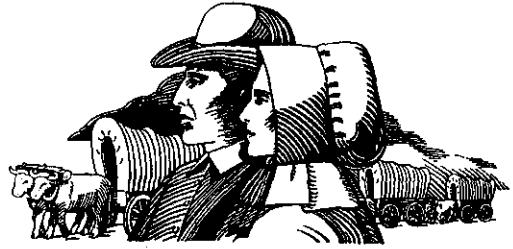


# CITY OF OREGON CITY

## PLANNING COMMISSION

320 WARNER MILNE ROAD  
TEL 657-0891

OREGON CITY, OREGON 97045  
FAX 657-7892



## AGENDA

City Commission Chambers - City Hall

February 26, 2001 at 7:00 P.M.

### PLANNING COMMISSION MEETING

- 7:00 p.m. 1. **CALL TO ORDER**
- 7:05 p.m. 2. **PUBLIC COMMENT ON ITEMS NOT LISTED ON AGENDA**
- 7:10 p.m. 3. **APPROVAL OF MINUTES:** February 12, 2001
- 7:15 p.m. 4. **HEARINGS:**
- CU 00-07;** W.H. Pacific, Inc./ Construction of a 100' monopole with antennas for Sprint PCS / 13889 S. Holcomb Blvd; Clackamas County Map 2S-2E-29, Tax Lot 500
- 7:45 p.m. **MD 01-01;** City of Oregon City/ Modification to Condition of Approval #7 of CU 00-06 (METRO Transfer Station) / 2001 Washington Street; Clackamas County Map 2S-2E-29, Tax Lot 904 & 801
- 8:00 p.m. **L 00-06 (*Adoption of Findings*);** City of Oregon City / Adoption of the Transportation System Plan as an Ancillary Document to the Oregon City Comprehensive Plan
- 8:30 p.m. **L 00-02;** City of Oregon City / Adoption of Tree Ordinance (*To Be Mailed*)
- 9:00 p.m. 5. **OLD BUSINESS: None**
- 9:05 p.m. 6. **NEW BUSINESS**
- A. Staff Communications to the Commission**
- 9:10 p.m. **B. Comments by Commissioners**
- 9:15 p.m. 7. **ADJOURN**

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.

**DRAFT**

**CITY OF OREGON CITY  
PLANNING COMMISSION MINUTES  
February 12, 2001**

**COMMISSIONERS PRESENT**

Linda Carter, Chairperson  
Commissioner Bob Bailey  
Commissioner Duff Main  
Commissioner Renate Mengleburg  
Commissioner Lynda Orzen  
Commissioner Laura Surratt

**STAFF PRESENT**

Maggie Collins, Planning Manager  
Barbara Shields, Senior Planner  
Colin Cooper, Senior Planner  
Bob Cullison Engineering Manager  
Nancy Kraushaar, Senior Engineer  
Sharon Zimmerman, City Engineer  
William Kabeiseman, City Attorney  
John Repplinger, City Traffic Engineer  
Carrie Foley, Recording Secretary

**1. CALL TO ORDER**

**Chairperson Carter** called the meeting to order.

**2. PUBLIC COMMENT ON ITEMS NOT LISTED ON AGENDA**

None.

**3. APPROVAL OF MINUTES: January 22, 2001**

**Maggie Collins** stated that Denyse McGriff stated that she would like it to be noted that she is Chair of the Land Use Committee and former Co-Chair of the McLoughlin Neighborhood association.

**Commissioner Orzen** moved to accept the minutes of the January 22, 2001 Planning Commission meeting with changes as noted, **Commissioner Surratt** seconded.

Ayes: Bailey, Main, Mengleburg, Orzen, Surratt, Carter; Nays: None

**4. PUBLIC HEARINGS**

- A. **ZC 00-02**; Sunnyside Construction & Development, Inc./ 14958 S. Holcomb Blvd;  
Map #2-2E-28A, Tax Lot 2000& 2100.

**Chairperson Carter** began to review the public hearing procedures. **Mary Johnson** stated that she represented the first applicant and asked that the public hearing and record not be opened and to approve a continuance as per her request. **William Kabeiseman** stated that the Planning Commission could choose to either not open the hearing, or to open the hearing for public testimony. **Commissioner Bailey** stated that he had no problem in granting the continuance. **Commissioner Orzen** stated that the public in attendance tonight should be able to give testimony. **Chairperson Carter** stated that new information could surface during the requested continuance period, and that the applicant might not require a zone change at that point.

