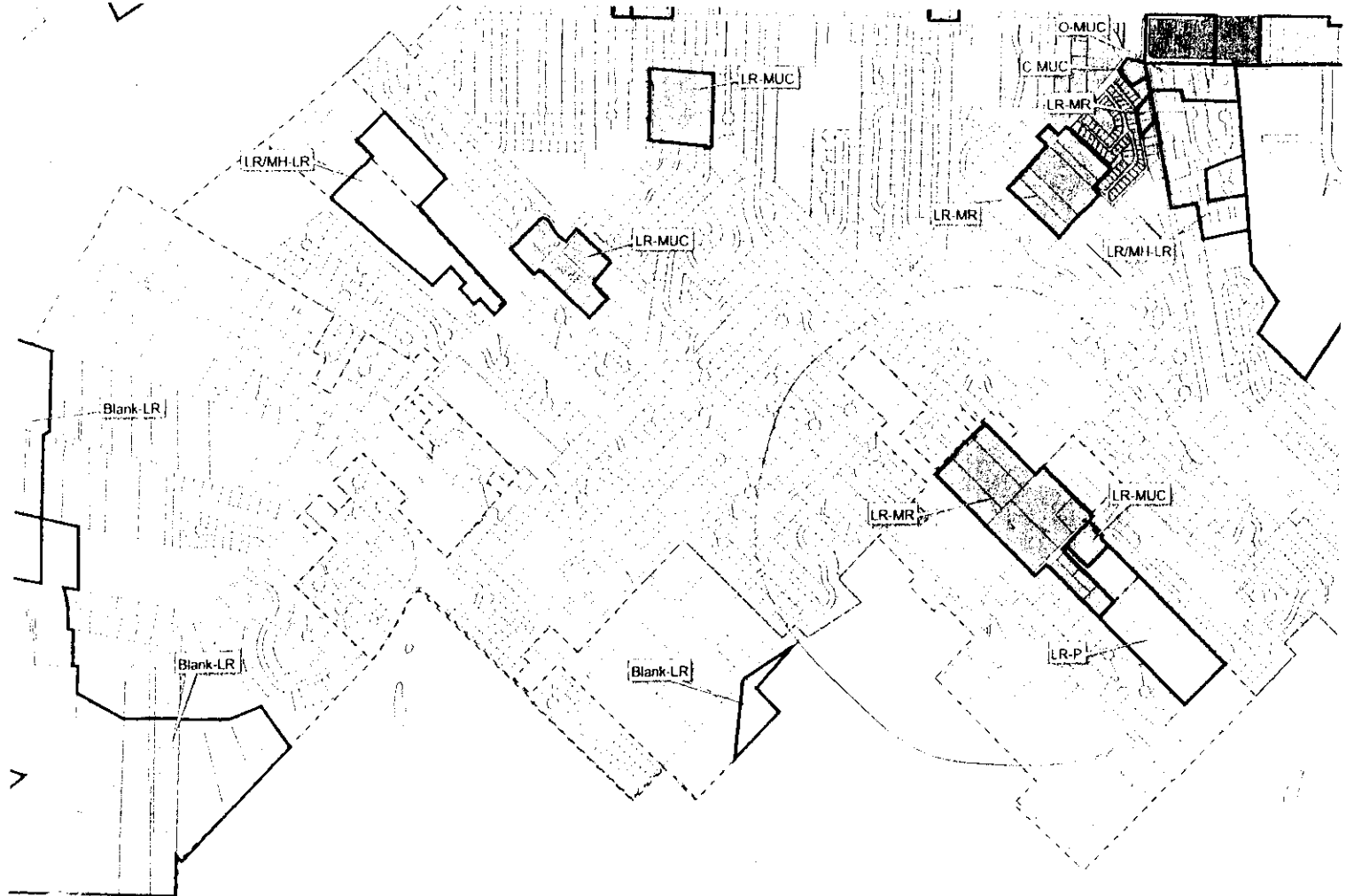
In Willamette Greenway? N

In Unstable Slope Area? N

In Water Resource Overlay District? Y

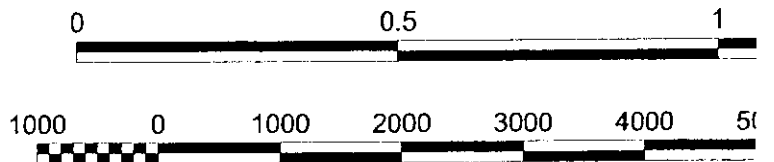
In Floodplain? N





Comprehensive Plan

MAP FOR REFERENCE PURPOSES ONLY.
 The information on this map is derived from Oregon
 City's digital database. However, there may be map
 errors or omissions. Please contact Oregon City
 directly to verify map information. Notification of
 any errors will be appreciated.



Oregon City Planning Commission
320 Warner Milne Road
Oregon City, OR 97045

November 24, 2003

Dear Planning Commission:

I am an owner/employee of Blue Heron Paper Mill in Oregon City and a resident of Oregon City. I oppose the redesignation of the mill, as proposed in the Comprehensive Plan Update (November 3, 2003) from Heavy Industrial (M2) to Mixed Use Downtown (MUD).

While I understand the Plan would permit us to continue operating as Blue Heron, I believe designating the mill property for MUD will harm the long term viability of mill by limiting our ability to modernize and expand our operations.

The mill provides a good wage for me and my fellow employees. The mill is a big part of the history of Oregon City, since Oregon City was founded in the 1840s.

We have been a good neighbor for a long time. Please help us stay here, keep our jobs, and continue to contribute to the history and economy of Oregon City. Please do not approve changing the use designation of the mill from our current Heavy Industrial.

Thank you for your consideration.

Sincerely,

Richard H. Wanker
no 4 Paper Machine Tender
43 years of service.



DEPARTMENT OF
TRANSPORTATION AND DEVELOPMENT

Sunnybrook Service Center

November 25, 2003

Dan Drentlaw, Community Development Director
City of Oregon City
320 Warner Milne Road
Oregon City, Oregon 97045

Re: Proposed Amendments to Oregon City Comprehensive Plan and Municipal Code

I would like to take the opportunity to comment regarding the proposed amendments to Oregon City's Comprehensive Plan (dated September 11, 2003) and Municipal Code (dated October 6, 2003). In general the proposed changes appear to be consistent with Clackamas County's land use policies, and recognize specific, mutual areas of interest.

The City has acknowledged the County's interests in several areas, particularly in relationship to the Red Soils property and the treatment plant. We have some concern regarding the treatment of government offices in the new Mixed Use Downtown district ("MUD"). Also, there is some confusion regarding the designation of the County property currently occupied by the County Road Division. More specific comments follow.

Red Soils

The City is proposing to place a new Comprehensive Plan designation, called Mixed Use Employment, on the Red Soils property. At this time, there is no proposal to change the existing Campus Industrial zoning designation on Red Soils, even though there is a new Mixed Use Employment zoning category being made available.

There is a new Comprehensive Plan Policy being proposed, that reads: "Review the existing Campus Industrial zoning of the Clackamas Red Soils area and amend the zoning map or standards as appropriate to fully implement the Clackamas County Red Soils Site Master Plan." (Action Item 7.3.1). Proposed Policy 7.3.4 states: "Work cooperatively with ... Clackamas County (for Red Soils Facility) to help facilitate their expansion, and encourage master planning for future expansions." Action Item 2.1.5 provides: "Amend the Zoning Code to allow and encourage mixed uses in selected areas of the city, such as within the ... the County Red Soils site, and along Molalla Avenue." Read together, these policies evince the City's intent to work with the County to apply zoning appropriate to accomplish the County's goals for Red Soils. The County supports these proposals, and is looking forward to working with the City to create an appropriate development at Red Soils.

November 30, 2003

To: Oregon City Planning Commission
Subject: Park Place Village, Kent Ziegler

I live at 15050 S. Holcomb Blvd. Our property backs up to the land that Kent Ziegler owns and is planning to develop. We have lived here since 1986, our property line has always been the Urban Growth Boundary, until this year. We asked that you not bring study area #24 into the Urban Growth Boundary. It was brought in, it seems like for Mr. Zeigler.

Mr. Zeigler has proposed R3.5 against our fence line and a road. It seems like a gradual, larger area would be better so close to the new and what was once the old Urban Growth Boundary. There is 11 acres of forest behind us, please don't let it be turned into apartments, townhouses and a road. If you need to do something with it, let it be a natural greenspace, there are not many left.

Concerning the connector road between Holcomb and Redland Roads, we don't really need it. The other morning when traffic was a stand still at the bottom of Holcomb and the intersection of Highway 213, I waited for 35 minutes in one spot on Redland Road. I was right by Livesay Road, from there I could also see that Highway 213 was at a stand still also. So, if I took a new connector road up Holly Lane Road to Beavercreek Road and turned right onto Highway 213, guess what, I am in the same situation, a stand still. Don't you see, the bottleneck at Holcomb, Redland and Hwy 213 all end up in the same place, no matter what. Then there is the bottleneck at Hwy 213 and the 205 exit.

The City has spent all the money to fix the Beavercreek intersection, it will help a little if you don't add 600 more homes with Park Place Village.

Has anyone contacted the School District and asked if Holcomb and Redland Schools can support 600 more homes, figuring an average of 1.5 kids per home. My daughter attends Holcomb Elementary and there are 37 students in her class, this is the average class size. If Mr. Ziegler built a new school, could the school district afford to hire more teachers? I think the answer is no.

I noticed as I was driving past the new Holcomb Ridge development today, the land is already sliding. There are a couple of mudslides that have flowed over the silt fences and they haven't even started building yet. Hopefully one of you could take a look at this development before you decide on Park Place Village, there are a lot of slopes on this 172 acres also.

Please listen to the people that live in Trailview (centex homes), they are right, the road would be way to close. Our property borders the same area they are fighting for to save.

Thank You,
Deanna & Tod Townsend
15050 S. Holcomb Blvd
Oregon City, Or 97045

*Linda
Royer*
A.S.L.A.

Members of the Planning Commission
City of Oregon City
320 Warner Milne Road
Oregon City, OR 97045

December 8, 2003

Re: Comprehensive Plan
Park Place Village Development

Commission Members:

I want to summarize the points in favor of development of this area of Livesay Road and why it should be included in the Comprehensive Plan at this time:

1. Traffic

The site is 1.5 miles from I-205 and development can occur here with little impact to the 213/Beavercreek Road interchange.

Traffic from this area can access Redland Road, Holly Lane, Anchor Street, Abernethy Road or 213.

The new access to Redland Road occurs where topography permits a moderate slope to the road with little grading impact and creates a four way intersection with Holly Lane which could be signalized when traffic volumes require it.

This collector road may siphon traffic off Holcomb Road that currently has to travel to the intersection with Redland Road at the west end of Holcomb thereby reducing traffic on the westerly portion of Holcomb.

The new access road creates an alternative access for the fifty existing homes on Livesay Road that were cut off in the flood of 1996. Redland Road was closed at Holly Lane and the intersection there was above flood waters and open throughout the flood.

The new road can be constructed so that no improvements have to be done on the existing, narrow westerly portion of Livesay Road and there would be no construction traffic on that section of Livesay Road. When completed, the new road would decrease the traffic on the westerly portion of Livesay Road and that section could, in fact, dead end at Swan Avenue except for emergency access.

RECEIVED
CITY OF OREGON CITY

03 DEC -8 PM 2:56

14432 S. Livesay
Oregon City, Oregon 97045
503.650.1663

Oregon City Planning
320 Warner Milne Road
Oregon City, OR 97045

To whom it may concern:

There are many reasons for the objection to the re-zoning of South End Road, probably all of which the City Planning has already heard.

- The increase of traffic
- The noise
- The loitering
- The decrease in value of the existing homes
- The increase in danger of the children that walk to King and McLoughlin School

I'm not sure who is wanting the commercial zoning on South End Road. We've already submitted 129 signatures of people that do NOT. Here are 86 additional signatures of people that do NOT.

If Oregon City Planning is trying to accomplish convenience for us, its rather obvious that we don't mind the 5 - 10 minute drive to acquire whatever it is that we need.

Thank you for your time and consideration.

Sincerely,



Robert and Chantal Warke
18765 Lassen Court
Oregon City, OR 97045



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03 DEC -8 PM 1:52

Petition:

Opposed to commercial development/land use zoning change on South End Road

We, the undersigned, are opposed to the proposed change in land use zoning on South End Road. We support retaining single family, residential dwelling use and R 10 zoning to maintain the liveability of our neighborhood. We are very concerned about the proposed changes due to increased traffic, safety concerns, noise and light pollution and the loss of our neighborhood community.

Signature	Address	Telephone number
<i>[Signature]</i>	14205 Mulberry CT Oregon City, OR	650-8633
<i>[Signature]</i>	19337 Towercrest Dr. OC	657-8245
<i>[Signature]</i>	18990 Paulsen Dr Oregon City OR	657-5821
<i>[Signature]</i>	11435 S Woodwind Pl OC	503-722-3877
<i>[Signature]</i>	11466 FINNEGAN'S WAY OC, OR	655-5860
<i>[Signature]</i> Travis D. Cox	11458 S Pennys Way Oregon City, OR	503- 655-6601
<i>[Signature]</i>	966 Hazelwood Dr Oregon City	503-557-2028
<i>[Signature]</i>	20068 Southend Rd OC	503-656-4539
<i>[Signature]</i>	12052 S McCord Heights Rd.	503-650-2232
<i>[Signature]</i>	20491 S May Rd Oregon City 97045	503-655-0426
<i>[Signature]</i>	20108 S Impulse Lane Oregon City	503-723-6665
<i>[Signature]</i>	11488 Shelby Rose Dr.	503-449-5740
<i>[Signature]</i>	19354 HAZEL GROVE DR	503-722-9468
<i>[Signature]</i>	19395 LINDA DR. OC, OR	503-657-4221
<i>[Signature]</i>	11305 SHARBY ROSE DR	723-0896

Petition:

Robert
657-7552

Opposed to commercial development/land use zoning change on South End Road

We, the undersigned, are opposed to the proposed change in land use zoning on South End Road. We support retaining single family, residential dwelling use and R 10 zoning to maintain the liveability of our neighborhood. We are very concerned about the proposed changes due to increased traffic, safety concerns, noise and light pollution and the loss of our neighborhood community.

Signature	Address	Telephone number
Paula S. Nelson	28472 S. Hwy 213, Malino	(503) 829-9961
[Signature]	12053 Fowells Street	(503) 789-7928
Anthony Bechtel	19147 S Merchant Pl	(503) 656-0560
George Heckert	19348 Vincent Dr	503-655-4995
[Signature]	18630 Cook St.	503-656-5301
[Signature]	1723 S Pine Dr	503-650-5096
[Signature]	18865 Lafayette	503-656-2597
Evelyn Osborn	506 3rd Ave.	No Phone
[Signature]	11972 Kathlamet Ct	503-329-5889
[Signature]	11370 S BRANDON ST	503-720-4976
[Signature]	888 S. End Rd	503-657-7622
[Signature]	987 Josephine	503-552-5129
Brian Shog	Highland	(503) 638-8877
[Signature]	11958 Leann Mark Lane	(503) 742-8810
[Signature]	11670 S Filbert Dr	503-650-2923

Petition:

Opposed to commercial development/land use zoning change on South End Road

We, the undersigned, are opposed to the proposed change in land use zoning on South End Road. We support retaining single family, residential dwelling use and R 10 zoning to maintain the liveability of our neighborhood. We are very concerned about the proposed changes due to increased traffic, safety concerns, noise and light pollution and the loss of our neighborhood community.

[illegible]

Kelly S. Hossaini
kelly.hossaini@millernash.com
(503) 205-2332 direct line

December 8, 2003

VIA FACSIMILE AND U.S. MAIL

Oregon City Planning Commission
City Hall of Oregon City
320 Warner Milne Road
Post Office Box 3040
Oregon City, Oregon 97045

Subject: Comprehensive Plan and Zoning Ordinance Updates
File No. L-03-01

Dear Commissioners:

We represent Willamette Falls Hospital in the Hospital's current efforts to plan for the long-term needs of its campus on Division Street in Oregon City. The purpose of this letter is to participate in the above-referenced planning process, which will update the Comprehensive Plan, Comprehensive Plan Map, Zoning Ordinances, and Zoning Map. We have reviewed these draft documents, and we are pleased that the draft Comprehensive Plan recognizes the importance of Willamette Falls Hospital to the city and the importance of supporting the Hospital's efforts to grow and meet its long-term planning needs. We also appreciate the draft Comprehensive Plan's acknowledgement of some of the challenges the Hospital will face in its long-term planning efforts. For example, traffic circulation and access will be one of the biggest challenges for the Hospital over the long term, and the Hospital will need the support and involvement of the city to overcome those challenges as it grows.

Although we believe that the current draft documents reflect a great deal of thoughtfulness about the Hospital's long-term planning needs, we believe that there are still a few changes that can be made now to the draft Comprehensive Plan and Zoning Ordinances that will facilitate Willamette Falls' planning efforts as those efforts progress. We believe the changes we suggest will allow both the city and the Hospital to approach the Hospital's long-term growth in a flexible and efficient manner.

A planning element that is currently missing from the city's draft documents, but that would be very useful to the Hospital in its planning efforts, is a mechanism for master planning its campus. The draft Comprehensive Plan recognizes a need for sub-area master planning for larger developments, like Willamette Falls Hospital, (Goal 2.1, Policy 2.1.3.), and

December 8, 2003

Oregon City Planning Commission
Oregon City City Commission

Subject: Comprehensive Plan Update

Dear Policy Makers:

The Transportation Advisory Committee (TAC) appreciates the opportunity to offer testimony supporting the Draft Comprehensive Plan as it relates to traffic and the Oregon City Transportation System Plan (TSP) (adopted April 2001).

We have discussed in detail the new plan designations of Mixed Use Corridor and Mixed Use Downtown and how they represent sound planning relative to our transportation system. We also discussed the controversy surrounding several parcels in the South End Road area that has become apparent at the public hearings. We are submitting this letter to provide you with background and technical information for your consideration as you deliberate the issues.

Consistency of the New Plan Designations with the TSP

Please note that the TSP recognized the need to modify the Comprehensive Plan from time to time to implement regional growth concepts and achieve a more efficient land use/transportation system (see TSP, page 5-8, Preferred Land Use Plan, Elements of the Preferred Alternative - *attached*). The TSP provides the following direction relative to comprehensive plan updates:

"It will be important for the City to review the Comprehensive Plan and find opportunities to incorporate mixed uses within large residential zones. If neighborhood commercial areas can be established at nodes within the residential areas, reduced reliance on motor vehicles and shorter trip lengths are possible. Reduced vehicle miles traveled and demand on the roadway system can thus be achieved."

Note: The same section of the TSP discusses implementation of the Downtown Community Plan, the 7th Street Corridor Plan, and the Molalla Avenue Plan (see *Attachment 1- TSP Excerpt*).

Chapter 4 of the Background Document for the TSP includes the following text in the section entitled Transportation/Land Use Policy Modifications:

"Reduce Vehicular Reliance through Zoning and Development Code Revisions – . In part, Oregon's Transportation Planning Rules seeks to reduce the reliance on personal vehicles as a mode of travel through creation of environments that foster alternative modes of transportation. Local land uses can have a significant impact on the form of transportation necessary to travel from one location to another. Specifically, by carefully structuring local zoning and development codes, development activities can be focused such that a more self-contained community can be achieved. Construction of mixed-use developments, the location of commercial and service businesses in the vicinity of residential land

There are several types of shopping centers that are characteristic of commercial development: super regional, regional, community, neighborhood, and convenience. The latter two types are conceivable for the South End area based on the size of the parcels (see *Attachment 2* - Figure 1-2 from the SCDH which documents shopping center characteristics).

Characteristics of Neighborhood Shopping Centers: Neighborhood centers provide for the sale of convenience goods (food, drugs, and sundries) and personal services (those that meet the demands of an immediate trade area. Requiring a site of three to ten acres, the neighborhood center normally serves a trade area of 3,000 to 40,000 people within a 1½-mile radius miles or a five to ten-minute drive. The principal tenant of a neighborhood center is usually a grocery store. Consumer shopping patterns show that geographical convenience is the most important factor in determining a shopper's choice of grocery stores. Other principal tenants can be drugstores or small variety stores. (SCDH – page 12.)

Characteristics of Convenience Shopping Centers: This type of center typically contains a group of small shops and stores dedicated to providing a limited range of personal services and sundries for customers making a quick stop. Tenants most frequently found are restaurants and other food services, personal services such as dry cleaners, hair salons, and professional services such as doctors and dentists, finance, insurance and real estate offices. Typically a convenience center is about 20,000 to 30,000 square feet of leasable area. (SCDH – page 13.)

Location is of paramount importance to commercial endeavors. The site must have good access, convenience, and visual exposure. Neighborhood and convenience centers should be located on sites reached by collector or arterial streets. Minor residential service streets should not serve as principal access points. The neighborhood or convenience should be located and designed to encourage access by pedestrians as well as automobiles. (SCDH – page 60.)

Given the parcel sizes proposed for the neighborhood commercial nodes, the primary trade area for these sites extends less than one and one-half miles from the site (see *Attachment 3A* – Proposed MUC Parcel Size on South End Road and *Attachment 3B* – South End Neighborhood Commercial Trade Area). Examples of similar size parcels that have been developed for commercial uses include the Steve's Market site on Holcomb Boulevard and Hagen's on Hwy 213 (see *Attachments 4A and 4B* – Comparison Commercial Parcels. Within a commercial development's trade area, customers closest to the site affect the businesses most strongly with their influence diminishing gradually as the distance increases. Seventy to eighty percent of the site's regular customers are drawn from the primary trade area. As market areas become increasingly saturated with shopping options, driving times normally decline. (SCDH - page 46.)

Again, given parcel sizes (two to 8.7 acres) proposed for the neighborhood commercial nodes, leasable area is expected to be approximately 20,000 square feet on the smaller sites and up to 87,000 square feet on the larger parcel. Traffic that these sites will generate depends on the type

errands, or eating without driving across town. This provides convenience for the residential zone that will gain the MUC node. Equally important, the new commercial nodes should reduce the number trips that currently must pass through residential neighborhoods to go across town (specifically trips through the Hillendale and Gaffney neighborhoods) because Oregon City's collector and arterial grid contains discontinuities.

Interestingly, we understand that beyond the road infrastructure, a sense of community can grow as a result of local commercial nodes as neighbors run into other neighbors, can visit, have a cup of coffee, etc. within minutes of their homes.

Finally, allowing all single-family residential development on collectors and arterials in large residential zones (such as South End Road) – particularly at major intersections, will likely end up in undesirable lots that may through time convert into non-residential uses. We understand that the City regularly receives complaints from single family residences that are located on arterials because the roadway characteristics, including traffic volumes and speeds, are not compatible with single family neighborhoods unless deep front setbacks are constructed or frontage roads are included that create more of a parkway atmosphere. Intersections of arterials and collectors are not suited for single-family residential use unless the residents are willing to tolerate the negative characteristics associated with the traffic that the roadway and intersection serves.

Thank you for the opportunity to provide our input.

Very truly yours,

The Oregon City Transportation Advisory Committee

Attachments:

Attachment 1 – TSP Excerpt

Attachment 2 – Figure 1-2 from the SCDH, which documents shopping center characteristics

Attachment 3A – Proposed MUC Parcel Size on South End Road

Attachment 3B – South End Neighborhood Commercial Trade Area

Attachment 4A and 4B – Comparison Commercial Parcel (Sizes)

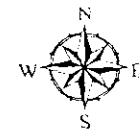
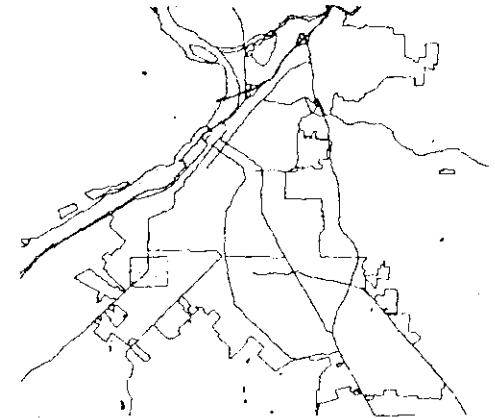
historic characteristics and local community needs, and improve economic viability. The existing land uses will continue to integrate effectively with the neighborhoods they serve, while reducing vehicular demand for local trip making. In addition, the mix and intensity of uses will further support transit on the corridor and promote pedestrian and bicycle activity within the area. The net effect of this is the forestalling or elimination of the need to widen the 7th Street and Molalla Avenue Corridors for vehicular capacity purposes, until beyond the 2020 planning horizon year. The 7th Street-Molalla Avenue corridor is currently designated as a "Transit/Mixed Use" corridor in the 2000 Metro Regional Transportation Plan. In addition, the City of Oregon City will petition Metro to designate the 10th Street-Singer Hill-7th Street-Molalla Avenue corridor (from Highway 99E to Highway 213) as a "Community Boulevard" in future RTP amendments.

figure 1-2

Characteristics of Shopping Centers

Type of Center	Leading Tenant (Basis for Classification)	Typical GLA (Square Feet)	General Range in GLA (Square Feet)	Usual Minimum Site Area (Acres)	Minimum Population Support Required
Neighborhood	Supermarket	50,000	30,000-100,000	3-10	3,000- 40,000
Community	Junior department store; large variety, discount, or department store	150,000	100,000-450,000	10-30	40,000- 150,000
Regional	One or two full-line department stores	450,000	300,000-900,000	10-60	150,000 or more
Super Regional	Three or more full-line department stores	900,000	500,000-2 million	15-100 or more	300,000 or more

Proposed MUC Parcel Size on South End Road



City of Oregon City
P.O. Box 3040
320 Warner Milne Road
Oregon City, OR 97045

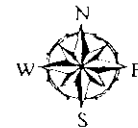
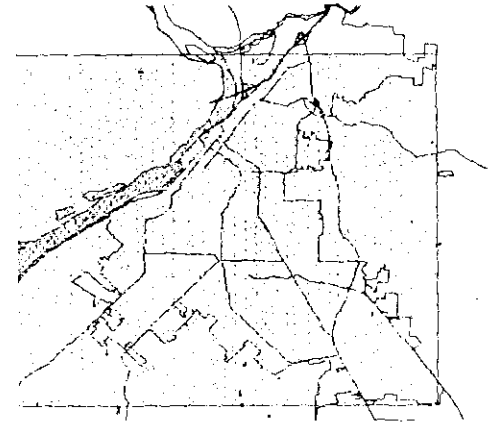
The data on this map is the best
information available from the
records of the City of Oregon City.
Errors and omissions may exist.

Map created with OCMAP

12/05/2003



South End Neighborhood Commercial Trade Area

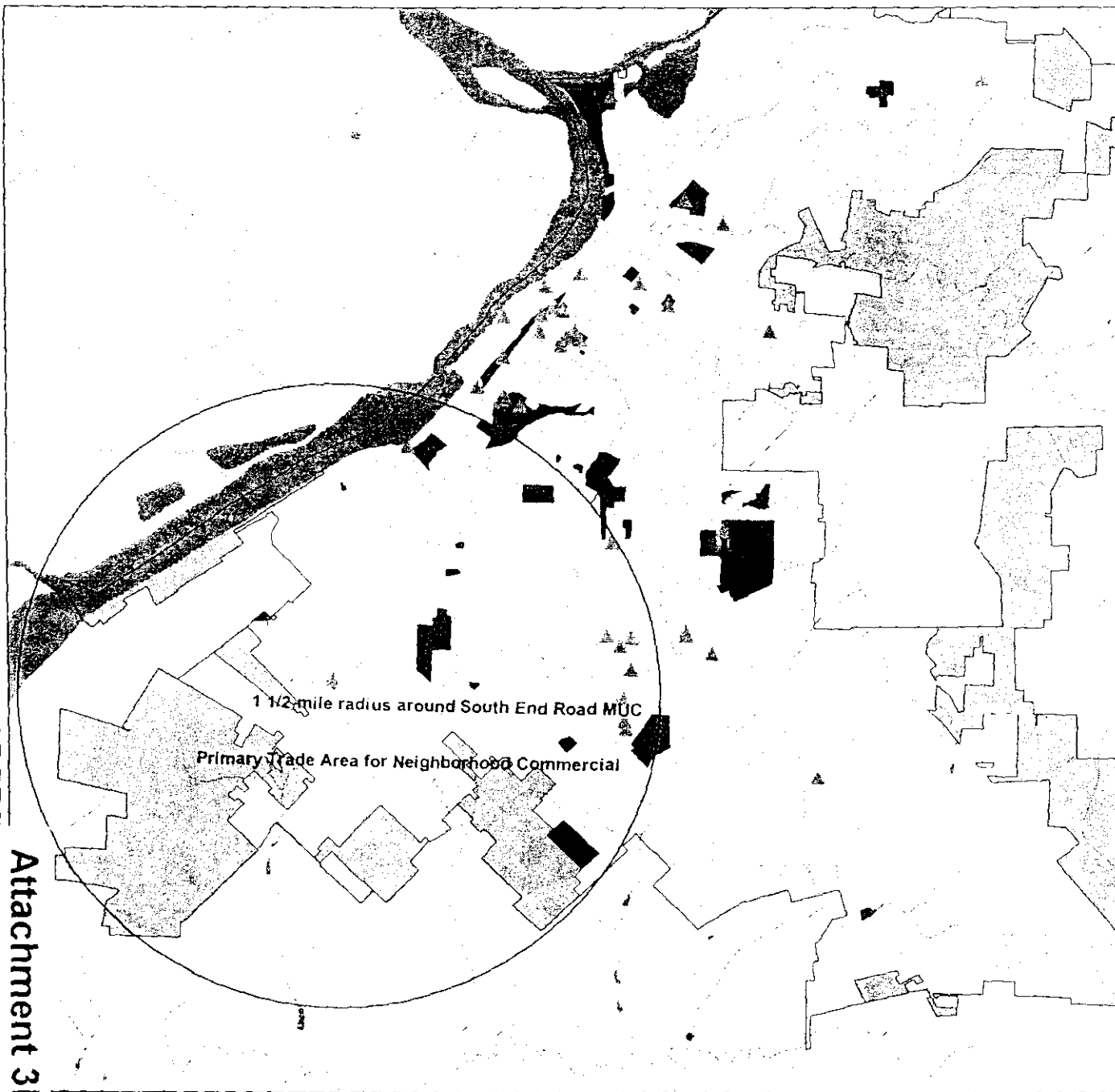


City of Oregon City
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320 Warner Milne Road
Oregon City, OR 97045

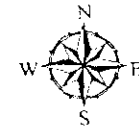
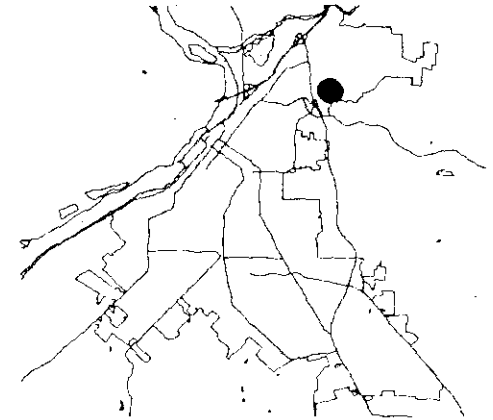
The data on this map is the best
information available from the
records of the City of Oregon City.
Errors and omissions may exist.

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12/08/2003



Attachment 4A



City of Oregon City
P O Box 3040
320 Warner Milne Road
Oregon City, OR 97045

The data on this map is the best information available from the records of the City of Oregon City. Errors and omissions may exist.

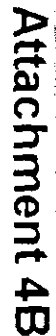
Map created with OCMap

12/05/2003



The data on this map is the best information available from the records of the City of Oregon City. Errors and omissions may exist.

12/05/2003



December 9, 2003

To: The Oregon City Planning Commission

From: The McLoughlin Neighborhood Association
Land Use Committee

RE:L-03-01- Amendments to the Oregon City Comprehensive Plan, Oregon City Plan Map, Oregon City Zoning Ordinance, and Oregon City Zoning Map

The McLoughlin Neighborhood Association (MNA) offers the following comments regarding the above listed application.

A. Comprehensive Plan- Land Use types Planned (Map categories)

The current Comprehensive Plan provides for accommodation of the unique characteristics of the McLoughlin Conservation district. The current McLoughlin Conditional Residential –MCR, Comprehensive plan designation provides protections for the District. The MCR plan designation covers both the single-family, R-6 and RC-4, zoning within the Conservation District

McLoughlin Conditional Residential [MCR]: Permitted uses in this area are: (a) the existing single-family uses assuming they were established legally; (b) new single-family homes on existing lots.

Conditional uses are: (a) new residential construction other than single-family at medium density standards (b) conversion of existing structures at medium density standards; additional allowance may be given for conversion of structures exclusively for the elderly.

Given that the majority of the lots in the McLoughlin Conservation District were platted at the turn of the century the likelihood that the criteria for other than single-family residential uses could be met. This in effect helps preserve the Conservation District as a single-family residential neighborhood.

The proposed Medium Density plan category being considered would consolidate the existing Medium Density Residential (MDR) and McLoughlin Conditional Residential (MCR). We would submit that the proposed MR category does not have any applicability to the McLoughlin Conservation District. One size does not fit all. The proposed plan designation applies generally to property that allows for medium density residential such as duplexes, and/or attached residential uses. The proposed Medium Density Residential category states that *MR areas are planned for residential developments with dwelling unit types such as attached single-family units, rowhouses or townhouses. Included in this category is the McLoughlin Conditional Residential district, which is unique in the sense that it allows residential..... More intensive new*

and redeveloped residential construction can be built at medium densities under certain circumstances.

We would propose that McLoughlin Conservation District needs to have its own plan designation due to the unique characteristics. It is not a medium density residential area. We recommend that the current Plan designation be retained and revised in order to support and reinforce the District. In addition, as the MNA plans for the future National Register District designation, the McLoughlin Conditional Residential designation would reinforce the single-family character of the neighborhood and limit intrusive developments that have been built in historic neighborhoods in Sellwood and the Corbett neighborhoods in Portland. We have a rich heritage to conserve and preserve for the future.

In conclusion, the MCR category should be retained and revised to more accurately reflect the nature and unique characteristic of the McLoughlin Conservation District residential uses.

B. Plan Map changes:

We question the proposed map change for the parcel located at 8th Street at the NW corner with John Adams. The property consists of a non-conforming lot as well as a non-conforming building. Is the assumption to give the parcel the MUC designation in the hopes that it will convert to a conforming use? Perhaps the parcel should be reconsolidated back into the existing residential lots adjacent to it.

This plan designation is more appropriate for the 7th Street corridor. This parcel is located on the residential side of 8th Street. We would appreciate further discussion with staff regarding this proposal.

It is not clear how applying the MUD plan designation supports the Downtown core, when it just spreads this plan designation all the way to the Landfill properties. The Downtown is unique and very different from the uses in the OC shopping center and the landfill area. Each of these areas should stand on their own and not compete with each other. What happened to the late great Downtown plan?

How does MUD support the End of the Oregon Trail Master Plan?

C. Text comments:

Page 3-3- policy 3.4.9- Encourage and support property owners in efforts to preserve and.....

Page 3-3: policy 3.4.12- Publicly owned properties of historic significance ~~should~~ shall... Local government should be held to a higher standard with regard to historic preservation. Requirement should apply equally to the private as well as the public sector. If ~~should~~ is used this will never happen- make this an affirmative action

Page 3-4- policy 3.4.13- Natural and cultural landscapes ~~should~~ shall be considered.....
If ~~should~~ is used this will never happen- make this an affirmative action.

Page 3-4: policy 3.4.9- when ready. When does the City think *when ready* is?
Delete when ready.

Page 3-6: policy 3.7.2:water bodies that have significant functions and values.....
Again significant is not defined... there are so few wetland areas left that the few remaining ones may indeed be significant.

Page 3-12- the McLoughlin Neighborhood is on record with the Oregon City School District officials about wanting to be involved in the planning and possible reuse of the high school campus. We concur with reuse, however since we do not know what that might be and what effects any proposed non-residential uses might have on the neighborhood. It is inappropriate for the city to memorialize its desire for a “community gathering place” without the appropriate citizen involvement, study and planning.

Page 3-13: Historic landmarks are structures or sites of unusual historic importance.....
It would appear that the word unusual is not appropriate here. What is meant by unusual....The connotation does not work. Reword to say: *Historic landmarks are structure or sites with historic importance or significance which help establish the city's identity.*

Page 7-4, policies 7.7: Home based businesses. Notification is a key to this section.
How will adjoining property owners /residents be notified about these businesses?

Page 8-1, policy 8.1.5 how would this affect the RC-4 zoning district?
and 8.1.6- add and conservation as noted- (Pursuant to state law, this policy does not apply to land designated within designated historic and conservation districts or residential land immediately adjacent to a historic landmark.)

Page 8-2, Action item 8.1.3- this is potential detrimental to historic and conservation districts and should be excluded.

Page 8-2: Background: Sentence is awkward....suggestion: *Oregon City is a unique community in the State of Oregon not only for its role in the establishment of Oregon as a state. The City also has some of the oldest and diverse housing stock in the State. Some thing like that.*

Page 9-6: policies 9.8.1 – 9.8.3: These policies imply a lesser role for the city in determining how these Public and Quasi- public entities grown. Oregon City should be directly involved- not just in the role of reviewer- but an active participant with these faculties. These facilities are needed in our community; however, they can also have detrimental effects on the health, safety and welfare of the community if proper planning principals are not applied. Stronger language than coordinate is needed to show that the City intends to be partners in their process for growth and expansion.

Comprehensive Plan comments

Page 4.

Page 9-9 Action item 9.11.3: Before this became an action item discussions with affected neighborhoods should take place. Although City Hall was once located in the McLoughlin neighborhood, the impacts from such a facility would be substantial on the commercial areas as well as the surrounding residential area.

Page 9-13: K-12 Education - delete *to the extent possible*. Goal 14 emphasizes that facilities be located in urban growth boundaries where facilities and services are available. Future school facilities should not be built outside the UGB.

Page 9-16: The Buena Vista House is owned by the City of Oregon City, and not the National Park Service. It is a city community facility. The McLoughlin and Barclay houses are operated and still owned by the McLoughlin Memorial Association. All of the paperwork regarding the National Park Service managing them has not been completed and should not be listed as such in the Comprehensive Plan.

In conclusion, thank you for the opportunity to comment. We look forward to discussing our proposed recommendations and comments with staff.

Sincerely,

Denyse C. McGriff
Land Use chair
McLoughlin Neighborhood Association

815 Washington Street
Oregon City, Oregon 97045



900 S.W. Fifth Avenue, Suite 2600
Portland, Oregon 97204
main 503.224.3380
fax 503.220.2480
www.stoel.com

December 10, 2003

TIMOTHY L. MCMAHAN
Direct (503) 294-9517
tlmcmahan@stoel.com

VIA FACSIMILE NO. (503) 657-7892 AND U.S. MAIL

Mr. Dan Drentlaw
Community Development Director
City of Oregon City
PO Box 3040
Oregon City, OR 97045

Oregon City Planning Commission
City of Oregon City
PO Box 3040
Oregon City, OR 97045

VIA FACSIMILE NO. (503) 657-7026 AND U.S. MAIL

Mr. Larry Patterson
Interim City Manager
City of Oregon City
PO Box 3040
Oregon City, OR 97045

**Re: Proposed Comprehensive Plan and Zoning Code—Blue Heron Paper Company
Planning District Redesignation**

Dear Messrs. Drentlaw and Patterson and Members of the Planning Commission:

Thank you for retaining the record open for additional written comments concerning the above-referenced matter. On November 24, 2003, I submitted a comment letter on behalf of the Blue Heron Paper Company. Additionally, representatives of the Blue Heron Paper Company testified at the public hearing on November 24, expressing their concerns regarding the proposed Mixed Use Downtown ("MUD") Comprehensive Plan designation for the Blue Heron Paper Company property.

Following the Planning Commission hearing, representatives of Blue Heron Paper Company have had the opportunity to meet with Mr. Drentlaw and Mr. Patterson concerning issues



Mr. Dan Drentlaw
Oregon City Planning Commission
Mr. Larry Patterson
December 10, 2003
Page 2

addressed, both in testimony and in my November 24 letter. I am hopeful that we can work with the City toward a resolution of this matter which serves the best interests of the community, and fulfills the City's objectives in its Comprehensive Plan.


A. Comprehensive Plan Issues

Mr. Drentlaw and Mr. Patterson have assured the Blue Heron Paper Company that the City is very interested in Blue Heron remaining as a viable business, with ample opportunities for the company's operation to grow and change over time. We also understand the City's perspective that, over time, if the Blue Heron site were to transition to a non-industrial use, the City seeks a meaningful opportunity to influence the future development of the property, in order to ensure its compatibility with the City's overall vision for the future.

To summarize key points in our previous comments, we believe that the Comprehensive Plan and map, as drafted, present the following significant challenges to meeting these common objectives:

1. The MUD designation of the Blue Heron property relies on two sub-area plans which do not support the MUD designation over the Blue Heron property;
2. The Plan is internally inconsistent in seeking to change the use designation applicable to the Blue Heron property, while at the same time providing policy direction for the preservation of existing industrial uses; and
3. While the Plan map includes a mixed-use designation of the mill property, there is no narrative in the Plan supporting or explaining this designation.

In view of these concerns, we have recommended to City staff that the Industrial Comprehensive Plan designation be retained over the Blue Heron property, but that a notation, such as cross-hatching, be placed over this property, with an explanatory note on the plan map. This explanatory note would provide that the Blue Heron Paper Company retains its Industrial designation, but that it is considered a "special planning area," and that the City and the Blue Heron Paper site property owner will work together to develop a master plan for the property to address the City's need for long-term "transition planning" while preserving all opportunities to continue existing mill operations and future industrial uses. Moreover, we have recommended that the City work with Blue Heron Paper Company and other existing industrial property



Mr. Dan Drentlaw
Oregon City Planning Commission
Mr. Larry Patterson
December 10, 2003
Page 3

owners to establish better narrative language in the Plan supporting the Plan map designations, and to reconcile the conflicting policy direction.