**Commissioner Main** asked why the applicant is requesting a continuance. **Mary Johnson** responded that the applicant currently has a request for an R-10 subdivision under administrative review for the same property. If the subdivision request were granted, the applicant would withdraw the request for a zone change for this property. She stated that the applicant would also like time to research the options of combining adjacent properties to form a larger parcel for development, which might result in a different zone change request or a PUD application. She stated that the applicant would like to continue the zone change request to keep all options open and to avoid the possibility of a one-year waiting period to re-file. She stated that she does not have a presentation prepared for a public hearing and that revisions might be made to the application during the continuance period. She stated that she doesn't understand why there is staff resistance and asked to continue the application to a public hearing on May 14, 2001. **Commissioner Surratt** stated that the Staff memo from February 8, 2001 stated that Staff does recommend approval of her continuance request. **Chairperson Carter** stated that the public would need to hold testimony until the new hearing date in order to take into account any new application modifications.

**Commissioner Surratt** moved to approve a continuance request for a public hearing on ZC 00-02 to the May 14, 2001 Planning Commission meeting. **Commissioner Bailey** seconded.

Ayes: Bailey, Main, Mengleburg, Orzen, Surratt, Carter; Nays: None

## **OPEN OF PUBLIC HEARING**

- B. **L 00-05; City of Oregon City/ Adoption of the Molalla Boulevard and Bikeway Improvements Plan as an Ancillary Document to the Oregon City Comprehensive Plan.**

## **STAFF REPORT**

**Colin Cooper** stated that Staff recommends adoption of Chapters 3, 4 and 5 of the Molalla Improvement Plan as an Ancillary Document to the Comprehensive Plan. He stated that the Molalla plan has been designed to either stand alone or work in conjunction with the City's Transportation System Plan (TSP).

**Nancy Kraushaar** stated that the Molalla Improvement Plan had been developed to allow this Metro-designated transit corridor to handle an increase in traffic flow due to new development. She stated that Sharon Zimmerman is the Staff project lead and that the project engineer is Bob Wallis from Wallis Engineering.

- The main goal of the Molalla plan is to maintain capacity and handle growth without having to rely on right-of-way additions; access management is an important factor for improvement.
- The Molalla Improvement Plan is very specific and would supersede the TSP only in the Molalla transit corridor.
- Main problems identified for improvement include sidewalk obstructions, sidewalk discontinuities, too many driveways, poor pavement, lack of landscaping and bike lanes, and excess signage.
- The improvement plan cuts Molalla Avenue into three different segments; each segment incorporates plans for phased build-out and for full build-out. Planned initial improvements are for landscaped medians and ODOT-funded sidewalks. Phase One is designed to be simple and affordable; future workshops are planned to incorporate public input. Planned 3-lane sections would prevent the need to funnel traffic near 7<sup>th</sup> Street.
- The project also includes planning for intersections, landscaping, sewer and utility management along the Molalla corridor. Options for underground utility lines are being researched.

## **TESTIMONY IN FAVOR**

None.

## **TESTIMONY IN OPPOSITION**

None.

## **CLOSE OF PUBLIC HEARING**

## **DELIBERATION BY COMISSIONERS**

**Chairperson Carter** stated that she looks forward to seeing the improvement work begin, and stated that implementation would be a welcome addition to Oregon City. **Commissioner Bailey** agreed and stated that it would contribute to Oregon City's identity and sense of place. He mentioned that the County would be a good resource for information on street trees and other landscape vegetation.

**Commissioner Orzen** moved to recommend approval of adoption of Chapters 3, 4 and 5 of the Molalla Boulevard and Bikeway Improvements Plan as an Ancillary Document to the Comprehensive Plan. **Commissioner Bailey** seconded.

Ayes: Bailey, Main, Mengleburg, Orzen, Surratt, Carter; Nays: None

## **OPEN OF PUBLIC HEARING**

C. **L 00-06 (continued)**; City of Oregon City / Adoption of the Transportation System Plan as an Ancillary Document to the Oregon City Comprehensive Plan.

## **STAFF REPORT**

**Barbara Shields** reviewed the staff report and letters from ODOT and Michael Robinson representing the Oregon City School District. She stated that the Staff recommendation is to close the public hearing portion of the TSP application at tonight's meeting; the record should remain open for seven days to allow for submittal of additional testimony. The record would officially close on February 20, 2001 and the Planning Commission would deliberate to a recommendation at the next meeting on February 26, 2001.

## **TESTIMONY IN FAVOR**

None.