To reiterate, the Blue Heron Paper Company opposes the MUD planning designation over the property (as depicted on the Proposed Comprehensive Plan Map dated October 20, 2003), and recommends that the Industrial designation be retained. However, we support the City's objectives in establishing policy direction to protect the public interest in the event of potential, long-term transitions in the uses on this and other industrial properties. We believe that doing this intelligently and carefully is of great long-term benefit to the Blue Heron Paper Company as well as the City. As one example, please be mindful of the fact that the Blue Heron Paper Company possesses a very substantial and very early (if not the earliest) active water claim for industrial use on the Willamette River which is of incalculable value to the property, and the community as a whole. To simply plan for elimination of industrial use of the property without considering all ramifications, including the extremely valuable resource the water claim can provide to the property and the community, is antithetical to good, sound comprehensive planning.

The Blue Heron Paper Company also recommends that the Comprehensive Plan be clear in stating that the Oregon City Waterfront Master Plan (January 4, 2002, Ordinance 01-1033) and the Oregon City Downtown Community Plan, Part 1, **do not** encompass the Blue Heron Paper Company site, and that the southern boundary of both of these plans is Fifth Street. We request the addition of this language into the Comprehensive Plan to avoid any future confusion concerning the applicability of these planning documents to the Blue Heron Paper Company site.

Finally, it is my understanding that the City's Natural Resources Committee has recommended policy language, revising Draft Plan Policy 2.2.12, in order to better indicate the City's intent with respect to redevelopment of not only the Blue Heron site, but other industrial properties as well. We support that language change, as proposed.

B. Zoning Code Amendments

The proposed zoning code amendments concerning industrial uses continue to perpetuate a lack of clarity in the existing code concerning the Blue Heron Paper Company's operations. We believe that under the existing code, the operations constitute a "wood product manufacture" operation, as well as an existing industrial use "not requiring a conditional use permit under Section 17.56.030." However, many necessary aspects of the existing operation occur outside

Mr. Dan Drentlaw
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Page 4

buildings. We recommend that the "Existing industrial uses" language in Section 17.36.010 be changed as follows:

"Existing industrial uses not requiring a conditional use permit under Section 17.56.030, including accessory existing uses and activities occurring outside buildings." (Proposed changes underlined.)

Other language could equally clarify the code. We would appreciate the City carefully considering this issue, and retain the willingness to revise the draft language to protect the Blue Heron Paper Company's operation.

The Blue Heron Paper Company looks forward to working with the City to provide clearer direction of the Comprehensive Plan and Zoning Code which better serves the broad public interests of the community, including the very important objective of ensuring the ongoing viability of traditional, existing natural resource based industries and associated jobs.

Very truly yours,


Timothy L. McManan

cc: Mr. Mike Siebers
Ms. Kate McCutchen
Mr. Bruce Martin
Mr. J. Mark Morford

DON VEDDER REAL ESTATE

COMMERCIAL • INDUSTRIAL
Consulting • Management • Leasing • Sales

December 10, 2003

City of Oregon City Planning Commission
City of Oregon City
320 Warner Milne Road
Oregon City, Oregon 97045

RECEIVED
CITY OF OREGON CITY

03 DEC 10 PM 4:00

Re: Proposed Changes to the Oregon City
Comprehensive Plan and Municipal Ordinance

Dear Planning Commission:

I am writing this letter to summarize the testimony I have made over the last few years regarding redevelopment of downtown Oregon City and specifically about certain provisions in the new proposed Mixed Use Downtown District and related Municipal Code sections.

As you know, I am the real estate agent for the Parker Family and have been working with them on the property they own in downtown Oregon City. I write to you to represent their interests as significant property owners in the downtown Oregon City area.

The Parkers own a large amount of property within the proposed Mixed Use Downtown Zone. They have prime property that can attract significant economic investment in Oregon City if developable. I am concerned that the restrictions on development you propose to include in the Mixed Use zone will prohibit the Parkers from using their property for the highest and best community benefit – to attract significant economic investment and revitalization of downtown Oregon City.

My main concern is that the size restrictions (through square footage caps and floor area ratio requirements) will keep out all major retail investment in Oregon City.

1. Square Footage Limitation on Retailers.

You are proposing a footprint limit of 60,000 square feet on retail uses. This type of square foot limitation seriously limits the Parkers ability to bring new and significant retailers to Oregon City. Large retailers, grocers and wholesalers who do not currently exist in Oregon City will be unable to site in the downtown area because of this limitation.

By keeping these types of businesses out of Oregon City, we are missing an opportunity to provide the community with new services that presently do not exist. Oregon City residents are presently forced to travel outside of the City to obtain such services. Maybe even more importantly, we are also missing the chance to use the name recognition and financial stability of successful national businesses to help rebuild Oregon City's downtown.

126 Cherry Avenue • Oregon City, Oregon 97045 • (503) 656-1160



Member of
International Council
of Shopping Centers

I am also concerned about the way the cap will be implemented and if the limitation in practice will keep out certain businesses you did not intend to keep out. Section 17.34.020 lists permitted uses as retail under 60,000 square feet. Section 17.34.030 lists conditional uses as retail over 60,000 square feet. This makes me think that the City considers certain retail uses over 60,000 square feet to be appropriate and permissible in the Mixed Use zone. What those desired retail uses are, however, is unclear.

Convincing a prospective retailer that they can make the jump from a possible conditional use to an actual approved conditional use troubles me. The Code provisions are somewhat inconsistent and unclear on what process and criteria would apply to a business that wanted to pursue a development over 60,000 square feet. A business considering Oregon City would have very little guidance on what would be acceptable.

I urge you to make these provisions more clear and to provide better guidance on what types of uses over 60,000 square feet the City wants and how to get those approved. Businesses that may consider a site downtown, but cannot build under 60,000 square feet, need better guidance, certainty and opportunity if we hope to attract them and encourage them to invest in the redevelopment of Oregon City.

2. Floor Area Ratio.

The minimum 0.4 Floor Area Ratio ("FAR") you are proposing is unworkable. A minimum 0.4 FAR could force a developer to use structured parking. Structured parking, as you know, is extremely expensive and inadequate for most major suburban retailers. To attract redevelopment in the downtown area and give a major retailer a chance at success there needs to be flexibility in the FAR that allows non-structured parking opportunities. Since the 0.4 FAR is a minimum it appears that this restriction cannot be changed even if a building in excess of 60,000 square feet were to be permitted as a permitted or conditional use. Flexibility on the FAR is critical to attract national retailers to Oregon City's downtown area.

I share your dedication and commitment to the redevelopment of Oregon City's downtown area. As stated above, my concern is that the proposed development restrictions in the Mixed Use zone will cause the Parker's prime piece of property to be underutilized and will keep out major national businesses that would greatly benefit our community.

I urge you to consider these issues and revise the proposed Comprehensive Plan and Municipal Code accordingly.

Sincerely,



Don Vedder
Don Vedder Real Estate

TO: Oregon City Planning Commission
c/o Shawn Cook

FAX: 503-657-7892

FROM: Clackamas County Committee for Citizen Involvement
Board of County Commissioners

FAX: 503-655-8898

RE: Citizen Notification Process

DATE: December 10, 2003

TOTAL PAGES (including cover): 2

The Clackamas County Committee for Citizen Involvement (CCI) and Clackamas County Board of County Commissioners were contacted by the Beavercreek Community Planning Organization (CPO) regarding the Oregon City Comprehensive Plan citizen notification process, and we are responding to their request.

As part of the citizen involvement section of the Oregon City Comprehensive Plan, we respectfully request that notification be expanded to include affected Community Planning Organizations (CPOs) and other unincorporated and recognized county units (such as Hamlets or Villages) when planning will impact the areas they represent.

It is our understanding that while the citizen involvement notification process, as outlined in the Oregon City Comprehensive Plan, included letters seeking citizen participation in the plan review process, newspaper notices, mailings to residents within city limits and expanded within the Urban Growth Boundary, unincorporated areas such as CPOs and neighbors in those areas impacted, did not receive notice.

We sincerely thank you for your consideration.

Clackamas County Committee for Citizen Involvement
Board of County Commissioners

Cc: Elizabeth Graser-Lindsey
Committee for Citizen Involvement
Beavercreek Community Planning Organization

Beavercreek Community Planning Organization

P.O. Box 587
Beavercreek, OR 97004

NOV 26 2003

~~BOARD OF COMMISSIONERS~~

25 November 2003

Clackamas County Board of Commissioners
906 Main St.
Oregon City, OR 97045

RE: Citizen Involvement

Oregon City is currently revising its Comprehensive Plan and will end the Planning Commissions Public Hearing process December 10. The Beavercreek CPO, which represents residents of probably the largest area of change, the proposed East Beavercreek Rd. new Campus Industrial area, like the county-residents of that area themselves did not receive any notice from Oregon City of their proposed Comprehensive Plan revision. Some area residents and the CPO eventually learned on the plan in a haphazard way some times after the relevant hearings. Even the *Oregonian* reported on this work after the first public hearing. At their November 24th public hearing, I requested that the CPO receive notice and direct contact from Oregon City when it is considering changes of mutual interest. I did not receive any favorable response to this request and do not know that we should expect any. In fact the Planning Commission stated that they could not afford to notify county residents despite the fact that the plan anticipates changing them into city residents.

Your help is sought to request that Oregon City include in its revised Comprehensive Plan provisions to notify and work with affected CPOs or other named and recognized county units (such as Hamlets or Villages) when planning is done for the areas they represent. Could you please contact Oregon City Planning Commission before their December 10 deadline to have the maximum impact? Do you have suggestions on how individual county residents could know that planning is being done for their area? Your help on this matter would be appreciated.

Sincerely,



Elizabeth Graser Lindsey
Speaker
(503) 632-5568

✓ Cc: Committee for Citizen Involvement

03 DEC 10 PM 2:36

RECEIVED
CITY OF OREGON CITY

To: Oregon City Planning Commission
320 Warner Milne Road
Oregon City, OR 97045

From: Natural Resources Committee
City of Oregon City
320 Warner Milne Road
Oregon City, OR 97045

Date: December 10, 2003

RE: Amendments to the Proposed Oregon City Comprehensive Plan dated 11/3/2003

Dear Commissioners,

It is with pride that the newly formed Oregon City Natural Resources Advisory Committee submits to you our proposed amendments to the Oregon City Comprehensive Plan. Attached you will find the draft comprehensive plan with our proposed changes highlighted.

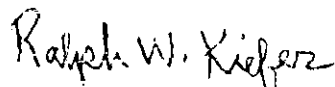
Our committee members have invested considerable time in reviewing the entire document as it relates to natural resources and effective management of the city landscape. Each member has been responsible for developing proposed changes to one or more of the land use goals. While we have only held three formal meetings, these have been used to pour over the document and each member's proposed changes, and to reach committee consensus on both the intent and the letter of each goal, policy and action. Although the timeline was very compressed, we invested many hours in this process. Due to time constraints, we were not able to complete this task to our full satisfaction. However, we are pleased with the work to date and believe the modifications we propose will greatly strengthen this document and vastly improve the management of natural resources in Oregon City.

We recognize that many of our natural systems are in peril. We further recognize that Oregon's land use laws provide considerable flexibility in their administration and implementation at the local level. It is our hope that Oregon City will be a model for exceptional natural resource management and it is toward this end that we recommend these comprehensive plan amendments.

The significantly modified document we are submitting represents input from a highly committed, skilled and knowledgeable group of citizens. These people deserve recognition for their investment in this process. We are grateful to have had this opportunity and offer our continued service in this process. Please do not hesitate to call upon us for further review and clarification.

Thank you.

Marcia Sinclair, Chair
Oregon City Natural Resources Committee


Ralph W. Kieler, Secretary
Oregon City Natural Resources Committee



CITY OF OREGON CITY

Preserving Our Past -- Building Our Future

**Recommended additions, revisions,
and deletions to the Oregon City
Proposed Comprehensive Plan dated
November 3, 2003**

**Submitted by the Oregon City
Natural Resources Committee
December 10, 2003**

**First City's Future
Vision Statement Preamble**

Oregon City, Oregon

**Where powerful natural forces converge, people also gather,
At a bend in Oregon's mightiest river,
Where cold clear water from thirteen watersheds bathes migrating salmon,
And flowery oak Savannah bluffs meet temperate rainforest canyons,
Our three-tiered City rises above rumbling, roaring Willamette Falls.
At this ancient fishing ground and confluence of native cultures,
At the destination of one of the greatest migrations in all of human history,
Lies Oregon City, where the forces of nature and people unite.**

Introduction

A Comprehensive Plan is a generalized, coordinated land use map and policy statement of the governing local body that relates all functional systems and activities related to the use of the lands, including but not limited to, sewer and water systems, transportation systems, educational facilities, recreational facilities, natural resources and air and water quality management programs as part of the local and regional ecosystem.

The term “land” includes water, both surface and subsurface, and air. The plan is used to guide the city’s land use, conservation of natural resources, economic development and public services.

Periodic updates to a city’s Comprehensive Plan are required and the Oregon City Comprehensive Plan that follows is such an update.

Policies

The City of Oregon City acknowledges its responsibility for leadership in creating a sustainable community, locally, regionally and nationally. A sustainable community is one that persists over generations and is far-seeing enough, flexible enough and wise enough to balance and maintain its natural, economic, social and political systems.

The City of Oregon City supports policies of “sustainable development,” “smart growth” and “green building.” Oregon City will grow in a manner that is consistent with the “carrying capacity” of its land and will plan and provide for a level of use which can be accommodated and continued without irreversible impairment of its natural resources; the ecosystem and quality of air, land and water resources.

The City of Oregon City will promote “sustainable development” that meets today’s need without compromising the ability of future generations to meet their needs and accepts its responsibility to:

- * Support a vital, innovative, diverse and equitable economy.
- * Protect the quality of the air, water, land and other natural resources.
- * Conserve native vegetation, fish, wildlife habitat and other ecosystems.
- * Minimize human impacts on local and worldwide ecosystems.

Explanation

“Sustainability” is about fairness over time. It is about meeting our social, environmental and economic wants and needs in a way that does not leave any segment of our population behind and doesn’t undermine the ability of future generations to meet their needs. It postulates that every developer can apply some elements of sustainability to every project.

“Smart growth” reflects community planning that offers an alternative to unchecked, sprawling development. It advocates balancing our need for open spaces and preserving natural and cultural resources, providing a wide range of transportation choices while revitalizing our downtown and older neighborhoods and creating new neighborhoods and districts that are livable and affordable.

“Green building” demonstrates building practices that use energy, water and other resources wisely without needlessly damaging the environment so that present and future generations can live well. The systematic application of the U.S. Green Building Council’s environmental design standards (L.E.E.D.) is an example of certifiable, “green building.”

For the purposes of this document the term, “sustainable development,” shall be inclusive of the definitions and applications of “smart growth” and “green building” as well as “sustainable development.”

Overview

In communities across the nation, there is a growing concern that current development patterns dominated by what some call “sprawl”-are no longer in the long-term interest of our cities, existing suburbs, small towns and rural communities. Though supportive of growth, communities are questioning the economic costs of abandoning infrastructure in the city, only to rebuild it further out. They are questioning the social costs of the mismatch between new employment locations in the suburbs and the available work force in the city. They are questioning the wisdom of abandoning “brownfields” in older communities, consuming open space and prime agricultural lands at the suburban fringe, and polluting the air of an entire region by driving farther to get places.

Spurring the smart growth/sustainable development movement are demographic shifts, a strong environmental ethic, increased fiscal concerns and more nuanced views of growth. The result is both a new demand and a new opportunity for smart growth. Sustainable development/smart growth recognizes the connections between development and quality of life. It leverages new growth to improve the community. Smart growth invests time, attention and resources in restoring community and vitality to center cities and older suburbs and neighborhoods. New smart growth is more town-centered, is transit and pedestrian oriented and has a greater mix of housing, commercial, industrial and retail use. It also preserves open space and many other environmental amenities.

The City of Oregon City Will:

- Encourage and develop connections among environmental quality, economic vitality, and community livability. Promote development that reduces adverse effects on ecology and the natural resource capital base and supports employment opportunities for our citizens.
- Foster distinctive, attractive places with a strong sense of place. Craft f vision and set standards for development and construction that respond to community values of

architectural beauty and distinctiveness, as well as expanded choices in housing and transportation.

- Include cumulative and long term impacts in decision making and work to protect the natural beauty and diversity of Oregon City for future generations.
- Ensure commitment to equity so environmental impacts and the costs of protecting the environment do not unfairly burden any one geographic or socioeconomic sector of the City.
- Ensure environmental quality and understand environmental linkages when decisions are made and regarding growth management, land use, transportation, energy, water, affordable housing, indoor and outdoor air quality and economic development.
- Use resources efficiently and reduce demand for natural resources, like energy, land, and water, rather than expanding supply.
- Prevent additional pollution through planned, proactive measures rather than only corrective action. Enlist the community to focus on solutions rather than symptoms.
- Act locally to reduce adverse impacts of rapid growth population and consumption, such as ozone depletion and global warming, and support and implement innovative programs that maintain and promote Oregon City's leadership as a sustainable city.
- Purchase products based on long term environmental and operating costs and find ways to include environmental and social costs in short term prices. Purchase products that are durable, reusable, made of recycled materials, and non-toxic.
- Educate citizens and businesses about Oregon City's Sustainable City Principles and take advantage of community resources. Facilitate citizen participation in City policy decisions and encourage everyone to take responsibility for their actions that otherwise adversely impact the environment.
- Report annually on the health and quality of Oregon City's environment and economy.

Definitions:

1. **Carrying Capacity:** The level of land use that can be accommodated and continued without irreversible impairment of natural resources productivity, the ecosystem, and the quality of air, land and water resources.

2. **Sustainable Development:** Development that meets the needs of present generations without compromising those needs for future generations by recognizing the relationships of natural resource and energy conservation, economic prosperity and social equity.

Sustained development is demonstrated by the following:

1. the use which can be accommodated and continued without irreversibly impairing the quality of air, land and water resources in their natural systems;
2. development designed to create family wage jobs, maintain neighborhoods and infrastructures which provide a variety of housing and living environments;
3. designing structures to reduce the consumption of energy and nonrenewable materials and reduce the production of waste, toxic emissions and pollution;
4. minimizing the consumption of land while maintaining and restoring existing environmental attributes of development sites;
5. designing development to increase access to jobs, affordable housing and transportation choices.

3. **"Future Urban Holding:"** A temporary zoning designation, to be used rather than the proposed Industrial designation, for the area east of Beavercreek Road. Used as an allowance for additional time to summarize current components of a concept plan, conceive of additional valid and valuable components, and to incorporate those deemed viable, in order to adapt zoning for its inclusion in the Proposed Comprehensive Plan, as no current zoning or land use description is applicable.

1. CITIZEN INVOLVEMENT

I know no greater depository of the ultimate powers of society but the people themselves. And if we think them not enlightened enough to exercise their control with a wholesome discretion, the remedy is not to take it from them, but to inform their indiscretion through education. That is the true corrective of abuses of constitutional power.

Thomas Jefferson

This section of the Oregon City Comprehensive Plan is intended to comply with Statewide Planning Goal 1, Citizen Involvement. This goal requires local governments “to develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.”

Recognizing the vital importance of providing citizens opportunities to be informed and involved in the planning process, Oregon City established a Citizen Involvement Program in the 1980s with two major components: neighborhood associations and the Citizen Involvement Committee (CIC). This element discusses the role of the CIC and its responsibility for developing, implementing, and evaluating the Citizen Involvement Program. The CIC's overall goal is to work for the improvement of the quality of life within the City of Oregon City.

GOALS, POLICIES, AND ACTION ITEMS

Goal 1.1: Citizen Involvement Program

~~It~~ To implement a Citizen Involvement Program that will provides a fair, transparent, n active a and systematic understandable process which encourages for citizen engagement participation in all phases of the land use and conservation decision-making process to and enables citizens to consider and act upon a broad range of issues affecting neighborhood the livability, community sustainability and quality of lifeneighborhoods and the community as a whole.

Policy

Policy 1.1.1 Encourage citizen participation in all functions of government and land-use planning.

Policy 1.1.2 Provide support for development of, and active citizen participation in, neighborhood associations in every neighborhood of Oregon City to insure that citizens throughout the city have appropriate representation in land use decisions.

Policy 1.1.3 In areas of the city where there is no active neighborhood association, notify citizens that they may voice their interests through the Citizen Involvement Committee.

~~Policy 1.1.1 Utilize Neighborhood Associations, as the vehicle for neighborhood-based input into the process to meet the requirements of LCDC Statewide Planning Goal 1, Citizen Involvement.~~

Policy 1.1.4 Use neighborhood associations, as a vehicle for effective exchange of information with citizens on land use decisions to meet the requirements of Oregon's Land Conservation and Development Statewide Planning Goal 1, Citizen Involvement.

Policy 1.1.5 Define and articulate those elements of significant staff or commission land use decision over which citizens may exert influence and/or in which they may share in decision making.

Policy 1.1.6 In all city decision-making activities, provide a friendly and cordial process in order to encourage citizen engagement.

Goal 1.2: Community Engagement in ~~and~~ Comprehensive Planning

Ensure that citizens, and neighborhood groups, and affected property owners are involved in all phases of the comprehensive planning program.

Policies

Policy 1.2.1 ~~Solicit~~ Encourage citizen input participation in all functions of government and land use planning in all phases of comprehensive plan revision and review.

Policy 1.2.2 Initiate citizen involvement activities at concept stage of a project or proposal.

~~Policy 1.2.2~~ The by-laws of the CIC and Neighborhood Associations shall govern their formation and operations.

Action Items

~~Action Item 1.2.1~~ Create a neighborhood area boundary extension plan. for the City Commission.

Goal 1.3: Community Education

Provide education for individuals, groups, and communities to ensure effective participation in decision-making processes that affect the livability of our neighborhoods.

Policies

Policy 1.3.1 Encourage training of volunteers involved with Neighborhood Associations and the CIC.

Policy 1.3.2 Work with the CIC to implement training strategies from the CIC Strategic Plan.

Policy 1.3.3 Work with Clackamas Community College to develop training courses and workshops for elected and appointed officials and citizens on land use planning and land management.

~~Policy 1.3.3~~ **Policy 1.3.4** Support creation of an internet web page affiliated with the City's home page and a CIC newsletter to provide updated Community Involvement information.

Policy 1.3.5 Work with Oregon City Schools to incorporate citizen involvement instruction into school curriculum.

Action Items

- Action Item 1.3.1 Sponsor a minimum of one CIC Training Conference on the participation processes; decision-making and problem-solving methods; organizational strategies for neighborhoods; and locating resources.
- Action Item 1.3.2 Provide a training session on "Land Use Process Participation" at least once a year, or more often if needed.
- Action Item 1.3.3 Provide a training session on "How and When to Form Local Improvement Districts" at least once a year, or more often if needed.

Goal 1.4: Citizencommunity NotificationInvolvement

Provide complete information for individuals, groups, and communities to participate in public policy planning and implementation.

Policies

- Policy 1.4.1 Provide complete information and timely notices on community involvement opportunities through a variety of media.
- Policy 1.4.2 Work with local news media to provide regular public updates, news articles and feature material on planning processes and decisions, and identify timely opportunities for citizen engagement.
- ~~Policy 1.4.2~~ Policy 1.4.3 Ensure that technical information is available in an understandable format.
- Policy 1.4.4 Notify adjacent public and private landowners and other affected citizens at the concept stage of any land use decision processes which may affect their interests.

Action Items

- Action Item 1.4.1 Submit land use hearing dates, factual summaries of current land use issues, and hearing outcomes, as available, to the CIC newsletter and internet web page for publication and distribution.
- Action Item 1.4.2 Submit factual summaries of long-range planning issues, as available, to the CIC newsletter and internet web page for publication and distribution.
- Action Item 1.4.3 Encourage and provide incentives for developers to notify adjacent and affected landowners of proposed conceptual plans which may affect their interests.

Goal 1.5: Government/Community Relations

Provide a framework for facilitating open, two-way communication between City representatives and individuals/groups/communities.

Policies

- Policy 1.5.1 Support the CIC in planning and initiating events for City representatives and the community to meet and interrelate on issues of interest to one or both parties.
- Policy 1.5.2 Provide notification and other appropriate supporting information to adjacent landowners and county Community Planning Organizations of land use processes and decisions that may affect their interests.
- Policy 1.5.3 Recognizing Oregon City's role as a regional center, provide information and engagement opportunities for citizens outside the Urban Growth Boundary who have a stake in city policies and land use decisions.

Action Items

- Action Item 1.5.1 Work with local schools to develop a student community involvement program.
- Action Item 1.5.2 Create a steering committee to work with the City on updating the comprehensive plan.
- Action Item 1.5.3 Define processes through which adjacent landowners and county Community Planning Organizations may provide timely input.

Goal 1.6: CIC Continuous Development

Support the CIC's team spirit and dedication to community involvement for the purpose of ensuring continuous improvement.

Policies

- Policy 1.6.1 Assist the CIC in finding funding for the Community Involvement Program's current and future growth and development.
- Policy 1.6.2 Support an Annual Leadership Development Conference for CIC members (to include the updating of the CIC Strategic Plan).
- Policy 1.6.3 The by-laws of the CIC and Neighborhood Associations shall govern their formation and operations.

Action Items

- Action Item 1.6.1 Establish a CIC office.
- Action Item 1.6.2 Review and adopt CIC by-laws.

- Action Item 1.6.3 Maintain a record keeping system for archiving CIC decisions and written evaluations.
- Action Item 1.6.4 Work with Public Affairs Manager to develop a Neighborhood Association/Staff Liaison Program.
- Action Item 1.6.5 Work with the Public Affairs Manager to develop an Ombudsmen program that provides timely responses to community/individual's questions and concerns.
- Action Item 1.6.6 The Public Affairs Manager will work with the CIC to establish guidelines for CIC and neighborhood associations to consider and implement new programs.

Goal 1.7: Neighborhood Plans

Adopt neighborhood plans that encompass a broad range of concerns for each neighborhood over a five- to ten-year time period as refinements of the Oregon City comprehensive plan.

Policies

- Policy 1.7.1 Address the elements of **natural resource protection**, land use, transportation, public facilities and services, housing, and parks, recreation, and open spaces in all neighborhood plans. If desired, include elements on economic activity, social services, environmental quality, and urban design. Use maps and diagrams to show the application of goal and policy statements.
- Policy 1.7.2 Ensure that neighborhood plans conform with the rest of the comprehensive plan.
- Policy 1.7.3 Within the time frame of neighborhood plans, specify the timing or preconditions for the implementation of policies and action items if possible.
- Policy 1.7.4 Provide maximum opportunities for property owners, residents, and businesses within the neighborhood to be involved in all phases of the preparation of a neighborhood plan.
- Policy 1.7.5 Use the neighborhood plans to make recommendations to any city board, commission, or agency having planning responsibilities, particularly as they relate to public improvements and land use decisions.

Action Items

- Action Item 1.7.1 Review neighborhood plans biennially.
- Action Item 1.7.2 Incorporate guidelines as needed to provide policy direction to the neighborhood. Such guidelines would not be part of the comprehensive plan.

Action Item 1.7.3 Notify property owners, residents, and businesses within the neighborhood of general neighborhood and board meetings and other processes through which the plan will be developed.

Action Item 1.7.4 Establish procedures for adoption of neighborhood plans by Neighborhood Associations, the Planning Commission, and the City Commission. The procedures shall include provisions for the Planning Commission to work directly with the Neighborhood Association regarding changes or amendments to a proposed neighborhood plan.

Goal 1.8: Advisory Committees

Establish and support Citizen Advisory Committees and Commissions.

Policies

Policy 1.8.1 Identify those areas of city government in which the counsel of a formal citizen advisory committee or commission is warranted.

Policy 1.8.2 Provide appropriate staff support to keep these committees and commissions viable.

Policy 1.8.3. Solicit and support citizen participation on advisory committees and commissions. Identify desirable expertise and recruit citizen participants from the broader Portland Metro area as needed to best serve the interests of the Oregon City community.

Background

The Land Conservation and Development Commission (LCDC) Statewide Planning Goal 1, Citizen Involvement, mandates that a program be developed that "assures the opportunity for citizens to be involved in all phases on the planning process." Oregon City has recognized this need to involve citizens in the planning and decision-making process. The Citizen Participation Goal in the *Land Use Policies for Oregon City*, established in 1976, is to "provide an active and systematic process for citizen and public agency involvement in the land use decision making for Oregon City."

The philosophy in the *Land Use Policies for Oregon City* was that the formation of a neighborhood program would provide the best means for citizens to become involved in the planning process. With this policy in mind, Oregon City developed its Citizen Involvement Program with two major components: Neighborhood Associations and the Citizen Involvement Committee.

Existing Conditions

The CIC serves as the officially recognized citizen advisory committee to meet LCDC Statewide Planning Goal 1. The CIC is responsible for, as required by Goal 1, developing, implementing,

and evaluating the Citizen Involvement Program. The CIC's overall goal is to work for the improvement of the quality of life within the City of Oregon City. The CIC coordinates and communicates various aspects of citizen participation in the community and advises the City Commission, the Planning Commission and other planning and advisory bodies. A City Liaison is provided through the City Manager's Office, and the Public Affairs Manager provides staff assistance.

Prior to the initiation of the comprehensive plan update in spring 2002, the CIC began working on revisions to the citizen involvement procedures for Oregon City. The CIC developed a Five-Year Strategic Plan—including a Mission Statement, Vision, Values, and Roles and Responsibilities—and Citizen Involvement Committee By-laws (approved by membership on January 11, 2000) and a Citizen Involvement Handbook. Each of the documents was developed over three years by the entire CIC, which consisted of the elected leadership of the recognized neighborhood associations in Oregon City.

The By-Laws and 5-year Strategic Plan were written to meet the intent of Statewide Goal 1 for Citizen Involvement, which clearly expresses the need for citizen involvement in all aspects of land-use planning and other livability issues for cities in Oregon.

The area served by the CIC includes the current legal city limits and all areas of impact within the current Urban Growth Boundary, such as: county islands within any of the neighborhood association boundaries; areas of the county adjacent to recognized neighborhood associations; and areas of the county not adjacent to a recognized neighborhood association, but within the Urban Growth Boundaries and not represented by a Community Planning Organization (CPO).

First City's Future

In February 1999 a meeting was held to evaluate a proposal for a "visioning process" and how the city might benefit from the undertaking. The committee concluded the process could work if properly structured with realistic 'visions' which could be accomplished by volunteers working throughout all segments of the community; governments, medical community, educational leaders, and business organizations. From that meeting, the First City's Future Initiating Task Force was developed and worked toward development of a strategy to create a vision for Oregon City.

In November 2000, the Task Force held the first community-wide open house attended by 125 community members and City staff. From the November meeting emerged a draft vision statement that brought forward shared common goals for the future of Oregon City. The visioning process is an ongoing project and needs to be reviewed and updated periodically. A successful visioning process is a constant, dynamic process that must be initiated and maintained by the community.

2. LAND USE

[insert-quote]

We abuse the land because we regard it as a commodity belonging to us. When we see land as a community to which we belong, we may begin to use it with love and respect.

Aldo Leopold, *A Sand County Almanac*, 1949.

[The city planning process] should undertake to develop principles . . . [that] should be constructed into policies that will ensure that the resources of the city, site, and artifacts, are recognized as values and determinants of form, both in planning and the execution of works. Rio differs from Kansas City, New York from Amsterdam, and Washington [D.C.] from all of them, for good and sufficient reasons. They lie, at base, in the geological history, climate, physiography, soils, plants and animals that constitute the history of the place and the basis of its intrinsic identity.

Ian McHarg, *Design with Nature*, 1969.

The Oregon City Comprehensive Plan (comprehensive plan) and the Comprehensive Land Use Plan Map (plan map) control and guide land uses and development in the city. The Comprehensive Land Use Plan Map is located in Appendix A of this document. The plan map designates geographic areas for general land uses in accordance with the comprehensive plan. The plan map shows the general development pattern of the city. It indicates which areas are best suited for residences, which areas are best suited for commercial and office uses, and which areas are best suited for industry.

The Statewide Planning Goal for Land Use Planning (Goal 2) establishes a land use planning process and policy framework, with which local comprehensive plans must comply. This element of the Oregon City Comprehensive Plan identifies the City's goals and policies related to the land use planning process consistent with the statewide planning goal and consistent with the regional goals and requirements of Metro. The Waterfront Master Plan and Downtown Community Plan will help to revitalize the residential aspects of downtown and the Clackamette Cove area, and implement a vision of the downtown area as a Regional Center in accordance with Metro's 2040 Growth Concept. The Metro Design Type Map with Oregon City's 2040 Growth Concepts is located in Appendix B of this document. This element also addresses Statewide Planning Goals for Agricultural and Forest Lands (Goals 3 and 4: to preserve and maintain agricultural lands and to conserve forest lands for forest uses).

The Oregon City Comprehensive Plan (comprehensive plan) and the Comprehensive Land Use Plan Map (plan map) control and guide land uses and development in the city. The Comprehensive Land Use Plan Map is located in Appendix A of this document. The plan map designates geographic areas for general land uses in accordance with the comprehensive plan. The plan map shows the general development pattern of the city. It indicates which areas are best suited for residences, which areas are best suited for commercial and office uses, which areas are best suited for industry, and which should be left undeveloped.

GOALS, POLICIES, AND ACTION ITEMS

Goals

Goal 2.1: Efficient Use of Land

Ensure that property planned for residential, commercial, office, and industrial use is used efficiently and that land will be developed in harmony with the “Carrying Capacity” of the land, following principles of “Sustainable Development.”

Policies

- Policy 2.1.1 Create incentives for new development to use land more efficiently, such as by having minimum floor area ratios or maximums for parking and setbacks.
- Policy 2.1.2 Encourage the vertical and horizontal mixing of different land use types in selected areas of the city where compatible uses can be designed to reduce the overall need for parking, create vibrant urban areas, reduce reliance on the private automobile, and create more business opportunities.
- Policy 2.1.3 Encourage sub-area master planning for larger developments or parcels, including re-development, where it may be feasible to develop more mixed uses, or campus-style industrial parks, with shared parking and landscaping areas. Allow developments to vary from prescriptive standards if planned and approved under this provision.
- Policy 2.1.4 Use redevelopment programs such as urban renewal to help redevelop underutilized commercial and industrial land.
- Policy 2.1.5 Encourage the implementation of **sustainable development, smart growth, green building concepts and other** environmentally friendly construction techniques and materials.
- Policy 2.1.6 **Encourage the integration of mixed land uses into communities as a critical component of achieving better places to live.**

Action Items

- Action Item 2.1.1 Maintain an inventory of vacant land, redevelopment, and new development on a regular basis to better account for and assess future land supplies for residential, industrial, and commercial lands.
- Action Item 2.1.2 Create a Planned Development or Master Plan provision and review procedure that will allow developers to promote comprehensive evaluation and planning of new development **consistent with sustainable building practices**. A master plan or planned development requirement should help assure smooth development permitting and adequate infrastructure availability, especially when phasing development over several years.

- Action Item 2.1.3 Evaluate methods of providing incentives within the zoning code to encourage **sustainable** development of mixed-use projects (for instance, by allowing development of retail space in industrial zones once the minimum FAR for industrial uses is reached).
- Action Item 2.1.4 Develop incentives for developers **that employ sustainable development practices** to build more efficiently on vacant and redevelopable land.
- Action Item 2.1.5 Amend the Zoning Code to allow and encourage mixed uses in selected areas of the city, such as within the Regional Center including downtown, Clackamette Cove in manner that is consistent with the Waterfront Master Plan, around Clackamas Community College, within the County Red Soils site, and along 7th Street and Molalla Avenue.
- Action Item 2.1.6 Establish minimum floor area ratios (FARs), establish incentives to increase FARs, set maximum parking standards, and adjust minimum parking and landscaping requirements in Industrial zone(s).
- Action Item 2.1.7 Restrict intrusion of commercial or competing uses in order to protect areas designated as -“industrial” or “employment” areas by Metro.

Goal 2.2: Downtown Oregon City

Develop the Downtown area (which includes the historic downtown area, the “north end” of the downtown, Clackamette Cove, and the End of the Oregon Trail area) as a quality place for shopping, living, working, cultural and recreational activities, and social interaction. Provide walkways for foot and bicycle traffic, preserve views of Willamette Falls and the Willamette River, and preserve the natural amenities of the area.

Policies

- Policy 2.2.1 Redefine the regional center concept to recognize the unique character of Oregon City while being in accordance with Metro’s 2040 Growth Concept.
- Policy 2.2.2 Develop and promote a vision for the economic development of the downtown area that solidifies the Downtown Community Plan and Waterfront Master Plan **and is consistent with sustainable development practices.**
- Policy 2.2.3 Target public infrastructure investments and create public/private partnerships to help ensure that the regional center develops to its maximum capacity and realizes its full potential **consistent with sustainable development practices.**
- Policy 2.2.4 Encourage the development of a strong and healthy historic downtown retail, office, and residential center.
- Policy 2.2.5 Implement the Downtown Community Plan and Waterfront Master Plan with regulations and programs that support compatible and complementary mixed-uses, including housing, hospitality services, restaurants, civic and institutional, offices, some types of industrial, and retail uses in the regional center, all at a

relatively concentrated density **consistent with sustainable development practices.**

- Policy 2.2.6 Support multi-modal transportation options throughout the regional center and to other regional and town centers.
- Policy 2.2.7 Improve connectivity for vehicles, bicycles, and pedestrians within the downtown and waterfront master plan areas and improve linkages between residential areas to the community beyond.
- Policy 2.2.8 Develop the Clackamette Cove area through the implementation of the Water Front Master Plan to achieve a balance between the ~~natural~~ office/retail and built environments, including wildlife habitat, multi-family residential development, office/retail, and family recreation. Development should include environmentally friendly construction options **consistent with sustainable development practices.**
- Policy 2.2.9 Develop an interpretive scheme that incorporates the End of the Oregon Trail Interpretive Center, the waterfront, and downtown. Describe environmental, social, and historic aspects including the concept of the Abernethy Greenway and nearby structures of historic significance.
- Policy 2.2.10 Seek both public and private partnerships to leverage maximum benefits from the expenditure of available funds.

~~Policy 2.2.11 Continue to support industrial uses within the city but work with the operator of the concrete batch plant in evaluating long term relocation to alternative city sites.~~

~~Policy 2.2.12~~ **Policy 2.2.11 Encourage industrial owners to develop site redevelopment plans in collaboration with the City at such time as owners are transitioning from an industrial use to a non-industrial use. Any redevelopment plans should encourage access to natural resource lands and consider redevelopment strategies aimed at compatibility with, and the redevelopment potential, of surrounding properties. Adopt a redevelopment plan for the Blue Heron site that will complement and energize the redevelopment of downtown. Emphasis should be placed on development that takes advantage of the unique setting of this area on Willamette Falls.**

Action Items

- Action Item 2.2.1 Implement market-based incentives to promote high-density mixed-use development in downtown and in the waterfront, **while preserving the natural qualities of the area.**
- Action Item 2.2.2 Explore opportunities for public investment and use Urban Renewal and other financing tools to encourage high-densities and mixed uses in downtown.

- Action Item 2.2.3 Create a mixed-use plan district and zone to guide and encourage future development in accordance with the Waterfront Master Plan. The plan district would clearly state waterfront development and resource conservation objectives agreed upon by the City Commission as a result of a public planning process, **including input from the Natural Resources Committee**. The plan district could include special review procedures that allow for a more streamlined process.

- Action Item 2.2.4 Enhance the northern entrances to Oregon City to better define downtown and assist in revitalization.

- Action Item 2.2.5 Continue to pursue the redevelopment strategies as outlined in the Waterfront Master Plan.

- Action Item 2.2.6 Working with major stakeholders, develop and implement a strategy to help the historic downtown area enhance its position as a retail district. Such a strategy might include funding for a “Main Street” or similar program.

- Action Item 2.2.7 Create additional public parking lots within the downtown area through local improvement districts, a parking district, public-private partnerships, and other financial instruments and programs.

- Action Item 2.2.8 Identify areas comprising small parcels, partial or incompatible development, and multiple owners within the urban renewal district where public acquisition to assemble land for redevelopment may be appropriate.

- Action Item 2.2.9 Work with the property owners, the Oregon Department of Transportation, the Oregon Department of Environmental Quality, the Federal Emergency Management Agency and state and federal agencies to streamline the entitlement process for the development of the Rossman landfill property (the Parker Estate).

- Action Item 2.2.10 Explore the creation of a transportation management district to maximize the efficiency of the existing parking and develop effective local transportation options for the downtown area.

- Action Item 2.2.11 Investigate changing the industrial zoning on the landfill and Clackamette Cove areas that can accommodate office and commercial development.

- Action Item 2.2.12 Explore options for improving downtown vehicle circulation and parking in a manner that promotes revitalization.

Goal 2.3: Corridors

Focus transit oriented higher intensity, mixed-use development along selected transit corridors.

Policies

- Policy 2.3.1 When planning for transportation corridors, include facilities and access management, aesthetics (including signage and building facade improvements), infill and redevelopment opportunities, high-density residential development, and business assistance to existing businesses **consistent with sustainable development practices**.
- Policy 2.3.2 Work with Clackamas County, Gladstone, Milwaukie, and Metro to develop a plan for the redevelopment of the 99E corridor that connects the Oregon City regional center with the Milwaukie town center.

Action Items

- Action Item 2.3.1 Develop local area or “specific plans” as needed for transportation corridors, including 7th Street, Molalla Avenue, and Beavercreek Road. Specific plans should address both building and street aesthetics, and functional design issues such as access management and intersection spacing.

Goal 2.4: Neighborhood Livability

~~Provide a sense of place and identity for residents and visitors~~ Honor the uniqueness of each neighborhood in both its physical setting and its diversity of inhabitants, provide a sense of place and identity for residents and visitors by protecting and maintaining neighborhoods as the basic unit of community life in Oregon City.

Policies

- Policy 2.4.1 Protect and strengthen existing residential neighborhoods.
- Policy 2.4.2 Develop local neighborhood or “specific” plans where appropriate to blend infill development along linear commercial areas into existing neighborhoods.
- Policy 2.4.3 Strive to establish facilities and land uses in every neighborhood that help give the neighborhoods vibrancy, a sense of place, and a feeling of uniqueness.
- Policy 2.4.4 Recognize that special activity centers and points of interest can help make Oregon City unique and interesting.
- Policy 2.4.5 Promote connectivity between neighborhoods and neighborhood commercial centers through a variety of transportation modes, **including pathways for walking and bicycling**.
- Policy 2.4.6 Where environmental constraints reduce the amount of buildable land, and/or where adjacent land differs in uses or density, implement comprehensive plan and zoning designations that encourage compatible transitional uses **consistent with sustainable development practices**.

Policy 2.4.7 Ensure a process is developed to allow for neighborhood schools, senior and child care facilities, parks, and other uses that serve the needs of the immediate area and the residents of Oregon City.

Policy 2.4.8 Ensure infill in historic neighborhoods is compatible with existing development **consistent with sustainable development practices.**

Action Items

Action Item 2.4.1 Develop design standards for single-family dwellings that address issues of appearance that can affect neighborhood livability and character, such as the location of garages.

Action Item 2.4.2 Review the zoning ordinance periodically to ensure that buffering and screening requirements are sufficient to mitigate potential negative impacts where more intense land uses abut residential neighborhoods.

Action Item 2.4.3 Work with neighborhood associations to identify, enhance, and develop sites that could become a “place” for each neighborhood, such as landmarks, views, historic or unusual trees, neighborhood stores, or pieces of art.

Action Item 2.4.4 Explore the use of performance standards, in addition to site development standards, in limiting emissions of smoke, dust, odor, glare, noise, and vibration from industrial and commercial uses in order to protect residential areas.

Action Item 2.4.5 Continue to assess and review development standards for multi-family, commercial, institutional, and industrial developments to ensure a balance of flexibility and predictability and encourage good design standards **compatible with sustainable development practices.**

Goal 2.5: Retail and Neighborhood Commercial

Encourage the provision of appropriately scaled services to neighborhoods.

Policies

Policy 2.5.1 Encourage the redevelopment of linear commercial corridors, **consistent with sustainable development practices**, in ways that encourage expansion of existing businesses and infill development, and at the same time reduces conflicting traffic movements, improves the aesthetic character of these commercial areas, and encourages trips by transit, bicycling and walking.

Policy 2.5.2 Allow and encourage ~~sustainable~~the development of small retail centers in residential neighborhoods, primarily providing goods and services for local residents and workers, at intersections of two or more streets that are classified collectors or higher. These neighborhood commercial sites should be approximately 1 to 2 acres and at least 1/2 mile from any other neighborhood or

general commercial center. Sites should not include more than one quadrant of an intersection, or result in undue traffic congestion.

Policy 2.5.3 Amend the sign code to review the number, height and size of signs to ensure that signs do not dominate the streetscape.

Policy 2.5.4 Encourage the ~~sustainable~~ development of successful commercial areas organized as centers surrounded by higher density housing and office uses, rather than as commercial strips adjacent to low-density housing.

Policy 2.5.5 Ensure that new commercial and industrial development enhances the livability of the neighborhood by encouraging the design of attractive **L.E.E.D. certified** buildings and **environmentally-responsible landscaping that uses native vegetation wherever possible**, and by ensuring that development is screened and buffered from adjoining residential neighborhoods and access is provided by a variety of transportation modes.

Goal 2.6: Industrial Land Development

Provide for an adequate supply of land zoned for industrial uses.

Policies

Policy 2.6.1 Ensure adequate supply of land for major industrial employers with ~~living-family~~ wage jobs.

Policy 2.6.2 Monitor the supply of land zoned and served by public facilities to ensure that an adequate supply of vacant or redevelopable land suitable for industrial development is available, **giving priority to redevelopable land**.

Policy 2.6.3 Work with Metro to ensure there is enough land available within the Urban Growth Boundary to meet the need for industrial and/or commercial development. If there is not enough land within the current UGB, identify areas outside the UGB that may be appropriate to annex into the UGB. The selection of these areas will be based on market factors, protection of environmentally sensitive areas, compatibility with adjoining and nearby uses, public facilities and infrastructure, proximity to expressways and transit, site requirements of specific types of industries, and the desires of the property owners.

Policy 2.6.4 Ensure that land zoned or planned for industrial is used for industrial purposes, **and developed using sustainable development practices**. ~~and that Any~~ exceptions are allowed only where some other use supports industrial development. New non-industrial uses should especially be restricted in already developed, active industrial sites.

Policy 2.6.5 Protect the city's supply of **undeveloped and underdeveloped** land zoned for industrial uses. ~~by limiting non-industrial community uses, such as schools, parks, and churches on such properties and by limiting large commercial uses within those areas.~~ **Provide flexible zoning to facilitate and encourage sustainable**

development concept plan strategies that meet industrial employment per acre requirements while incorporating elements that support industry.

- Policy 2.6.6 Protect existing and planned **undeveloped and underdeveloped** industrial lands. ~~from incompatible land uses, and minimize deterrents to desired industrial development.~~ **Incorporate use of a mechanism that will allow for the enhancement of areas of mixed use character where such areas act as buffers and where opportunities exist for creation of nodes or centers of mixed commercial, light industrial and specific residential development.**
- Policy 2.6.7 Ensure that land use patterns create opportunities for citizens to live closer to their workplace.
- Policy 2.6.8 Preserve suitable, larger **undeveloped and underdeveloped** industrial parcels, by ~~restricting residential subdivisions.~~ **while providing a mechanism to allow modification of the regulations when the proposed project design meets the purpose of the regulation.**
- Policy 2.6.9 Identify Industrial uses that could partner with Clackamas Community College as training centers and future employers of students graduating from CCC.

Action Items

- Action Item 2.6.1 Restrict “low employment” uses, such as storage of building materials or vehicles and other similar uses in the Campus Industrial zone.
- Action Item 2.6.2 Modify the Campus Industrial (CI) zone to broaden the permitted uses and encourage the efficient use of the land, while still maintaining the “business park” intent of the zone and meeting Metro’s Title 4 “Industrial Designation Area.”
- Action Item 2.6.3 Review the uses allowed, prohibited or allowed conditionally in the industrial zones, and the development standards set by the zoning regulations, to make sure they are appropriate to the goals of the City and the realities of the marketplace.
- Action Item 2.6.4 ~~Review the zoning ordinances to determine if additional limitations should be placed on the development of non-industrial uses within the industrial zones and if new criteria are needed to ensure that any non-industrial use will complement and support the industrial use.~~ **Review the “Industrial” zoning and use flexibility after review to ensure that the purposes of industrial zoning regulations are met. Provide for mixed use development while maintaining the overall industrial orientation.**
- Action Item 2.6.5 Zone land designated as “Industrial” on the comprehensive plan map to an appropriate industrial zone **or temporary holding zone to allow formulation of concept plans and** to expedite the development approval process. In particular, re-zone the area east of Clackamas Community

College designated as “Industrial” on the comprehensive plan from “Future Urban” to ~~“Campus Industrial.”~~ **“Future Urban Holding.”**

- Action Item 2.6.6 Designate land annexed into the Glen Oak Area as “Industrial” on the Comprehensive Plan Map and “C-I Campus Industrial” on the Zoning Map upon annexation. **Provide a mechanism to allow development of “Concept Plans,” which may include uses that support industrial development.**
- Action Item 2.6.7 Through the City's public facilities, transportation, and capital improvement programs, establish priorities to ensure that adequate public facilities are available to support desired industrial and commercial development.
- Action Item 2.6.8 Work with Metro to identify any “Regionally Significant Industrial Areas” within Oregon City or the urbanizing area. If any areas are identified and designated as regionally significant, determine the best methods to protect such areas for predominantly industrial uses. Specifically, review the area proposed for expansion of the Urban Growth Boundary east of Beaver Creek Road, and south of Thayer Road for potential designation.

Goal 2.7: Comprehensive Plan Map

Maintain and review the comprehensive plan map as the official long-range planning guide for land use development of the city by type, density and location.

Policies

- Policy 2.7.1 Maintain a sufficient land supply within the city limits and the Urban Growth Boundary (UGB) to meet local, regional, and state requirements for accommodating growth.
- Policy 2.7.2 Use the following 10 land use classifications on the comprehensive plan map to determine the zoning classifications that may be applied to parcels:
- Low Density Residential (LR)
 - Medium Density Residential (MR)
 - High Density Residential (HR)
 - Commercial (C)
 - Mixed Use Corridor (MUC)
 - Mixed Use Employment (MUE)
 - Mixed Use Downtown (MUD)
 - Industrial (I)
 - Public and Quasi-Public (QP)
 - Parks (P)
- Policy 2.7.3 Recognize the Design Types of Metro’s 2040 Growth Concept. Establish boundaries for the Regional Center in downtown Oregon City; Corridors along 7th Street, Molalla Avenue, Beavercreek Road, and Highway 99; Industrial Areas; and between Inner and Outer Neighborhoods.

Policy 2.7.4 Define the city's UGB expansion area boundaries for the long term. For future expansion areas, work with Clackamas County to limit inefficient development patterns. For areas outside the boundary, preserve open space, farm, forest, and agriculture lands.

Background

State and Metro Requirements

The Statewide Planning Goal for Land Use Planning (Goal 2) establishes a land use planning process and policy framework, with which local comprehensive plans must comply. It requires land use plans to identify issues and problems, conduct inventories of land, and create policies and implementing ordinances to further applicable statewide planning goals. A prime focus of statewide land use planning has been to require the efficient use of existing urban land to protect against unnecessary urban encroachment into prime agricultural and forestland. This element is intended to address general land use planning issues for Oregon City.

In the mid-1990s, Metro adopted Regional Urban Growth Goals and Objectives (RUGGO), including the 2040 Growth Concept, which were developed to implement regional compliance with state goals for land use in a coordinated way and to ensure that housing and employment growth can be accommodated equitably across the region. The Urban Growth Management Functional Plan (UGMFP) implements the RUGGO and contains several requirements for local implementation.

The 2040 Growth Concept requires cities and counties to draw boundaries for each of the Design Types defined in Title 1 of the UGMFP that correspond to the general boundaries on the 2040 Growth Concept map. Design Types applicable to Oregon City include Regional Center, Industrial Areas, Corridors, Inner Neighborhoods and Outer Neighborhoods. The Design Types are defined in the glossary and delineated on the plan map. Regional Centers serve large market areas outside the central city, with connections via high capacity transit and highways. Oregon City is designated as one of nine regional centers by Metro. Molalla Avenue, 7th Street, Beavercreek Road, and Highway 99 are identified as Corridors, which are intended to feature a high-quality pedestrian environment, convenient access to transit, and somewhat higher than current densities. A boundary between Inner and Outer Neighborhoods was drawn to distinguish residential areas with smaller lot sizes and more access to jobs and neighborhood businesses from residential areas with larger lot sizes that are farther from large employment centers. Industrial Areas are those areas set aside primarily for industrial activities with limited supporting uses.

Efficient Use of Land

Mixed uses and more intense development promote more efficient land use. From the early 20th century, separating residential, commercial, and industrial activities was a major trend; cities tried to prevent incompatible uses from creating problems for both citizens and businesses and allowed outward expansion without consideration of costs in terms of loss of vibrancy in downtowns, and loss of resource lands. Since then, the trend has shifted to include more mixed uses and more intense development where appropriate, as retail and residential uses in central business districts, for example, can greatly enhance the safety, livability, and vibrancy of the area.

Policies adopted to comply with other UGMFP requirements, such as minimum density standards, policies and evaluations to assure residential and job capacities, and protection of employment areas, are addressed in the comprehensive plan in this element, and in the Housing and Economic Development elements.

Downtown and Corridor Redevelopment

Metro's 2040 Growth Concept, as discussed above, includes the Regional Center and Corridor design types for Oregon City. The Waterfront Master Plan, 7th Street and McLoughlin Corridor Plan, and Downtown Community Plan will help to revitalize the residential aspects of downtown and the Clackamette Cove area, and implement a vision of the downtown area as a Regional Center. As a result, new policies to implement the Downtown Community and Waterfront Master Plans were added to this element.

Transit corridors are designated with Corridor Mixed Use to encourage somewhat more intensive and mixed-use development than exists, creating more efficient land use and travel patterns. The MUC designation is intended to implement Metro's vision of the Corridor design type.

Residential Development

Neighborhood livability depends on good design and efficient use of land, so new policies and action items call for evaluating development standards and developing incentives to ensure that new development contributes to the city's livability.

Neighborhoods and specific places within them give people an orientation and a sense of history, community, and "groundedness". The City recognizes neighborhoods as the essential building blocks to a livable city. A "place" may be a feature such as a large public clock downtown where people agree to meet each other before going off to lunch; or it may be simply a bench near the edge of a bluff with a great view. Place making adds to the quality of life for a community. As the city grows, existing places should be protected and opportunities to create new special places should be explored.

Commercial

Retail uses are discussed in more detail in the Economic Development element. However, policies to encourage neighborhood commercial uses are presented in this element as part of the City's desire to create more efficient land use and transportation patterns. Several areas of the city do not contain convenient, small-scale neighborhood commercial centers that reduce the distances residents need to travel to obtain essential goods and services. Policies to allow and encourage such development are therefore added to the plan.

Retail Business

Retail outlets and shopping areas are usually provided at discrete, different levels of size and private investment. They are sometimes classified as neighborhood centers, community centers, or regional centers. Characteristics of this hierarchy of commercial uses are provided below. These descriptions are critical for ensuring that the scale of commercial development and level of services are compatible with their locations. For example, some neighborhoods are underserved by neighborhood-scale retail and services.

- Neighborhood Retail Centers provide for the sale of convenience goods (foods, drugs and sundries) and personal services (laundry and dry cleaning, barbering, shoe repairing, etc.) for the day-to-day needs of the immediate neighborhood. It may range in size from 30,000 to 100,000 square feet.
- Community Retail Centers provide a wider range of facilities with a greater variety of merchandise available than the neighborhood center. Many are built around a junior department store, variety store or discount department store as the major tenant. Others are built around multiple anchors in power centers or super community centers. It may range in size from 100,000 to 300,000 or more square feet.
- Regional Retail Centers provide for general merchandise, apparel, furniture and home furnishings in depth and variety, as well as a range of services and recreational facilities. It is built around one or two full-line department stores of generally not less than 75,000 square feet. It may range in size from 250,000 to 900,000 square feet. Regional centers provide services typical of a business district yet not as extensive as those of the super regional center.

Industrial Land

Industrially zoned land is often under pressure to convert to other uses and easily developable sites at a premium. The goal of the City is to protect existing industrial land from conversion where appropriate, to annex industrial land and expand the UGB to add urbanizable industrial land to the inventory, and to ensure that public facilities can serve the land.

Land Use Types Planned (Map Categories)

The comprehensive plan and plan map should be maintained and reviewed as the official long-range planning guide for land use development of the city by type, density and location. Land use categories are identified on the plan map. These are:

1. Low Density Residential [LR]: Areas in the LR category are primarily for single-family detached homes.
2. Medium Density Residential [MR]: MR areas are planned for residential developments with dwelling unit types such as attached single-family units, rowhouses, or townhouses. Included in this classification is the McLoughlin Conditional Residential district, which is unique in the sense that it allows existing residential uses, assuming they were established legally, and new single-family homes on existing lots. More intensive new and redeveloped residential construction can be built at medium densities under certain circumstances.
3. High Density Residential [HR]: These areas typically include high density, multiple-dwelling residential areas. Permitted uses include apartments, condominiums, and single-family attached or rowhouse dwellings.

4. Commercial [C]: These areas provide for commercial uses serving local, city-wide, and regional needs, such as retail and service commercial. Typically this classification is associated with newer, suburban development and located along arterial streets.
5. Industrial [I]: Industrial areas are designated for uses related to manufacturing, processing and distribution of goods. Employment based uses are encouraged. Intense or heavy industrial uses are allowed in certain zones. Zone(s) in this district are designed to comply with Metro's Title IV functional plan requirements.
6. Mixed Use Corridor (MUC): This category allows higher density mixed uses that are supportive of transit and are conducive to pedestrian traffic. Urban density residential and commercial goods and services are typical uses. Zones in this district are intended to be compatible with Metro's Corridor design type.
7. Mixed Use Employment (MUE): This classification is intended for areas where employment-intensive uses such as office, research and development, and light manufacturing, and associated commercial uses are allowed.
8. Mixed Use Downtown (MUD): Urban density mixed use conducive to pedestrian and transit use is intended for this designation. This category is intended to implement the Downtown Community Plan, the Waterfront Master Plan, and Metro's Regional Center concept, particularly in terms of connecting the downtown with the waterfront. A historic overlay is also included in this area.
9. Public and Quasi-Public [QP]: Areas in this category are publicly owned lands other than city parks, such as schools, cemeteries, government buildings and public utility facilities, such as the sewage treatment plant and water reservoirs.
10. Parks [P]: Properties in this category are city parks.
- 11. Publicly-owned open space [POS], not identified in the City Charter as a City Park. These are publicly owned, undeveloped lands, such as dedicated open space in PUDs and subdivisions.**

Plan Maintenance and Implementation

Comprehensive plan maintenance involves keeping the Oregon City comprehensive plan current. As citizen attitudes, needs and desires change, some plan policies may become inapplicable. Also, as updated information for LCDC-required inventories becomes available or regional plans require change, plans and policies may need revisions.

The plan and the implementing ordinances should be reviewed for amendments to maintain compliance with the goals and objectives and functional plans of Metro. Amendments and revisions to comply with the regional plan must be consistent with any schedule for reopening of local plans approved by LCDC. In addition, land use information should be kept current and inform changes to the comprehensive plan periodically. In the process of implementing the City's comprehensive plan, careful consideration should be given to the economic, environmental, social, and energy impacts of proposed programs and regulations. The Planning Commission has responsibility for reviewing the comprehensive plan approximately every five

years for major amendments to the Goals and Policies, Map, and implementing ordinances. The Staff will review the plan as needed to assure its applicability to current trends and conformance with state and regional requirements.

Implementation of the Comprehensive Plan

Implementation of planning for the community is through the comprehensive plan and other ordinances

Comprehensive plan: The comprehensive plan is the principal land use planning ordinance. The comprehensive plan is the City's controlling land use document, containing goals, policies and a generalized land use map that guides development on lands in the city. It establishes the City's legal record of policy on land use and other development and conservation issues. As a land use planning document, the comprehensive plan represents a future, desired vision of Oregon City. A fully developed comprehensive plan that addresses Statewide goals is required to be prepared and adopted by all cities and counties in Oregon. Oregon City also must comply with the relevant portions of Metro's Urban Growth Management Functional Plan (Functional Plan). The Functional Plan is a regional land use plan that implements the 2040 Growth Concept. The previous Oregon City Comprehensive Plan was acknowledged by the state in 1982.

In 1999, the Downtown Community Plan goals and policies were added to the 1982 Comprehensive Plan as a new Chapter P. The goals and policies have been incorporated in the housing and commerce and industry elements of the 2003 comprehensive plan. The Downtown Community Plan in its entirety (Phase 1) is considered ancillary to the Comprehensive Plan.

Ancillary Plans

Since 1982 several documents were adopted as ancillary to the 1982 Comprehensive Plan, including the Public Facilities Plan (1990 as amended), the Transportation System Plan (2001), the Downtown Community Plan (Phase 1, 1999), the Waterfront Master Plan (2002), the City of Oregon City 2003 Water Master Plan, City of Oregon City 2003 Sanitary Sewer Master Plan, The Drainage Master Plan (1988), the Caufield and South End drainage basin area plans (1997), the Molalla Avenue Boulevard and Bicycle Improvements Plan (2001), and the Parks and Recreation Master Plan (1999).

Two park-specific master plans for Jessie Court and Chapin Park were adopted as ancillary documents to the Parks and Recreation Master Plan (1999). The new 2003 Comprehensive Plan references those documents, but does not incorporate them as elements of, or ancillary to, the comprehensive plan. The reason for the change is that the plans contain details not suited to inclusion in a comprehensive plan, for example, street standards. When those standards need to be changed, a comprehensive plan amendment should not be necessary for their approval.

In addition, there is a need for a new institutional and/or public facilities zoning designation to accommodate the development of school, institutional, and government facilities.

Zoning

Oregon City's zoning ordinance was adopted in 1954, with many amendments to the wording and location of districts since that time. Most, though not all, of the documents that amended the

Comprehensive Plan since 1982 were implemented by changes to the zoning and/or subdivision ordinance. As a result of piecemeal changes, however, there are inconsistencies as well as outdated concepts that should be revised. For example, Oregon City does not have a zoning designation for institutional uses and there are no provisions for master planned sites. Both of these implementation measures should be considered action items to follow from the 2003 Comprehensive Plan.

Subdivision Regulations

Title 16 Of the OCMC governing subdivisions help implement provisions of the comprehensive plan.

Design Review

Site plan and design review provisions are intended to promote design integrity and neighborhood livability. New design guidelines were added to the zoning ordinance in 2001. It is expected that they will continue to be refined over time, to strike the right balance of predictability for developers and neighborhood protection and livability. The City will consider design review for the "H" [Historic] overlay for downtown.

Regular Review And Update

Periodically, technical review of the Plan should be conducted by the Planning staff. Review and any subsequent recommendations for updating the comprehensive plan should be presented to the Citizen Involvement Committee. The Planning Commission shall make a recommendation to the City Commission for input and discussion.

This review should consider:

- (1) Plan implementation process;
- (2) Adequacy of the Plan to guide land use actions, including an examination of trends;
- (3) Whether the Plan still reflects community needs, desires, attitudes and conditions. This shall include changing demographic patterns and economics.
- (4) Addition of updated factual information including the City by regional, state and federal governmental agencies.

Agriculture

Under Oregon land use law (ORS 197), there are no agricultural lands that must be protected under Statewide Planning Goal 3 – Agricultural Lands within the city limits and Urban Growth Boundary. Clackamas County is responsible for designating "exception lands" (i.e. lands available for future development that are otherwise subject to protection under Goal 3) and other lands that are ready for transition to urban uses. Oregon City works with Clackamas County to preserve agricultural uses within the urban growth area until lands that support those uses are ready for urban services and development through incorporation into the city.

Forest Lands

Oregon City has no forestlands subject to protection under Statewide Planning Goal 4 – Forest Resources within the city limits. Many wooded areas exist throughout the city, mainly parks, undeveloped slopes, and undeveloped lots in the urban growth area, which offers a variety of recreational opportunities, scenic views, and wildlife areas. The trees in these and other areas should be preserved because trees provide a variety of benefits to the city. They are natural visual, noise and wind buffers, enhance air quality, filter pollutants from rainwater, help to control stormwater run-off, prevent erosion on steep slopes and riverbanks, and help to separate conflicting land uses. Trees and treed areas are one means of providing an orderly transition from rural to urban land uses. Total tree cover in the city has diminished over time as development has occurred without mechanisms to protect urban trees.

3. OPEN SPACES, SCENIC AND HISTORIC AREAS, AND NATURAL RESOURCES *[insert quote]*

This element addresses Statewide Planning Goal 5: To conserve open space and protect natural, scenic, and historic resources. Oregon City is blessed with a wealth of natural resources that provide physical definition to a high quality of life, and provide a range of ecosystem services.

Watered by western Oregon's ample rain, the city's steep topography is carved into 13 watersheds that collectively support a wide variety of habitats. Concerns for the natural environment have increased as citizens have become aware of the importance of natural resources to the quality of life and the importance of conserving and protecting those resources. Protecting, restoring, and preserving the city's valuable natural resources is thus a primary goal of Oregon City. In addition, the city must comply with federal, state, and regional laws protecting natural resources including scarce, threatened, or endangered species and their habitats.

Oregon City stands out in the region because of its historic character. This element is intended to foster protection of that character by identifying the resources defining the city's historic character and promoting the development of an aggressive and systematic preservation process to maintain and enhance Oregon City's special community identity.

GOALS, POLICIES, AND ACTION ITEMS

Goal 3.1:- Natural Resources

Identify, conserve, and restore Oregon City's natural resources—those attributes of the city which are not of human making, including air, surface and subsurface water, geologic features, soils, vegetation, and wildlife--in order to sustain quality of life for current and future citizens and visitors, and the long-term viability of ecological systems.

Policies

- Policy 3.1.1 Conserve and restore ecological structure, processes and functions within the city to closely approximate natural ecosystem structure, processes, and functions.**
- Policy 3.1.2 Designate and protect "green corridors" within the city to provide wildlife habitat, provide linkages between habitat areas, protect native plant species and provide city residents and visitors with an enhanced connection to the natural heritage of the city.**
- Policy 3.1.3 Cooperate with Clackamas County, Metro and other agencies to identify wildlife habitat, corridors and linkages and other ecological resources with the urban growth area and incorporate the information into the Urban Growth Management Agreement with Clackamas County.**

- Policy 3.1.4** Identify, initiate and cooperate in partnerships with other jurisdictions, business, neighborhood, school and organization efforts to conserve and restore natural resources within and adjacent to Oregon City.
- Policy 3.1.5** Offer incentives to encourage private landowners to conserve and restore natural resources.
- Policy 3.1.6** Include natural resources and their contribution to quality of life as a key community value when planning, evaluating or assessing costs of all city actions.
- Policy 3.1.7** Ensure that riparian corridors along streams and rivers are conserved and restored to provide maximum ecological value to aquatic and terrestrial species. This could include an aggressive tree and vegetation planting program to stabilize slopes, reduce erosion, and mitigate against invasive species and stream impacts where appropriate.
- Policy 3.1.8** Protect unique habitats within Oregon City limits and urban growth areas. Work with adjacent landowners and interested parties to protect and connect unique habitats on lands adjacent to the city.
- Policy 3.1.9** Support and promote public education, interpretation, and awareness of the city's ecological resources.
- Policy 3.1.10** Identify and acquire lands from willing sellers/traders/donors to expand publicly owned and management open space and wildlife habitat within the city.

Action Item

- Action Item 3.1.1** Maintain an inventory of ecological resources within the city, including those associated with the Willamette and Clackamas rivers, Newell Creek Canyon, Abernethy Creek, the Canemah Bluffs, and other habitat areas.
- Action Item 3.1.2** Work with Clackamas County, Metro, ODOT, other agencies, land owners and interested parties to complete the Newell Creek Watershed Conservation and Restoration Strategy, and to develop and implement a shared management plan for Newell Creek Canyon.

Open Space

~~Retain an open space system that conserves fish and wildlife habitat, and provides recreational opportunities, access to natural resource lands and other community benefits.~~

Policies

- ~~Policy 3.6.1 Preserve and /or conserve open space corridors along creeks, urban drainage ways, steep hillsides, and throughout Newell Creek Canyon.~~
- ~~Policy 3.6.2 Prioritize acquisitions for areas offering unique features or having the potential to be lost to development. Areas that are easier to develop as recreation sites should have a higher priority of acquisition.~~
- ~~Policy 3.6.3 Improvements should be kept to a minimum with the natural environment, interpretive, and educational features emphasized.~~
- ~~Policy 3.6.4 Parking and overall use should be limited to the numbers and types of visitors the area can accommodate, while retaining its natural character and the intended level of solitude. Protect sensitive areas from overuse.~~
- ~~Policy 3.6.5 Preventing urban development should not be the sole reason for acquiring open space.~~

Action Item

- ~~Action Item 3.6.1 As funding is available, and in keeping with other parks and recreation priorities, inventory and prioritize potential open space acquisitions that have unique features within and adjacent to Oregon City.~~

Goal 3.2: Wetlands

Identify, conserve and protect the ecological, habitat, water quality, water quantity, aesthetic, and other functional values of wetlands in Oregon City.

Policies

- Policy 3.2.1 The city shall emphasize preservation over mitigation when making decisions that affect wetlands and adopt a “no net loss” approach to wetland protection.**
- Policy 3.2.2 Restore historic natural wetlands within the city and avoid disturbing their function through inundation of new stormwater.**
- Policy 3.2.3 Where feasible, the city shall emulate the function of natural wetlands in managing city stormwater.**
- Policy 3.2.4 Develop requirements for incorporation of updated wetland analyses to improve the Local Wetland Inventory and the Water Resources Overlay District Areas, as appropriate.**
- Policy 3.2.5 Conserve wetlands, riparian areas, and water bodies that have significant functions and values related to flood protection, sediment and erosion control, water quality, groundwater recharge and discharge, education, vegetation and fish, and wildlife habitat.**
- Policy 3.2.6 Establish and maintain buffers around wetlands.**

Action Items

Action Item 3.2.1 Maintain the City of Oregon City Local Wetland Inventory (LWI) as the major resource about, and reference to, the location of wetlands in Oregon City

Action Item 3.2.2 Educate property owners about where wetlands exist, proper maintenance, preservation practices, and encourage them to work with affected adjacent property owners to collaborate on wetland protection and preservation efforts.

Action Item 3.2.3 Coordinate with Clackamas County and Metro to identify and protect wildlife habitat, wetlands and other environmentally sensitive areas in the urban growth area adjacent to Oregon City.

Goal 3.3: Streams

Protect and enhance the function of streams within and bordering Oregon City.

Policies

Policy 3.3.1 Protect and enhance riparian corridors along streams in Oregon City to maintain low water temperatures, reduce streambank erosion and intrusion of sediments, and provide habitat for a variety of plants, animals, and fish.

Policy 3.3.2 Encourage and promote the restoration of the hydrologic and ecological character and function of streams that have been degraded by channeling or eliminated from the landscape by routing into culverts.

Policy 3.3.3 Maintain and enhance the function and quality of natural wetlands and create, where appropriate, wetlands or swales to moderate the quantity and velocity of water runoff entering streams during storm events and to reduce the amount of pollutants carried into streams.

Policy 3.3.4 Use a watershed-scale assessment when reviewing and planning for the potential effects from development, whether private or public, on water quality and quantity entering streams. Require developers to identify both upstream and downstream ecological effects of their actions as it relates to stormwater management.

Policy 3.3.5 Allow no net increase to stormwater entering Newell Creek Canyon to prevent further creek bed siltation and to preserve the fragile natural structures that currently protect salmon habitat in the interior canyon.

Policy 3.3.6 Adopt and/or establish standards for all new development that greatly reduce impervious surfaces and prevent negative ecological effects of urban stormwater runoff on streams, creeks and rivers.

Policy 3.3.7 Adopt recommendations from the Non-point Education for Municipal Officials (NEMO) project to protect surface water quality, ground water recharge and stream habitat.

Policy 3.3.8 Work with power providers to manage power line corridors to stop erosion and siltation, and prevent infestation by invasive plants.

Action Item

Action Item 3.3.1 Develop a watershed based method for assessing impacts on the environment from proposed development.

Action Item 3.3.2 Assess city practices as they relate to stream quality including all aspects of parks maintenance, vehicle maintenance, road maintenance, etc. Modify practices to protect water quality and improve habitat conditions.

Goal 3.4: Wildlife Habitat

Policy 3.1.11 Protect wildlife habitat within the city limits and adjacent to the city.

Policy 3.1.12 Develop a management strategy for protecting, conserving and restoring habitat.

Policy 3.1.13 Identify, conserve and restore key habitat areas for threatened or endangered plant and animal species, species listed on the state sensitive species list, and habitats that are in decline regionally such as oak savanna, wet and dry prairie, lowland riparian forest and wetlands.

Policy 3.1.14 Identify and protect habitats known to be in decline regionally, including oak savanna, wet and dry prairie, lowland forest and wetlands. Encourage restoration of these habitats on private property

Policy 3.1.15 Establish guidelines for providing corridors and linkages between wildlife habitat areas including culverts, arboreal crossings and hedgerows.

Action Item

Action Item 3.4.1 Inventory wildlife habitat within the city and in areas adjacent to the city. Work with Metro to incorporate this data into the Goal 5 mapping.

Action Item 3.4.2 Work with academic institutions and volunteers to enhance city parks and other city properties for wildlife use, by installing nesting boxes, nesting platforms and water features.

Goal 3.52: Trees Vegetation

~~Preserve and restore the overall tree cover in the city.~~ The city shall protect trees and other vegetation within the community.

Policies

~~Policy 3.2.4~~ **Policy 3.5.1** Establish an Urban Forestry Program to provide a comprehensive approach, including incentives, to protect and enhance the city's tree cover on public lands and private property.

Policy 3.5.2 Require a logging plan prior to any logging activity within the city Urban Management Area. Require selective thinning (instead of clearcuts) and the preservation of significant trees in forested areas, slopes, and open space on both public and private land.

Policy 3.5.3 Establish a tree policy that sets standards for tree canopy cover, identifies, protects and honors existing trees, and encourages ongoing tree planting.

~~Policy 3.5.2~~ Establish landscape standards for all new development that protects existing trees and establishes requirements for street trees and parking lot trees in new development and encourage planting street trees in existing neighborhoods to provide year round forty percent canopy cover for shade, stormwater management, air quality and esthetic values.

~~Policy 3.5.3~~ Establish standards for tree removal that restrict tree cutting, but accommodate some restoration activities where the need to remove trees can be appropriately documented, for example removing fir trees to restore oak habitat. Prohibit removal of street trees except if diseased, damaged, or when they pose structural or life safety concerns. Removed trees shall be replaced.

~~Policy 3.5.4~~ Require tree conservation plans for new development.

Policy 3.5.4 Establish strong incentives for protecting trees on lands proposed for development.

~~Policy 3.2.5~~ **Policy 3.5.5** Design future street patterns to reduce impact on forested areas.

Policy 3.5.6 Establish landscape standards for all new development that encourage use of native plants. Where use of native plants is shown to not be feasible, require hardy, low maintenance, low water use plantings.

Policy 3.5.7 Establish programs to encourage citizens to use native and hardy plants, reduce water consumption, reduce use of pesticides and reduce mowing.

~~Policy 3.5.6~~ Require selective thinning (instead of clearcuts) and the preservation of significant trees in forested areas, slopes, and open space on both public and private land.

Policy 3.5.8 Establish a priority list of invasive species and remove these plants from city properties, placing priority on those most aggressive invasives such as Scots broom and Japanese knotweed.

- Policy 3.5.9** Partner with Metro, Clackamas County, ODOT and other agencies to establish an invasive weeds management strategy.
- Policy 3.5.10** Identify management strategies to protect habitat areas from encroachment by invasive species, using techniques such as groomed edges between parks and wild spaces.
- Policy 3.5.11** Work with power providers on management of power line corridors to prevent infestation by invasive plants, especially where these lines cross open space areas and wildlife habitat.
- Policy 3.5.12** Establish and enforce ordinances to require removal of invasive species from private property within the city, with greatest emphasis placed on the most invasive species such as Scots broom, English Ivy and Japanese knotweed. Update regularly from Oregon Department of Agriculture's listings.
- Policy 3.5.13** Encourage and support citizen efforts to remove invasive species from open space areas.

Action Items

~~Action Item 3.2.1~~ **Action Item 3.5.1** Implement design standards that prescribe how to place roadways and buildings to preserve trees, and require buffer around significant trees.

~~Action Item 3.2.2~~ **Action Item 3.5.2** Review and update the City Tree Ordinance and form a Tree Committee to establish policies, and provide ongoing guidance on tree related issues and initiatives.

Action Item 3.5.3 Encourage community events that honor city trees. Establish a heritage tree program that celebrates the oldest, largest, grandest, most unique, most odd and most historically significant trees.

~~Action Item 3.2.3~~ **Action Item 3.5.4** Prepare codes that restrict grading and related tree losses.

Goal 3.6: Open Space

Establish an open space system that conserves fish and wildlife habitat and provides recreational opportunities, scenic vistas, access to nature and other community benefits.

Policies

- Policy 3.6.1** Conserve open space along creeks, urban drainage ways, steep hillsides, and throughout Newell Creek Canyon.
- Policy 3.6.2** Identify, map and prioritize acquisition of areas offering unique features, recreational value, and/or wildlife habitat. Establish a method for prioritizing

sites which considers development pressure as a significant factor but not the sole reason for acquisition.

- Policy 3.6.3** Manage open space areas for their value in linking citizens and visitors with the natural environment, providing solace, exercise, scenic views and outdoor education. Built features in open space sites shall harmonize with natural surroundings.
- Policy 3.6.4** Develop and implement an interpretive plan for open space areas within the city.
- Policy 3.6.5** Protect sensitive areas from overuse. Parking and other facilities shall be planned, managed, and monitored to be in keeping with the carrying capacity of each site. Where recreational access and wildlife habitat protection conflict, explore opportunities for visual but not physical access by providing viewpoints instead of trails.
- Policy 3.6.6** Explore and institute measures to deter illegal and inappropriate use of open space areas. Partner with other jurisdictions to provide paid or volunteer rangers, citizen monitors, and other creative law enforcement measures to protect natural resources, enhance visitor experience, and provide for community safety.

Action Item

- Action Item 3.6.1** As funding is available, and in keeping with other parks and recreation priorities, inventory and prioritize potential open space acquisitions that have unique features within and adjacent to Oregon City.

Goal 3.73: Scenic Views & Scenic Sites

Protect the scenic qualities of Oregon City and scenic views of the surrounding landscape.

Policies

- Policy 3.7.1** Establish a design review board to develop and oversee standards for new construction and major remodeling.
- Policy 3.7.2** Consider the short and long term visual impact of all city land use actions. Reduce the impact whenever feasible.
- Policy 3.7.3** Establish intergovernmental agreements with ODOT, Clackamas County, Metro and adjacent communities to preserve green corridors between Oregon City and its neighbor communities to protect scenic quality and natural resources while preserving community identity.

~~Policy 3.3.1~~ **Policy 3.7.4** Identify and protect significant or important views of local and such distant features such as Mt. Hood, the Cascade Mountains, the Clackamas River Valley, the Willamette River, Willamette Falls, the Tualatin Mountains, Newell Creek Canyon, and the skyline of the city of Portland, as viewed from within the city.

Policy 3.7.5 Assess and improve the view of Oregon City from various sites in adjacent communities.

~~Policy 3.3.2~~ **Policy 3.7.6** Maximize the visual compatibility and minimize the visual distraction of new structures or development within important view sheds by establishing through standards for pertaining to landscaping, placement, height, mass, color, and window reflectivity.

Policy 3.7.7 Reduce visual clutter by establishing and enforcing standards for removal of garbage and unused vehicles.

Policy 3.7.8 Establish and enforce sign standards to reduce visual clutter and light pollution.

Policy 3.7.9 Improve the view of the night sky by reducing light pollution through citizen education and lighting standards.

Policy 3.7.10 Develop landscape standards to screen necessary but unsightly development such as power structures, parking lots, cellular towers, and water tanks.

Action Items

~~Action Item 3.3.1~~ **Action Item 3.7.1** Require new development and modifications of existing development, located in view corridors, to blend with surrounding landscape.

Action Item 3.7.2 Support grass roots efforts and community-wide events organized to remove trash and debris from the Oregon City landscape. Work with Clackamas County and Metro to provide incentives for appropriate disposal of garbage, furniture, vehicles and other debris.

Action Item 3.7.3 Initiate and maintain an inventory of scenic features and scenic viewpoints.

Goal 3.84: Historic Resources

Encourage the preservation and rehabilitation of homes and other buildings of historic or architectural significance in Oregon City.

Policies

- | ~~Policy 3.4.1~~ **Policy 3.8.1** Encourage architectural design of new structures in local historic districts, and the central downtown area to be compatible with the historic character of the surrounding area.
- | ~~Policy 3.4.2~~ **Policy 3.8.2** Create Historic/Conservation Districts to preserve neighborhoods with significant examples of historic architecture in residential and business structures.
- | ~~Policy 3.4.3~~ **Policy 3.8.3** Promote the designation of qualifying properties located outside of Historic and Conservation Districts as historic.
- | ~~Policy 3.4.4~~ **Policy 3.8.4** Support the preservation of Oregon City's historic resources through public information, advocacy and leadership within the community, as well as through the use of regulatory tools and incentive programs.
- | ~~Policy 3.4.5~~ **Policy 3.8.5** Support efforts to obtain historic designation at the city, state and national level for historic sites and districts.
- | ~~Policy 3.4.6~~ **Policy 3.8.6** Preserve and enhance the City's historic resources by maintaining the City's inventory of designated structures.
- | ~~Policy 3.4.7~~ **Policy 3.8.7** Continue to utilize the Historic Review Board as the advisory body that guides implementation of Oregon City's historic preservation and related public education programs.
- | ~~Policy 3.4.8~~ **Policy 3.8.8** Maintain Oregon City's "Certified Local Government" status in the National Historic Preservation Program.
- | ~~Policy 3.4.9~~ **Policy 3.8.9** Encourage property owners to preserve historic structures in a state as close to their original construction as possible while allowing the structure to be used in an economically viable manner.
- | ~~Policy 3.4.10~~ **Policy 3.8.10** Preserve and accentuate historic resources as part of an urban environment that is being reshaped by new development projects.
- | ~~Policy 3.4.11~~ **Policy 3.8.11** Maintain a process that creates opportunities for those interested in the preservation of Oregon City's significant historic resources to participate in the review of development projects that propose to alter or remove historic resources.
- | ~~Policy 3.4.12~~ **Policy 3.8.12** Publicly owned properties of historic significance should be considered for designation locally, regionally, and nationally.
- | ~~Policy 3.4.13~~ **Policy 3.8.13** Natural and cultural landscapes should be considered as part of the designation of properties to local, state, and federal inventories.

~~Policy 3.4.14~~ **Policy 3.8.14** Advocate for more Historic Preservation educational opportunities for the Public, City Staff, and Historic Review Board members.

~~Policy 3.4.15~~ **Policy 3.8.15** Require a Master Plan prior to redevelopment of the Blue Heron Paper Mill to ensure that reuse of the site supports the city's economic development goals; enhances the Downtown Master Plan; protects scenic, water resource, historic, and other resources; and provides for appropriate cleanup of any environmental hazards that may be present as a result of past uses of the site.