## **TESTIMONY IN OPPOSITION**

John Keyser, 19600 S. Molalla Avenue, Oregon City, OR 97045

**John Keyser**, President of Clackamas Community College, reviewed the College Expansion Plan with the Commissioners. He stated that the College had not purchased adjacent property based on any City recommendation, and that the Meyers Road

extension could utilize property in violation of the College's Facilities Master Plan. He stated that Glen Oaks Road should be used as a connection between Highway 213 and Beavercreek Road. Mr. Keyser stated that Barbara Shields would be attending the next Clackamas Community College Board meeting to discuss these issues. He stated that he objects to the approval of the TSP because it would result in removal of valuable public recreation areas including jogging trails and an athletic field. He stated that he would like to see these issues resolved with solutions that meet everyone's needs.

Tom Sisul, 375 Portland Avenue, Gladstone, OR 97027

**Tom Sisul** stated that he represents Joe Spazianni, who owns property adjacent to a proposed Meyers Road extension. He stated that Mr. Spazianni would like to see the proposed extension realigned towards the north to reduce impact on some nearby wetlands. Mr. Sisul stated as his personal opinion that he would like to see Meyers Road downgraded from a minor arterial to a collector, and that money should go to the improvement of Glen Oaks Road. He stated that he is concerned about traffic issues that would result from the new intersections created on Beavercreek Road.

## **CLOSE OF PUBLIC HEARING**

**John Replinger** stated that he is the City's Development Review Traffic Engineer and would be able to address some of the issues concerning a proposed Meyers Road extension. He stated that they looked at several options to connect Meyers Road to Beavercreek Road. He stated that options that align the extension to the north would create a significant impact on the college campus and surrounding wetlands. The School District found the northern alignment to be completely unacceptable. He stated that the existing proposed alignment is more to the south and is the best compromise to reduce the impact on wetlands and the college campus while complying with the School District's request to utilize the existing signaled intersection on Meyers Road and to avoid the District's proposed running track area.

**John Replinger** stated that the Meyers Road connector extension is being developed in addition to the Glen Oaks connector to allow for multi-modal facilities. For example, he stated that the City would like to provide additional transit route options to accommodate new development while avoiding traffic concentration on one or two roadways. He emphasized the need for connecting existing transportation facilities (connectivity).

**Commissioner Bailey** moved to close the public hearing portion of File L 00-06 with the public record to remain open until February 20, 2001. Staff will bring additional testimony and findings to the February 26, 2001 meeting for Planning Commission deliberation and recommendation to the City Commission. **Commissioner Orzen** seconded.

Ayes: Bailey, Main, Mengleburg, Orzen, Surratt, Carter; Nays: None

## **5. OLD BUSINESS**

None.

## **6. NEW BUSINESS**

### **A. Staff Communications to the Commission**

**Maggie Collins** handed out the most recent list of Neighborhood Associations and an agenda for the next worksession. She stated that notebooks would be provided at the worksession for the new Commissioners

### **B. Comments by Commissioners**

**Commissioner Mengleburg** moved to nominate and elect **Commissioner Surratt** as the Vice-Chairperson of the Planning Commission for the year 2001. **Commissioner Bailey** seconded. **Commissioner Surratt** stated that she accepted the nomination.

Ayes: Bailey, Main, Mengleburg, Orzen, Surratt, Carter; Nays: None

## **7. ADJOURN**

All Commissioners agree to adjourn.

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**Linda Carter, Planning Commission  
Chairperson**

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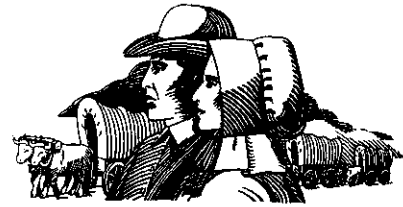
**Maggie Collins, Planning Manager**

# CITY OF OREGON CITY

## PLANNING COMMISSION

320 WARNER MILNE ROAD  
TEL 657-0891

OREGON CITY, OREGON 97045  
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### STAFF REPORT

**Date: February 20, 2001**

**FILE NO.:** CU 00-07

**FILE TYPE:** Quasi-Judicial

**HEARING DATE:** February 26, 2001  
7:00 p.m., City Hall  
320 Warner Milne Road  
Oregon City, OR 97045

**APPLICANT'S  
REPRESENTATIVE:** Sprint PCS  
W&H Pacific  
8405 SW Nimbus Avenue  
Beaverton, OR. 97008  
Contact: Craig Walkenhorst

**OWNER:** Victor Overfurt  
13889 S. Holcolmb Blvd.  
Oregon City, OR. 97045

**REQUEST:** Conditional Use to allow the construction of a 104-foot wireless  
monopole, equipment shelter, and associated access driveway.