Action Items

~~Action Item 3.4.1~~ **Action Item 3.8.1** Designate "contributing structures" in the 2002 McLoughlin Re-survey.

~~Action Item 3.4.2~~ **Action Item 3.8.2** Identify all structures that are 45 years old and older in the city.

~~Action Item 3.4.3~~ **Action Item 3.8.3** Annually generate a list of potentially eligible properties outside identified Historic Districts to assist the City in determining properties that should be pursued for designation.

~~Action Item 3.4.4~~ **Action Item 3.8.4** Develop resource information and provide technical assistance to historic property owners on how best to preserve the character of their homes.

~~Action Item 3.4.5~~ **Action Item 3.8.5** Pursue grant funds to assist in preserving and retaining some of the most significant historical sites and buildings.

~~Action Item 3.4.6~~ **Action Item 3.8.6** Adopt an assessment process that can identify potential archeological sites before or during development review to ensure that these sites can be protected.

~~Action Item 3.4.7~~ **Action Item 3.8.7** Focus educational efforts on the Canemah neighborhood to ensure exterior alterations and new construction are completed in a manner necessary to maintain the National Register Historic District status.

~~Action Item 3.4.8~~ **Action Item 3.8.8** In Historic Downtown, designate contributing structures identified in the 2000 Resurvey.

~~Action Item 3.4.9~~ **Action Item 3.8.9** Apply for a National Register Historic District designation for Historic Downtown when ready.

~~Action Item 3.4.10~~ **Action Item 3.8.10** Promote the use of Metro Enhancement Grant and Urban Renewal monies for targeted rehabilitation to bring the Historic Downtown district to National Register status.

~~Action Item 3.4.11~~ **Action Item 3.8.11** Adopt the Phase II Implementation Program of the Downtown Community Plan.

~~Action Item 3.4.12~~ **Action Item 3.8.12** Adopt the findings of the 2002 Re-survey and move to create a National Register Historic District and redesignate the McLoughlin District as a local Historic District.

~~Action Item 3.4.13~~ **Action Item 3.8.13** Adopt the 2002 McLoughlin Conservation District Re-survey recommendations.

~~Action Item 3.4.14~~ **Action Item 3.8.14** Designate the McLoughlin Neighborhood as a National Register Historic District so that the benefits offered by federal registration can be extended to property owners in the portions which appear to clearly meet the National Register criteria.

~~Action Item 3.4.15~~ **Action Item 3.8.15** Support redevelopment of the old Oregon City High School if consistent with the Secretary of Interior Standards for Rehabilitation and the Goals and Policies of the Historic Review Board.

~~Action Item 3.4.16~~ **Action Item 3.8.16** Identify and designate local Conservation Districts as appropriate.

Goal 3.5: Natural Resources

~~Conserve, protect, and restore important ecological resources, functions, and values in Oregon City for the benefit of current and future residents and for the long-term benefit of the resources themselves.~~

Policies

~~Policy 3.1.1~~ Maintain an inventory of ecological resources within the city, including those associated with the Willamette and Clackamas rivers, Newell Creek Canyon, Abernethy Creek, the Canemah Bluffs, and other habitat areas.

~~Policy 3.1.2~~ Maximize ecological resources, functions and values within the city through restoration and repair to conditions that more closely approximate natural conditions.

~~Policy 3.1.3~~ Designate and protect "green corridors" within the city to provide habitat corridors, support wildlife, protect plant species, provide linkages between important habitat areas, and provide city residents with an enhanced connection to the natural heritage of the city.

~~Policy 3.1.4~~ Cooperate with Clackamas County to identify wildlife habitat and other ecological resources with the Urban Growth Area and incorporate the information into the UGMA with Clackamas County.

~~Policy 3.1.5~~ Ensure that riparian corridors along streams and rivers are maintained and restored to provide maximum ecological value to salmonids and other ecosystem

components. This could include an aggressive tree and vegetation planting program to stabilize slopes, reduce erosion, and mitigate against invasive species and stream impacts where appropriate.

Policy 3.1.6 Protect unique habitats in Oregon City's urban growth areas and adjacent rivers.

Policy 3.1.7 Support and promote public education, interpretation, and awareness of the city's important ecological resources.

Action Item

Action Item 3.1.1 Work with Clackamas County and Metro to develop and implement a comprehensive protection, maintenance, and development plan for Newell Creek Canyon.

Goal 3.6: Water Quality

Protect and enhance the quality of ground and surface water resources in Oregon City.

Policies

Policy 3.6.1 Protect surface water quality by:

- providing a vegetated corridor to separate protected water features from development;
- maintaining or reducing stream temperatures with vegetative shading;
- minimizing erosion and nutrient and pollutant loading into water; and
- providing infiltration and natural water purification by percolation through soil and vegetation.

Policy 3.6.2 Simplify the process for obtaining water resource permits without weakening the protection of water resources.

Action Item

Action Item 3.6.1 Rewrite the design standards for water quality resource district permits to simplify processing and provide for better mitigation when impacts cannot be avoided.

Goal 3.7: Wetlands

Protect and conserve the ecological, water quality, aesthetic, and other functional values of wetlands in Oregon City.

Policies

Policy 3.2.1 Maintain the City of Oregon City Local Wetland Inventory (LWI) as the major resource about, and reference to, the location of wetlands in Oregon City that are to be conserved and protected under this goal. Develop requirements for incorporation of updated wetland analyses to improve the LWI and the Water Resources Overlay District Areas, as appropriate.

~~Policy 3.2.2 Conserve wetlands, riparian areas, and water bodies that have significant functions and values related to flood protection, sediment and erosion control, water quality, groundwater recharge and discharge, education, vegetation and fish, and wildlife habitat.~~

Action Items

~~Action Item 3.2.1 Educate property owners about where wetlands exist, proper maintenance, preservation practices, and encourage them to work with affected adjacent property owners to collaborate on wetland protection and preservation efforts.~~

~~Action Item 3.2.2 Coordinate with Clackamas County and Metro to identify and protect wildlife habitat, wetlands and other environmentally sensitive areas in the urban growth area adjacent to Oregon City.~~

Goal 3.8: Streams

Protect and enhance the function of streams within and bordering Oregon City.

Policies

~~Policy 3.3.1 Protect and enhance riparian corridors along streams in Oregon City to maintain low water temperatures, reduce streambank erosion and intrusion of sediments, and provide habitat for a variety of plants, animals, and fish.~~

~~Policy 3.3.2 Encourage and promote the restoration of the hydrologic and ecological character and function of streams that have been degraded by channeling or eliminated from the landscape by routing into culverts.~~

~~Policy 3.3.3 Maintain and enhance the function and quality of natural wetlands and create, where appropriate, wetlands or swales to moderate the quantity and velocity of water runoff entering streams during storm events and to reduce the amount of pollutants carried into streams.~~

~~Policy 3.3.4 Use a watershed-scale assessment when reviewing and planning for the potential effects from development, whether private or public, on water quality and quantity entering streams.~~

Action Item

~~Action Item 3.3.1 Develop a watershed-based method for assessing impacts on the environment from proposed development.~~

Goal 3.9: Groundwater

Conserve and protect the groundwater resources and functions of Oregon City.

Policies

~~Policy 3.9.1 Protect and maintain groundwater recharge through conservation and enhancement of wetlands and open space.~~

~~Policy 3.9.2~~ Provide special land use regulations in areas of high water tables to minimize and avoid adverse effects from groundwater on development and adverse effects of development on groundwater.

~~Policy 3.9.3~~ **Policy 3.9.1** Promote the use of construction techniques that contribute to the recharge of groundwater, such as pervious pavements, bio-swales for storm runoff from parking lots, roadways and rooftops, and discharge of roof drains into landscape features such as dry wells.

Background

Oregon City occupies a landscape with important ecological resources of fish, wildlife, plants, and habitats that are regionally and nationally significant. Conservation and protection of these ecological resources are guided by Statewide Planning Goal 5, Open Spaces, Scenic and Historic Areas, and Natural Resources, which requires inventory mapping of resource, assessments of importance, and measures to protect significant resources.

Natural Resources

The ecological resources of Oregon City result from the topographic complexity of Oregon City, which was created by volcanic geology, erosion and scouring from the post-Ice Age Missoula Floods, and erosion and deposition from modern Willamette and Clackamas rivers, Abernethy and Newell creeks, and other minor streams. Metro has inventoried, evaluated, and mapped important Goal 5 resources in the region as part of developing a region-wide Fish and Wildlife Habitat Protection Plan. Two large areas in Oregon City scored 6 (medium quality habitat) on a scale of 1 to 9: the area along the steep slopes and bluffs overlooking the Willamette River on the western edge of the city, and the area of Newell Creek Canyon. Oregon City will coordinate with Metro to maintain the city's Goal 5 resources inventory in accordance with the new protection plan. The City will also coordinate with the Fisheries Department of the National Oceanic and Atmospheric Administration (NOAA Fisheries, formerly NMFS) and on actions that may affect salmonid habitats.

Anadromous fish, including salmonids such as Coho, Chinook, and Chum Salmon, as well as Lamprey eel, were historically plentiful in Oregon City's major waterways. These species supported a rich ecosystem that included wide range of animals, from insects and small invertebrates within the stream and riparian corridor to large animals such as seals and bears, and birds such as osprey and bald eagles that relied on a functional ecosystem. Native people also relied on these stream resources for food and culture, returning annually to Willamette Falls to harvest and preserve salmon and other fish. Declines in anadromous fish species in the Willamette River Basin is a consequence of a variety of land use practices that have altered or destroyed habitat and changed the hydrographic profile of runoff. Several species of salmonids, including Chinook Salmon and Steelhead Trout, have been listed as threatened under the federal Endangered Species Act (ESA), which has triggered significant protection and restoration activities throughout the region.

In Oregon City, the Clackamas River along the northern boundary of the city, as well as Abernethy, Newell, Holcomb, Potter, and other creeks provide both spawning and rearing

habitat for Steelhead Trout and Coho as well as Cutthroat Trout, which are not currently warranted for listing under the ESA. Riparian corridors, which are the areas on either side of a stream that is affected by and in turn affects the ecological and physical function of stream, are critical corridors for protecting and maintaining in-stream habitat quality and overall ecosystem functions that support salmonids and other stream-dependent species.

Oregon City can improve and protect habitat conditions for salmonids and other species by adopting standards and implementing programs that protect vegetation along riparian corridors from destruction or alteration, remove invasive non-native plant species and re-plant native riparian vegetation, reduce pulsed storm runoff that can erode banks and alter streambed profiles and gravels, maintain water quality and quantity in streams and maintain/or provide fish passage in all streams. Because virtually all rainfall anywhere in the city eventually runs to a stream, these standards and programs will need to be applied city-wide. Ancillary Plans such as the Waterfront Master Plan, Transportation System Plan, Parks and Recreation Master Plan, Stormwater Master Plan will be important in ensuring that the city protects these resources.

Other unique or important habitats and ecological resources have been identified in the city. These include Newell Creek canyon, the Canemah Bluffs that contains a variety of unique habitats and plant assemblages, the rocky cliffs along the Willamette River that harbor rare plants, the Willamette Falls, and other streams, rivers, bogs and wetland areas. These habitats and resources will be inventoried in the Goal 5 update subsequent to adoption of the comprehensive plan in 2003.

Because lands surrounding the city within the urban growth boundary have significant undeveloped habitat areas, these lands will need to be inventoried to identify important ecological resources as a basis for ensuring that these resources are protected before development occurs. The City and Clackamas County should ensure that Urban Growth Management Agreements contain provisions for identifying and protecting these resources.

Wetlands

Wetlands, along with associated hydrology, soils, vegetation, and wildlife, provide a wide range of valuable services to the public. These wetland functions enable the city to efficiently meet a number of goals in maintaining the quality of life in Oregon City, such as:

- preventing degradation of stream quality and damage from flooding during storm events by storing runoff from precipitation and moderating its release into stream networks;
- preventing pollutants and sediments from roadways and other development from reaching streams by filtering the flow of groundwater toward streams;
- recharging groundwater aquifers for slow release later into streams and through uptake by vegetation into the environment by reducing the speed of runoff and enabling water to percolate into the ground;
- providing essential wildlife habitat which is important to residents; and

- providing open space, recreational opportunities, aesthetic and landscape amenities to buffer various uses, all of which maintain the unique environmental setting of Oregon City.

Important wetlands have been identified and mapped by the City and Metro in a Local Wetlands Inventory that will be the basis for protection measures through the comprehensive plan, implementing ordinances, and other measures.

Streams

Streams define the physical configuration of Oregon City and thus its land use patterns, transportation patterns, and community functions. The Willamette and Clackamas rivers, major waterways of regional significance, border two sides of the city and create an aesthetic and recreational setting of great value to the city. Other principal streams are Abernethy Creek and Newell Creek, tributaries of the Willamette River which create major topographic and ecologic areas within the city; Beaver Creek, tributary to the Willamette River, whose minor tributaries create the topographic definition of the city's southern edge; and other creeks that drain directly to the Willamette such as Singer Creek and Coffee Creek that drain from the Hilltop area through the McLoughlin and Canemah neighborhoods, respectively. Together, these rivers and streams contribute to the uniqueness of Oregon City, and to the variety of natural resource, recreational, and open space values enjoyed by residents and visitors.

Open Space

The Oregon City Parks and Recreation Master Plan (1999) defines natural open space as undeveloped land left primarily in its natural form with passive recreation uses as a secondary objective. It is usually publicly owned or managed or may not have public access. According to the Master Plan, the City owns about 38 acres of open space in 4 sites: Old Canemah Park, River Access Trail, Singer Creek Park, and Waterboard Park. Only Waterboard Park is entirely undeveloped. Open space owned by Clackamas County, Metro, the State of Oregon and public schools own approximately 278 acres in the city. The Master Plan recommends adding 250 acres of natural open space to meet standards. Much of this land can be found in the Canemah Bluff and Newell Canyon areas.

Vegetation Trees

Many wooded areas exist throughout the city, mainly parks, undeveloped slopes, and undeveloped lots in the urban growth area, which offer a variety of recreational opportunities, scenic views, and wildlife areas. The trees in these and other areas should be preserved because trees provide a variety of benefits to the city. They are natural visual, noise, and wind buffers, enhance air quality, filter pollutants from rainwater, help to control stormwater run-off, prevent erosion on steep slopes and riverbanks, and help to separate conflicting land uses. Trees and treed areas are one means of providing an orderly transition from rural to urban land uses. Total tree cover in the city has diminished over time as development has occurred without mechanisms to protect urban trees.

The city could benefit from a comprehensive program to conserve and enhance tree cover on public lands and on private property. Such a program should include standards and regulations pertaining to cutting of trees on private undeveloped lands or in view corridors, planting of new trees as part of street or property landscaping, and incentives and assistance for tree planting and maintenance.

Invasive plants....

Open Space

The Oregon City Parks and Recreation Master Plan (1999) defines natural open space as undeveloped land left primarily in its natural form with passive recreation uses as a secondary objective. It is usually publicly owned or managed or may not have public access. According to the Master Plan, the City owns about 38 acres of open space in 4 sites: Old Canemah Park, River Access Trail, Singer Creek Park, and Waterboard Park. Only Waterboard Park is entirely undeveloped. Open space owned by Clackamas County, Metro, the State of Oregon and public schools own approximately 278 acres in the city. The Master Plan recommends adding 250 acres of natural open space to meet standards. Much of this land can be found in the Canemah Bluff and Newell Canyon areas.

Scenic Views and Sites

Oregon City is blessed with a setting and topography that provides outstanding scenic views and sites that create a sense of place and civic identity for residents and visitors. Distant views of Mount Hood, the Cascade Mountains, as well as nearer views of the Willamette and Clackamas Rivers, and Willamette Falls, scenic cliffs, and wooded areas such as Newell Creek canyon provide Oregon City with an abundance of scenic amenities, many dramatic and unique. These sites and views, both within the city and to vistas far beyond the city, are economic and aesthetic resources that contribute to the overall distinctiveness and identity of Oregon City, and should be protected.

While views and vistas toward distant landscapes from promontories or high elevations are often protected, views from lower elevations toward the higher topographic points of Oregon City have not been as appreciated or protected. These views should be considered and maintained when development is proposed. Major scenic views and vistas have been inventoried, within a list that is maintained by the City.

Views can be preserved through a variety of means, from prohibiting development in particularly significant view corridors to design that is appropriate to the site and with color or landscaping treatments that hide or minimize visual incongruity. The City should develop guidelines to integrate the built environment with natural resources and views. The City should continue to adopt and use guidelines to address views both looking down from higher points, and looking up from lower points.

Historic Preservation

Preservation ... "is not just a romantic indulgence in nostalgia. It is a physical restatement of the long hallowed American values of frugality, good craftsmanship, and community responsibility."

— Bruce Chapman, National Trust

In the 1960s a great many of the nation's older buildings were lost to "urban renewal" programs. These programs negatively affected inner-city core areas by destroying established residential neighborhoods. Many of these neighborhoods could best be described as mixed-use, offering a variety of housing and commercial opportunities. The misguided programs lead to loss of inner-city amenities and quality housing stock, encouraging residential dislocation into suburban areas.

However, a new attitude towards historic preservation and redevelopment has emerged in the last few decades. Losses in architectural and historic resources and the resulting urban dislocation have lead to a new appreciation for and an awareness of the need to retain the character of neighborhoods. Areas where people have traditionally lived and worked are as worthy of preservation as are individual landmarks and memorial sites.

Today, historic preservation recognizes a variety of building types (residential/commercial) and styles contribute to the unique character of a community. An effort must be made, when planning for historic preservation, to include the conservation of whole neighborhoods. Retention of those irreplaceable assets requires strong community leadership and cooperation between private and public interests.

Preservation in Oregon City

It would be difficult to find a community in the West with more significant local, state and regional heritage than Oregon City. Oregon City's role in history is well documented. As the seat of the first provisional government (1843-1849), capital of the Oregon Territory (1849-1850), and the first incorporated town west of the Rockies (1844), Oregon City has many homes, commercial buildings, and sites related to its important place in history.

Preservation of these community resources—landmark sites, historic buildings, areas, and archaeological sites—offers an opportunity to maintain and enhance Oregon City's unique identity. A well-developed preservation program, based on thorough analysis, can yield benefits to property owners, local historians and students, community spirit, tourism and to the cultural appreciation of citizens of Oregon City.

Certified Local Government Program

The City of Oregon City is designated as a Certified Local Government (CLG) by the State Historic Preservation Office (SHPO). Administered by the National Park Service, the CLG Program integrates local governments with the national historic preservation program through activities that strengthen decision-making regarding historic places at the local level. The CLG program seeks to (1) develop and maintain local historic preservation programs that will influence the zoning and permitting decisions critical to preserving historic properties, and (2) ensure the broadest possible participation of local governments in the national historic preservation program while maintaining preservation standards established by the Secretary of the Interior. Participating in the CLG program allows Oregon City to apply for non-competitive and competitive grants administered by SHPO. The surveys of the McLoughlin District (2002) and the Historic Downtown (2000) were funded utilizing this grant process. The City stands committed in maintaining active participation in the CLG program.

Archaeological Sites

Oregon City is extremely significant in prehistoric as well as historic resources. The Willamette Falls was an important center in Native American culture and attracted great activity well before the 1800s.

Archaeological resources in Oregon have been overlooked by many communities, including Oregon City. Special attention shall be given when locating new construction to avoid impacting archaeological sites. A number of state and federal antiquity laws now provide varying degrees of protection of archaeological sites. Once a site is damaged by extensive building cover, archaeological values are likely to be lost. If it is likely that a site may yield archeological resources, further review may be needed to ensure that these sites can be protected.

Historic Districts

Historic Districts are areas with concentrations of historic or architecturally significant buildings. A Historic District is recognized for retaining its "sense of place," meaning that a traditional atmosphere of distinct character remains evident.

Generally, historic district designation requires new construction, exterior alterations, and proposed demolitions to be reviewed within a district's boundaries through the Historic Overlay Ordinance. Oregon City's older areas are valued for their neighborhood character, architecture, and the identity they possess as a result of their role in the development of the city. Unfortunately, some structures have been allowed to deteriorate with a corresponding affect on the character of these areas.

Designation as an historic property assures the owner that a compatible setting will be maintained. All residents and property owners benefit from the protection and enhancement of property values, incentives for revitalization, and the stabilization of an area.

Criteria

Historic districts are concentrated areas of buildings with significance in national or local history and/or architecture that:

- have a continuity of architectural features that are well related to each other
- appear as a discrete entity
- exhibit visual harmony in the character of public ways, consistent with the architectural character of the area
- are made up of generally compatible uses and intended uses

Existing Historic District: Canemah. Canemah is a significant example of a relatively intact riverboat town with architectural resources dating from the 1860s. Having evolved from a community for the elite of the riverboat industry to a workers' community, Canemah retains essentially the same sense of place that it had in the latter half of the 19th century. Situated above the Falls of the Willamette, it was the important portage town, and it was the major shipbuilding center on the upper Willamette River.

Present Status. Canemah was listed as a Historic District in the National Register of Historic Places in 1977. The area was zoned in 1954 for industry along the river, commercial and multi-

family along McLoughlin Boulevard, and multi-family along Third Avenue and portions of Fifth Avenue. In 1982, a majority of the area was rezoned residential except for a small strip of property located on McLoughlin Boulevard, which was rezoned to Historic Commercial.

In the last twenty years many homes within this district have been rehabilitated. However, some homes have not been maintained to a level ensuring their significance and status as contributing structures. New construction and exterior alterations need to be reviewed for their long-term effect on the neighborhood and National Register Historic District status.

Proposed Historic District: Downtown. Downtown Oregon City is historically significant as it is the original town site, following Dr. John McLoughlin's claim of the Willamette Falls area in 1829. The downtown was surveyed by Sidney Moss in 1842 and then by Jesse Applegate in 1844, and the city grew between the Willamette River and the bluff during the period of 1843-1865. Industrial, commercial and residential development all took place. McLoughlin had set aside a Mill Reserve in the land area closest to the Falls, where the mills developed; commercial establishments grew along lower Main Street, and residences were built throughout the area.

Following the Civil War, industrial development increased rapidly, the woolen mill was built in 1865, and other small industries and trading establishments expanded. The residential qualities of the area deteriorated as the commercial district grew. Access to the upper level was developed and residents relocated there, some physically moving their houses. Over the years, commercial uses have continued to grow, transforming the original pioneer settlement into a Central Business District.

While many of the original impressive downtown buildings have been lost over time, a substantial number of historic and/or architecturally significant buildings still stand. The area from 5th to 9th Streets and from the river to the bluff contains the largest concentration of historic buildings that merit preservation. The area is generally cohesive, and intrusive or out-of-character uses are relatively few. Improvements could be made in the public rights-of-way to enhance the area as a district without disruption to commercial activity.

The proposed Downtown District consists of eight city blocks from the original Oregon City plat. Total land area of the district is approximately 21 acres. The area is commercial and professional office in use and character and contains approximately 44 structures. Parking lots exist on all but one block.

Present Status. In 2000, a re-survey of the historic downtown was initiated to determine the current status of buildings and the potential for the area to be listed as a National Register Historic District. The re-survey indicates that Oregon City's central business district was not eligible as a National Register Historic District. The results, however, indicate that there is a potential for restoring a sufficient amount of historic fabric and character to resources currently categorized as "Non Contributing in Current State" so as to bring the percentage of "Contributing" Resources to an eligible level for a historic district designation.

The Historic Downtown area is part of the Downtown Community Plan Phase II Implementation Program. Rezoning based on that plan, along with new design guidelines that directly address

exterior alterations and new construction in the area, will ensure that future development is compatible with the significant structures of the area.

Proposed Historic District: McLoughlin Conservation District The McLoughlin District is currently a city Conservation District. However, the findings of the 2002 Re-survey of the District, as described in the following section, support the creation and designation of a National Register Historic District.

Conservation Districts

A Conservation District is designed to protect the buildings within the District through an ordinance requiring review of new construction, exterior alterations to designated structures and demolitions. While not as encompassing as a Historic District, a Conservation District can ensure that a neighborhood's significance does not further erode.

Existing Conservation District: McLoughlin. Many of Oregon City's historic and architecturally significant buildings are above the bluff in the McLoughlin Neighborhood. The original Oregon City plat includes the neighborhood area up to Van Buren Street, and it is within this area that early residential development took place, beginning in the 1850's. As the downtown area changed from a residential to commercial district, home building increased above the bluff. All of the churches that originally stood in the downtown eventually relocated to the McLoughlin area as well.

Present Status. In 2002, a re-survey was begun to determine the current status of buildings and the potential for the area to be listed as a National Register Historic District. In 2003, Oregon City High School moved from the McLoughlin neighborhood to the newly built Oregon City High School on Beavercreek Road. This provides an opportunity to work with the school district to reuse this historic high school building. The City supports any rehabilitation of the campus that continues its role as a community gathering place and is consistent with the Secretary of Interior Standards for Rehabilitation and the Goals and Policies of the Historic Review Board.

Proposed Conservation Districts

Other historic districts may exist in this historically important community. The Ely, Park Place, and Rivercrest neighborhoods have many historic properties and upon further evaluation may be eligible for designation as Conservation Districts. An appropriate, well-constructed historic preservation plan will provide for identification and establishment of safeguards of these areas, which are important to the quality of Oregon City as a whole and the identity of the Northwest.

Historic Buildings Outside Identified District Boundaries

There are many individual historic buildings outside of the identified Historic Districts where important buildings are concentrated. Some of these buildings are among the oldest in the City; many stand alone because they were originally built outside of "urban" Oregon City in what was farm/pasture land.

City areas outside of the Canemah and McLoughlin areas have been generally surveyed to identify the most significant buildings.

Present Status. Efforts to preserve individual historic buildings are scattered and disconnected at best. There is little public recognition of the historic value of significant buildings outside of McLoughlin and Canemah, except for the more prominent and expensive estate homes. The Ely, Park Place, Rivercrest, and South End areas in particular have experienced deterioration and demolition of older homes, often to the detriment of the area. Demolition and major incompatible remodeling are critical problems for historic preservation because they are usually irreversible. Private preservation and restoration efforts would be encouraged and assisted by local recognition of significant individual buildings throughout Oregon City.

Historic Landmarks

Historic landmarks are structures or sites of unusual historic importance which help establish the city's identity. Maintenance costs are often returned in tourism revenues at several of the sites. Appreciation of local culture and history is enhanced.

Criteria. Landmarks are unique structures and sites with significance in national or local history and/or culture that are:

- associated with the life of a major historic person;
- associated with an historic event or period of time;
- associated with a past or continuing institution that has contributed to the life of the city;
- associated with a group/organization/enterprise in history.

An inventory of existing Historic Landmark sites and structures with proposed improvements where needed can be found in the technical appendix. This inventory is not intended to place controls on the future use of these sites unless deemed necessary by the Historic Review Board.

Natural Resources

The ecological resources of Oregon City result from the topographic complexity of Oregon City, which was created by volcanic geology, erosion and scouring from the post-Ice Age Missoula Floods, and erosion and deposition from modern Willamette and Clackamas rivers, Abernethy and Newell creeks, and other minor streams. Metro has inventoried, evaluated, and mapped important Goal 5 resources in the region as part of developing a region-wide Fish and Wildlife Habitat Protection Plan. Two large areas in Oregon City scored 6 (medium quality habitat) on a scale of 1 to 9: the area along the steep slopes and bluffs overlooking the Willamette River on the western edge of the city, and the area of Newell Creek Canyon. Oregon City will coordinate with Metro to maintain the city's Goal 5 resources inventory in accordance with the new protection plan. The City will also coordinate with the Fisheries Department of the National Oceanic and Atmospheric Administration (NOAA Fisheries, formerly NMFS) and on actions that may affect salmonid habitats.

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runoff. Several species of salmonids, including Chinook Salmon and Steelhead Trout, have been listed as threatened under the federal Endangered Species Act (ESA), which has triggered significant protection and restoration activities throughout the region.

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Because lands surrounding the city within the urban growth boundary have significant undeveloped habitat areas, these lands will need to be inventoried to identify important ecological resources as a basis for ensuring that these resources are protected before development occurs. The City and Clackamas County should ensure that Urban Growth Management Agreements contain provisions for identifying and protecting these resources.

Water Quality

Oregon City receives about 46 inches of precipitation per year. Other parts of the Willamette and Clackamas river watersheds receive more than 80 inches per year. The city has significant ground and surface water resources that contribute to the physical and cultural identity and natural heritage of the city, and to the quality of life for residents. These water resources provide important habitat and ecological conditions for a wide range of fish, wildlife, and plants. Water resources include the Willamette and Clackamas rivers and tributaries of Abernethy, Newell, and Beaver creeks and associated minor creeks. Other water resources include bogs and wetlands perched on Oregon City's unique topography, and groundwater that percolates through the geology underlying the city. Because land use practices and patterns, development design, and city infrastructure and practices can affect the quality and quantity of water resources in the city, the City will seek to protect and restore these resources through a variety of means, including the

application of a Water Resources Overlay District, development standards, and civic projects to restore and protect water resources.

Wetlands

Wetlands, along with associated hydrology, soils, vegetation, and wildlife, provide a wide range of valuable services to the public. These wetland functions enable the city to efficiently meet a number of goals in maintaining the quality of life in Oregon City, such as:

- preventing degradation of stream quality and damage from flooding during storm events by storing runoff from precipitation and moderating its release into stream networks;
- preventing pollutants and sediments from roadways and other development from reaching streams by filtering the flow of groundwater toward streams;
- recharging groundwater aquifers for slow release later into streams and through uptake by vegetation into the environment by reducing the speed of runoff and enabling water to percolate into the ground;
- providing essential wildlife habitat which is important to residents; and
- providing open space, recreational opportunities, aesthetic and landscape amenities to buffer various uses, all of which maintain the unique environmental setting of Oregon City.

Important wetlands have been identified and mapped by the City and Metro in a Local Wetlands Inventory that will be the basis for protection measures through the comprehensive plan, implementing ordinances, and other measures.

Streams

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Groundwater

The geology of the rocks underlying Oregon City, coupled with high annual rainfall, creates conditions for significant groundwater flowing beneath the city and, in some areas, a relatively high water table where this groundwater is close to the surface. Groundwater is important to the city in several ways. It can affect the safety and functionality of buildings or other development, such as streets, when construction intercepts the groundwater flow. It can carry chemical pollutants from development, roads, landfills, and industrial sites into drinking water wells or into streams. Groundwater provides a slow release mechanism for precipitation that would otherwise run quickly into streams and increase the likelihood

of flooding. Groundwater has historically been the source of domestic drinking water for some residences and agricultural wells within the area. Groundwater provides essential water for the vegetative cover that is so important to Oregon City.

Groundwater within 1.5 feet of the surface is defined as a "high water table." High water tables are of special concern because of their vulnerability to contamination and interception. Because much of Oregon City lies on basalt bedrock that was scoured clean of overlying soils during the post-glacial Missoula Flood events, water does not penetrate deeply or rapidly. Consequently, there are many areas of high water tables in the Oregon City area that were inventoried by the State Department of Geology and Mineral Industries (DOGAMI) and maps of it are kept by the City. Development proposed on sites identified in the DOGAMI inventory are subject to requirements in the City's development codes to ensure that the development will meet applicable engineering standards for such sites.

4. AIR, WATER, AND LAND RESOURCES QUALITY

[insert quote]

Statewide Planning Goal 6 deals with maintaining and improving the quality of air, water and land resources. All waste and process discharges from future development are proscribed from violating or threatening to violate federal and state standards. The waste products from future development that are discharged to air sheds and river basins must not exceed the long-range carrying capacity of the resource, degrade the resource, or threaten its availability. The source of waste discharges come from all types of land uses, though some are more regulated than others. The City's influence over potential impacts can be through direct regulation, such as with stormwater regulation, through ensuring developments' compliance with federal and state standards, and through actions to encourage the reduction of impacts based on education or development incentives.

GOALS, POLICIES, AND ACTION ITEMS

Goal 4.1: Environmental Air Quality

To conserve and, protect, and improve the quality of the air in Oregon City.

Policies

- Policy 4.1.1 Promote land use patterns that reduce the need for distance travel by single-occupancy vehicles.
- Policy 4.1.2 Ensure that development practices comply with or exceed regional, state, and federal standards for air quality.
- Policy 4.1.3 Set an example through City operations to employ and demonstrate practices and technologies that reduce air pollution and protect air quality.
- Policy 4.1.4 Encourage the planting and maintenance of the city's tree canopy to allow natural systems to improve air quality.

Policy 4.1.5 Require developments to incorporate trees in their landscape design plans.

Action Items

- Action Item 4.1.1 Maintain a list of street trees.
- Action Item 4.1.2 When economically feasible, the City shall replace standard or conventional fossil-fuel-powered vehicles and equipment with fuel-efficient, low-emission equivalents.
- Action Item 4.1.3 Encourage citizens, residents, businesses, and industrial to replace standard or conventional fossil-fuel-powered vehicles and equipment with fuel-efficient, low-emission equivalents.

Goal 4.2: Erosion and Sediment

~~Protect water quality from~~Control erosion and sedimentation associated with construction and development activities to protect water quality.

Policies

- Policy 4.2.1 Prevent erosion and restrict the discharge of sediments into water bodies by requiring erosion prevention measures and sediment control practices for all development during construction.
- Policy 4.2.2 Where needed for completed development, require final permanent erosion prevention measures, which may include landscaping **and stormwater retention features to reduce the volume and velocity of storm runoff, especially from impermeable and/or impervious surfaces.**
- Policy 4.2.3 Encourage businesses and individuals to install onsite stormwater retention systems, such as cisterns.

Action Items

- Action Item 4.2.1 Review and update the development and implementation of an erosion and sediment control plan and process, prepared in compliance with City of Oregon City public works standards for erosion and sediment control, that describes methods and interim measures to be used during and following construction to prevent or control erosion, **including the reduction of the volume and velocity of stormwater runoff.**
- Action Item 4.2.2 Rewrite the design standards for stormwater detention to better protect water features **and surface waters** from development.
- Action Item 4.2.3 Require certification by the Oregon Department of Environmental Quality prior to any development or well proposed in areas identified as "sensitive aquifers" with chemical contamination.

Goal 4.3: Light

Protect the night skies above Oregon City, **including the Haggart Astronomical Observatory**, while providing for night-lighting at appropriate levels to ensure safety for residents, businesses, and users of transportation facilities; **to reduce light trespass onto neighboring properties; to conserve energy; and reduce light pollution via use of night-friendly lighting.**

Policies

- Policy 4.3.1 ~~Prevent~~ **Minimize light pollution; reduce glare** from night lights from reaching the sky and trespassing onto adjacent properties; **improve the visual environment.**
- Policy 4.3.2 ~~Encourage~~ **Require** new developments to provide even and energy-efficient lighting that ensures safety and discourages vandalism. ~~Retrofit~~ **Encourage** existing developments **to retrofit** when feasible.
- Policy 4.3.3 Employ practices in City operations and facilities, including streetlighting **to increase safety, and s,** to reduce unnecessary glare, **light trespass,** and light pollution.

Action Item

Action Item 4.3.1 Adopt a comprehensive **night-friendly** lighting code to achieve these policies and the goal.

Action Item 4.3.2 The City shall convert street lighting and other public area lighting to minimize glare, light trespass, and light pollution while conserving energy.

Goal 4.4: Noise

~~To minimize the effects of noise on the community~~ **To prevent excessive sound that may jeopardize the health, welfare, or safety of the citizens or degrade the quality of life.**

Policies

Policy 4.4.1 Provide for noise abatement techniques ~~features~~ such as sound-walls, soil berms, vegetation, and setbacks, to buffer neighborhoods from vehicular noise, and industrial uses.

Policy 4.4.2

Action Items

Action Item 4.4.1 Review and update City's noise ordinance **to achieve these policies and goals.**

Goal 4.5: Mineral and Aggregate Operations

Protect the livability and environment of Oregon City by prohibiting commercial aggregate extraction operations within the Ceity and urbanizing-urban growth area. **(may be in conflict with Federal mining laws)**

Policies

Policy 4.5.1 Commercial aggregate removal operations are not compatible with the quality of life and environmental goals of Oregon City and new operations will not be permitted within city limits.

Policy 4.5.2 Prohibit new commercial aggregate removal operations and encourage relocation of existing operations.

Background

Air Quality

The quality of air is increasingly understood as a key factor in the health of individuals, the attractiveness and livability of their community, and the ability of the community to attract and accommodate growth and development. Oregon City has relatively high quality of air during most of the year. As part of the Portland Air Quality Maintenance Area, Oregon City is subject to airflows that can carry air-borne pollutants from other parts of the urban region and surrounding areas into the city. These airflow patterns are most likely when winds are from the northwest, particularly in summer.

Motor vehicles are the largest source of air pollution in Oregon, leading to a growing concern with "personal pollution" from individual actions such as driving cars; using woodstoves, operating gasoline-powered lawn mowers and boat engines; applying paints; using aerosol products such as

hairspray and air fresheners; and outdoor burning. Other sources of air pollution include dust from agricultural and land development activities and particulates in smoke from agriculture, forestry, and industry. The Portland metropolitan area is currently an air quality maintenance area, which means the area has a history of non-attainment (of air quality standards). However, a variety of pollution reduction programs now enable the region to meet the National Ambient Air Quality Standards.

Air pollution standards are set by the Oregon Department of Environmental Quality (DEQ). Oregon City will need to work with the DEQ to ensure that existing and new sources of industrial and commercial pollution comply with state and federal standards and encourage citizens to reduce their personal generation of air pollution. One of the biggest contributions that Oregon City can make toward reducing air pollution is to promote land use patterns and practices and transportation alternatives that reduce the use of single-occupancy motor vehicles. Other actions could encourage the conservation and enhancement of tree cover in the city as a means of filtering particulate pollution in the air.

Erosion/Sedimentation

Erosion is the movement of soil particles by running water or wind caused by manmade or natural disturbances. Erosion not only causes loss of productive soil, but also damages stormwater and sanitary sewer infrastructure and degrades water quality in streams and rivers, thus affecting habitat quality for aquatic species. Excessive sediment deposition and accumulation behind dams can decrease reservoir storage capacity and increase risks of flooding. Removal of excess sediment from behind dams and areas of unwanted deposition can be costly. Dredging costs are incurred to remove sediment from reservoirs and streams.

Runoff of soil from construction sites is by far the largest source of sediment in developing urban areas. Implementation of Statewide Planning Goal 6, Air, Land, and Water Quality, involves the adoption of policies and standards that protect water quality, specifically requiring erosion and sediment control. The City is also required to comply with Title 3 of the Metro Functional Plan. The erosion and sediment control requirements of Title 3, when implemented, will significantly reduce sediment loading to receiving streams. Statewide Planning Goal 6 and Title 3 requirements are implemented in Oregon City through the Water Resources Overlay District, Erosion and Sediment Control standards, and other provisions of the Municipal Code.

Light Pollution

Artificial light has extended many human activities well into evening and night and provides much-needed safety along roadways and at intersections. However, much of this nighttime light is wasted into space, as confirmed by satellite images of the earth at night from space. At ground level, night lighting is often a source of environmental pollution that can degrade night time viewing of starry skies, interfere with evening outdoor experiences in yards or intrude through windows into homes, and lead to unsafe situations from glare and shadows. In Oregon City, in particular, ~~an-the Haggart astronomical~~ **Astronomical** ~~observatory~~ **Observatory** at Clackamas Community College is an educational resource for the entire community that is endangered **diminished** by nighttime light pollution.

Technologies and practices have been developed for nighttime lighting that enable lighting to be installed and operated appropriately for the situation and that does not create safety or pollution concerns. These technologies and practices are readily available and require little more than an understanding of their benefits to the community, clear information and standards to potential users, and a commitment to applying them in a flexible but appropriate way.

Noise Pollution

Noise is a factor in everyday urban living. Noise is generated by vehicular traffic, emergency vehicles, industrial activities, railroads, air traffic, leaf blowers, stereo sound systems, construction, and many other sources. Loud persistent noise has been recognized as a serious environmental problem by both state and federal authorities. In 1971, the Oregon Legislature authorized the Environmental Quality Commission to adopt and enforce noise control standards, which are administered through the Department of Environmental Quality. These standards cover noise from motor vehicles and industrial and commercial noise sources.

Oregon City has several significant noise sources including major vehicle corridors (such as Interstate 205, McLoughlin Boulevard, Highway 213, Molalla Avenue, South End Road, and others), the railroad corridor through downtown and the Canemah neighborhood, the industrial operations of the Blue Heron paper mill; and the natural roar of Willamette Falls, especially in the wintertime. Because noise is relative (an unwanted, intrusive sound), nuisance noise can originate in neighborhoods and homes as well. Local noise control is primarily handled through the Nuisance Code (Chapter 6, City Code) and through design review of development projects to ensure that industry and commercial activities do not negatively impact their immediate neighborhood environment.

Water Quality

The City has significant ground and surface water resources that contribute to the quality of life for residents. Water resources include the Willamette and Clackamas Rivers and tributaries of Abernethy, Newell, and Beaver Creeks and associated minor creeks. Other water resources include bogs and wetlands perched on Oregon City's unique topography; and groundwater that percolates through the geology underlying the city. Because land use practices and patterns, development design, and city infrastructure and practices can affect the quality and quantity of water resources in the city, the City will seek to protect and restore these resources through a variety of means, including the application of a Water Resources Overlay District, development standards, and civic projects to restore and protect water resources. Protection of these resources is primarily covered by the goals and policies of the Opens Spaces, Scenic and Historic Areas, and Natural Resources element of this plan.

The Oregon Department of Environmental Quality (DEQ) has mapped groundwater flows or "aquifers" that are known or have the potential to carry pollutants due to previous contamination. These so-called "sensitive aquifers" are located generally along Abernethy Creek in the floodplain along the Clackamas River. The aquifer in the Abernethy Creek area near the former Rossman's landfill is contaminated with a variety of pollutants resulting from the landfill and other activities over the past 100 years. Clearances from DEQ may be necessary for many of the properties in this area. The DEQ will not allow the construction of any well (drinking, irrigation, or other) that may allow the contaminated groundwater in the aquifer to be released into the environment and adversely impact

public health and safety. Only a groundwater monitoring well to monitor contaminants associated with the landfill will be allowed.

Mineral and Aggregate Operations

The Oregon Department of Geology and Mineral Industries has inventoried four areas within Oregon City's Urban Growth Boundary that contain mineral and aggregate resources. These areas are listed in the Natural Resources Inventory. No commercial mineral or aggregate removal operations are currently operating at any of the four sites (see resource document). Although important to the local economy, mineral and aggregate removal operations are not compatible with urban land uses and quality of life in Oregon City because of noise, dust, traffic, water quality, and other issues.

5. NATURAL HAZARDS AND NATURAL DISASTERS

This section of the Oregon City Comprehensive Plan is intended to comply with Statewide Planning Goal 7, Areas Subject to Natural Hazards. This Goal requires local governments to "...adopt comprehensive plans (inventories, policies and implementing measures) to reduce risk to people and property from natural hazards." This section of the comprehensive plan is also intended to comply with Title 3 of the Metro urban growth management functional plan, adopted in 1998, which requires local governments to comply with regional regulations pertaining to flooding and water quality.

The natural features and processes that shape the topographic, scenic, and natural resource setting of Oregon City also present a variety of hazards to development and urban uses. In a natural environment where human development is not present, these processes **may not present a hazard to development and urban uses, but impacts to the natural environment may occur** present no "hazard." However, when land uses and development occurs within this naturally active landscape, these same processes create hazards to these activities **that may in turn significantly impact the natural resources so important to the residents of Oregon City.** These geologic hazards are present when gravity acts on steep slopes, on soils and bedrock saturated with water, or when bare soil and rock is exposed from removal of vegetation and earth movement and eroded by rain or wind. Land use activities, such as excessive loading (from buildings and backfill) on slopes only increases the potential for landslides and other slope failures. In addition, the problems are exacerbated when runoff from urban areas reach drainage basins that are normally accustomed to lower flows of water or lesser peaks in flows. City goals, policies, and implementation measures can help to minimize the potential risks and impacts associated with conflicts between development and hazardous areas by limiting development in those areas, and working with residents to develop ways to minimize impacts on the natural landscape that will minimize hazards and natural disasters.

~~This section of the Oregon City Comprehensive Plan is intended to comply with Statewide Planning Goal 7, Areas Subject to Natural Hazards. This Goal requires local governments to "...adopt comprehensive plans (inventories, policies and implementing measures) to reduce risk to people and property from natural hazards." This section of the comprehensive plan is also intended to comply with Title 3 of the Metro urban growth management functional plan, adopted in 1998, which requires local governments to comply with regional regulations pertaining to flooding and water quality.~~

GOALS, POLICIES, AND ACTION ITEMS

Goal 5.1: Protection of the Natural Environment

To minimize the impact of human-made development on the natural environment to avoid or minimize hazards to the natural environment, land users, and property owners

Policy 5.1.1 Provide developers, property owners, residents and businesses with information on the relationship between the maintenance of the natural environment and the built environment, and the consequences of conflicts.

Policy 5.1.2 **Protect the natural environment from natural hazards by regulating or prohibiting development in areas of known or potential hazards.**

Action Items

Action Item 5.1.1 **Provide short courses or training programs to allow developers, residents, and businesses the opportunity to review up to date issues, concerns, and solutions to minimize conflicts between the natural environment and the built environment.**

Action Item 5.1.2 **Provide information on the cost of conflicts between the natural and built environment, and the impact on local agencies to address issues after they have occurred.**

Action Item 5.1.3 **Limit or prohibit development in areas where the apparent carrying capacity of the land is less than normal because of the potential impact to natural resources.**

Goal 5.24: Protection of life and property.

To protect life and property from natural hazards

Policies

~~Policy 5.1.1~~**Policy 5.2.1** **Provide residents and businesses with timely and accurate information on the presence or potential presence of hazards.**

~~Policy 5.1.2~~**Policy 5.2.2** **Provide residents and businesses with precautions that can or ought to be taken to protect lives and property.**

~~Policy 5.1.3~~**Policy 5.2.3** **Protect existing development from natural hazards through mitigation measures identified in the Hazard Mitigation Plan for Oregon City.**

~~Policy 5.1.4~~**Policy 5.2.4** **Protect future development from natural hazards by regulating or prohibiting development in areas of known or potential hazards.**

~~Policy 5.1.5~~**Policy 5.2.5** **Ensure emergency service facilities are located outside of recognized hazard areas.**

Action Items

Action Item 5.2.1 **Provide public information to homeowners concerning the potential for hazardous situations in sections of the Urban Growth Boundary.**

Goal 5.23: Flooding

Prevent loss of life and damage to the natural environment and private and public property from flooding.

Policies

Policy 5.3.1 Protect the natural environment from flooding hazards by requiring on-site detention basins or other measures to minimize the impact of flood waters that leave the site.

Policy 5.3.2 Minimize the loss to the natural environment by limiting building activities that increase the flooding to levels that impact natural resource values in drainage basins.

~~Policy 5.2.1~~ **Policy 5.3.3** Minimize and avoid risk of loss of life and damage from flooding by limiting intensive residential and highly regulating commercial development below the 100-year flood plain level in areas subject to flooding. Investigate locating parking and other non-intensive uses below the **100-year** floodplain and office or commercial uses in higher stories.

~~Policy 5.2.2~~ **Policy 5.3.4** Encourage uses of areas subject to flooding that are resilient to periodic effects of flooding.

~~Policy 5.2.3~~ **Policy 5.3.5** Prohibit uses in areas subject to flooding that would exacerbate or contribute to hazards posed by flooding by introducing hazardous materials, filling or obstructing floodways, modifying drainage channels, and other detrimental actions.

~~Policy 5.2.4~~ **Policy 5.3.6** Participate in the National Flood Insurance Program.

Policy 5.3.7 Avoid locating key public facilities in areas known to be of high earthquake hazard.

Action Items

Action Item 5.3.1 Provide the public with information that shows how everyday activities may increase the impacts of floods in their neighborhoods and in the natural environment away from their neighborhoods.

Goal 5.34: Unstable Soils and Landslide Areas

Avoid or minimize hazards to natural resources, life and property associated with development in or adjacent to areas of unstable soils, geological conditions, and known or suspected landslide areas.

Policies

Policy 5.4.1 The City should require developers to provide funds to the City for an independent review of development proposed in known or suspected areas of unstable slopes.

Policy 5.4.2 Provide explicit standards in city codes for planning, reviewing, and approving development in areas of potential landslides that will prevent or minimize potential landslides while allowing appropriate development.

Policy 5.4.3 Require special standards in the Unstable Soils and Hillside Constraint Overlay District to be applied to new development on or adjacent to areas of unstable soils, steep hillside and landslide areas and other identified known or potential hazard areas.

Action Items

Action Item 5.4.1 The City should review, integrate, and maintain a library database of known or suspected geological hazards, landslides, and soil instability areas into development plan review. Maintain inventory maps of potential landslide areas as the basis for applying the standards in the Unstable Soils and Hillside Constraints Overlay District.

Action Item 5.4.2 Require geotechnical investigations to support plans for development of sites on unstable soils

~~Action Item 5.3.1~~ Require special standards in the Unstable Soils and Hillside Constraint Overlay District to be applied to new development on or adjacent to areas of unstable soils, steep hillside and landslide areas and other identified known or potential hazard areas.

~~Action Item 5.3.1~~ Require geotechnical investigations to support plans for development of sites on unstable soils.

Action Item 5.4.3 Require development plans to include a description of detailed methods that will be used to avoid or minimize damage.

Action Item 5.4.4 Require development plans to include a monitoring program from the developer, including measures to fix/restore problems at the developers expense.

Action Item 5.4.5 Require the developer to provide a performance bond to protect home owners from developments on known or suspected unstable slopes.

Goal 5.4: Landslides

~~Prevent undue hazard to the public from development on or adjacent to steep hillside and landslide areas.~~

Action Items

~~Action Item 5.4.1~~ Provide explicit standards in city codes for planning, reviewing, and approving development in areas of potential landslides that will prevent or minimize potential landslides while allowing appropriate development.

~~Action Item 5.4.2~~ Maintain inventory maps of potential landslide areas as the basis for applying the standards in the ~~Unstable Soils and Hillside Constraints Overlay District~~.

~~Action Item 5.4.3~~ **Action Item 5.4.6** Encourage property owners of parcels with steep slopes and landslide potential to maintain vegetation and minimize or avoid land use activities that could trigger or exacerbate a landslide.

~~Action Item 5.4.4~~ **Action Item 5.4.7** Seek public ownership or conservation easements for steep slope areas that would be appropriate as part of a network of greenways and ecological corridors throughout the city.

Action Item 5.4.8 Provide an analysis of the impacts to natural resources from development on steep slopes and/or landslide areas.

Goal 5.55: Seismic Hazards

Reduce loss to life and property from groundshaking associated with seismic events.

Policies

~~Policy 5.5.1~~ **Policy 5.5.1** Locate, design, and construct structures in conformance with current building codes and standards for seismic-resistant design.

~~Policy 5.5.2~~ **Policy 5.5.2** Avoid locating key public facilities in areas known to be of high earthquake hazard.

~~Policy 5.5.3~~ **Policy 5.5.2** Retrofit existing public facilities such as water reservoirs, bridges, pipelines, and hospitals to better withstand earthquakes.

~~Policy 5.5.4~~ **Policy 5.5.3** Provide property owners with information about retrofitting existing buildings to apply earthquake resistant techniques.

Action Items

Action Item 5.5.1 Provide the public information on the potential consequences to the natural environment and built environment of siting structures on hazardous areas.

Goal 5.66:: Wind and Ice Storms

Reduce the potential loss of property and life from wind and ice storms.

Policies

~~Policy 5.6.1~~ **Policy 5.6.1** Maintain street trees to reduce damage to overhead utility lines.

~~Policy 5.6.2~~ **Policy 5.6.2** Prioritize roadways needed for public service, medical, and emergency vehicles.

~~Policy 5.6.3~~ **Policy 5.6.3** Ensure that key public services, such as water and sewer, and key public facilities such as police, fire, and hospital structures have the capability to back-up electricity during storm events.

Action Items

Action Item 5.6.1 Provide information on the impacts on reducing loss of property and life on natural resources, and develop measures to avoid conflicts.

Action Item 5.6.2 Encourage retrofitting of overhead utility lines.

Goal 5.77: Wildfires

Reduce and avoid loss of life, and property, and natural resources from wildfires within the city and the urban growth area.

Policies

~~Policy 5.7.1~~ **Policy 5.7.1** Identify fire-prone areas within and adjacent to the city and the natural resources and property that could be impacted.

~~Policy 5.7.2~~ **Policy 5.7.2** Ensure that development in areas potentially subject to wildfires has road access and water hydrants sufficient to support Fire Department response to fires.

~~Policy 5.7.3~~ **Policy 5.7.3** Inform homeowners and developers in areas potentially subject to wildfires of landscaping practices and building materials that can minimize risk of damage or injury from wildfire.

Action Items

~~Action Item 5.7.1~~ **Action Item 5.7.1** Work with Clackamas County Fire District #1 to identify areas of potential risk from wildfires and prepare plans and procedures to avoid damage from such fires.

Action Item 5.7.2 Determine areas where wildfires may impact natural resources and develop measures to reduce wildfires and/or their impact.

Background

Natural environmental processes operate on several time scales that can affect a range of areas within the city. For instance, floods, once described as "100-year floods" can occur with much greater frequency, particularly as humans have altered the watersheds and hydrology of the Willamette and Clackamas river systems **such that higher flows and more volumes of water are reaching the natural drainages.** Locally, heavy winter rain events can saturate soils and cause localized landslides or rock falls that can damage **the natural environment**, roadways and buildings in steeper sections of the city. **Damage - in one part of the city can be transported to other parts of the cities natural and human environment.** Even the seemingly durable rocky cliffs in the city can succumb to thermal expansion in summer and freezing in winter that, over time, can cause dangerous rockfalls. Mt. Hood and other Cascade Mountain volcanoes can erupt on time-scales of tens of thousands of years. Major subduction-zone earthquakes, potentially catastrophic, are known to affect the Pacific Northwest on time-scales ranging from

300 to 800 or more years, while smaller but none-the-less potentially destructive earthquakes can occur on a decadal scale. Fires, which have been a part of the natural processes on the landscape for eons, are a hazard when structures are present.

There are two fundamental approaches to addressing the potential of natural hazards. One is to manage the hazard itself, the other is to manage development to avoid a hazard **that may impact the natural and human environment**. Either approach requires an understanding of the spatial and temporal scales of the natural process, the ability of engineering practices to address the potential hazard at a reasonable cost over a reasonable time, and the consequences of intervention in the larger system of natural processes. For instance, it may be appropriate to employ drainage techniques to control small scale, site-specific flooding or high water tables and keep development dry. In other cases, it is safer, less costly, and ultimately wiser to prohibit development in high-velocity floodways or on slide-prone slopes, **or in upslope areas that may have impacts in these areas**. These two approaches constitute a strategy of "hazard mitigation" to reduce or eliminate long-term risk to people and their property from hazards and their effects, **however even the best strategies do not resolve all the risk to the natural and human environment.**

The City of Oregon City has adopted a Hazard Mitigation Plan that was prepared by a Community Planning Team in March – October 1998. This mitigation plan describes eight types of hazards that are present or have the potential to be present and affect development and residents of the city, lists goals and objectives, describes potential mitigation measures for five different strategies, and outlines an action plan. The Hazard Mitigation Plan also contains maps of the 100-Year and 1996 flood areas, potential landslide areas, relative earthquake hazard, the location of hazardous materials and natural gas pipelines, and critical facilities. This plan was developed in consultation with a number of federal, state, and regional governmental agencies.

Flooding

Flooding occurs in Oregon City principally from three major streams: the Willamette River, Clackamas River, and Abernethy Creek, although minor flooding can occur in localized areas during storm events. Flooding is most likely to occur between October and April and generally results from a series of heavy rainfall events that can be aggravated, as in 1964 and 1996, by concurrent snowmelt in the watershed that adds substantial additional runoff to the storm event. Because the Willamette River is influenced by tidal height nearly to the base of the falls, flooding at the confluence of the Clackamas and Willamette Rivers and Abernethy Creek can be exacerbated by high river levels caused by high winter tides and storm surge on the coast. The area is subject to flooding (base floodplain) and floodways associated with the Willamette and Clackamas rivers and Abernethy Creek have been mapped and are shown in the Hazard Mitigation Plan for Oregon City.

Localized flooding also occurs in Oregon City, principally due to high water tables, relatively level land that does not drain quickly, and alteration of natural streams by culverts and storm sewers that are inadequate for storm events. A 1988 Drainage Master Plan inventoried areas with drainage and localized flooding problems. This Master Plan was updated in 1999 as the Public Works Stormwater and Grading Design Standards.

A number of structures are present in the areas subject to flooding, including such key public facilities as the wastewater treatment plant for Oregon City, West Linn, and Gladstone, the intake on the Clackamas River for the city's water treatment plant, the sub-regional solid waste transfer station, an electrical substation, and a site with hazardous waste. **In addition to human structures, there are a number of natural features that are subject to flooding, including the riparian areas and habitat areas in or around Clackamette Cove, Abernethy Creek, the Clackamas River and the other watersheds that are present within the Urban Growth Boundary.**

In 1999, the City of Oregon City adopted a Flood Management Overlay District as part of the Municipal Code. The purpose of this district is to minimize public and private losses due to floods through a variety of means. Lands subject to this district have been mapped and contain:

1. Land contained within the one-hundred-year floodplain, flood area and floodway as shown on the Federal Emergency Management Agency flood insurance maps including areas of special flood hazard delineated in 1979 and the area inundated by the February 1996 flood, and
2. Lands that have physical or documented evidence of flooding within recorded history based on aerial photographs of the 1996 flooding and/or the water quality and flood management areas maps.

In 1994, the City adopted an Unstable Soils and Hillside Constraint Overlay District for the purpose of providing "safeguards in connection with development on or adjacent to steep hillside and landslide areas and other identified known or potential hazard areas, thereby preventing undue hazards to public health, welfare and safety." The ordinance addresses such hazards as landslides, mudflows, high ground water tables, soil slump and erosion. The hazards covered by this overlay district have been mapped by the State of Oregon Department of Geology and Mineral Industries (DOGAMI) in Bulletin 99, Geology and Geological Hazards of North Clackamas County, Oregon (1979), and in subsequent DOGAMI mapping for the Oregon City area; and by Portland State University in a study entitled "Environmental Assessment of Newell Creek Canyon, Oregon City, Oregon" (1992).

Unstable Soils

Areas of unstable foundation soils have been mapped for Oregon City and are on file at the Oregon City Planning Department. Development or construction in these areas will require special development standards on a site-specific basis to prevent or minimize future damages. Maintenance of existing vegetation or re-vegetation will be required for excavation and road slopes for those areas designated as landslide-prone. Unstable soils are those identified on the city's unstable soils and hillside constraint overlay district map and in other areas that may be identified on city, county or federal or state agency maps as being subject to soil instability, slumping or earth flow, high ground water level, landslide or erosion, or identified by field investigation performed by a qualified geotechnical engineer or engineering geologist.

Landslide

Landslides include rockslides, mudslides, debris flows, earthflows, and slumping. These phenomena are natural geologic processes that occur principally when soils and rock in steep areas become saturated with water, which increases weight and lubricates the mass, **however these phenomena can be exacerbated by human influence**. Gravity pulls the affected areas downhill to a new angle of repose. Landslides can be exacerbated by adding fill material to a slope, removing vegetation, altering drainage and runoff patterns, and undercutting a slope. Landslides can be triggered by heavy rains, groundshaking from earthquakes or heavy traffic, or undercutting the lower edge of the slope from erosion, as in a stream, or from development, as in a highway roadcut.

Areas most susceptible to landslides in Oregon City are those with slopes greater than 25%. These areas have been mapped by the Oregon Department of Geology and Mineral Industries and are included in the 1998 Oregon City Hazard Mitigation Plan. The Unstable Soils and Hillside Constraint Overlay District requires professional geotechnical site surveys of other potential hazard areas and provides development standards that relate potential hazard from landslides on slopes of various steepness to the amount and configuration of development on a particular property.

Seismic Hazards

Oregon City is situated in a region that seems to have little seismic activity. This is deceiving. Oregon is located in a region of intense seismic activity generated by the subduction of the Juan de Fuca Plate under the North American Plate and by the collision of the Pacific Plate with the North American Plate along the San Andreas Fault and associated faults in California. However, seismic events occur at time-scales and over distances that make prediction very difficult, if not impossible. Geological and archaeological investigations show that the Pacific Northwest has been affected by catastrophic "subduction zone" seismic events that have resulted in down-drop of the land relative to sea level and generated enormous tsunamis along the coast. These events, which appear to re-occur between 300 and 800 years, are also known to have triggered major landslides throughout the region. The last such event was in January of 1700.

Tectonic uplift of the entire Pacific Northwest region, driven by subduction of the Juan de Fuca Plate far offshore, has spawned many faults throughout the region, including the West Hills Fault along the axis of the toe of Portland's West Hills. A "Spring Break Quake" in March 1993 near Molalla, just south of Oregon City, had a magnitude of 5.6 and caused significant damage to buildings throughout the region. In February 1999, a small earthquake of magnitude 2.7 cracked plaster in Oregon City High School.

Seismic hazards result from ground shaking generated by energy waves triggered by an earthquake. While the entire city is vulnerable to seismic hazards, ground shaking can vary from place to place, depending on the subsurface geology. Areas of flood plain soils or gravels and containing significant water are likely to experience far more severe groundshaking than areas of solid basalt bedrock that resist movement. Areas of potential seismic hazard have been mapped by the Oregon Department of Geology and Mineral Industries and are shown in the 1998 Oregon City Hazard Mitigation Plan. Not surprisingly, the most hazardous area coincides with the most severe flood-prone area north of Abernethy Creek, primarily due to the alluvial soil and high

water table that are most subject to liquefaction during an earthquake. Areas in the McLoughlin Neighborhood and on the Hilltop are far less vulnerable to groundshaking because they are underlain by basalt flows with little soil cover.

Oregon City can take several steps to reduce hazards **to the natural environment and the built environment** from seismic events. These include retrofitting existing public facilities and other buildings to withstand shaking and minimize damage, requiring new development to be built to new standards designed to withstand shaking, and developing an emergency response plan for earthquake situations. **In addition, minimizing or avoiding building in high hazard areas also can reduce hazards to the natural environment.**

Other Hazards

Oregon City is subject to several natural hazards that occur with far less frequency than some of the hazards delineated above. The dry, generally rainless summers, dense vegetation in steep hillside areas, and the invasion of non-native weeds in parts of Oregon City could set up a situation of wildfire hazard. In fall and winter, major storms from the Pacific Ocean bring high winds to the Oregon coast but are generally moderated by the time they reach Oregon City. However some storm events can result in damaging high winds, as was the case in October 1962. More frequently, a combination of climatic conditions set up in winter that result in freezing rain and ice storms throughout western Oregon. In addition, although it has not erupted in historic times, Mt. Hood has the potential to erupt with lava, ash, and pyroclastic flows of hot ash mixed with water. These flow swiftly down the flanks of the mountain and can reach as far as the Columbia River. Depending on wind conditions, ash can drift across the city and present a health and structural hazard.

Wildfires

Wildfires are particularly likely in areas with steep slopes and limited groundwater so that vegetation dries out by late summer, where there is combustible brush or debris, and where structures with flammable exterior materials are present. The danger of wildfire can be exacerbated by lack of adequate road access for fire equipment and by inadequate or poorly placed fire hydrants. While much of Oregon City is not vulnerable to wildfires, some areas are, especially in the so-called "wildland-urban interface" where dwellings are in the middle of heavily treed or vegetated areas and where steep, vegetated terrain can contribute to a "chimney effect" as fires burn uphill. These same conditions could apply to areas near Waterboard Park, Canemah Bluffs, Park Place, and such canyons as Singer Creek and Newell Creek.

The impact on wild fires on the natural environment and built environment can be exacerbated by the presence of buildings or residences or other activities on steep or landslide areas that destabilize the area. Once the fire has further destabilized the area by removing vegetation and allowing erosion to occur, additional impacts may occur.

Wind and Ice Storms

Wind and ice storms are relatively common but can result in damage to property as well as loss of life. These storms affect the entire city but the results can be more damaging in some situations, particularly where trees can be blown over or limbs droop onto power and telephone lines. Electrical power service can be interrupted because of downed lines, which can lead to

additional safety and comfort complications for the city and for residents. Traffic signals, emergency communications, roads, and other public facilities are especially vulnerable. These events are usually of short duration, from a few hours to a few days.

Volcanic Activity

Oregon City is situated in a landscape shaped by volcanic activity. Mt Hood, some 35 miles northeast of the city, is the most visually attractive example of volcanic activity but is only one of a number of volcanic features in the region. Other volcanoes in the Cascade Mountain Range include Mt. St. Helens about 70 miles away in Washington state, which erupted in May and July, 1980, and the South Sister east of Eugene that shows distinct signs of subsurface volcanic activity. In addition, much of Oregon City lies on a series of basalt flows that resulted from volcanic eruptions many thousands of years ago. Other small lava buttes and cinder cones form the forested buttes between Oregon City and Gresham.

While volcanic events are rare in terms of human life, they can occur anytime and with a force that is enormous by human standards. Scientists are developing the technological capability to predict when and where eruptions will occur. It is unlikely that Oregon City would be directly affected by a volcanic eruption in the region. More likely are secondary effects from air-borne ash deposition that can severely affect air quality. Ash, mudflows, and pyroclastic flows could affect the watershed of the Clackamas River, thus potentially compromising the supply of water for Oregon City and West Linn.

6. PARKS AND RECREATION

[insert quote]

This section of the Oregon City Comprehensive Plan is intended to comply with Statewide Planning Goal 8, Recreation Needs. This goal requires local governments to “evaluate its areas and facilities for recreation and develop plans to deal with the projected demand for them.”

Parks and recreation maintains and supports the ecology and habitat of existing and developing areas while ~~facilities~~ creating facilities ~~enhance~~ that enhance the livability of a city and contribute to the well-being of its citizens. Oregon City is committed to providing and maintaining places and facilities for its growing population to recreate. The Parks and Recreation Master Plan is the primary inventory, planning, and implementation document for those resources. This element references the master plan as an ancillary document to the comprehensive plan, and sets out general goals and policies to manage city recreation facilities, both are active and passive, for the benefit of its residents and the environment we inhabit.

GOALS, POLICIES, AND ACTION ITEMS

Goal 6.1: Developing, expand and enhance Oregon City’s Park and Recreation System. Maintain, restore, and/or ~~and~~ enhance the existing parks and recreation system while planning for future expansion to ~~meet~~ balance residential growth with passive and recreational needs of the community.

Policies

- Policy 6.1.1 Provide an active neighborhood park-type facility within one half- mile and a community park-type facility within 3 to 5 miles of most residents of Oregon City.
- Policy 6.1.2 Whenever property adjacent to an existing neighborhood/community park becomes available, add property to the park and develop it to meet the current needs of existing neighborhoods.
- Policy 6.1.3 Regional and Community parks should both be developed in such a way that revenue producing amenities are included to bring in a revenue stream to fund partial maintenance of the system.
- Policy 6.1.4 Create either an endowment fund or a steady revenue stream to offset the adding of new maintenance responsibilities on a currently overburdened system.
- Policy 6.1.5 Identify and construct a network of off- street trails throughout the city for walking, ~~and~~ jogging, **and biking**.

- Policy 6.1.6 Provide land for specialized facilities such as sports fields and indoor recreation facilities **without compromising existing natural areas and natural features such as ponds, lakes and year-round or seasonal waters within the land to be developed.**
- Policy 6.1.7 Seek out opportunities to coordinate and partner with other departments, agencies, and jurisdictions to fulfill the aims of the Parks and Recreation Master Plan.
- Policy 6.1.8 Develop a community recreation center, with focus on providing programming and activities for the youth and families of Oregon City.
- Policy 6.1.9 Where passive recreation is proposed, emphasis shall be placed on the **restoration and** retention of natural conditions and the natural environment.
- Policy 6.1.10 Identify revenue producing opportunities for inclusion within existing and future park development to offset operational costs.
- Policy 6.1.11 Explore opportunities for the school district and the city to share recreation facilities such as athletic fields and meeting space.
- Policy 6.1.12 Partner with schools to create and maintain outdoor classrooms for nature study and other hands-on learning activities.**
- Policy 6.1.13 Develop a riverfront promenade along the Willamette River from River View Plaza at 5th Street to Clackamette Park.
- Policy 6.1.14 Recognize the need and implement natural sound barriers (i.e., berms created with native materials and plants) for the benefit of neighboring residents.**

Action Items

- Action Item 6.1.1 Update the Parks and Recreation Master Plan every 5 to 10 years.
- Action Item 6.1.2 Work with developers to include neighborhood park sites in subdivisions and, where possible, work with the developers to have them establish the park to city standards during subdivision development that would be given to the City to operate and maintain.
- Action Item 6.1.3 Investigate the possibility of forming a regional parks and recreational district to replace city provided services.

Action Item 6.1.4 **Work with developers to create natural sound barriers around neighborhood parks. Encourage low maintenance landscaping with native plants and materials.**

Action Item 6.1.5 **Develop plans for creation and maintenance of natural habitat sites to include connecting these sites thus providing greater diversity in plant life and natural habitat conditions that will support a greater diversity in wildlife**

Goal 6.2 Develop a “Natural Heritage Parks/Wildlife System.”

Develop a plan to identify, map, and create a city-wide system of wildlife habitat areas that mirror those that greeted the area’s pioneers and sustained the Native American tribes and wildlife of our area. These ecosystems include oak savannas, upland prairies, wet prairies, woodlands, riparian gallery forest, shrubland, and rare peat bogs. Together these wildlife habitat areas will form an interconnected “Natural Heritage Parks/Wildlife Nature System” that will provide passive and active recreational opportunities for the citizens of Oregon City and provide a system of interconnected habitat for wildlife.

Policies

Policy 6.2.1 **Identify, map, and prioritize all City-owned open space not identified in the City Charter as a City Park. These are publicly owned, undeveloped lands, such as dedicated open space in PUDs and subdivisions.**

Policy 6.2.2 **Establish a citywide Natural Heritage Parks/Wildlife System for passive and active recreation and education from these publicly-owned lands.**

Policy 6.2.3 **Partner with schools to create and maintain outdoor classrooms within parks for nature study and other hands-on learning activities.**

Action Items

Action Item 6.2.1 **Identify, map, and prioritize for possible inclusion as parks or nature parcels all city owned property within the Urban Growth Boundary, including lands donated to the city as part of land use decisions.**

Action Item 6.2.2 **Provide maps of the above system to visitors, citizens, and schools for the opportunity of environmental education and appreciation of the City’s natural heritage.**

Action Item 6.2.3 Create a partnership with schools to create and maintain outdoor classrooms with parks for nature study and other hands on learning activities.

Background

In 1999, the City adopted a new Parks and Recreation Master Plan as ancillary to the comprehensive plan, and substantially changed the way parks and recreations services are provided. The organizational structure of combining parks and cemetery operations with recreation (Carnegie Center, Aquatics, Pioneer Center and **citywide** recreational programming) was implemented at the beginning of 2000, paving the way for greater implementation of the entire master plan.

Continued implementation and periodic reviews and updates of this plan should continue, with special attention paid to those areas of the city where rapid growth is occurring. Since it is difficult to purchase large tracts of park land within already-developed areas, the City should look to newly annexed areas and to areas within potential future expansions of the Urban Growth Boundary for possible regional and community parks while large, relatively inexpensive property still exists.

The Waterfront Master Plan contains important provisions for recreation activities and open space/habitat protection. The City should work to implement the vision of the Waterfront Master Plan.

The City should partner with other service providers as well a private industry wherever possible to develop green spaces and areas for active recreational sites. The proposed sports complex in cooperation with Tri Cities (Environmental Services) in the area of Clackamette Cove is a prime example and this project should be aggressively courted. Where possible, the City should work with developers to include neighborhood park sites in subdivisions and, where possible, work with the developers to have them establish the park to city standards during subdivision development that would be given to the City to operate and maintain.

Because of funding constraints and need to keep up maintenance of existing inventories, regional and community parks should include revenue producing amenities to create revenue to at least partially fund maintenance of the system. The City should form either an endowment fund or 6-3 some other steady revenue stream to offset the adding of new maintenance responsibilities on a currently overburdened system.

The development of bike and pedestrian connections through green ways, natural parks and already existing parks as well as through newly acquired property and easements should be aggressively pursued. In particular, agreements with Metro and Clackamas County to implement Metro's Regional Trail System through and around Oregon City

should be pursued. The City should consider taking the lead role in joint applications for state and federal Trail Grants.

Emphasis should be put on the Oregon City Loop Trail with the possibility of acquiring property or easements along the Canemah Bluffs to join the property owned by Metro with the City's promenade and Willamette River Trails.

A great emphasis needs to be placed on the development of recreational facilities **and at the same time provide sound barriers for neighboring residents** as the City continues to grow. Demands for a Community Center with a new pool and other recreational amenities and programs are building, as was shown in the series of Town Hall meetings held in 2001 as part of the First City's Future planning (see First City's Future Phase 1 Report). Programming for youth and families in Oregon City is becoming ever more important. Activities for teens appear to be the greatest current need.

With the rapid growth bringing new families into the city and the surrounding area, revisiting the 1999 Parks and Recreation Master Plan on a 5- to 10-year cycle will become imperative, as new residents will bring new ideas and demands.

7. ECONOMIC DEVELOPMENT

[insert quote]

This section of the Oregon City Comprehensive Plan is intended to comply with Statewide Planning Goal 9, Economy of the State, which calls for diversification and improvement of the economy. This goal requires local government “to inventory commercial and industrial lands, project future needs for such lands, and plan and zone enough land to meet those needs.”

Through the goals, policies, and action items of this element, Oregon City shall strive to provide for a higher mix of commerce and industry to provide more local, family-wage jobs for its residents, **that can be accommodated and continued without irreversible impairment of natural resources productivity, the ecosystem, and the quality of air, land, and water resources.** Vacant industrial land inside the UGB should be monitored to ensure a sufficient supply to support continued economic growth. Other factors in a healthy economy are efficient land use patterns, coordination with public agencies and the business community, adequate transportation for goods and services, job training, and support for home-based businesses. This element, and the supporting resource document (Economic Development Technical Report), demonstrates that Oregon City will continue to have a sufficient supply of commercial and industrial land and policies to promote a healthy economy, **without irreparable impairment of natural resource quality and function.**

GOALS, POLICIES, AND ACTION ITEMS

Goal 7.1: Improve Oregon City's Economic Health

Provide a healthy-vital, and diversified, innovative economy including an adequate supply of goods and services and employment opportunities working towards an economically reasonable, ecologically sound and socially equitable economy.

Policies

Policy 7.1.1 Attract high-quality commercial and industrial development that provides stable, high-paying jobs in safe and healthy work environments, that contributes to a broad and sufficient tax base, and that does not compromise-exceed the quality-carrying capacity of the -environmentland.

Policy 7.1.2 Contribute to the health of the regional and state economy by supporting efforts to attract “traded sector industries” such as high technology and production of metals, machinery, and transportation equipment. (Traded sector industries compete in multi-state, national, and international markets and bolster the state's economy by bringing money in from sales of goods and services outside of the state.)

Policy 7.1.3 Develop concept plans that are compatible with surrounding uses and are environmentally friendly and employ sustainable development practices for all new commercial and industrial lands prior to development.

Policy 7.1.4 Encourage, through regulations, education, and incentives, all new commercial, industrial, and institutional development to feature innovative, attractive L.E.E.D. certified buildings, signage and native landscape vegetation consistent with sustainable development. attractive buildings, signage and landscaping-

Policy 7.1.5 Create and utilize cooperative public-private partnership with affected property owners, Clackamas Community College, and Oregon City High

School to develop an Eco-Industrial, Live/Work Village concept plan for the industrial area on Beaver Creek Road.

Policy 7.1.6 The term "Future Urban Holding" is to be used rather than the proposed industrial designation for the area East of Beaver Creek Road as an allowance for additional time to summarize current components of a concept plan, conceive of additional valid and valuable components, and to incorporate those deemed viable, in order to adapt zoning for its inclusion in the Proposed Comprehensive Plan, as no current zoning or land use description is applicable.

Policy 7.1.7 All industries shall meet all federal, state and local environmental quality standards.

Policy 7.1.8 All industries shall undergo a periodic (5-year or 10-year) review assessment of all federal, state and local environmental quality standards and enhance industry performance to meet current and/or updated environmentally-sustainable requirements.

Action Items

Action Item 7.1.1 Complete a sustainable development concept plan as part of the annexation application (prior to annexation) for the Beaver Creek Road industrial area for an eco-industrial, mixed-use village. a concept plan prior to annexation for the Beaver Creek Road industrial area.

Action Item 7.1.2 Review all of the potential tools that may be available to encourage sustainable industrial redevelopment, including but not limited to property tax abatement programs, low interest loans or grants for brownfield or hazardous soils remediation and seismic retrofit of older structures, land assembly, and provision of public infrastructure.

Action Item 7.1.3 Apply a temporary zoning designation for the area east of Beaver Creek Road as a "Future Urban Holding." This designation will allow time to develop a concept plan and define plan designations and zoning for inclusions in the Comprehensive Plan and city ordinance.

Goal 7.2: Cooperative Partnerships

Create and maintain cooperative partnerships with other public agencies and business groups interested in promoting economic development.

Policies

Policy 7.2.1 Seek the input of local businesses and encourage sustainable development when making decisions that will have a significant economic impact on them the community.

Policy 7.2.2 Carefully consider the economic impacts of proposed programs and regulations in the process of implementing the City's comprehensive plan.

Policy 7.2.3 Simplify, streamline, and continuously improve the permitting and development review process.

- Policy 7.2.4 Use financial tools available to the City **and developers**, including its urban renewal program and capital improvement program, to support its economic development efforts **as sustainable development**.
- Policy 7.2.5 Utilize public-private partnerships as a means to leverage private investment when appropriate.

Action Items

- Action Item 7.2.1 Maintain the database and mapping necessary to assist economic development activities, and establish a process to continually keep the database current and relevant. Encourage business investment and redevelopment by mapping and promoting vacant and redevelopable industrial, commercial and mixed-use sites.
- Action Item 7.2.2 Continue to support cooperative and active working relationships with the Oregon City Chamber of Commerce, the Clackamas County Business and Economic Development Services Department, Clackamas Community College, Clackamas County Tourism Development Council, the Oregon Economic and Community Development Department and other public and private groups to plan and promote economic growth in the community.
- Action Item 7.2.3 Review programs that provide tax abatement for employers that exceed established minimum employment/income thresholds, for suitability to Oregon City.
- Action Item 7.2.4 **Support all partners in promoting innovation of the Eco-Industrial “Sustainable Technologies” approach concept plan for the Beavercreek Road Future Urban Holding area and seek incentives, grants, low interest loans, etc., from all possible sources to ensure feasibility of the Beavercreek Road industrial area development.**

Goal 7.3: Retention of Existing Employers

Retain existing employers, whether public or private, and encourage them to grow and expand within the City.

Policies

- Policy 7.3.1 Protect existing industries from encroachment by incompatible land uses, and ensure that expansion options **consistent with sustainable development** are available to them wherever possible.
- Policy 7.3.2 Support programs of Clackamas County, the Oregon Department of Economic and Community Development, the Small Business Administration, **Clackamas Community College, the Environmental Learning Center**, and other agencies that provide business-related services such as low-interest loans, job training, **sustainable development training**, and business counseling.
- Policy 7.3.3 Encourage the retention and expansion of Clackamas County as a major employer inside the city.
- Policy 7.3.4 Work cooperatively with Clackamas Community College, Clackamas County (for Red Soils Facility), and Willamette Falls Hospital to help facilitate their expansion, and encourage master planning for future expansions, **consistent with sustainable development**.

Action Items

- Action Item 7.3.1 Review the existing Campus Industrial zoning of the Clackamas County Red Soils area and amend the zoning map or standards as appropriate to fully implement the Clackamas County Red Soils Site Master Plan.
- Action Item 7.3.2 Develop an industrial outreach program that includes a proactive and coordinated effort to reach out to existing industrial establishments in the City to see if they have needs that the City and/or its partners could address. Such an outreach program could also alert officials to any expansion plans of these industries.
- Action Item 7.3.3 Support Willamette Falls Hospital expansion by addressing land availability, signage, traffic circulation, and accessibility from major transportation routes.

Goal 7.4: Education, Skills And Workforce Training

To ensure that the major employers in the city are able to find qualified and skilled workers to meet their needs.

Policies

- Policy 7.4.1 Encourage Clackamas Community College to continue providing job-related training to develop relevant job skills. Support partnerships between Clackamas Community College and potential employees such as Willamette Falls Hospital and other private businesses and new employers on the City's industrial lands, especially near the college.
- Policy 7.4.2 Promote the development of ongoing partnerships between the college, the Oregon City School District, the Workforce Investment Council of Clackamas County, local and regional businesses, the Oregon Employment Department, and other agencies to train new workers.

Action Items

- Action Item 7.4.1 Encourage development of industrially-zoned properties near Clackamas Community College for uses that have some connection to the college in terms of skill building and job training.

Goal 7.5: Retail

Allow for a variety of retail outlets and shopping areas to meet the needs of the community and nearby rural areas.

Policies

- Policy 7.5.1 Develop local neighborhood or "specific" plans where appropriate to blend infill development along linear commercial areas into existing neighborhoods, **consistent with sustainable development.**
- Policy 7.5.2 Develop plans to provide the necessary public services to surrounding rural industrial lands for future **sustainable** development.

Goal 7.6: Tourism

Ensure land uses and transportation connections that support tourism as an important aspect of the City's economic development strategy.

Policies

- Policy 7.6.1 Protect historic, recreational, and natural resources as the basis for tourism.
- Policy 7.6.2 Promote Oregon City as a destination for tourism.
- Policy 7.6.3 Provide land uses in the Downtown Historic Area, 7th Street corridor, and the End of the Oregon Trail Interpretive Center that support tourism and visitor services.

Action Items

- Action Item 7.6.1 Encourage development that ties new development with the End of the Oregon Trail Interpretive Center and Train Depot.
- Action Item 7.6.2 Implement the tourism components of the Waterfront Master Plan including the boardwalk and other visitor amenities.
- Action Item 7.6.3 Support existing tourism attractions such as the Oregon Trail Foundation, Clackamas County Historical Society, McLoughlin Memorial Association, and City Parks and Recreation (Ermatinger House and Carnegie Center) to form an umbrella organization to implement an integrated plan to elevate and leverage historical and visitor attraction resources.
- Action Item 7.6.4 Improve the attractiveness of the historic downtown area for visitors.
- Action Item 7.6.5 Better define criteria for grant awards from the Civic Improvement Trust to support visitor amenities.
- Action Item 7.6.6 Improve signage to visitor attractions.
- Action Item 7.6.7 Encourage and support citywide events that would attract visitors and tie to the historic attractions of the city. Preserve tourism-related transportation services like the Oregon City Elevator and Trolley.
- Action Item 7.6.8 Encourage river-related tourism facilities and services, such as docking facilities, river transit, and river tours.
- Action Item 7.6.9 Encourage private development of hotel, bed & breakfast, restaurant facilities, and other visitor services.

Goal 7.7: Home-Based Businesses

Provide a supportive climate for home-based businesses.

Policies

- Policy 7.7.1 Encourage home-based businesses that are low impact, **consistent with sustainable development**, -and do not disrupt the residential character of the neighborhoods in which they are located.
- Policy 7.7.2 Encourage the support services that home-based businesses need.

Action Items

- Action Item 7.7.1 Provide a quick and simple approval process for home-based businesses that provides for an annual or biennial re-issuance of home-based business licenses, with spot-checks for compliance with zoning standards and conditions of approval.