**LOCATION:** 13889 S. Holcolmb Boulevard  
Map 2S-1E-29DA, Tax Lot 500, Clackamas County.

**REVIEWER:** Colin Cooper, AICP, Senior Planner

**RECOMMENDATION:** **Staff recommends approval of CU 00-07 with conditions of  
approval**



## **CRITERIA:**

### **Municipal Code:**

Section 17.24 Neighborhood Commercial (“NC”) District

Section 17.50 Administration and Procedures

Section 17.56 Conditional Uses

## **BASIC FACTS:**

1. The site is located at 13889 S. Holcomb Boulevard and is legally described as Map 2S-2E-29DA, tax lots 100-500, Clackamas County (Exhibit 1).
2. The subject property consists of five tax lots all zoned NC, Neighborhood Commercial. Tax lots 200 and 300 are developed with a small mini-market and gas station. While zoned NC, tax lots 100, 400, and 500 are developed with single-family dwellings. The subject properties fall within the Water Resource Overlay Zone, and therefore, are required to meet all standards found in Oregon City Municipal Code (OCMC) Section 17.49.
3. In addition to the review of the applicant’s CUP proposal by the Planning Commission, staff will review site plan and design review and water resource applications. The Planning Commission must approve this use through the CUP review prior to these other review processes.
4. Surrounding land uses are as follows:

West:	The property directly west of the subject parcel zoned Neighborhood Commercial (NC) currently vacant; and RD-4, developed with single-family residential.
North:	The property north of the subject site is zoned RD-4 Two-Family Dwelling District. Development on the parcels to the north of the site includes a combination of single-family and two-family dwellings.
East:	The property to the east of the subject parcel is zoned RD-4 Two Family Dwelling District and NC. Development on the RD-4 zoned property consists of single-family and two-family dwellings. The parcel zoned NC parcel is currently developed with a small mini-market.
South:	To the south of property is the Holcomb Boulevard right-of-way. South of Holcomb Boulevard are several parcels that are all zoned R-10 and developed with single-family residential dwellings.

5. Transmittals on the proposal were sent to various City departments, affected agencies, property owners within 300 feet and the Park Place Neighborhood Association. The Park Place Neighborhood Association submitted a letter to the record indicating that they did not oppose the tower, however, the Neighborhood Association requests that the monopole be designed to have a “country” feel to better blend with the surrounding development (Exhibit 3). In addition, staff has received a letter from Jacqueline D. Barnett, who owns and lives directly adjacent to the proposed location of the monopole. Ms. Barnett’s raises concern regarding safety to aesthetic compatibility of the proposed monopole (Exhibit 4).

## **ANALYSIS AND FINDINGS:**

### **I. 17.56 Conditional Uses**

**Criterion 1:** *The use is listed as a conditional use in the underlying district.*

Tax lots 100-500 are zoned Neighborhood Commercial (NC). OCMC Section 17.24.030 Conditional uses for the NC District states that “conditional uses listed in Section 17.56.030 are permitted in this district when authorized and in accordance with standards contained in Chapter 17.56 of this title.” Section 17.56.030 (T) states that “Public utilities, including sub-stations and communication facilities (such as towers, transmitters, buildings, plants and other structures)” require a Conditional Use Permit. The Oregon Revised Statute Chapter 775, defines wireless telephone service as a “public utility.”

Therefore, staff finds that the proposal meets this criterion.

**Criterion 2:** *The characteristics of the site are suitable for the proposed use considering size, shape, location, topography, existence of improvements and natural features.*

The size of tax lot 500, Map 2E-2S-29DA is 1.05 acres. The total area controlled by the landowner, tax lots 100-500, is 3.4 acres. The applicant is proposing access to the lease area from S. Holcomb Boulevard via 15-foot paved driveway originating in tax lot 200. This road traverses the backs of tax lot 300 and 400 prior to arriving at the lease area located on tax lot 500. The site is relatively flat with a slight slope to the southwest. Existing development includes single-family dwellings on tax lots 100,400 and 500. An approximately 5,725 square foot mini-market and gas station is developed on tax lots 200 and 300. Staff finds that the proposed site is suitable for the proposed monopole and associated equipment cabinets. However, staff also finds that the proposed structure does not meet the following approval standard:

#### **17.56.040 Criteria and standards for conditional uses.**

***“D. Public Utility or Communication Facility. Such facilities as a utility substation, water storage tank, radio or television transmitter, tower, tank, power transformer, pumping station and similar structures shall be located, designed and installed with suitable regard for aesthetic values. The base of these facilities shall not be located closer to the property line than a distance equal to the height of the structure.*”**

***Hydroelectric generation facilities shall not exceed ninety megawatts of generation capacity.”***

The applicant has not addressed this criterion. Although staff expressed to the applicant that the above standard applies to their application, the applicant maintains that this standard does not apply to their application. Staff finds that based on the definition found in ORS Chapter 775 the proposed Sprint PCS monopole is a “public utility,” and therefore, is subject to this standard.

As proposed the monopole is approximately 22 feet from the northern or rear property line and 12 feet from the western or side property line. The proposed monopole is 104 feet in height. The standard requires that the proposed monopole be located 104 feet from any property line. Therefore, staff finds that this criterion is not met. Additionally, staff finds that the proposed monopole is only 29-feet from the residence on tax lot 1700, Map 2S-2E-29DA. Although the applicant has provided some wind load documentation, the applicant has not provided precise documentation of the fall zone surrounding the proposed monopole.

As a result of these findings staff is recommending a condition of approval that requires the lease area to be located at the northern end of tax lot 200, Map 2S-2E-29DA. This location will better meet the intent of Section 17.56.040.D as well as reduce the visual impact to surrounding residential development. Relocation of the proposed monopole to this portion of the site will not decrease the property owner’s redevelopment opportunities. Alternatively, staff recommends a condition that would allow the applicant to reduce the height of the proposed monopole and locate the proposed monopole in another portion of the site that would meet the above visual and safety concerns.

Therefore, staff finds that this proposal can be made to satisfy this criterion with Condition #1.

***Criterion 3: The site and proposed development are timely, considering the adequacy of transportation systems, public facilities and services existing or planned for the area affected by the use.***

The site has good access to transportation systems, since tax lots 100-500 all directly abut S. Holcomb Boulevard. Clackamas County has jurisdiction over S. Holcomb Boulevard and classifies it as a Major Arterial. The County has not submitted any comments on the proposed application. Vehicular access to the proposed facility is via a 15-foot driveway from tax lot 200 that crosses the rear of tax lot 300 and 400 prior to ending on tax lot 500. The proposed facility will not generate a significant number of additional trips on the surrounding road network. The applicant has stated that the only traffic generated by the site is likely to be a single service call each month. Although public facilities such as water, sewer, and storm sewer are available the applicant states that the proposed facility will not require any of those services.

Therefore, staff finds that this criterion is satisfied.

**Criterion 4: *The proposed use will not alter the character of the surrounding area in a manner which substantially limits, impairs or precludes the use of surrounding properties for the primary uses listed in the underlying district.***

The character of the surrounding area is primarily residential with a small amount of Neighborhood Commercial. The proposed monopole and associated equipment cabinets meet the underlying NC zoning district dimensional standards with the exception of height. The height limit in the NC district is normally 25-feet. However, the City has included cellular monopoles within those structures exempt from the specific height restrictions in a given zoning district. Nonetheless, it is incumbent upon the applicant to provide evidence that the height of the proposed structure is compatible with surrounding development. The applicant has responded to this criterion by stating that the surrounding single-family residential development will not be impaired by the proposed monopole. Staff finds that by placing the proposed 104-foot monopole within approximately 30-feet of a single-family residence directly detracts from the character of the residence is being impacted in a manner that would not be normally expected within the NC zoning district. In addition, the proposed monopole will impair the use of the rear yard because of concern from icefall and potential structural failure. Staff finds based on the current location of the proposed monopole that the applicant has not met this criterion.

Therefore, staff finds that this proposal can be made to satisfy this criterion with Condition #1.

**Criterion 5: *The proposal satisfies the goals and policies of the city comprehensive plan which apply to the proposed use.***

The Oregon City Comprehensive Plan contains the following applicable goals and policies:

“Encourage citizen participation in all functions of government and land-use planning.”  
(Citizen Involvement Goals and Policies, Policy 4)

The public hearing was advertised and noticed as prescribed by law to be heard by the Planning Commission on February 26, 2001. The public hearing will provide an opportunity for comment and testimony from interested parties.

There are no additional Comprehensive Policies that address the provision of wireless communication utilities.