- Action Item 7.7.2 Develop a Home Occupation Ordinance that encourages Home Occupations but provides safeguards to limit negative impacts on neighborhoods such as traffic, on-street parking, noise, odors, hours of operation, and visual nuisances.
- Action Item 7.7.3 Encourage the provision of business-related resources at the public library, such as high-speed internet access and meeting rooms; and small neighborhood commercial centers for business services such as copy machines and delivery services.

Goal 7.8: Transportation System

Recognize the importance of the land use-transportation link and encourage businesses to locate in areas already served by the type of transportation system they need.

Policies

- Policy 7.8.1 Through coordination with TriMet and local employers, encourage and promote the use of mass transit to travel between residential areas and employment areas.
- Policy 7.8.2 Participate in regional efforts to encourage employers to promote telecommuting and other flexible work arrangements.
- Policy 7.8.3 Assess the feasibility of implementing Transportation Management Associations in the city.
- Policy 7.8.4 Promote “shared parking” and transportation demand management (TDM) techniques such as transit vouchers, car or van pooling, and flexible schedules and telecommuting options to reduce peak hour trips.
- Policy 7.8.5 Work with the Oregon Department of Transportation to preserve and improve the capacity of Highway 213 and its intersection with I-205.
- Policy 7.8.6 Encourage the provision of multi-modal transportation to support major existing employers **consistent with sustainable development.**

Action Items

- Action Item 7.8.1 Improve the roads in the areas that will support industrial development, including Glen Oak Road, Henrici Road, and Beaver Creek Road.
- Action Item 7.8.2 Continue to proactively pursue funding and construction of the Meyers Road Extension.

Background

Oregon City has long had a prominent place in the history of commerce in Oregon and the Willamette Valley. From early times, the need to portage around the Willamette Falls created an opportunity for development. Regular river steamer service in 1850 made Oregon City a hub for the exchange and transfer of goods from the upper and lower Willamette River and the land routes on the east side of the river. The first large industry was based on waterpower — in 1865, the Oregon City woolen mill was established.

In 2003, the city is well served by new industrial and commercial establishments. Much of the land designated for future commercial development has now been developed. Industrial areas, such as the Fir Street light industrial area and the Red Soils industrial park, are also almost completely developed.

Employers

No single employer or sector dominates the employment picture, as most of the employers in Oregon City are relatively small businesses. Nine businesses have 100 or more employees, and the top three have over 200 employees: Willamette Falls Hospital (726), Fred Meyer (275), and Blue Heron Paper Company (250). The nine businesses account for almost 20 percent of the total number of private-sector employees in Oregon City. The rest are distributed among numerous small businesses. Out of 1,632 businesses,¹ 28 employers have over 50 employees and 94 have over 20 employees. In fact, the bulk of employers (1,215 out of 1,632 businesses registered), have fewer than 5 employees.

Willamette Falls Hospital and Clackamas Community College should be supported in their efforts to grow. In some respects they are mutually supportive. For instance, Clackamas Community College medical technologies and nursing programs provide qualified employees for the hospital and other related medical providers. Willamette Falls Hospital is by far the largest private employer. In addition to the number of employees working at the hospital, another 997 people are employed in health-related fields.

With respect to the breakdown of employment by industry sectors, 967 employees work in "eating and drinking establishments",² 400 employees in "fabricated metals" and "primary metal industries," and 250 employees in "paper and allied products" (Blue Heron paper mill). There are 248 working in "auto repair services" and "auto repair shops". Another 185 work in "credit agencies" or "banking."

The largest public employer is Oregon City School District, with 1,080 employees. Interestingly, in 1982 the largest public employer was Clackamas Community College, which had 750 to 850 employees seasonally. Now it has 349 employees, or less than half its 1982 employment. The City of Oregon City has fewer employees now than it did in 1982 (159 now compared to 165 in 1982). There are a total of 3,287 employees between the City and County governments, School District, and Community College. There are also state and federal employees, such as the Oregon City Self-Sufficiency Center, with 146 employees.

Together, based on business license information and information from public agencies, there are approximately 9,718 private and 3,287 public employees in Oregon City, or 13,005 employees in Oregon City. About one-third of the total employment in the City is in the public sector. These numbers are most likely low, since not every business has a business license, and businesses may report a lower number of employees than they actually have. (The public sector employment number does not include state or federal workers). If both the public and private employees were underestimated by 10 percent, there would be a total of 14,305 employees in 2002. That compares with a 1982 estimate of 7,291 employees.

Buildable Land

An analysis of the current buildable land in Oregon City that might be available for commercial or industrial development was conducted for the updated Economic Development element of the 2003 Comprehensive Plan. The study looked at the density of commercial development and the

¹ As per the Oregon City's business license information, July 2002

² These are Standard Industry Classification, or "SIC" descriptions

number of employees per acre for different types of commercial and industrial land uses. The analysis is contained in the Resource Document supporting this Economic Development Element. The study also presented an estimate of future employment capacity based on available land. That is, how many employees could be accommodated within Oregon City and its current Urban Growth Boundary.

With respect to commercial land, the analysis illustrated that there are few remaining buildable acres within the city limits and the UGB. About 22.7 unconstrained³ acres of vacant and redevelopable, commercially zoned property was documented.

The situation with land zoned or planned for industrial purposes was different, with 181 net acres remaining of industrially zoned, buildable property. Most of the available land was in the downtown area, north of Abernethy Creek and south of Highway 213, or near Clackamas Community College along both sides of Beavercreek Road.

Metro Requirements

The Urban Growth Management Functional Plan established employment targets and other economic policy directives for jurisdictions within Metro. The City must substantially comply with the directives found within the Functional Plan or justify an exception to the directives.

As part of Title 1 of the Metro Urban Growth Management Functional Plan, Metro assigned a target number of jobs to Oregon City (8,185) which is the number of jobs the city should plan to accommodate between 1994 and 2017 within the 1996 city limits. In addition, Clackamas County allocated another 2,987 jobs to the area between the 1996 city limits and the UGB. This was part of Clackamas County's employment and housing target distribution in the urban unincorporated area surrounding Oregon City, as reported in the "Clackamas County Urban Growth Management Functional Plan Compliance Report" (June 29, 2000). Although Oregon City never formally agreed to the County's employment distribution of 2,987 jobs, combining Metro's job capacity for Oregon City (8,185) with the County's allocation for the UGB (2,927) results in a combined target number of 11,172.

The technical analysis concluded that, with the implementation of the Downtown Community Plan and some other modest changes to the zoning ordinance and comprehensive plan map (changing the area north of the Fairways Airport land strip to industrial and adding two neighborhood commercial centers), the city could accommodate 9,048 jobs within the projected time period. This is short of the target amount by only 2,124 employees. Put another way, the city can reach 81 percent of the combined employment target.

The downtown area is designated as a Regional Center Design Type on the Metro 2040 Growth Concept map and is planned to encourage the development of very high density, mixed-use retail, office, and residential uses, served by high quality transit service and multi-modal street networks. The City has adopted a Downtown Community Plan that is consistent with the regional center designation. The zoning proposed in the Downtown Community Plan assigns a new "Mixed Use Downtown" (MUD) zone designation for current industrial zone designations

³ "Constraints" refers to steep slopes, wetlands, wetland buffers, and riparian corridors.

on some of the properties. The effect will be to replace some exclusively industrial land with mixed uses that will generate employment but not in light or heavy industries.

Another Design Type assigned to Oregon City on the 2040 Growth Concept Map is Employment Areas. Oregon City has elected to apply the Industrial Area Design Type on its comprehensive plan map by including all industrial designations in that category.

Title 4 of Metro's Urban Growth Management Functional Plan restricts "big-box retailers" (i.e., a single retailer with over 60,000 gross leasable area in size) from locating within areas identified as an employment area on Metro's Employment and Industrial Areas map. A new "Mixed Use Employment District" restricts retail uses to less than 60,000 gross square feet.

A UGB expansion along Beavercreek Road will add new approximately 250 acres of industrial land in that area. To ensure efficient, orderly, and adequate provision of services and creation of compatible industrial development, a Concept Plan (see Land Use element for discussion) should be adopted prior to any proposed urban levels of development.

Preserving and Growing Oregon City's Economy

Ensuring an adequate supply of industrial land is only part of the equation for economic health. The City can participate in other ways to help grow the local economy. The City can work with local businesses, organizations and other jurisdictions to develop partnerships in **sustainable** development, develop incentives to help promote **sustainable** development, and keep abreast of changing conditions that might require regulatory or plan changes. Other activities include encouraging the creation of a skilled workforce, working to retain and expand existing employers, promoting tourism and home-based businesses, and ensuring that the transportation system can meet the needs of industry and employees. Transportation bottlenecks can constrain the expansion of businesses and prevent new ones from locating here because of the added costs that congestion imposes. Alternative transportation modes and transportation demand management strategies can relieve some of the pressures on the roadway system.

Economic Development Incentives

Through the public involvement process for the comprehensive plan update, citizens recommended market-based incentives to encourage development in the Downtown and Waterfront areas. Market-based incentives can fall into the following categories.

1. Public commitments and actions **that are consistent with sustainable development**, such as locating city offices downtown, supporting transit operations, and following through on critical City projects recommended by the Downtown and Waterfront master plans.
2. Regulatory code compliance relief, which could be linked to **sustainable** development standards (reduced setbacks, reduced parking, reduced percentage of landscaping or site coverage, **green building designs, L.E.E.D. certified buildings and products**), or relief from fees or charges, such as SDC's.

3. Public support, which could include design assistance, small business and marketing assistance, providing marketing studies or pro-forma analysis, promoting downtown in city publications, and supporting special events like parades, farmers' markets, or antique fairs.
4. Financial assistance, which could range from using the City's Capital Improvement Program or Urban Renewal programs to improving public infrastructure or building parking lots, providing low interest loans or direct grants, using local improvement districts (with or without the City picking up part of the design and administration costs), and property tax abatement.
5. Direct assistance with **sustainable** development, which could be public/private partnerships or co-development (i.e., sharing the cost of building and maintaining a parking structure with spaces allotted to both the public and the private business), land assembly and resale, and loan guarantees.

8. HOUSING

[insert quote]

This section of the Oregon City Comprehensive Plan is intended to comply with Statewide Planning Goal 10, Housing. This goal specifies that each city must plan for and accommodate needed housing types, such as multifamily and manufactured housing. It requires each city to inventory its buildable residential lands, project future needs for such lands, and plan and zone enough buildable land to meet those needs. It also prohibits local plans from discriminating against needed housing types.

Oregon City is required by regional and state requirements to provide an adequate supply of vacant and buildable land for future residential growth and ensure that land is designated for a variety of housing types to fit a range of income and need. The housing element and its supporting resource document are intended to satisfy those requirements, **consistent with sustainable development**.

Oregon City recognizes that the health of the city depends on the health of the neighborhoods **and ecosystems** that form the building blocks of a livable city. The housing goals and policies are intended to ensure that the integrity of existing neighborhoods is protected and that planning for new neighborhoods as the city expands is comprehensive, ~~and~~ inclusive of a range of housing types and services to serve residents, **and can be accommodated and continued without irreversible impairment of natural resources productivity, the ecosystem, and the quality of air, land and water resources.**

GOALS AND POLICIES

Goal 8.1: Providing diverse housing opportunities for Oregon City residents.

Provide for the planning, development and preservation of a variety of housing types and lot sizes for a range of income levels and preferences.

Policies

- Policy 8.1.1 Maintain the existing residential housing stock in established older neighborhoods by maintaining existing comprehensive plan and zoning designations where appropriate.
- Policy 8.1.2 Ensure active enforcement of the City's Municipal Code regulations to ensure maintenance of housing stock in good condition and to protect neighborhood character and livability.
- Policy 8.1.3 Designate residential land for a balanced variety of densities and types of housing, such as single-family attached and detached, and a range of multi-family densities and types, including mixed-use development, **in a manner that encourages sustainable development**.
- Policy 8.1.4 Aim to reduce the isolation of income groups within communities by encouraging diversity in housing types within neighborhoods consistent with the Clackamas County Consolidated Plan.

- Policy 8.1.5 Allow Accessory Dwelling Units under specified conditions in single-family residential designations with the purpose of adding affordable units to the housing inventory and providing flexibility for homeowners to supplement income and obtain companionship and security.
- Policy 8.1.6 Allow site-built manufactured housing on individual lots in single-family residential zones to meet the requirements of state and federal law. (Pursuant to state law, this policy does not apply to land within designated historic districts or residential land immediately adjacent to a historic landmark.)
- Policy 8.1.7 Develop criteria for the siting medium and high-density residential lands, **in a manner that encourages sustainable development.**
- Policy 8.1.8 Use a combination of incentives and development standards to promote and encourage well-designed single-family subdivisions and multi-family **sustainable** developments that result in neighborhood livability and stability.

Action Items

- Action Item 8.1.1 Continue to assess and review development standards for multi-family, commercial, institutional, and industrial developments to ensure a balance of flexibility and predictability and encourage good design standards.
- Action Item 8.1.2 Create and apply a higher density residential zone that allows up to 40 units per acre, with a minimum density provision **consistent with sustainable development practices.**
- Action Item 8.1.3 Amend the zoning code to allow a medium density, small-lot and single-family attached dwellings (e.g., rowhouses or town houses) in medium density plan and zoning designations.
- Action Item 8.1.4 Continue to assess and review the zoning regulations to ensure a balance of flexibility and predictability and to encourage good site design.
- Action Item 8.1.5 Develop incentive-based design standards for single-family **sustainable** development.

Background

Oregon City is unique in the area for its role in Oregon history and for the age and diversity of its housing stock. Many of the older homes and buildings have historical significance. Therefore, housing planning in the city is aimed at both development of new housing units and preservation or careful redevelopment of older historic housing units. Like many other communities in the Willamette Valley, Oregon City grew more quickly than expected in the 1990s—nearly doubling in size—and more units will be needed to accommodate new residents or citizens wishing to move into different types of housing.

Existing Conditions

This Housing Element summarizes the results of a housing study conducted in 2002 to determine whether existing comprehensive plan and zoning designations would accommodate growth through 2017. The study included an inventory of existing vacant buildable and underutilized land, compared the characteristics of the existing housing stock and demographics in Oregon City and the region, and forecasted housing needs. The housing study became the Housing Element Resource Document and supports this Housing Element. Readers should refer to the resource document for detailed information on Oregon City's demographic composition (2000), residential land inventory (2002), and projected housing need (to 2017).

The housing study revealed that affordability of housing is an issue, as in many jurisdictions. Housing affordability is based on the percentage of monthly income spent on housing. Using the US Department of Housing and Urban Development's standard formula to determine affordability of 30 percent of monthly income, 12 percent of Oregon City residents cannot afford a studio apartment, and over 23 percent are not able to afford a two-bedroom apartment.

Other demographic characteristics revealed by the housing study were:

- Oregon City has a higher percentage of its total population in group quarters (3.5 percent) than the Portland Metro Area (1.8 percent). The number of residents seeking housing in group quarters (nursing or residential care facilities) is likely to increase as the population ages over the next 20 years.
- Oregon City has a slightly younger population than the Portland metropolitan area.
- The percentage of female-headed households living in Oregon City in poverty is significantly higher than the Portland metropolitan area (25 percent to just over 20 percent).
- Household income distribution in Oregon City mirrors that of the Portland metropolitan area.
- Oregon City's composition of housing stock by type of housing (e.g., single family detached and multi-family) and the percentage of renters versus owners is similar to that in the Metro area.
- Oregon City has a deficit of land for multifamily units to meet expected demand.

State and Metro Requirements

The Statewide Planning Goal for Housing (Goal 10) is to provide for the housing needs of citizens of the state. Part of complying with the Housing Goal is ensuring not only that there is an adequate supply of vacant and buildable land for future growth, but also that the land is designated for a variety of housing types to fit a range of income, need, and preference.

In the mid-1990s, the Metro government adopted the 2040 Growth Concept, which was developed to ensure that the region complies with state goals for land use in a coordinated way and that housing and employment growth can be accommodated equitably across the region. After the establishment of the Metro Urban Growth Boundary (UGB) around the cities, the affected cities and counties negotiated targets for new dwelling units and jobs. In 1994, Metro and Clackamas County estimated that Oregon City should expect to accommodate 9,940 additional units between 1994 and 2017, within the city and the UGB. To comply with the Metro target, Oregon City needed to demonstrate that, after subtracting units built between 1994 and 2002, the land use designations on remaining vacant and underutilized land would

accommodate the difference in needed new dwelling units. If Oregon City could not accommodate the new housing units, then the City would need to find other ways to meet the capacity target, most likely through increasing minimum residential densities within the city and UGB.

The 2002 housing inventory revealed that 3,665 dwelling units were built between 1994 and 2002, which left 6,075 new units needed to meet the Metro 2017 target. After accounting for expected future accessory dwelling units and environmentally constrained land, the overall planned density of residential land in Oregon City and within the UGB was not sufficient to meet the dwelling unit capacity targets established by Metro. Full development of all vacant and partially vacant land under the current comprehensive plan designations would result in only 4,593 new units missing the capacity target by over 1,400 units.

Through the involvement of a citizen advisory group and with input from staff, the City made changes to the comprehensive plan map and to the zoning code. Overall, the changes in the comprehensive plan update provided the additional units needed to meet Metro's 2017 residential target for Oregon City. The 2002 population of 27,270 plus the population expected at build out (including the 2002 UGB expansions at South End Road and Redland Road), yields a population of approximately 45,700 in 20 years.¹

A new plan map designation of "Mixed Use" was developed to include the mixed use zones planned for downtown as well as other areas of the city suited to combinations of compatible uses. To increase the range of housing available, some areas of the city were recommended to be redesignated to more intense residential uses based on the following locational criteria:

- along arterials or collectors
- close to business districts and employment and education centers
- in the downtown mixed use area
- adjacent to similar more intense densities

Many of the policies from the 1982 comprehensive plan were still relevant and were carried over into the updated plan. Since the housing inventory conducted in 2002 established baseline data for housing, an action item to keep the database current was also added.

¹ Assumes 2.62 per household and 5% vacancy.

9. PUBLIC FACILITIES

[insert quote]

This section of the Oregon City Comprehensive Plan is intended to comply with Statewide Planning Goal 11, Public Facilities. This goal calls for efficient planning of public services such as sewers, water, law enforcement, and fire protection. The goal's central concept is that public services should be planned in accordance with a community's needs and capacities rather than be forced to respond to development as it occurs.

This element deals with the provision of public facilities and services to residents of Oregon City. The goals and policies are intended to foster sustainable development in Oregon City that is guided and supported by the timely, orderly and efficient provision of public facilities and services that can be accommodated and continued without irreversible impairment of natural resources productivity, the ecosystem, and the quality of air, land, and water resources. Oregon City is committed to providing safe and accessible public facilities that contribute to the quality of life and welfare of its citizens.

GOALS, POLICIES, AND ACTION ITEMS

Goal 9.1: Provision of Public Facilities

Serve the health, safety, education, welfare, and recreational needs of all Oregon City residents through the planning and provision of adequate public facilities consistent with sustainable development.

Policies

- Policy 9.1.1 Ensure adequate public-funding for the following urban facilities and services:
- a. Streets and other roads and paths
 - b. Wastewater collection
 - c. Storm water management services
 - d. Police protection
 - e. Fire protection
 - f. Parks and recreation
 - g. Water distribution
 - h. Planning, zoning and subdivision regulation
 - i. Library services
 - j. Aquatic Center
 - k. Carnegie Center
 - l. Pioneer Community Center
 - m. City Hall
 - n. Buena Vista House
- Policy 9.1.2 Provide public facilities and services for sustainable development, consistent with the goals, policies and implementing measures of the comprehensive plan.
- Policy 9.1.3 Confine urban public facilities and services to the city limits except where allowed for safety and health reasons in accordance with state land use planning

goals and regulations. Facilities that serve the general public will be centrally located and accessible, preferably by multiple modes of transportation.

Policy 9.1.4 Support **sustainable** development on underdeveloped or vacant buildable land within the City where urban facilities and services are available or can be provided and where land use compatibility can be found relative to the environment, zoning, and comprehensive plan goals, **consistent with sustainable development**.

Policy 9.1.5 Design the extension or improvement of any major urban facility and service to an area to complement other urban facilities and services at uniform levels, **consistent with sustainable development and the carrying capacity of the land**.

Policy 9.1.6 Enhance efficient use of existing urban facilities and services by encouraging **sustainable** development at maximum levels permitted in the comprehensive plan, implementing minimum residential densities, and adopting an Accessory Dwelling Unit Ordinance to infill vacant land.

Policy 9.1.7 Develop and maintain a coordinated Capital Improvements Plan which provides a framework, schedule, prioritization, and cost estimate for the provision of urban facilities and services within the City of Oregon City and its Urban Growth Boundary.

Goal 9.2: Wastewater

Seek the most efficient, and economic, and sustainable means available for constructing, operating, and maintaining the City's wastewater collection system while protecting the environment and meeting state and federal standards for sanitary sewer systems.

Policies

Policy 9.2.1 Plan, operate, and maintain the wastewater collection system for all current and anticipated city residents within the existing urban growth boundary. Strategically plan for future expansion areas.

Policy 9.2.2 Given the vision for Clackamette Cove, investigate strategies to deal with increased flows, including alternate locations for treatment, from growth in the Damascus area and the potential closure of the Kellogg Plant.

Policy 9.2.3 Work with Tri-City Service District to provide enough capacity in its collection system to meet standards established by the Oregon Department of Environmental Quality (DEQ) to avoid discharging inadequately treated sewage to surface waters.

Policy 9.2.4 Seek economical means to reduce inflow and infiltration of surface and ground water into its wastewater collection system. As appropriate, plant riparian vegetation to slow stormwater, and to reduce erosion and stream sedimentation.

Policy 9.2.5 Implement the City's wastewater policies through the Wastewater Master Plan.

Action Items

- Action Item 9.2.1 Implement a Capacity, Management, Operations and Maintenance (CMOM) program, including, TV inspection, flow monitoring, and smoke testing to document existing system problems.
- Action Item 9.2.2 Upgrade pump stations as needed to reduce the potential for malfunctions and bypasses.
- Action Item 9.2.3 Continue to work with Tri-City Service District to reduce inflow and infiltration (I&I) into the system.
- Action Item 9.2.4 Implement the capital improvement program defined in the Wastewater Master Plan.

Goal 9.3: Water Distribution

Seek the most efficient, and economic, and environmentally sustainable means available for constructing, operating, and maintaining the City's water distribution system while protecting the environment and meeting state and federal standards for potable water systems.

Policies

- Policy 9.3.1 Plan, operate, and maintain the water distribution system for all current and anticipated city residents within its existing urban growth boundary and strategically plan for future expansion areas.
- Policy 9.3.2 Collaborate with the South Fork Water Board to ensure that an adequate water supply system is maintained for residents. Coordinate with the South Fork Water Board, the City of West Linn, and Clackamas River Water to ensure that there is adequate regional storage capacity.
- Policy 9.3.3 Maintain adequate reservoir capacity to provide all equalization, operational, emergency, and fire flow storage required for the City's distribution system.

Action Items

- Action Item 9.3.1 Implement the capital improvement program defined in the Water Master Plan.
- Action Item 9.3.2 Strategize funding, determine optimum location, and prepare preliminary design alternatives for additional water storage capacity (reservoir).
- Action Item 9.3.3 Continue pipe replacement program to upsize and replace deficient water lines.
- Action Item 9.3.4 Install additional pressure reducing valves to eliminate need for individual pressure reducers on individual properties.

Goal 9.4: Stormwater Management

Seek the most efficient, ~~and~~ economical, and environmentally sustainable means available for constructing, operating, and maintaining the City's stormwater management system while protecting the environment and meeting regional, state, and federal standards for protection and restoration of water resources and fish and wildlife habitat.

Policies

- Policy 9.4.1 Plan, operate, and maintain the stormwater management system for all current and anticipated city residents within Oregon City's existing urban growth boundary and strategically plan for future expansion areas.
- Policy 9.4.2 Adopt "green streets" standards to reduce the amount of impervious surface and increase the use of bioswales, **rainwater catchment systems and other innovative methods** for stormwater retention ~~where practicable~~.
- Policy 9.4.3 Assure parking lot designs mitigate stormwater impacts. Take measures to reduce waterflow and increase water absorption through the use of bioswales, vegetated landscaped islands with curb cuts to allow water inflow, and tree planting.
- Policy 9.4.4 Maintain existing drainageways in a natural state for maximum water quality, water resource preservation, and aesthetic benefits.
- Policy 9.4.5 Design stormwater facilities to discharge surface water at pre-development rates and enhance stormwater quality in accordance with criteria found in the City's *Stormwater and Grading Design Standards*.
- Policy 9.4.6 Regularly review and update the above standards to reflect evolving stormwater management techniques, maintenance practices, and environmental compatibility, **consistent with sustainable development and the carrying capacity of the land**.
- Policy 9.4.7 Provide stormwater management services and monitor and report the impacts of those services in accordance with its NPDES MS-4 permit.

Action Items

- Action Item 9.4.1 Review Public Works Stormwater and Grading Design Standards regularly to monitor effectiveness and local infrastructure and downstream watershed impacts.
- Action Item 9.4.2 Eliminate remaining cross connections with wastewater collection infrastructure.
- Action Item 9.4.3 Develop an approved method for discharging gutter downspouts **into catchment systems or** as surface runoff to lawns or other landscaping rather than connecting directly to the piped system below the roads.

- Action Item 9.4.4 Prepare a Stormwater Management Master Plan for all drainages in the city using a watershed approach that addresses conveyance, detention and natural resource.
- Action Item 9.4.5 Review performance of detention ponds and implement improvements where necessary.
- Action Item 9.4.6 Review Storm Drain Fee methodology, update to determine city-wide operations and maintenance needs for the stormwater management system, and adjust fees as appropriate.
- Action Item 9.4.7 Implement the capital improvement program defined in the master plans.

Goal 9.5: Solid Waste

Seek to ensure that the most cost effective integrated solid waste plan is developed and implemented, consistent with sustainable development.

Policies

- Policy 9.5.1 Acknowledge Metro's responsibility for preparing and implementing the Regional Solid Waste Management Plan as solid waste disposal is a regional concern requiring regional solutions.
- Policy 9.5.2 Coordinate with Metro and the County as needed to help implement the goals and objectives of the Regional Solid Waste Management Plan.
- Policy 9.5.3 Commit to long-term sustainability and recognize the link between reduction of solid waste, reuse and recycling of materials, and protection of natural resources.

Goal 9.6: Transportation Infrastructure

Optimize the City's investment in transportation infrastructure, consistent with sustainable development.

Policies

- Policy 9.6.1 Recognize that alternative funding sources will be needed to maintain the City's transportation system operations and maintenance.
- Policy 9.6.2 Investments will be made to accommodate multi-modal traffic as much as possible to include bike lanes, bus turnouts and shelters, sidewalks, etc., especially on major and minor arterial roads, and in regional and employment centers.
- Policy 9.6.3 Advocate for local, state, and regional cooperation in achieving an integrated connected system such as for the Amtrak station, light rail, and bus transit.

Action Items

- Action Item 9.6.1 Pursue alternative funding sources to provide cost-effective transportation system operations and maintenance.

- Action Item 9.6.2 Establish a Park and Ride facility for rapid transit or light rail.
- Action Item 9.6.3 Establish a public transportation route connecting the Amtrak Train Station to the downtown Tri-Met bus station.

Goal 9.7: Non-City Utility Operations

Coordinate with utilities that provide electric, gas, telephone and television cable systems, and high speed internet to Oregon City residents to ensure adequate service levels.

Policies

- Policy 9.7.1 Require local service lines in new subdivisions be placed underground.
- Policy 9.7.2 Seek methods of funding for the relocation of utilities underground in existing areas, especially along commercial corridors and business districts, such as a modest surcharge on power bills.
- Policy 9.7.3 Coordinate with private utility providers to install infrastructure during street construction and maintenance activities to reduce the need to repeatedly cut into newly paved streets.
- Policy 9.7.4 Adopt lighting practices in street and other public facilities, and encourage it in private development to reduce glare, light pollution, light trespass, and energy use, while maintaining even lighting ensuring good visibility and safety for the public.
- Policy 9.7.5 Encourage development of broadband networks in street rights-of-way in a coordinated way to provide state of the art technology to its residents.
- Policy 9.7.6 The cell tower ordinance will be maintained and enforced to reduce the visual impacts of this infrastructure. Innovations in reducing, camouflaging or screening cell towers will be adopted, supported and encouraged.

Action Items

- Action Item 9.7.1 Investigate provision of City-owned telecommunications facilities if underprovided.
- Action Item 9.7.2 Seek methods of funding for the relocation of utilities underground in existing areas, especially along commercial corridors and business districts, such as placing a modest surcharge on power bills.

Goal 9.8: Health and Education

Work with health care and education providers to optimize the siting and use of provider facilities, consistent with sustainable development.

Policies

- Policy 9.8.1 Work with Clackamas County as needed to ensure that county services are sited appropriately consistent with sustainable development and that citizens of Oregon City continue to have access to County health and human services.

- Policy 9.8.2 Coordinate with the master planning efforts by Willamette Falls Hospital to address **environmental**, neighborhood and health provider concerns about future expansion plans, parking, traffic, and circulation.
- Policy 9.8.3 Coordinate with the Oregon City School District to ensure that elementary and middle school sites occupy locations within and as central to the neighborhoods they serve as possible.
- Policy 9.8.4 Require secondary schools within the Urban Growth Boundary be subject to the development review process for impacts on land uses, **the environment** and services.
- Policy 9.8.5 Require trails around the Oregon City High School and Clackamas Community College to augment the natural resources areas and offer a recreational opportunity for the entire community.
- Policy 9.8.6 Review subdivision proposals for impact on the school system.

Action Items

- Action Item 9.8.1 Rezone Clackamas Community College and Willamette Falls Hospital to a consistent new campus-type zoning designation that would support efficient land use with the long-term plans of the College and Hospital.

Goal 9.9: Fire Protection

Maintain a high level of fire suppression and emergency medical services capacity.

Policies

- Policy 9.9.1 Ensure that all areas, including newly annexed areas, receive uniform levels of fire protection and emergency medical services.
- Policy 9.9.2 Maintain the city's Class IV fire insurance rating and work towards achieving a Class III rating, as funds are available.
- Policy 9.9.3 Promote public awareness of fire prevention techniques, emergency management, and emergency preparedness education programs as important components of community safety.

Action Items

- Action Item 9.9.1 Develop and implement emergency management and emergency preparedness education programs.

Goal 9.10: Police Protection

Preserve the peace and provide for the safety and welfare of the community.

Policies

- Policy 9.10.1 Emphasize the protection of life and property in Oregon City.

Policy 9.10.2 Maintain continuous liaison with other elements of the criminal justice system.

Policy 9.10.3 Strive to provide rapid response to emergency and non-emergency calls. The police response goals are:

- Maximum three minutes response on life saving emergencies.
- Maximum of four minutes, 80% of the time, for crimes in progress, potential threat to life.
- Maximum ten minutes, 80% of the time, for non-emergencies.

Policy 9.10.4 Promote traffic safety through active traffic law enforcement and the investigation of accidents, to reduce injuries and fatalities from traffic accidents.

Policy 9.10.5 Meet contemporary, professional standards for police officer training including:

- In-service training at roll call.
- Scenario-based training.

Policy 9.10.6 Retain patrol and investigation as the primary functions of the Police Department.

Policy 9.10.7 Maintain an active Police Reserve Program and train reserves to meet the requirements of the Police Reserve Program.

Policy 9.10.8 Maintain vehicles to ensure 24-hour availability and usage.

Policy 9.10.9 Continually evaluate operations to maximize effectiveness and efficiency.

Policy 9.10.10 Seek to have a department and community committed to the philosophy of Community-oriented Policing. Develop community partnerships so that both the community and department are empowered to solve problems and seek creative solutions.

Policy 9.10.11 In addition to enforcement, help deter crime through proactive programs that emphasize education, prevention, and cooperation.

Action Items

Action Item 9.10.1 Continue to implement policing policies in Oregon City through the department's Strategic Plans.

Action Item 9.10.2 Seek community support for funding an increase in staffing levels and improvement of police facilities to acceptable standards.

Goal 9.11: Civic Facilities

Strategically locate civic facilities consistent with sustainable development to provide efficient, cost effective, accessible, and customer friendly service to Oregon City residents.

Policies

- Policy 9.11.1 Locate City facilities ~~in a way consistent with sustainable development such that ensures~~ customer service and ~~provides~~ easy access to the majority of residents **are provided**. Access should be provided for the physically impaired and for those traveling by transit, bicycle, or foot.
- Policy 9.11.2 Implement measures to maximize and leverage resources and increase services to the public.
- Policy 9.11.3 Locate facilities **consistent with sustainable development** that serve similar needs of residents together or in close proximity to increase convenience and reduce the need for multiple trips.
- Policy 9.11.4 Incorporate measures to meet long-term rising demand for services. Provide for future needs of increased staff, space and storage when purchasing or building new city facilities.
- Policy 9.11.5 Locate City facilities **consistent with sustainable development** in locations that can assist in the revitalization of the downtown area.
- Policy 9.11.6 Support City owned historic facilities.

Action Items

- Action Item 9.11.1 Develop an inventory of city, county, state, school district and other public facilities in Oregon City and map sites using GIS.
- Action Item 9.11.2 Pursue co-location with other government service providers such as Clackamas County, School Districts, and state government where feasible to reduce costs and improve service and convenience to residents.
- Action Item 9.11.3 Evaluate the feasibility of building a new City Hall, which would include, at a minimum, the administrative functions of the City including the City managers office, public works administration, community services, community development, finance and the city commission chambers. A new City Hall does not need to include police or the public works shops since their locational requirements are different. The City Hall may also include a library, depending on the location. However, the Library may serve a larger population, therefore its requirements may also be different. An important factor for the City Hall location should include proximity to downtown and other City facilities. Such locations are important since they may help revitalize downtown and increase the ease of access to other City facilities and amenities, such as the Carnegie Center. Locations including the area near 7th Street and Washington and the County Courthouse (should it become available) are possibilities. Other locations may include the old High School.

Action Item 9.11.4 Adopt and implement a public facilities master plan that determines where City services are best located over the long term.

Background

LCDC Goal 11 requires that development be guided and supported by the timely, orderly and efficient provision of public facilities and services, including police protection, wastewater collection and treatment, water supply and distribution, stormwater management, health services, energy and communication services, and local governmental services. Comprehensive plans are required to provide for key facilities. A public facility or service should not be provided unless there is a provision for the coordinated development of other urban facilities and services appropriate to the area. Highest priority should be given to service provisions within City limits. Services should also be extended on a timely basis to serve development within the UGB.

Below is a brief description of the community facilities provided by Oregon City or other providers. Relevant ancillary documents are referenced as well. The Oregon City Comprehensive Plan Resource Document contains more detailed information about existing conditions, including system maps.

Wastewater Collection, Water Distribution, and Stormwater Management

The planning and implementation of wastewater collection (sanitary sewer), water distribution, and stormwater management systems in Oregon City are governed by documents ancillary to the comprehensive plan, including:

- Sanitary Sewer Master Plan (2003)
- Water Master Plan (2003)
- Drainage Master Plan (1988)
- Caufield Basin Master Plan (1997)
- South End Basin Master Plan (1997)

Funding for operations and maintenance of the City's wastewater collection, water distribution, and stormwater management systems is provided by utility fees paid by users.

Wastewater: Oregon City collects wastewater within the community for treatment at the Clackamas County Tri-City Water Pollution Control Facility (WPCF). The Oregon City Sanitary Sewer Master Plan establishes the existing and future wastewater collection system. The plan indicates that Oregon City's sanitary sewer system is in relatively good condition with isolated areas of capacity-related problems for the next 20 years for land within the UGB. The greatest deficiencies in the system are found in the older pipes which will need repair, rehabilitation, or replacement. In addition, the City continues to work with Tri-City Service District to reduce inflow and infiltration (I&I) into the system.

The Tri-City treatment plant is located in Oregon City and has historically treated wastewater from West Linn and Gladstone (thus the Tri-cities). Wastewater flows from the greater Clackamas County area were recently diverted to the Tri-City plant as a result of a cost-efficient strategy that benefited Tri-City ratepayers. Increased flows may occur if the Kellogg plant in Milwaukie closes and as growth occurs in the Damascus area. The need for major expansion to this plant will have to be weighed against the need to preserve the valuable property around the

plant for future parks, recreation, and mixed-use development. The City and Tri-City should continue to collaborate on the Clackamette Cove area improvements identified in the Tri-City WPCP Master Plan and the Oregon City Waterfront Master Plan.

Water: Surface water from the Lower Clackamas River is the source of potable water for Oregon City and West Linn. The South Fork Water Board is a wholesale water supplier that is equally owned by the Cities of Oregon City and West Linn. The water is distributed by each city under separate utility departments. The South Fork Water Board has secured rights to withdraw 42.6 mgd at its existing water intake. These rights are expected to sufficiently meet the projected 30-year demand. Water storage within Oregon City's distribution system will need to be expanded to meet growing needs.

Stormwater: The focus of stormwater management has changed over the years from underground combined and piped systems to maintaining open natural drainage channels where possible. The subbasin master plans like those for Caufield Creek and South End call for drainageways to remain in a natural state for maximum water quality, water resource preservation, and aesthetic benefits. The City's *Stormwater and Grading Design Standards* manual encourages open ponds for stormwater runoff control where feasible. Detention ponds that serve more than one development and regional detention facilities are **may be preferred** because they require a lower level of monitoring and maintenance effort than single site or on-site detention. **However, single site or on-site detention may be preferable through the use of rain catchment systems and other sustainable development techniques.** Updated plans for all of the drainage basins in Oregon City should be developed using a watershed planning approach.

The City's stormwater management program is subject to the City's NPDES MS-4 (National Pollution Discharge Elimination System Municipal Separate Storm and Sewer System) permit which is administered by the Oregon Department of Environmental Quality (DEQ) for the United States Environmental Protection Agency (EPA).

Oregon City, Clackamas County and its other urban municipalities have operated since 1996 under a joint NPDES permit that prescribes requirements for each entity. Oregon City is responsible for regular maintenance and monitoring of the system and the flows conveyed to assure environmental integrity of the system's receiving waters (the Willamette and Clackamas Rivers). The City prepares annual reports that document permit compliance.

Solid Waste (Trash) Disposal

Curbside collection of garbage and recyclables is franchised by Oregon City to Oregon City Garbage Company for most residences and businesses in the city limits. Metro oversees regional garbage disposal and recycling and waste reduction programs and owns the Metro South Transfer Station on Washington Street near Highway 213. Regional landfill sites are estimated to have potential capacity to serve the region until mid-century. (*Regional Solid Waste Management Plan, 1995-2005*, Metro, reprinted April 1999) so no capacity issues are anticipated for the duration of this comprehensive plan.

Transportation Infrastructure

The planning and implementation of transportation systems in Oregon City are governed by the Oregon City Transportation System Plan (TSP), adopted in 2001. The City is subject to Oregon Revised Statute (ORS) 197.712 and the Land Conservation and Development Commission (LCDC) Oregon Administrative Rule (OAR 660-12) known as the Transportation Planning Rule (TPR).

The Oregon City Public Works Street Division provides operations and maintenance for city streets. As of 2002, funding for transportation infrastructure maintenance has been primarily limited to gas tax revenues which provide a limited maintenance budget and no funding for capital needs (pavement reconstruction, new or replacement sidewalks and curbs, replacement signals, etc.). Oregon City has historically sold bonds to pay for transportation infrastructure and road maintenance, but the pay-back obligations cripple ongoing maintenance needs. Based on pavement management system data and capital improvement needs, the gas tax needs to be supplemented by additional revenue. Alternative funding sources are needed to maintain the city's transportation system at a cost-efficient level. The City should work with Tri-Met to develop Park and Ride facilities at convenient neighborhood nodes to facilitate access to regional transit.

Electricity, Gas, Telecommunications, and Telephone Facilities

Several utilities provide energy and communication services to residents and businesses in Oregon City. Portland General Electric, an electric utility providing electricity to Oregon City, owns generating and transmission facilities. The Bonneville Power Administration markets wholesale electrical power and operate a high voltage transmission line just south of Oregon City and just east of Holly Lane in Newell Canyon. Currently, there is no electricity deficiency in the Oregon City area that would limit industrial, commercial, or residential expansion. Future expansion of transmission line facilities should be located underground where economically and technically feasible to preserve the aesthetic qualities of neighborhoods and reduce the risk of power outages. Local service lines in new subdivisions should be underground. Development of a new program to bury existing power and telephone lines should be encouraged. Sub-stations should continue to be allowed as a conditional use.

Northwest Natural (NWN) pipes natural gas to homes and businesses in the Metro area. NWN's system is sized to support the existing customer base. Planning capacity for the future is focused primarily on the supply of natural gas, not on the supply of pipelines. There are no infrastructure capacity constraints with the existing natural gas pipeline system.

Qwest Communications International Inc. provides local, long distance, and wireless telephone services as well as broadband data, and voice and image communications for businesses and consumers. Qwest maintains older telephone transmission lines and newer fiber optic lines. Beaver Creek Telephone provides local services as well.

Emerging technologies, including wireless communications, geographic information systems, and digital subscriber lines (DSL) play increasingly important roles in the economy and education. Still, the growth of emerging technologies is so rapid and volatile that documenting current information transmission resources, providers, demand, and usage in the Oregon City

area is extremely difficult. Because information transmission resources are federally regulated, the Federal Communications Commission maintains a listing of its Clackamas County licensees, which indicates that all the emerging technologies listed are available to the residents of Oregon City to some degree. Because these resources are typically privately owned, the City's role in the information transmission system should be to inform city residents and businesses about available resources and act as an advocate for the provision of up-to-date services to residents and businesses. Staff needs to keep abreast of methods of mitigating adverse impacts that can result from both the volatility of the industry and the construction of system infrastructure such as cell towers and in-ground fiber optic lines.

Health Services

Health services in Oregon City consist of Willamette Falls Hospital, Clackamas County departments for human and social services, and a variety of private providers of communal care such as assisted living, nursing homes, and retirement communities.

Willamette Falls Hospital has a Master Facilities Plan that projects demand and expansion needs for 10 to 20 years. The hospital has been purchasing properties in the neighborhood in anticipation of expansion, but traffic circulation and access continues to be a challenge and may be a hindrance to future expansion. The City and County should continue to work with the hospital to balance the needs of the neighborhood, health care users, and the hospital. New health service facilities, including doctor and dentist offices, should be compatible in size and scale with surrounding areas. A City approved master plan is needed to assure adequate facilities and infrastructure during future construction phases.

Clackamas County health services are found in various locations in the city. Although regional health planning is essentially provided by other public and private providers, Oregon City should endeavor to keep abreast of changes in the citizen population and health care trends that can affect land uses. For example, "aging in place" refers to providing accommodations for citizens that can be adapted to the physical limitations associated with aging, and thereby limit disruption to individuals. Issues of compatibility of health care facilities with adjacent land uses are also a concern. (Source: Clackamas County). In addition, the City should support revisions of the Uniform Building Code that require adequate facilities be included in single-family and appropriate multi-family residences to accommodate accessibility for the disabled.

K-12 Education

The Oregon City public education system consists of elementary schools, middle schools, and a high school. The Oregon City School District projects enrollment for each school based on a ratio of 0.94 school children per residential household, taking into account demographic trends and interest rates. A "rolling" five-year projection is done every fall to ensure that the facilities will be able to accommodate growth over time. A ratio of 25 students per classroom is considered preferred, while the maximum capacity is considered to be 30 students per classroom.

To the extent possible, future school facilities should be located within the Urban Growth Boundary in neighborhoods to reduce traffic impacts and better serve the surrounding residents. Elementary schools should be located in or at least adjacent to residential areas, to maintain convenience for students, to provide a focus for the neighborhood and to promote energy

conservation. Neighborhood schools and athletic facilities should also serve a “community center” function by being available during evenings and weekends for community meetings and events. The disposition of the original high school will be studied in conjunction with both the Oregon City School District and the City of Oregon City for the mutual benefit of all residents to include public and private students.

Higher Education

Clackamas Community College (CCC) has been, and will continue to be, an important resource and significant partner in the future development and character of Oregon City. CCC offers a wide array of educational opportunities, job training, social programs, recreational facilities, and meeting spaces that benefit the residents of Oregon City and the surrounding communities. CCC is connected to Oregon City High School-School to the south by a walking path, allowing access of high school students to CCC for advanced classes. Development on nearby industrial land should offer opportunities for internship and employment opportunities for students at both CCC and OCHS.

The TriMet hub on the center of campus will play a role in future public transportation routes through Oregon City and should be enhanced to improve service. The Environmental Learning Center offers provides a valuable community resource as an educational and demonstration site. The Haggart Observatory is among the largest telescopes in the Pacific Northwest, and is a positive educational resource that should be protected. Lighting standards to protect the night skies from increased light pollution should be pursued, including minimum lighting standards where suitable, and appropriate shielding of parking, street, path, and building lights.

CCC and the City should work cooperatively to properly zone the 164-acre CCC site to allow for taller buildings to increase the efficient use of the remaining property in a compact and dense urban form. There is still vacant land on the campus that would allow the college’s facilities to expand. Master planning of the site is also critical to ensure that adequate facilities are available in a timely manner for the students of CCC, and that the pedestrian and transportation system, including the extension of Meyers Road, can support the increased enrollment that will be associated with the expanded services CCC will provide. The City should support expansion, if it is consistent with good site planning and design compatible with adjacent conforming uses.

Civic Center

Many civic functions are performed in the City Hall building and connected portable buildings on Warner Milne Road. In order to continue to provide services efficiently, the City needs to examine its operations and facilities and develop an overall facility plan for future development.

The City Hall building contains facilities for the City Commission and Manager, the Municipal Court, and the departments of Community Development, Public Works, Finance, Police, and Community Services. The permanent building, which contains offices and the City Commission/Municipal Court Chambers, is supplemented by three portable buildings connected by covered walkways. Space and design constraints of the City Hall facility on Warner Milne Road severely limit space and function for future staff needs. The existing facility is undersized for existing staff and does not allow for desired and much needed additional staff. The City

supports continuing efforts to develop a long-term plan for providing a permanent home for City departments.

The Community Development Department provides long-range and current planning and design review services. The City's Geographic Information System (GIS) provides mapping and is a critical support function for all planning functions.

The Public Works Department plans and constructs capital improvements and operates and maintains city infrastructure, administers the downtown parking program, and provides code enforcement.

The Finance Department oversees the annual budget; provides accounts receivable, accounts payable, and utility billing services; and provides human resources support for all departments.

The Police Department consists of three divisions: support, records, and operations (chiefly patrol, including traffic). Facilities at City Hall for the department are severely deficient. The City should work to develop more stable funding to support the minimum level of service for policing as the city grows.

The Community Services Department plans and operates the city's library and parks and recreation activities (see list under recreation facilities).

The Oregon City Public Library leases a 13,000 square foot facility on Warner Milne Road for its collection of 98,000 items. According to Oregon Library Association standards, the Oregon City library does not meet the adequate standard for the number of employees per the size of the service area. There are currently no public meeting, study, or equipment-use rooms. The City supports the library building program plan for a new facility to accommodate growth over the next 20 years. The City of Oregon City is actively searching for a site for a new library, which should be centrally located and accessible by multiple modes including car, transit, pedestrian, and bicycle amenities where possible.

OCPW Operations, Reservoirs, and Pump Station Sites

The Operations Division of the Public Works Department resides in facilities located throughout the city that provide offices for operations staff; shops for sign fabrication; storage for equipment, tools, and inventory for pump station and pipe maintenance; storage for fleet; and shops for fleet maintenance. Pump station and reservoir sites are located at strategic locations throughout the city and are secured, controlled, and monitored through telemetry.

Oregon City provided its own fire protection until it arranged for fire and emergency services by different agencies under contract. In 1999, responsibility for fire protection was transferred to Tualatin Valley Fire and Rescue (TVFR), East Division. Since July 2003, fire protection has been provided by Clackamas County Fire District #1.

The East Division office is currently in a historic building, Station 54, and is staffed by a Division Chief and 10 other employees in a variety of emergency and community service roles. Two fire stations are maintained: the main station at the old City Hall in the McLoughlin Neighborhood, and a substation along Molalla Avenue near Clackamas Community College.

Plans for a new fire station have been approved for a site on South End Road. Funding for construction is available and construction began in 2002. No funding for equipment has been allocated as of 2002. The City should work to develop more stable funding to support the provision of adequate fire and emergency services as the city grows.

Recreation Facilities

The City owns and oversees a number of parks and recreation facilities in numerous locations throughout the city. The major community buildings include the Aquatic Center, Buena Vista House, Carnegie Center, Ermatinger House, and the Pioneer Community Center. A brief description of each facility is found below, while the Parks and Recreation Master Plan discusses these facilities and future plans for them in greater detail. The Master Plan notes that all facilities except the Aquatic Center are in good condition requiring only minor improvements, if any.

The End of the Oregon Trail Interpretive Center, which is located on a City Park that was formerly Kelly Field, a baseball and sports field, is located on a 8.40-acre site in the north portion of town adjacent to the County Maintenance Shops. While the City owns and maintains the site, the Oregon Trail Foundation operates the interpretive facility and a Visitor Information Center.

The McLoughlin, Buena Vista, and Barclay Houses are historic homes (now museums). The National Park Service manages them while the City maintains the grounds.

The Ermatinger House sits on 0.25 acres and is one of the oldest buildings in Oregon. Currently it is currently being used as a museum.

The Aquatic Center is adjacent to the Oregon City High School – Jackson Campus. It is heavily used by the high school as well as by residents from the city and the surrounding areas. Facilities include an indoor pool, a wading pool, and meeting space. The Center has deteriorated from age and inadequate maintenance and has functional problems related to its location in a residential area with limited parking. Since a significant amount of public investment would be required to remedy the problems, a feasibility study should be conducted to determine whether the City should upgrade it or construct a new center in a more suitable location.

The Carnegie Center is a 1.30-acre site located in the middle of the McLoughlin neighborhood. Once the City Library, the building was converted into a cultural arts facility with an art center, children's area and coffee shop. Other facilities include a wading pool, playground and pathway system.

The Pioneer Community Center is a building used primarily for senior-related activities and services. Aside from the center, facilities at the site consist of a peace garden, pathway system, and parking area. While the main level of the building is extensively used, the basement is underutilized because of past water leaks.

Summary

The preceding plans for provisions of public facilities and services can be implemented a number of ways.

General Fund. Limited revenue source from property taxes and shared by a multitude of other government agencies and special districts.

Urban Renewal funding comes from designating specific areas as deficient in assessed values and development ability and creating a plan for increasing property tax values and revenues through public infrastructure improvements and private development incentives. The Urban Renewal tax mechanism affords municipalities the opportunity to collect revenues for highly needed value-based improvements for which other resources are insufficient. The improvements, in turn, provide a higher tax base for future City budgets.

The Capital Improvement Program (CIP) provides a detailed financial analysis of proposed projects, and generally is a short term (1-5 years) plan for public facility improvements and extension.

Special levies or bond issues can be submitted to voters to raise funds for specific projects. These tools have traditionally been used for large projects such as school funding, construction or purchase of recreational facilities, and sewer or water system replacement.

Grants may be available for many projects meeting certain federal and/or state guidelines. Local Improvement Districts (LID) are useful for many projects deemed necessary only for a small area.

User fees can be assessed for many services. Provision of water, wastewater, stormwater, street maintenance, power, gas, telephone, garbage removal, health services, and some governmental services (courts and permit issuance) can be funded in this manner.

System Development Charges are collected when building permits are issued and are used to construct infrastructure required to serve new development and growth of system needs. The SDC is directly related to the CIP for Transportation, Water, Wastewater, Stormwater, and Parks.

Tax increases may also be used, although they are usually insufficient and highly unpopular.

Although funding is not directly addressed, many planning mechanisms, including zoning, subdivision control, site plan review, and others are used to require or encourage installation of many public facilities and services.

Better coordination of services and improved operating efficiencies are highly desirable, where possible.

The costs of public facilities serving new developments should be borne as much as possible by builders and residents of developments. New development proposals should be approved only if

the vital public facilities necessary for additional land development and population growth are existing or committed.

Parking

The TSP complies with Metro's parking requirements in the *Urban Growth Management Functional Plan* by establishing parking maximums at ratios no greater than those listed in the *Urban Growth Management Functional Plan* for the areas illustrated on the Regional Parking Maximum Map. It is City policy to have development regulations that are consistent with the maximums allowed by the regional plans.

The Code Enforcement Division operates, maintains, and provides enforcement for metered parking, city-owned parking lots, and other parking restrictions throughout Oregon City. Strategies for downtown parking accessibility should be reviewed and implemented regularly to support the viability of the Downtown Community Plan. To ease demand for parking in these areas, the City will work to provide better transit, pedestrian, and bike connections where appropriate.

[ADD Functional classification map and 7th Street Corridor map]

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10. TRANSPORTATION

This section of the Oregon City Comprehensive Plan is intended to comply with Statewide Planning Goal 12, Transportation, which aims to provide "a safe, convenient and economic transportation system." It asks local government to address the needs of the "transportation disadvantaged."

How a city manages its transportation system is integral to its well-being. Oregon City shall strive for a complete, functional, and safe transportation system that insures the city's continuing growth and development, and protection of the quality of life of its citizens **that can be accommodated and continued without irreversible impairment of natural resources productivity, the ecosystem and the quality of air, land, and water resources.** The Transportation System Plan (TSP) is an ancillary plan to the comprehensive plan that creates and supports goals and policies designed to contribute to the quality of life for residents and to the movement of goods and services for local businesses. This element consists of the key parts of the TSP, and additional goals and policies related to other ancillary transportation plans, such as corridor plans for 7th Street and Molalla Avenue, and sustainable practices. The city is working on plans to improve the 99E corridor in terms of access control, landscaping, pedestrian safety, and connection to the riverfront.

GOALS, POLICIES, AND ACTION ITEMS

Goal 10.1: Land Use-Transportation Connection

Ensure the mutually supportive nature of land use and transportation is recognized in planning for the future of Oregon City, consistent with sustainable development.

Policies

- Policy 10.1.1 Maintain and enhance citywide transportation functionality by emphasizing multi-modal travel options for all types of land uses.
- Policy 10.1.2 Continue to develop corridor plans for the major arterials in Oregon City, providing for appropriate land uses in and adjacent to those corridors to optimize the land use-transportation connection, **consistent with sustainable development**
- Policy 10.1.3 Implement programs such as the 7th Street Corridor Design Plan to improve areas for residents, pedestrians, and businesses, **consistent with sustainable development.**
- Policy 10.1.4 Incorporate Metro design concepts such as designating 7th Street as a Main Street. Support mixed uses with higher residential densities in transportation corridors, including consideration of financial and regulatory incentives to upgrade existing buildings.
- Policy 10.1.5 Implement the vision for Molalla Avenue according to the Molalla Avenue Boulevard and Bikeway Improvements Plan and Safety and Enhancement Plan.

- Policy 10.1.6 Improve pedestrian and bicycle facilities and amenities on Molalla Avenue to comply with the Metro Transit/Mixed Use corridor designation, **consistent with sustainable development**.
- Policy 10.1.7 Implement Highway 99E corridor design improvements per the Highway 99E/McLoughlin Enhancement Project, **consistent with sustainable development**.
- Policy 10.1.8 **Provide for walkable neighborhoods. Walkable neighborhoods are desirable places to live, work, learn and play, and, therefore, a key component of smart growth.**

Action Items

- Action Item 10.1.1 Develop design, and signage, and **lighting** guidelines for new construction and redevelopment on designated main streets and corridors.
- Action Item 10.1.2 Request a City/School District/Neighborhood task force to consider the future of Eastham School, and develop a plan that is compatible with the vision for the 7th Street corridor.
- Action Item 10.1.3 Prepare a housing market study for the 7th Street corridor.
- Action Item 10.1.4 Promote high-density mixed-uses along the Molalla Avenue corridor.
- Action Item 10.1.5 Investigate the possibility of a new street connection between South End Road and Highway 99E between downtown and New Era.
- Action Item 10.1.6 Implement design improvements for Highway 99E/McLoughlin Enhancement Project.
- Action Item 10.1.7 Investigate the possibility of a new east-west street connection from Highway 213 to Willamette Falls Hospital.

Goal 10.2: Local and Regional Transit

Promote South Corridor bus, Bus Rapid Transit, or light rail that serves Oregon City as well as local transit opportunities.

Policies

- Policy 10.2.1 Explore local and regional transit opportunities to promote availability of non-single-occupancy vehicle travel and to prolong infrastructure capacity.
- Policy 10.2.2 Target local transit where it is expected to be particularly effective, such as with frequent, reliable links between Hilltop, Downtown, the Hospital, the Beavercreek educational and employment centers, and the close in neighborhoods.
- Policy 10.2.3 Work with Tri-Met to locate Park and Ride facilities at convenient neighborhood nodes to facilitate access to regional transit.
- Policy 10.2.4 Consider establishing a local transportation management association (TMA) to serve businesses or local trolley-type transit service along the major and minor

arterials to reduce the need for widening right-of-way for additional lanes as well as providing convenient, economical mobility for all ages of the community.

Policy 10.2.5 Advocate for new regional bus rapid transit and rail transit connections to Oregon City.

Goal 10.3: Multi-Modal Travel Options

Develop and maintain a transportation system that incorporates, provides for, and encourages a variety of multi-modal travel options to meet the mobility needs of all Oregon City residents.

Policies

- Policy 10.3.1 Provide a street classification system to ensure public rights-of-way and travel modes are appropriate to the land uses they are intended to serve.
- Policy 10.3.2 Provide an interconnected and accessible street system that minimizes vehicle-miles-traveled and inappropriate neighborhood cut-through traffic, throughout the network.¹
- Policy 10.3.3 Provide an interconnected and accessible pedestrian system that links residential areas with major pedestrian generators, such as employment centers, public facilities, and recreation areas.
- Policy 10.3.4 Provide a well-defined and accessible bicycle network that links residential areas, major bicycle generators, employment centers, recreation areas, and the arterial and collector roadway network.
- Policy 10.3.5 Ensure the adequacy of pedestrian and bicycle connections to local, county, and regional trails.
- Policy 10.3.6 Promote and encourage a public transit system that ensures efficient accessibility, mobility, and interconnectivity between travel modes for all residents of the Oregon City community.
- Policy 10.3.7 Establish a truck route network that ensures efficient access and mobility to commercial and industrial areas while minimizing adverse residential impacts.
- Policy 10.3.8 Promote and encourage the possible future extension, connection, and expansion of both rail and river-based transportation services to and through Oregon City.
- Policy 10.3.9 Ensure that multi-modal transportation system preserves, protects, and supports the environmental integrity of the Oregon City community.
- Policy 10.3.10 Ensure that the city's transportation system is coordinated with regional transportation facility plans and policies of partnering and affected agencies.
- Policy 10.3.11 Preserve and promote the use of the municipal elevator as a pedestrian link to downtown Oregon City.

¹ (Please note: A 10-percent reduction in VMT per capita has been assumed within the 20-year horizon consistent with and reflected in the Metro travel demand forecasting model used to evaluate the transportation system and identify needs)

Policy 10.3.12 Develop an Oregon City Local Transit service as an attractive travel option for local trips and as a connection to the regional transit system.

Policy 10.3.13 Use the alternative mode share targets that are in Table 1.3 of the 2000 Regional Transportation Plan for working toward implementation of Metro's 2040 Growth Concept at the local level.

Action Items

- Action Item 10.3.1 Review the City standards for vehicular and pedestrian/bicycle connectivity to ensure connections are being made.
- Action Item 10.3.2 Review the City current standards for dead-end streets, and consider reducing the maximum length allowed for cul-de-sacs or other types of dead-end streets.
- Action Item 10.3.3 Review the City current standards for minimum street widths to see where they can be reduced without impairing safe access for two-way traffic and emergency and public service vehicles.
- Action Item 10.3.4 Continue to work with Amtrak to enhance passenger rail service to Oregon City.
- Action Item 10.3.5 Work with Tri-Met to establish convenient Park and Ride lots.
- Action Item 10.3.6 Participate in regional transportation planning and advocate for projects that benefit Oregon City.

Goal 10.4: Light-Rail

Promote light rail that serves Oregon City and locate Park and Ride facilities at convenient neighborhood nodes to facilitate access to regional transit, consistent with sustainable development.

Policies

- Policy 10.4.1 Support Light Rail development to Oregon City.
- Policy 10.4.2 Explore local service transit opportunities to promote availability of non-single occupancy vehicle travel and prolong infrastructure capacity.
- Policy 10.4.3 Consider establishing a local transportation management association (TMA) to serve businesses or local trolley-type transit service along the major and minor arterials to reduce the need for widening right-of-way for additional lanes as well as providing convenient, economical mobility for all ages of the community.
- Policy 10.4.4 Ensure efficient use of local transit by providing frequent, reliable links between the land uses and community associated with the Hilltop, Downtown, the Hospital, the Beavercreek educational and employment centers, and the close in neighborhoods.

Goal 10.5: Safety

Develop and maintain a transportation system that provides adequate safety for the transportation system users.

Policies

- Policy 10.5.1 Identify transportation improvements to increase the safety of the transportation system for all users.
- Policy 10.5.2 Implement effective transportation policies that reduce the potential frequency and severity of crashes/incidents on the transportation system.
- Policy 10.5.3 Identify and implement ways to minimize conflict points between different modes of travel.
- Policy 10.5.4 Improve the safety of vehicular, rail, bicycle, and pedestrian crossings.

Goal 10.6: Capacity

Develop and maintain a transportation system that provides capacity to serve the system user's needs.

Policies

- Policy 10.6.1 Provide a transportation system to serve the existing and projected future travel demand.
- Policy 10.6.2 Identify transportation system improvements that mitigate existing and projected future areas of congestion.
- Policy 10.6.3 Ensure the adequacy of travel mode options and travel routes (parallel systems), in areas of congestion.
- Policy 10.6.4 Identify and prioritize improved connectivity throughout the city street system.

Action Item

- Action Item 10.6.1 Identify, prioritize, and pursue opportunities for funding to improve connectivity within Oregon City and between Oregon City and other cities.
- Action Item 10.6.2 Adopt LOS standards that balance vehicle mobility and mass transit options. Standards should be consistent with the Transportation System Plan and the Regional Transportation Plan.

Goal 10.7: Sustainable Approach

Promote a transportation system that supports sustainable building practices.

Policies

- Policy 10.7.1 Support "green street" construction practices.
- Policy 10.7.2 Encourage the use of materials geared for long life cycles within both public and private transportation facilities.
- Policy 10.7.3 Encourage the use of reused or recycled materials.

- Policy 10.7.4 Promote multi-modal transportation linkages and facilities as a means of limiting traffic congestion.
- Policy 10.7.5 Treat roadway pollution along transportation routes through the most effective means.

Action Items

- Action Item 10.7.1 Develop design standards that support “green street” environmental designs for transportation facilities and provide incentives to use them.
- Action Item 10.7.2 Develop standards that promote shared parking arrangements.

Goal 10.8: Implementation/Funding

Identify and implement needed transportation system improvements using available funding sources.

Policies

- Policy 10.8.1 Maximize the efficiency of the Oregon City transportation system, thus minimizing the required financial investment in transportation improvements, without adversely impacting neighboring jurisdictions and facilities.
- Policy 10.8.2 Provide transportation system improvements that facilitate the timely implementation of the Downtown Community Plan and protect regional and local access to the End of the Oregon Trail Interpretive Center.
- Policy 10.8.3 Provide incentives for private sector contribution to multi-modal transportation linkages and facilities (i.e. establish new standards in zoning code).
- Policy 10.8.4 Coordinate with telecommunications providers to expand broadband capacity in Oregon City rights-of-way.

Action Items

- Action Item 10.8.1 Seek funding and provide leadership for implementing the plans for McLoughlin Boulevard, Molalla Avenue, and 7th Street Corridor enhancements to successfully attain functional access to the downtown and connection between the downtown and the Willamette River.
- Action Item 10.8.2 Pursue a transportation utility fee to help pay for transportation system maintenance.
- Action Item 10.8.3 Amend the zoning code to incorporate private-sector incentives (such as reduced parking standards) to provide multi-modal system improvements.
- Action Item 10.8.4 Develop zoning code standards that lower minimum numbers of parking spaces in trade for certain multi-modal transportation facility implementation.
- Action Item 10.8.5 Investigate alternative financing mechanisms such as public/private partnerships, LLD's, and reimbursement districts.

Background

The City of Oregon City has a Transportation System Plan (TSP) that guides the management and development of the City's transportation facilities to 2020. The plan incorporates a vision of a multi-modal community into an integrated and efficient land use and transportation system. The transportation element of the comprehensive plan incorporates the goals and policies of the TSP. Portions of the TSP are included here as background to provide a context for the goals and policies.

The Land Conservation and Development Commission (LCDC) administrative rule known as the Transportation Planning Rule (TPR) (Oregon Administrative Rule 660-12) requires that TSPs plan for roads, public transit, bicycles and pedestrians, rail and air travel, and transmission lines. The Oregon City TSP and its subdocuments provide details about the state and regional regulatory framework for transportation, the existing and future plans for road, pedestrian, transit, bike networks, and the projects and policies to implement those networks.

Implementation of the *Downtown Community Plan, Phase 1* and *Phase 2* will enable a more efficient land use pattern to emerge. The effect of this improved efficiency is a more vital and vibrant downtown area that is better equipped to capture and serve the traveling public, particularly pedestrians and transit riders.

The McLoughlin Boulevard corridor represents a vital transportation link in achieving the Downtown Community Plan goals and the region's 2040 aspirations for regional centers. Oregon City will seek funding and provide leadership for implementing enhancements to successfully attain functional access to the downtown and connection between downtown and the Willamette River.

Implementation of the *7th Street Corridor Design Plan* and the *Molalla Avenue Boulevard and Bikeway Improvements Plan* will enable this corridor to evolve into one that is more pedestrian- and transit- supportive with land uses that support multi-modal transportation. Further land use planning needs to occur for redevelopment of underutilized parcels along Molalla Avenue that represent opportunities for transit oriented development with higher density and mixed uses. These plans present improvements that are consistent with Metro's 2040 Corridor designation for this important transportation link.

The 7th Street plan contains a multi-modal vision of the corridor with recommended action items. The vision for the street is of cohesive design with a historical character, slower traffic, and lively pedestrian activity. One of the objectives is to revitalize the area by providing parking and transportation improvements. Assistance to rehabilitate building facades and the pedestrian environment is also discussed as a means to make the area more attractive to pedestrians, shoppers, and tourists. An emphasis is placed on pedestrians with easy access across 7th Street, benches, street trees, curb extensions, and other elements to identify "Pedestrian Places." Traffic would move more slowly with a narrower pavement width, curb extensions, traffic calming devices, and trees. Neighborhood safety would be enhanced by more pedestrian activity and mix of uses.

Visual and physical connections with downtown and the McLoughlin neighborhood would improve the vitality of the corridor as well. The plan calls for respecting the existing businesses and preserving the architectural heritage of the community. The business environment should invite new and complementary development and redevelopment that is compatible in scale and style with the neighborhood. New public facilities, such as a branch library, elementary school, civic institutions, and Community Theater should be encouraged, while retaining and enhancing the existing public facilities like the park and promenade system. Diverse mixed-use and infill housing should be encouraged as increased density can contribute to the economic vitality of the corridor. The corridor can also be a buffer between commercial uses and the adjoining single-family neighborhood.

The *Molalla Avenue Boulevard and Bikeway Improvements Plan* was developed to address deficiencies arising from new development along the corridor and the limitations imposed by the mix of land uses, roadway configurations, and streetscape characteristics. The plan identifies regional, local, and neighborhood needs and objectives for the corridor, and integrates them into an overall vision. The plan includes specific recommendations for the provision and maintenance of safe and efficient facilities and services for public transportation, private automobile, and pedestrian and bicycle travel modes.

The *Highway 213 Urban Corridor Design Study* (June 2000) details an evaluation of existing and future congestion on Highway 213 between Henrici Road and I-205 and the recommended improvements. Highway 213 changes along its length from a high-order facility on the north end to a rural two-lane facility at the south end. The preferred alternatives for improvements have been adopted into the TSP. However, it is recognized that a long-term solution to congestion must include improvement on I-205. The City should work with ODOT and Metro to develop and implement a corridor study project for I-205.

Roadway System Plan

The TSP establishes a roadway system plan to accommodate the expected needs of the street network to 2020. It includes new alignments and connections for streets and a road classification system that establishes a hierarchy of street types and the types of travel expected on them. The TSP identifies capital improvements that address: near-term and long-term roadway and intersection capacity, operational, and safety improvements. Substandard roadway sections that should be upgraded to city standards are also identified. The TSP also sets street and access management standards to ensure that the roadway system fits adjacent land uses and accommodates the expected demands from those uses.

Land uses along roadways should be integrated with the roadway classification while keeping function, safety, aesthetics, and overall livability in mind. Higher density housing and non-residential uses should be clustered around collectors and arterials. If single-family housing develops along non-local and non-neighborhood collector streets, residences should front the street, on-street parking should be provided, and driveway access should be provided from the rear.

Roadway connectivity requirements are intended to create stronger circulation patterns, reduce average auto trip lengths and out-of-direction travel, and improve multi-modal accessibility. The

TSP proposes conceptual roadway connections and facilities to improve circulation, access, and traffic operations; and, to provide for the long-range system needs of the city's transportation network. These planned street connections are designed to comply with the 2000 Regional Transportation Plan (RTP) requirements for assuring adequate street connectivity.

In addition to the roadway connections identified above, a Street Connectivity Plan will provide guidance to the City, land owners, and developers on desired street connections that will improve local access and circulation, and preserve the integrity of the regional street system. The map will be prepared for contiguous areas of vacant and redevelopable parcels of five or more acres within Oregon City. The map will be prepared to comply with the Design Standards for Street Connectivity presented in the RTP.

Street Design Standards

Roadway design standards are based on the functional and operational characteristics of streets such as travel volume, capacity, operating speed, adjacent land use, composition of traffic, and safety. The *City of Oregon City Street Design Standards* is a sub-document of the TSP and addresses the construction of new or improved roadways within the city to ensure their consistency with the overall plan for the road network. New optional "green street" road standards will be added to these documents. Green streets standards aim to lower the impacts of streets on water quality, stream corridors, and vegetation. Standards can include, for example, designs that minimize impervious surfaces by making streets narrower, creating more permeable surfaces, and using swales for treatment and conveyance.

Multi-Modal Improvement Programs

The TSP identifies improvements for alternative transportation modes such as walking, bicycling, and public transit, are outlined in the Pedestrian System, Bicycle System, and Public Transit System Plans of the TSP.

The key objective in development of the pedestrian and bicycle system plans is to provide accessible and safe connections between major activity centers, such as housing, commercial areas, schools, recreation areas, and to improve the safety of pedestrians throughout the city.

Transit service provides mobility to community residents who do not have access to automobiles and provides an alternative mode of transportation to driving for those who do. Public transportation within the City of Oregon City is currently provided by Tri-Met, the South Clackamas Transit District, Canby Area Transit, and the Oregon City Municipal Elevator. The Pioneer Community Center operates two vans that provide transportation for seniors on a point-to-point, pre arranged schedule.

Community input during the development of the TSP stressed the need for improved service on weekends and expanded service on weekdays, in addition to more expansive service area coverage in certain areas of the city. Overall, the City of Oregon City will continue to monitor the adequacy of the transit service provided to the community and work with Tri-Met and other providers to expand service as necessary. In addition, both the City and Tri-Met should promote a greater public awareness of the available public transit.

In particular, the City should promote South Corridor bus or light rail that serves Oregon City. With these services, the City should work with Tri-Met to locate Park and Ride facilities at convenient neighborhood nodes to facilitate access to regional transit.

Local service transit opportunities should be explored to promote availability of non-single occupancy vehicle travel and prolong infrastructure capacity. A local transportation management association (TMA) to serve businesses or local trolley-type transit service along the major and minor arterials should be continually considered to reduce the need for widening right-of-way for additional lanes as well as providing convenient, economical mobility for all ages of the community. Connect to local transit corridors by assuring reliable linkages between Hilltop, Downtown, Beaver Creek (education and employment centers), and the surrounding neighborhoods.

Rail System Plan

Union Pacific Railroad (UPRR) provides rail service within the City of Oregon City region. The UPRR rail line in Clackamas County is not considered to be experiencing capacity constraints, although some at-grade crossings were of concern in certain cases due to the slower speeds needed to maintain safety at the crossings. Four Amtrak passenger trains travel daily on the UPRR mainline. The closest operating station is Union Station in Portland.

A new Amtrak station will open on Washington Street west of the End of Oregon Trail Interpretive Center. The station is expected to open in late 2003 and will provide rail connection to Portland, Eugene, and other Amtrak locations.

At-grade crossings and constrained topography represent rail system constraints in the Oregon City area, so the City should direct its future freight and passenger rail involvement to solving the problems associated with at-grade railroad crossings. The City should be involved in maximizing safety wherever other transportation modes cross rail lines, minimizing capacity constraints on roadways that cross rail lines, and minimizing the delay for trains and other modes at railroad crossings. Possible policies and action items include:

- Obtaining federal and state funding, where possible, for railroad related improvements;
- Restoring a pedestrian and bike connection where the 17th Street crossing was closed for the Amtrak Station, for example by building pedestrian overpasses, underpasses, or other alternatives, to assure non-auto connectivity between the End of the Oregon Trail area, the Oregon City Shopping Center, and Clackamette Cove.
- Maintaining adequate active warning devices that control traffic during train crossings.

Marine System Plan

The Willamette River and Clackamas River are the only navigable waterways within the City of Oregon City UGB. The Willamette River provides a through route for commercial vessels from the Willamette Valley to the Columbia River via the Willamette Falls Locks. There is one commercial dock facility within Oregon City, at Sportcraft Marina. There are two recreational boat ramps, one at Clackamette Park and another at Sportcraft Marina. The Clackamas River is a recreational waterway only. In addition to the boat ramp at Clackamette Park on the Clackamas

River, there is another Clackamas River boat ramp in Riverside Park at the end of Water Avenue, approximately one-half mile east of Gladstone.

Boats wishing to travel up the Willamette River past Oregon City must pass through the Willamette Falls canal and locks, which have been in continuous operation since 1873 and constitute the oldest such multi-lock system in America. The Willamette Falls Locks contribute to Oregon City's recreation system. While there is currently no commercial dock in the city, they also support the regional commercial marine system. The City should continue to support the Willamette Falls Locks operation as both a recreational and commercial facility.

Oregon City and the Oregon Marine Board are in the process of obtaining funding and permits for a floating commercial dock at the end of 8th Street near downtown. The dock would provide a stopping point for commercial tours or private boats near the Willamette Falls and would connect via a gangway to the stairs behind the County Courthouse building and to downtown. The purpose of the dock is to enhance commercial and recreational opportunities on the river and provide economic benefits to the city.

Oregon City's regional role in the Marine System Plan is to continue its efforts to ensure adequate commercial access to regional, national, and international marine services through ongoing associations with the Port of Portland, Metro, and the Oregon Department of Transportation. Oregon City's role in the Marine System Plan at the local level will be to facilitate connections between the roadway network and the waterway system for both commercial and recreational operations. It is especially important to Oregon City's development as a tourist destination to encourage river related tourism facilities and services, such as docking facilities, river transit, and river tours.

The City will actively support the continued presence of boat launches in the area, as an effective means of recreational transportation. The Waterfront Master Plan incorporates the existing and proposed boat launches and docks in its discussion of future development along the waterfront. The creation of multi-use paths and other facilities that promote the multi-modal use of the recreational areas along the shore of the Willamette and Clackamas Rivers should also be encouraged. Finally, the City will encourage and participate in any regional study dedicated to the investigation of marine transport as an effective commuter transportation mode.

Air Transportation System Plan

The passenger and freight air transportation demands of the City of Oregon City are primarily serviced by a system of four airports owned and operated by the Port of Portland: Portland International Airport (PDX), Hillsboro Airport, Troutdale Airport, and Mulino Airport. None of these four airports are located within the City of Oregon City study area, so the residents and businesses within Oregon City require strong supporting ground transportation connections for convenient access to each of the air transportation facilities. As such, the City will direct its involvement in passenger and freight air transportation to mitigating problems associated with airport ground transportation connections and access. Actions the City will consider include:

- Supporting improved connections to Interstate 205, for better access to Portland International Airport, the Hillsboro Airport, and the Troutdale Airport;
- Supporting improved connections to Highway 213, from better access to the Mulino Airport;

- Supporting at appropriate points in the decision making process the potential extension of light rail service to Oregon City along the I-205 Corridor, thus providing ground transportation to PDX;
- Working with TriMet and other transportation service providers to develop airport shuttle services and/or other public transportation connections; and,
- Continuing to play an active role in air transportation planning at the regional and statewide level.

Transmission Transportation System Plan

The transmission of natural gas, power, and information are all services of critical importance to businesses, industry, and residents of Oregon City. Northwest Natural (NWN) is the utility company that pipes natural gas to homes and businesses in the study area. Planning for the future focuses primarily on the supply of natural gas, not on the supply of pipelines. There are no infrastructure capacity constraints with the existing natural gas pipeline system.

The Bonneville Power Administration (BPA) is the federal organization that regulates and distributes power from the Columbia River Hydroelectric sources to the Pacific Northwest. Capacity has proven to be adequate to date with the purchase of power from California during the peak session, and sources at BPA do not expect future system congestion. Currently, there is no capacity limitation in the Oregon City area that would limit industrial or residential expansion. To reduce the risk of power outages, the City should pursue a policy of locating power lines underground in new developments and in older sections of town and establish a long-term funding mechanism to accomplish it.

Technologies, including wireless communications, geographic information systems, and the Internet, play a role in telecommuting, vehicle monitoring, and the provision of transportation system information through Internet web sites. The City's role in the transmission transportation system should be focused on disseminating knowledge about transmission resources to City residents and investigating ways in which information technologies can be used to improve the entire transportation system. The City will work to bring traffic and travel planning information already available on the Internet to residents of Oregon City who may not have access to it – perhaps through their employers – or incorporate the latest advanced technologies into arterial incident management and monitoring. The City will work with Internet providers to develop a network including providing space for broadband fiber along road rights-of-way as roads are being constructed or retrofitted.

Intelligent Transportation Systems (ITS) uses advanced technology to solve transportation problems, improve safety, provide services to travelers, and help implement traffic management strategies. ITS can increase the efficiency of an existing transportation system while reducing the need to add capacity (e.g., new travel lanes, transit equipment). Efficiency is achieved by providing better management of the transportation system, and by providing services and information to travelers and transportation system operators so they can (and will) make better travel decisions, thus reducing overall demand on the transportation systems. Clackamas County is the lead agency in developing a countywide ITS plan and Oregon City is a participant in that effort. The City should continue to look for appropriate ways to implement ITS and improve the efficiency of the city's transportation network and reduce the need to add capacity.

11. ENERGY CONSERVATION

[insert quote]

This section of the Oregon City Comprehensive Plan is intended to comply with Statewide Planning Goal 13 declares that "land and uses developed on the land shall be managed and controlled so as to maximize the conservation of all forms of energy, based upon sound economic principles."

All citizens have a stake in conserving energy or using alternative renewable energy sources in the long term, as fossil fuels are a finite resource. The way urban land is used, the types of use and the placement of structures on a site, people's access to alternative modes of transportation, and the proximity of different uses affect energy usage. The goals and policies are intended to demonstrate the City's commitment to energy conservation to be implemented through development ordinances, internal policies for energy use, and incentives for the private sector, that can be accommodated and continued without irreversible impairment of natural resources productivity, the ecosystem and the quality of air, land, and water resources.

GOALS, POLICIES, AND ACTION ITEMS

Goal 11.1: Energy Sources

Conserve energy in all forms through efficient land use patterns, public transportation, building siting and construction standards, and city programs, facilities, and activities.

Policies

- Policy 11.1.1 Maintain the historic use of Willamette Falls as an energy source for industrial and commercial development.
- Policy 11.1.2 Encourage siting and construction of new development to take advantage of solar energy, minimize energy usage, and maximize opportunities for public transit.
- Policy 11.1.3 Enable development to utilize alternative energy sources such as solar through appropriate design standards and incentives.
- Policy 11.1.4 Wherever possible, design and develop public facilities to take advantage of solar energy, develop co-generation, and conserve energy in operations and public access.

Goal 11. 2: Energy Conservation

Plan public and private development to conserve energy.

Policies

- Policy 11.2.1 Promote mixed-use development, increased densities near activity centers, and home-based occupations (where appropriate), **consistent with sustainable development.**
- Policy 11.2.2 Create commercial nodes in neighborhoods that are underserved to reduce vehicle miles traveled, **consistent with sustainable development.**

- Policy 11.2.3 Promote the design of new subdivisions to maximize energy conservation. Consideration should be given to Planned Unit Developments or cluster developments. Use landscaping to increase solar benefits and provide summer shading.
- Policy 11.2.4 Plan for a diversity of uses when considering annexation of new, under- or undeveloped areas so that new urban residential areas have closer access to jobs and services.
- Policy 11.2.5 Encourage the reuse of the existing building stock, **consistent with sustainable development.**
- Policy 11.2.6 Design transportation systems to conserve energy by considering: 1) the location of transit services, 2) the construction materials for new streets, **3) the adoption of street light standards that utilize energy efficient, non-glare light fixtures,** 34) the location of commercial uses, and 45) adopting street standards designed for both efficient multi-modal transportation and protection of the quality of the region's stream systems.
- Policy 11.2.7 Encourage use of carpools and transit in cooperation with Tri-Met and other state and regional transportation agencies.
- Policy 11.2.8 Construct bikeways and sidewalks, and require connectivity of these facilities to reduce the use of petroleum-based transportation.
- Policy 11.2.9 Avoid, whenever possible, approving development that would require construction and use of pump and/or lift stations due the large amounts of energy needed to operate them.
- Policy 11.2.10 Increase the recycling and resource recovery rate of materials in the City's operations and encourage an increase in the community's recovery rate.
- Policy 11.2.11 Encourage creative energy efficient development solutions that reduce the impact on the existing infrastructure, that lower the use of valuable energy resources and that optimize money spent on public facilities, infrastructure, and maintenance.
- Policy 11.2.12 Plant, or require developers to plant, street trees and parking lot trees to reduce energy needs for cooling in the summer and heating in the winter.
- Policy 11.2.13 Support the concepts of sustainability over the long term by:
- encouraging education efforts such as developing and/or distributing educational materials to the public about energy efficiency and sustainability,
 - ~~encouraging~~ **providing incentives for** designs that achieves a ~~minimum~~ Leadership in Energy and Environmental Design (LEED) certification,
 - implementing sustainable concepts within the Oregon City government facilities that receives a minimum "Platinum" LEED rating,
 - implementing design guidelines that address sustainability for private sector development,
 - taking advantage of up-to-date technology ~~where appropriate~~ to reduce energy use, and
 - developing incentive programs to apply to private sector development. ~~where feasible.~~

Policy 11.2.14 Encourage location of firms that promote, develop and apply green technologies such as renewable energy, recycling systems, and other eco-friendly products and services.

Action Items

- | | |
|--------------------|--|
| Action Item 11.2.1 | Work with the CIC, Neighborhood Associations, and property owners, to identify suitable locations for neighborhood commercial plan designations in areas that are underserved. |
| Action Item 11.2.2 | Amend the Transportation System Plan to implement Green Street Standards. |
| Action Item 11.2.3 | Develop a system in the Oregon City budgeting process for evaluating short-term versus long-term cost savings with respect to energy conservation. This could include, for example, replacing fleet vehicles with more fuel-efficient ones, or evaluating the costs and benefits of ideas such as "green roofs". |
| Action Item 11.2.4 | Develop or obtain written information on sustainable building standards that can be distributed to citizens upon request. |
| Action Item 11.2.5 | Research and implement development incentives for land use patterns that promote sustainability and are appropriate for Oregon City. |
| Action Item 11.2.6 | Adopt a "dark sky" policy for lighting that reduces glare, light pollution and light trespass, and energy use, while ensuring evenly-lit public places with good night visibility. |
| Action Item 11.2.7 | Ensure the City sets a good example for conservation by using energy-efficient lighting practices. |
| Action Item 11.2.8 | Evaluate the street lighting program to determine if streetlights can be turned off late at night and in the early morning to save energy and reduce light pollution. |

Background

As fossil fuels become scarcer, the costs of non-renewable energy increase, and our technology advances, we will need to find new energy sources and conserve the remaining available energy. In an effort to better understand how we can better deal with non-renewable energy, the State of Oregon uses the following definition for sustainability: *"Sustainability means using, developing and protecting resources at a rate and in a manner that enables people to meet their current needs and also provides that future generations can meet their own needs."* LCDC has mandated Goal 13: "To conserve energy." Land and land uses must be managed and controlled to conserve energy, based upon sound economic principles. The regional objectives relating to this goal are to:

1. Improve the efficiency of fossil fuel consumption.
2. Encourage design that takes advantage of natural light and energy resources.
3. Encourage energy contributions from solar energy systems.

4. Reduce increases in central station generation demand.
5. Reduce energy demand during peak periods.
6. Promote use of non-petroleum fueled means of transit.
7. Encourage materials conservation.
8. Enable full potential to be taken from new energy supply technologies and efficient measures.

Energy Sources

Oregon City is situated at the falls of the Willamette River, which was a principal energy source for the emerging settlement in the 1800s and which subsequently provided the electricity for the first long distance transmission of electrical energy, from Oregon City to the City of Portland. The falls have been modified over time as subsequent generation of electrical and direct waterpower technologies were applied. Today, the Willamette Falls Hydroelectric Project combines Portland General Electric (PGE) and the Blue Heron Paper Company at the falls on the Oregon City side of the Willamette River. In addition, the West Linn Paper Company has power-generating facilities on the West Linn side of Willamette Falls. PGE retains ownership of the former hydroelectric site at the Willamette Falls and is in the process of obtaining a permit to re-license the facility. It is not likely that the electrical-generating capability at the falls of the Willamette will be expanded dramatically for a variety of economic and ecological reasons.

Solar energy is not likely to be a significant energy source in Oregon City because of the climate, but new technologies make solar energy a viable supplemental source to assist in meeting space and water heating needs in buildings and for conversion directly to electricity in specific applications such as powering remote communication facilities. No sources of natural gas or petroleum are known in the city. However, methane gas from the former Rossman landfill on the north end of the city and opportunities for co-generation of electricity from methane generated from operations at the Tri-Cities Waste Water Treatment Facility may provide a supplemental energy source.

A significant source of energy within the community is the energy derived from conservation practices of citizens and businesses. Energy conserved and not used is energy that is available for other uses as surely as if from an original source. The City can promote and stimulate this source of energy through land use development patterns that support public transit and minimize individual automobile trips, and through incentives and regulations to reduce use of energy in homes, municipal facilities, and businesses, and to encourage development to be sited and designed to take advantage of solar energy for water, space heating, and other uses.

Conservation Methods: Land Use

The way urban land is used, the types of use and the placement of structures on a site, affects energy use both directly and indirectly. Direct energy use consists of heating, cooking, driving, and similar tasks. Indirect energy use is that for creating consumer goods and services. Conservation techniques dealing with land use address both types of energy.

Many implementation ordinances segregate land uses, such as industrial, commercial and residential uses, in attempt to separate incompatible uses from one another. The result is often longer travel distances from work to home and to other destinations. Through the promotion of mixed-use development, compact development, residential clustering, increased densities near activity centers, flexible parking requirements, increased landscaping for cooling purposes, water quality, and home-based occupations (as appropriate), these regulations can promote sensible, energy efficient growth.

The proper design of new subdivisions can contribute to energy conservation. Consideration of the solar orientation of homes in subdivisions should be encouraged in plat lay out to allow for maximum use of passive solar energy. The largest wall and window areas ideally face north and south rather than east and west. The south side of a building at 40° latitude receives three times as much winter sun as the east or west side. Due to other considerations in plat lay out, such as street connections, environmental constraints like steep slopes and wetlands, infill development, optimal solar orientation may not be practical. These trade-offs should be recognized as contributing to resource conservation in a different way. For example, efficient street layouts and avoidance of wetlands and steep slopes can minimize use of finite resources.

Landscaping can increase the benefits of sun exposure. Trees reduce heat loss from buildings in winter and absorb radiation in summer. Trees on the south, southeast or southwest sides of a building are preferably deciduous, providing summer shade while allowing low winter sun to shine through.

Design of transportation systems can and should be used as one way of conserving fossil fuels by making trips more efficient. Planned unit developments (PUDs) should be encouraged to allow for energy-efficient higher density and mixed uses within neighborhoods. PUDs can reduce the use of energy for transportation between living, working and shopping areas. The "neighborhood commercial" district is another method of reducing energy by shortening the trips people need to take to obtain necessities. Commercial, office, and industrial uses should be located along or near major transit corridors. Residential density usually decreases as one moves away from these corridors. To encourage alternative means of transportation, sidewalks and bikeways should be designed for maximum safety, convenience and weather protection, and should allow access to working and shopping areas and schools from residential areas.

Existing structures should be preserved or materials recycled to save energy used to manufacture building materials and for new building construction.

Recycling collection and storage facilities should be encouraged, not only in industrial areas, but also in more convenient commercial areas. Metro's South Transfer Station near Highway 213 and Washington Street provides an opportunity for residents to drop off recyclable materials.

Conservation Methods: Transportation

Land use in Oregon City should encourage alternative transportation modes to single occupancy vehicles such as walking, carpooling, transit, and bicycling. Many related policies are included in the Transportation section of this plan and the City's Transportation System Plan.

Bikeways should be constructed (see both Transportation and Parks and Recreation sections) along with safe bicycle parking areas. Designated "bikes only" lanes along major streets should be developed where possible, such as recently designated along Warner Parrott Road, South End Road, and Molalla Avenue. Multi-use paths should be built in appropriate areas where bicycle- and pedestrian-generator uses are located. Local merchants should be required to supply bicycle racks (preferably under some type of cover) for riders' convenience and as an incentive for cycle use. This is now required as part of site plan review. Streets should be designed for efficient multi-modal transportation while also helping protect the quality of the region's stream systems.

Use of carpools, transit, and preference parking should be examined. Vanpools operated by large firms and agencies in Oregon City for their local employees should also be considered. Areas with employment concentrations—Oregon City Shopping Center, Downtown, the hospital area, and Molalla/7th Street—should also be considered for use of vanpools. Amenities for transit riders, such as appropriate shelters and or seating, can be required or encouraged in association with site development along transit routes.

Conservation Methods: Structures

The purpose of this section is to outline policies designed to optimize energy efficiency and conservation in structures. It is outside the scope of this Comprehensive Plan to mandate policies regulating the interior construction of both public and private structures. However, as noted in the 1982 Comprehensive Plan, household energy uses consumed over 40 percent of the total personal energy use in 1977 in Oregon - heating of water and space alone used approximately 37 percent. The use of alternatives such as optimizing solar orientation, access to natural air ventilation and other techniques are encouraged to help reduce household energy use.

Weatherization of structures, such as weather-stripping and use of storm doors and windows, can help reduce space-heating energy (and heat bills), which accounts for 70 percent of Oregon's residential direct energy use.

Alternative renewable energy systems should be considered. Use of the wind, sun, water, and solid waste may become increasingly important as fossil fuel supplies diminish and technology advances. Interior improvements designed to save energy include insulation of water heaters and pipes and appropriate window and door placement. Architectural design of the structure can also play a major part in conservation. Integration of green design techniques, especially the use of low-cost green design and construction practices will help the City move towards its energy goals. Some general design practices to be encouraged include: building design strategies; siting, land use and landscaping; energy systems; resource friendly products and materials; and increased salvage practices on job sites.

Incentives And Implementation

Implementation of energy conservation policies typically occurs through both public and private sector incentives and through development ordinances. For example, density bonuses can be awarded as incentives to developments incorporating energy-efficient design. Developments incorporating new energy-conserving features can be encouraged in the processes deciding which proposals to approve.

Transportation policies from the 2001 Transportation System Plan and other ancillary documents are designed to create more efficient travel networks for alternative modes such as walking, biking, and public transit by improving facilities and connections between modes.

The Uniform Building Code is the major implementing device for structural conservation methods. This code describes minimum building standards and should be strictly enforced by the City.

Recycling of materials should be done by the City in its own operations, as well as facilitating resource recovery and recycling throughout the community.

12. URBANIZATION

/insert quote/

This section of the Oregon City Comprehensive Plan is intended to comply with Statewide Planning Goal 14, Urbanization. This goal requires cities to estimate future growth and needs for land and then plan and zone enough land to meet those needs. It calls for each city to establish an "urban growth boundary" (UGB) to "identify and separate urbanizable land from rural land." It specifies seven factors that must be considered in drawing up a UGB. It also lists four criteria to be applied when undeveloped land within a UGB is to be converted to urban uses.

The city will continue to grow and needs to manage the growth for the benefit of its citizens and businesses. The goals and policies of this element are intended to ensure that the city grows in ways that are fiscally sound, that result in high quality development, that allow services to be provided efficiently and **can be accommodated and continued without irreversible impairment of natural resource productivity, the ecosystem, and quality of air, water, and land.**~~that protect natural resources.~~ In general, Oregon City will urbanize in a thoughtful and deliberate manner to protect, preserve, and enhance the positive facets of city life.

GOALS, POLICIES, AND ACTION ITEMS

Goal 12.0: Orderly Redevelopment

Provide for orderly redevelopment of existing downtown commercial area and neighborhood areas to meet Metro 2040 goals before annexation and conversion of land around the city is developed.

Policy

Policy 12.0.1 Direct development towards city areas already served by infrastructure, seeking to utilize the resources that existing neighborhoods offer, and conserve open space and irreplaceable natural resources on the urban fringe.

Goal 12.1: Orderly Provision of Services

Provide for the orderly and efficient conversion of land around the city to an urban level while conserving a variety of civic natural values and without irreversible impairment of the quality of air, land and water in their natural systems.

Policies

Policy 12.1.1 Provide coordinated urban services through sub area master "concept" plans.

Policy 12.1.2 Provide urban services to annexed areas only when such expansion does not diminish the ability of the City to provide services to existing city residents.

Policy 12.1.3 Work with the County to prohibit the formation of new urban service districts within the City's urban growth boundary.

Policy 12.1.4 Require new development to pay its fair share for new service infrastructure, including increases that may be needed to the capacity of existing systems,

including schools, sewer, water, transportation, street lighting, drainage, fire, and police services.

Goal 12.2: Expansion of City Boundary

Annex land into the city limits in a rational and timely manner.

Policies

- Policy 12.2.1 Establish an “area of interest” where no new utility districts would be allowed to be formed.
- Policy 12.2.2 Regularly monitor the supply of land zoned and served by public facilities to ensure that an adequate supply of vacant or redevelopable land suitable for development is available.
- Policy 12.2.3 Require Concept Plans to be developed prior to urbanization of land within the UGB.
- Policy 12.2.4 Through the development of Concept Plans, strive whenever and wherever feasible to plan for facilities and a variety of land uses in newly annexed areas on a neighborhood basis, including schools, parks, **open areas**, and neighborhood commercial centers. A variety of uses will help give the neighborhoods vibrancy, a sense of place and a feeling of uniqueness.
- Policy 12.2.5 Evaluate applications for annexation based on consistency with the provisions of this comprehensive plan, **sustainable development**, and the City’s public facility plans, with any plans and agreements of urban service providers, with regional annexation criteria, and with the timely, orderly, economic, and efficient, provision of urban services. Potential annexation areas must be within the UGB.

Action Items

- Action Item 12.2.1 Work with the County to establish an Inter-Governmental Agreement related to urban service boundaries and new district formation.
- Action Item 12.2.2 Re-zone property to be consistent with the Comprehensive Plan at the same time that it is annexed to the city.
- Action Item 12.2.3 Create a long-range annexation plan tied to the anticipated availability of public services.
- Action Item 12.2.4 Whenever possible, avoid creating unincorporated islands or peninsulas that are inefficient to serve and confusing for residents and emergency service providers.
- Action Item 12.2.5 Re-evaluate comprehensive plan designations to determine if designations other than LR (Low Density Residential) would be appropriate.

- Action Item 12.2.6 Review the annexation process and link to annexation areas cited in the Urban Growth Management Agreement.
- Action Item 12.2.7 Simplify the “factors to consider” when annexing properties by amending the zoning ordinance regulations.

Goal 12.3: Expansion of the Urban Growth Boundary

Ensure that there is enough land available within the UGB to meet the need for industrial, commercial, residential, and institutional growth in a manner consistent with sustainable development.

Policies

- Policy 12.3.1 Monitor the supply of land within the UGB. If data indicates the land supply is insufficient, identify areas for potential expansion of the urban growth boundary. Base selection of these areas on market factors, protection of environmentally sensitive areas, compatibility with adjoining and nearby uses, public facilities and infrastructure, site requirements of specific types of industries, and the desires of the property owners, **all with regard to sustainable development practices.**
- Policy 12.3.2 Consult with neighborhood groups in areas potentially affected by proposed UGB expansions.

Action Items

- Action Item 12.3.1 Review Metro requirements for Concept Plans for UGB expansion areas and implement a process for studying those areas
- Action Item 12.3.2 Evaluate the provision of commercial nodes in the southern and northeastern areas of Oregon City.

Goal 12.4: Partnerships with Other Governments

To create and maintain cooperative, collaborative partnerships with other public agencies responsible for servicing the Oregon City area.

Policies

- Policy 12.4.1 Work with Clackamas County to prepare and maintain the Urban Growth Management Agreement to ensure that urban development is an orderly conversion of rural to urban in unincorporated areas adjacent to Oregon City.
- Policy 12.4.2 Pursue intergovernmental agreements with adjoining jurisdictions, the school district and Clackamas Community College to assure coordination of public facilities, services and land use planning.
- Policy 12.4.3 Seek the input of the Oregon Department of Transportation when making decisions that will have significant impacts on state roads.

Policy 12.4.4 Work closely with Clackamas County on the City's annexation plans and procedures, and plan areas outside the city limits but within the urban growth boundary, to make a smooth transition from unincorporated Clackamas County areas to incorporated Oregon City areas.

Policy 12.4.5 Work with relevant government agencies to create a plan that will allow appropriate development in the floodplain and on landfills.

Action Items

Action Item 12.4.1 Work with government agencies to create a plan that will allow appropriate development in the floodplain and on landfills (Oregon Department of Environmental Quality, Federal Emergency Management Agency, Oregon Division of State Lands, and others).

Goal 12.5: Green Corridors

Establish and protect green corridors surrounding Oregon City. Green Corridors are areas outside the urban growth boundary adjacent to major transportation routes to neighboring cities where the rural character of the landscape and agricultural economy shall be maintained.

Policies

Policy 12.5.1 Support the green corridor policies described in the policies of Clackamas County and Metro's 2040 Growth Concept for maintaining the rural character of the landscape and the agricultural economy outside the urban growth boundary.

Policy 12.5.2 Expand the Green Corridor concept to Beaver Creek and Redland areas.

Policy 12.5.3 Recognize that the green corridors described in the 2040 Growth Concept are critical to interurban connectivity. It will be City policy to:

- Control traffic to the green corridor to maintain the function, capacity and level of service of the road facility and to enhance safety and minimize development pressures on rural reserve areas; and
- Provide appropriate screening and buffering of adjacent development and limit signage in such as way as to maintain the rural character of the green corridor.
- Define entrance
- Prevent visual pollution.

Background

Urbanization is the conversion of rural or natural resource lands to urban uses as the area of the city expands. In 1982, Oregon City occupied approximately 3,000 acres of land. In 2002, there were approximately 5,892 acres within the city limits. Another 1,403 acres were outside the city limits but within the urban growth boundary, for a total of 7,295 acres. Urbanization at the edge of Oregon City is constrained by the Willamette River to the west, Clackamas River to the north, and steep topography to the south and east.

Much of the future population growth will occur in unincorporated areas that are outside of the 2002 city limits. Metro requires concept plans be completed four years from date of inclusion. Oregon City will continue to grow in land area, through annexations and urban growth boundary expansions, the most recent of which added 738 acres to the south of South End Road, east of Beaver Creek Road, and south of Redland Road. A Concept plan for the areas must be completed by December 2006.

An intergovernmental agreement between the City and Clackamas County guides land use designations and extension of public services to the urbanizing area. The "Urban Growth Management Agreement" (UGMA) has been in place since 1990. Under the terms of the agreement, Oregon City, rather than Clackamas County, plans for and provides urban services for the urbanizing area. The agreement stipulates that city Comprehensive Plan designations will apply within the urbanizing area and that the County will zone properties inside the urban growth boundary Future Urbanizable (FU-10) until the City annexes them and applies the appropriate city zone.

Because the City provides sewer and water services to properties in the urban growth area only after properties either are annexed to the city or the property owners agree to annexation, urban level development can occur only within the city limits, under City land development standards and regulations. The UGMA appears to be working well, in that urban level development has not occurred outside of the city limits, as has been the case in other jurisdictions within the Metro region. As expansion of the urban growth area becomes more difficult over time, the UGMA can be amended to ensure that the City and County continue to plan for rational development at the city's edge.

Growth and Urbanization Issues

How will the city urbanize in the future? Will the city grow in quality as well as quantity? What measures can the city government, or other governmental agencies serving the city, take to guide the type, location, quality and design of new development? Some of the challenges facing Oregon City include:

- Protecting and enhancing existing development, including older development that is now considered historic, along with new growth.
- Ensuring an adequate supply of housing in a range of prices and types, including housing that is affordable to low and moderate-income families.
- Attracting multi-story offices, unique commercial centers, vibrant mixed-use centers, and productive employment areas.
- Ensuring that the city's basic utilities and facilities, especially its transportation system, have the capacity to handle the growth.
- Creating an urban environment, while keeping significant amounts of open space and parks available and accessible to its residents.
- Balancing private property rights with the public goals and needs as the City adopts new programs and regulations aimed at shaping the city's built and natural environment.

The City will need to use all available tools in a strategic and coordinated manner to encourage high quality development and redevelopment in appropriate locations, and at the same time

protect and enhance the livability of the city. Goals and policies to meet the challenges described above are in some measure implemented through other elements of the comprehensive plan, such as good urban design in development, creating compact growth to reduce the need for expansion of the urban growth boundary, multi-modal transportation initiatives, and creating viable neighborhoods with a variety of uses. Other themes that the city should consider as it grows and expands in the future are discussed below.

Expansion of Boundaries

The city cannot expand west or north because of rivers and the adjacent cities of West Linn and Gladstone. The city will ultimately run out of land on which to accommodate new development, both within the current city limits and within the urban growth boundary. As the city grows, it will need to expand its city limits to accommodate a portion of the regional housing and employment needs. This should be done in a rational and planned manner, in coordination with the city's capital improvement program and its ability to provide services to new areas. In addition, neighborhoods potentially affected by a proposed UGB expansion should be consulted in advance of the proposal to solicit input, determine local concerns and expected impacts, and assess the level of support.

The UGB is established to identify and separate urbanizable land from rural land as described in Statewide Planning Goal 14. Metro regulates the expansion of the Metro UGB, including Oregon City's UGB, through Title III of the Metro Code. However, Oregon City can apply for a major amendment to the UGB every year except a year in which Metro is updating its five-year analysis of buildable land supply.

Metro considers the following main factors when evaluating proposed changes to the UGB:

- (1) Demonstrated need to accommodate long-range urban population growth;
- (2) Need for housing, employment opportunities, and livability;
- (3) Orderly and economic provision for public facilities and services;
- (4) Maximum efficiency of land uses within and on the fringe of the existing urban area;
- (5) Environmental, energy, economic and social consequences;
- (6) Retention of agricultural land as defined, with Class I being the highest priority for retention and Class VI the lowest priority; and,
- (7) Compatibility of the proposed urban uses with nearby agricultural activities.

Applications for an expansion must demonstrate that growth cannot be reasonably accommodated within the current UGB, that proposed uses are or can be compatible with existing uses, and the long-term environmental, economic, social, and energy consequences after mitigation are not significantly more than they would be elsewhere.

Metro's Title 11 requires cities to include the land within their UGB in their comprehensive plans prior to urbanization. Title 11 intends to promote the integration of land added to the UGB with existing communities when comprehensive plans are amended by ensuring that "concept" plans are developed for areas proposed for urbanization or annexation. Concept plans must include a conceptual transportation plan; natural resources protection plan to protect areas with fish and wildlife habitat, water quality enhancement and mitigation and natural hazards mitigation; a conceptual public facilities and services plan for wastewater, water, storm drainage,

transportation, parks, and police, and fire protection; and, a conceptual school plan. Oregon City will require concept plans to be developed for areas added to the southwest and southeast of the city.

Once inside the UGB, areas can be proposed for annexation when and where appropriate. The Oregon City zoning code lists factors that the Planning Commission and City Commission are to use when reviewing a proposed annexation. The annexation should not take on issues that are better suited to development review. Simply, the city should consider the adequacy of facilities and services to the area or the ability to provide those services in an efficient manner. This would leave development plans and related issues to the site development/design review process.

The City is required to refer all proposed annexations to the voters. Rather than having voter approval of individual property owners' requests to annex, the City should prepare and implement an annexation plan and program. The City could then annex large blocks of properties (with voter approval) at one time, rather than in a piecemeal fashion. Annexation would be tied more directly to the City's ability to provide services efficiently, maintain regular city boundaries, and help the city meet Metro targets for housing and employment. The zoning of the property should be decided at the time the Planning Commission and City Commission review and approve the annexation request.

Applications for annexation, whether initiated by the City or by individuals, are based on specific criteria contained in the City's municipal code. Metro and state regulations promote the timely and orderly provision of urban services, with which inappropriate annexations can conflict. Therefore, an annexation plan that identifies where and when areas might be considered for annexation can control the expansion of the city limits and services to help avoid those conflicts and provide predictability for residents and developers. Other considerations are consistency with the provisions of this comprehensive plan and the City's public facility plans, with any plans and agreements of urban service providers, and with regional annexation criteria.

Partnerships with Other Governments

The City does not provide all of the urban services necessary for the urban area. Clackamas County, the Oregon City School District, the Oregon Department of Transportation, the TriCities Sewer District, Clackamas Community College, and many other agencies also provide necessary services to the residents and employees in the city. In order to efficiently and effectively use the public dollars available to all of these different agencies, the City should be proactive in forming excellent working relationships with other agencies to address urban service issues.

Green Corridors

"Green corridors" are lands and waterways left in a natural condition to provide open space, recreational, habitat, and a sense of separation of various areas. Metro has identified "green corridors" around the region in the 2040 Growth Concept. Although there are no green corridors within the city at this time, there may be a time in the future when there would be. The City recognizes the value of green corridors, and will ensure that any such corridors within the city limits of Oregon City or within its urban growth boundary are adequately protected. Beaver Creek and its tributaries are potential green corridors. Clackamas County is establishing green corridors

adjacent to Oregon City on Highway 99E from Canemah to New Era and on Highway 213 from the Oregon City city limits to Molalla.

Options for implementing green corridor concepts elsewhere include:

- Providing a gradual transition from green corridor to urban environment.
- Implementing a green belt or green corridor policy of parks and open space along these corridors. This could include purchase and development of parks along corridors, and restricting development in natural areas with steep slopes, wetlands, or other flooding issues from development along these corridors.
- Preserving these areas by adding zoning language to implement scenic roads policies.
- Reviewing development standards along the corridor to extend setbacks, increase landscaping requirements, encourage native vegetation.
- Developing incentive programs and educational programs.
- Linking tourism promotion or historic preservation to green corridors.

13. WILLAMETTE RIVER GREENWAY

[insert quote]

This section of the Oregon City Comprehensive Plan is intended to comply with Statewide Planning Goal 15, Willamette Greenway. This goal sets forth procedures for administering the 300 miles of greenway that protects the Willamette River.

In 1973, the Willamette River Greenway (WRG) was created by the state to protect the Willamette River corridor from Eugene to the confluence with the Columbia River. The natural, scenic and recreational qualities are protected and historical sites, structures, facilities, and objects are preserved for public education and enjoyment. Local jurisdictions are required to plan for and protect uses within the WRG boundary under Statewide Planning Goal 15. Land within the WRG boundary is subject to the goals and policies in this element and the regulations in applicable implementing ordinances. **Actual and timely monitoring of compliance of public and private entities with the goals and elements of the Greenway is crucial to the success of this Statewide Planning Goal.**

GOALS, POLICIES, AND ACTION ITEMS

Goal 13.1: Protect the Willamette River Greenway

Ensure the environmental and economic health of the Willamette River by adopting goals, policies and procedures that meet the Willamette River Greenway Statewide Planning Goal 15.

Policies

- Policy 13.1.1 Protect the natural environment surrounding the Willamette River through the Willamette River Greenway (WRG) and Water Quality Resource Area Overlay districts of the Municipal Code.
- Policy 13.1.2 Ensure that new development, **when pursued** within the floodplain, is consistent with the policies of the Natural Hazards section of the Comprehensive Plan as implemented through the Flood Management Overlay District and other zoning code regulations and specific area plans.
- Policy 13.1.3 Protect the significant fish **and wildlife** habitat of the Willamette River.
- Policy 13.1.4 Preserve major scenic views, drives and sites of the Greenway.
- Policy 13.1.5 Prohibit new substations and power line towers in the Greenway or river view corridor.
- Policy 13.1.6 Protect and maintain parks and recreation areas and facilities along the Willamette River ~~according to~~ **to minimize effects on the Greenway and in accordance with** the Parks and Recreation Master Plan and the Waterfront Master Plan.
- Policy 13.1.7 Ensure that public and private recreational development in the Greenway is consistent with the Parks and Recreation Master Plan, the Waterfront Master Plan and Downtown Community Plan as adopted.

Policy 13.1.8 Protect historic districts, buildings, and sites in the Greenway through the Historic Resources chapter of this Comprehensive Plan and the ordinances that implement that chapter.

Policy 13.1.9 Permit existing industrial uses in the Willamette River Greenway to continue to operate as a conditional use in order to provide employment opportunities.

Policy 13.1.10 Recognize that, to a large degree, the success of resources protection and enhancement integral to the Willamette River Greenway depends on timely review and monitoring of vegetation, natural features, and fish and wildlife habitats subject to Greenway oversight.

Action Items

Action Item 13.1.1 Use the conditional use process requiring review of any change of use within 150 feet of the normal low water line of the Willamette River.

Action Item 13.1.2 Protect trees **and wildlife supportive shrub assemblages** along the Greenway through City regulations including site plan review, planned unit development and land use approvals under Title 16 and 17 of the Municipal Code.

~~Action Item 13.1.3~~ Action Item 13.1.3 Discourage activities such as gravel extraction (**except where necessary to site or protect facilities**), removal of bankside vegetation, stream course diversion, filling and pollution, ~~and encouraging relocation of those existing activities.~~

Goal 13.2: Willamette River Greenway Compatibility Review

Review uses proposed for inside the WRG Compatibility Review Boundary for consistency with local goals and policies for that area.

Policies

Policy 13.2.1 Maintain publicly owned land along the riverfront as open space, unless designated for redevelopment through the Waterfront Master Plan, **or site-specific plans that evolve and relate to the Waterfront Master Plan.**

Policy 13.2.2 Ensure that improvements to open space areas within the Compatibility Review Boundary are governed by the Oregon City Parks and Recreation Master Plan.

Policy 13.2.3 Partner with owners of private land in the Greenway to clean up, landscape, and undertake other beautification efforts.

Policy 13.2.4 Require preparation and approval of a Master Plan before redevelopment or change in use of the industrial site at 419 Main Street.

Action Items

Action Item 13.2.1 Encourage the State Department of Transportation to repair and maintain the Oregon City-West Linn Bridge along with maintenance of the I-205 Bridge.

Action Item 13.2.2	Reconcile development standard conflicts for areas within the Willamette River Greenway.
Action Item 13.2.3	Restore and enhance native streamside vegetation in all riparian areas adjoining the Willamette River, including Clackamette and other parks.
Action Item 13.2.4	Encourage the removal of nuisance items, as long as such removal does not compromise habitat values for fish and wildlife.
Action Item 13.2.5	Review the current WRG boundary and adjust as necessary to comply with city policies.
Action Item 13.2.6	Establish a “Greenway Monitoring Program” to assure resource values are not degraded or lost over time.

Background

The Oregon State Legislative Assembly created the Willamette River Greenway (WRG) in 1973. The Department of Transportation (DOT) is responsible for coordination of the development and maintenance of the Greenway Plan. The State Land Conservation and Development Commission (LCDC) is authorized under Statewide Planning Goal 15 to determine whether local comprehensive plans satisfy the requirements of the statutes.

Goal 15 requires that each jurisdiction containing the Willamette River incorporate applicable portions of the approved DOT Greenway Plan in their comprehensive plan and implementing regulations. The Oregon City Comprehensive Plan contains goals, policies, an inventory of properties, and a WRG boundary. It implements an overlay zone that regulated allowed uses within the boundary. The WRG element further identifies properties for possible public acquisition and the conditions under which the acquisition could occur.

Land within the boundary is subject to the goals and policies in the comprehensive plan and the regulations in applicable implementing ordinances. Any change or intensification of use or development (as defined in LCDC Goal #15) proposed for land within the Greenway boundary requires a Greenway permit. Land within 150 feet of the ordinary low water mark is considered to be within the WRG Compatibility Review Boundary and is subject to a compatibility review through the conditional use process. WRG Compatibility Review ensures a balance of the best possible appearance, habitat, water quality, public access, scenic, economic, and recreational qualities are provided on lands directly abutting the Willamette River. There are no changes proposed to those processes established by the 1982 Comprehensive Plan and the zoning ordinance. Procedures for and criteria to be used in the administrative review and conditional use processes are consistent with requirements in LCDC Goal #15, and are implemented through the Willamette River Greenway Overlay District.

Additional documents adopted since 1982 that affect the Willamette River Greenway are:

- Oregon City Waterfront Master Plan (Ordinance No. 01-1033, effective January 2002)
- Downtown Community Plan (Ordinance No. 99-1034)
- Water Resources Overlay District of the City’s zoning code, which implements Title 3 of Metro’s Urban Growth Management Functional Plan.

- Flood Management Overlay District of the City's zoning code.
- Erosion and sediment control requirements of the City's zoning code.

A city-sanctioned "Natural Resources Committee" was established by ordinance in 2002 and should be encouraged to provide input in projects or concerns relating to the Greenway.

Oregon City's waterfront area at the confluence of the Willamette and Clackamas rivers contains spectacular natural features and a rich history. Given the site's unique characteristics and proximity to the heart of downtown Oregon City, revitalization of the waterfront area is key to shaping the future of the community. A Waterfront Master Plan was adopted in 2002 to guide that future. The primary focus of the Waterfront Master Plan is to balance the interplay of the natural environment with the economic potential of public and private development. The plan highlights open space improvements and mixed use redevelopment within the district, which is generally along the waterfront from 5th Street in downtown north to the Clackamas River and east along the Clackamas River to I-205.

The Downtown Community Plan establishes a framework for preserving and strengthening the historic character of Oregon City, refining the mix of land uses and emphasizing pedestrian-oriented design. The Downtown Community Plan discussion, goals, and policies are found in Chapter N of this plan.

The natural environment, and fish and wildlife habitats that have been created through human effort, surrounding the Willamette River should be preserved and protected. Protection is provided through the Water Resources Overlay District of Title 17 of the Oregon City Municipal Code and the Willamette River Greenway Overlay District. The City will review these ordinances to remove any conflicts between them and to meet the goals of the Willamette Greenway, add substance where needed. Since the 1996 flood that inundated portions of the greenway, a new flood plain section of the Natural Resources element was adopted in 1999 to better address the management of development in the flood plain.

Some of the implementing regulations that affect the WRG (Flood Management Overlay District, Water Quality Resource Area District Overlay, and Willamette River Greenway Overlay District) conflict, particularly development regulations. Adoption of the Waterfront Master Plan, the Downtown Community Plan, and the regulations to implement them has the potential to further complicate the regulations within the Greenway. Staff should ensure that development standards and regulations as they affect the Greenway, wherever they occur in the implementing ordinances do not create a conflict.

Greenway area resources, including ownership patterns, are discussed in the resource document that supports the Oregon City Comprehensive Plan.

Land within the WRG Compatibility Review Boundary

Throughout the 1990s, the City acquired many of the privately owned parcels along both the Willamette and Clackamas Rivers that were discussed in the 1982 comprehensive plan. Parcels

were acquired in the late 1990s from along Clackamette Drive in the vicinity of the I-205 bridge around Clackamette Cove.

The majority of waterfront properties in the Canemah District remain in private ownership. It is important for the City to acquire and maintain open space land in Canemah to provide bike and pedestrian connections along Highway 99E to the Willamette River Trail as well as river access and view corridors. **Equally important is the protection and enhancement of degraded riparian areas in the Canemah district through municipal, public service, and community planting projects.**

The remaining parcels within the Willamette River Greenway that remain in private ownership are owned primarily by the Union Pacific Railroad and Blue Heron Paper Company. The railroad is an important link in the transportation system and plays a critical role in regional freight and passenger transportation (Amtrak). This transportation link must be preserved to maintain functions that significantly impact regional economics and livability.

The Blue Heron Paper Company continues to play a vital role in providing jobs in Oregon City. The existing use plays a role in enhancing the river-related economic resources (that being power and raw material for the pulp and paper manufacturing). However, its location within the Willamette River Greenway makes it difficult for the City to achieve compatibility with the Greenway goals of protecting natural, recreational and scenic resources of the river corridor and inside the WRG Compatibility Review Boundary. **Future re-use of the area would enable the city to fully meet the WRG Goal. Debris cleanup and riparian planting projects involving citizens partnering with the Blue Heron Paper Company are currently possible and should be pursued.**

~~The Blue Heron Paper Company site occupies approximately 23 acres between 5th Street to the north and the falls to the south. If the company were to close this facility in the future, the site could become available for redevelopment. Because the area is a key part of the downtown and river greenway, it will be critical for the City to exercise control over the process of redevelopment of the site apart from considerations related only to the WRG. The history at the site, its connection to Main Street, potential economic and civic contribution to the city, the potential to include riparian restoration along the river, and potential waste cleanup, will require that a Master Plan be developed for the entire site if a change of use unrelated to the Blue Heron activities is proposed for any portion of the site.~~

Parcels adjoining McLoughlin Boulevard with commercial or office uses should not be pursued for public ownership. These parcels will be zoned to implement the Downtown Community Plan and are integral to the plan's goals as well as regional 2040 goals for Oregon City as a regional center.

TO THE LAND USE COMMISSION:

MY NAME IS CHUCK CALUSHA. I LIVE AT 104 RANDALL STREET IN OREGON CITY, (&)%.

RE: THE PROPOSED ZONING CHANGE FROM LOW TO MEDIUM DENSITY ON BROOKSIDE ROAD PROPERTY, AND SECONDLY, THE RELATED TRAFFIC WE CURRENTLY HAVE IN THE NE QUADRANT OF THE SOUTH END AREA.

FIRST, I WOULD LIKE TO COMMENT PRIHARILY ON THE DENSITY AND TRAFFIC PROBLEM IN THE NE QUADRANT.

I HAVE LIVED AT 104 RANDALL STREET SINCE 1956 AT WHICH TIME IT WAS A DEAD END STREET ENDING AT THE HARTKE FARM. IN THE YEARS WHICH FOLLOWED, ALL OF THE LOTS ON RANDALL STREET AND THOSE IN THE HARTKE LOOP AREA AND THE NE QUADRANT IN GENERAL WERE FILLED. INCLUDED IN THIS AREA ARE NUMEROUS SINGLE FAMILY HOUSES AND SEVERAL STREETS OF DUPLEXES. I AM NOT AWARE OF ANY VACANT LOTS ON RANDALL STREET OR IN THE AREA MENTIONED ABOVE, SO I THINK WE HAVE HAD OUR GROWTH COMPLETED, WHICH BEGAN 30 YEARS AGO.

THE PROBLEM WE FACE NOW IS TRAFFIC WHICH HAS ALSO INCREASED OVER THE YEARS. THIS TRAFFIC ON RANDALL STREET, CANEMAH ROAD, TELFORD AND WARNER PARROT HAS INCREASED TO THE POINT WHERE THEY ARE NO LONGER RESIDENTIAL STREETS BUT ARE NOW RESIDENTIAL FREEWAYS. THERE WAS A SHARP INCREASE IN THE TRAFFIC ON CANEMAH AND RANDALL STREET SEVERAL YEARS AGO, WHICH I BELIEVE CORRELATES WITH THE LAST CHANGE MADE IN THE STOP LIGHTS AT THE LINN AVENUE-WARNER PARROT INTERSECTION, AND PERHAPS ALSO FROM THE HUGE APARTMENT COMPLEX CONSTRUCTED AT THE WARNER PARROT-CENTRAL POINT INTERSECTION.

I WOULD ALSO ADD THAT MANY PEOPLE TAKE DAILY WALKS ON THESE SAME STREETS.

I BELIEVE THAT ANY ADDITIONAL HOUSING IN THE NE QUADRANT WILL ONLY ADD TO THE CURRENT TRAFFIC SITUATION.

I BELIEVE THAT WE MUST HAVE GROWTH, BUT WE ALSO NEED TO FIX THE PROBLEMS AS WE GO ALONG, OR THE GROWTH ENDS OR CAUSES DETERIORATION OF THE ENTIRE AREA.

IN VIEW OF THE ABOVE I BELIEVE THAT THERE ARE APPROACHES OTHER THAN HOUSING THAT NEED TO BE CONSIDERED IN DESIGNATING WHAT IS ACCOMPLISHED IN THE BROOKSIDE AREA

The Tri-City Treatment Plant

The City's position regarding the treatment plant seems somewhat ambivalent. For example, proposed Comprehensive Plan Policy 9.2.2 states: "Given the vision for Clackamette Cove, investigate strategies to deal with increased flows, including alternate locations for treatment, from growth in the Damascus area and the potential closure of the Kellogg Plant." At the same time, the proposed Public and Quasi Public ("QP") designation specifically recognizes the sewage treatment plant (pg. 2-13 of the proposed Comprehensive Plan). The proposed Comprehensive Plan explains this ambivalence further at page 9-11, as follows:

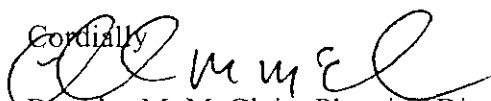
"The need for major expansion to this plant will have to be weighed against the need to preserve the valuable property around the plant for future parks, recreation, and mixed use development. The City and Tri-City should continue to collaborate on the Clackamette Cove area improvements identified in the Tri-City WCPC Master Plan and Oregon City Waterfront Master Plan."

Suffice it to say, there will be further discussions with the City as the planning for the area around Clackamette Cove continues. No comment is necessary at this time, although the County would like to stress the significance of this facility to the City and Region's ability to accommodate anticipated growth.

Other Items

- Government Offices in the MUD: Government Offices would become conditional uses in the new MUD, which would affect the various County facilities downtown. There is no clear rationale for this classification. The Metro Urban Growth Management Functional Plan encourages government offices to locate in Regional Centers, which would include downtown Oregon City. Other offices are allowed as a permitted use in the district. I suggest that government offices such as the Community Corrections building be allowed as a permitted use in the MUD.
- County Shops: The site of "Big Blue" and the County Road Division is proposed for designation as QP-MUD. The QP designation is an appropriate recognition of these county facilities. The MUD designation, however, would require conditional use approval of public utilities and services, which presumably would include any change in use at this site. We suggest adding a provision recognizing at least the Road Division's historical use, similar to the recognition provided to existing industrial uses in the proposed MUD (Section 17.34.050).

Again, thank you for the opportunity to comment. We look forward to continuing to work with the City of Oregon City.

Cordially

Douglas M. McClain, Planning Director



CITY OF OREGON CITY

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Intersection Level of Service Standards

Oregon City's minimum acceptable Level of Service (LOS) is defined as follows for signalized intersections areas of the city that are located outside the Regional Center (Downtown Community Plan) boundaries:

LOS "D" or better for the intersection as a whole *and* no approach operating at worse than LOS "E" *and* a v/c ratio not higher than 1.0 for the sum of critical movements.

Oregon City's minimum acceptable LOS is defined as follows for unsignalized intersections throughout the city:

LOS "E" or better for the poorest approach *and* with no movement serving more than 20 peak hour vehicles operating at worse than LOS "E." In other words, LOS "F" will be tolerated for minor movements during a peak hour.

The Regional Transportation Plan (RTP) recognizes that congestion will occur more readily within regional centers. Policy 13.0 and Table 1.2 of the 2000 RTP establish motor vehicle LOS policy and Regional Motor Vehicle Performance Measures for regional facilities. These measures are applicable at a planning level and the LOS values are calculated on a link basis using the volume to capacity ratio for a given link or segment. Intersection analysis and improvements also generally fall outside of the RTP, and capacity improvements recommended in the RTP generally apply to links in the regional system, not intersections.

However, to be consistent with RTP policy for accepting some limited congestion in regional centers, the City will allow reduced standards solely for the first peak hour. For signalized intersections within the Regional Center boundaries, the following minimum LOS standards will be allowed:

LOS "D" can be exceeded during the peak hour; however, during the second peak hour, LOS "D" or better will be required as a whole and no approach operating at worse than LOS "E" and a v/c ratio not higher than 1.0.

When approving land use actions, the City of Oregon City requires all relevant intersections to be maintained at the above LOS upon full build-out of the proposed land use action.