Therefore, staff finds that this criterion is satisfied in that this proposal satisfies applicable goals and policies of the Oregon City Comprehensive Plan.

**CONCLUSION AND RECOMMENDATION:**

Although the applicant has established a need for service in the S. Holcomb Boulevard area staff finds that the proposed monopole is not in conformance with Section 17.56.040.D or Section 17.56.010.4. Based on OCMC Section 17.56.010.(B) the Planning Commission

has the authority to increase the setbacks for a Conditional Use above those required in the base zone if findings are made to justify the condition. Based on the analysis and findings as described above, staff concludes that the proposed construction of a 104-foot tower can be made to satisfy the requirements as described in the Oregon City Municipal Code for Conditional Use Permits (Chapter 17.56). Therefore, staff recommends that the Planning Commission approve file CU 00-07, subject to the conditions of approval contained in this report.

### **CONDITIONS OF APPROVAL**

1. The applicant shall relocate the proposed monopole, equipment cabinets, and associated access road to the rear of tax lot 200, Map 2S-2E-29DA in order to comply with Section 17.56.40(D). Alternatively, the applicant may reduce the height of the monopole to such a dimension as to comply with Section 17.56.40(D).
2. The applicant shall provide a revised landscape plant that illustrates a continuous evergreen screening around the entire perimeter of the lease area. The evergreen screening shall be able to be maintained at a height of a minimum of 6 feet. The landscape plan shall retain the 6 proposed Western red cedar trees.
3. The applicant shall be required to obtain Site Plan and Design approval for the monopole, equipment shelter, and associated driveways.
4. Prior to issuance of a Building Permit the applicant shall provide cross section diagrams for all structures (buildings, public roadways, and parking lots) that are within the fall zone of the proposed facility.

The applicant shall provide the following additional information:

- a. Documentation to establish the proposed pole has sufficient structural integrity for the proposed uses at the proposed location in conformance with the minimum safety requirements as required by the State Structural Specialty Code, latest adopted edition.
- b. The general capacity of the pole in terms of the number and type of antennae it is designed to accommodate.
- c. A signed agreement stating that the applicant will allow collocation with other users, providing all safety and structural requirements are met.
- d. Protection to adjoining property owners from the potential impact of pole failure and ice falling from the pole. A licensed structural engineer's analysis shall be submitted to demonstrate that such a failure and icefall may be accommodated on the site.

### **EXHIBITS:**

1. Vicinity Map
2. Applicant's Submittal
3. Park Place Neighborhood Letter, dated January 25, 2001
4. Letter from Ms. Barnett, dated January 28, 2001



**Land Use application – Conditional Use  
Submitted to Oregon City Planning Division**

**Request:** Installation of an unmanned wireless telecommunications facility consisting of a 100 foot tall monopole structure with 12 antennas and 7 equipment cabinets located at the base of the pole within a fenced area.

**Sprint PCS site number:** PO54XC003A

**Applicant:** Sprint PCS  
4638 Chabot Drive, Suite 100  
Pleasanton, CA 94588

**Prepared for Applicant by:** Craig Walkenhorst  
W&H Pacific, Inc.  
8405 SW Nimbus Avenue  
Beaverton, OR 97008  
(503) 372-3710

**Date Prepared:** December 14, 2000

**Property Owner:** Victor Overturf  
13889 S. Holcomb Blvd.  
Oregon City, OR 97045

**Site Location:** 13889 S. Holcomb Blvd.  
Oregon City, OR 97045

**Assessor's Parcel Number:** R22E29DA00500

**Zoning Designation:** NC

# **Narrative**

## **Project Description**

Sprint PCS proposes to expand its Pacific Northwest PCS network in the Clackamas County area. The proposed tower is necessary to complete coverage voids in the provision of wireless telecommunications service. The proposed site is located at 13889 S. Holcomb in Oregon City.

The proposed telecommunications facility site would be located within a 25'X 65' lease area located in the rear corner of the parcel. It would include construction of a 100' steel monopole, mounted with 12 antennas. The facility would also include 7 ground based equipment cabinets mounted on a 19'-6" by 8' concrete pad and parking space for a portable emergency generator. For security purposes, the facility will be surrounded with a six-foot high fence topped with 3 strands of barbed wire.

The main power supply for the site will be from AC power. Sprint will install underground power and phone lines from existing service points. A portable emergency generator will only be used in the event of a power outage.

The monopole will be structurally designed to accommodate a wind resistance rating of 80 MPH (Attachment 5). Power densities will be far less than the accepted general population exposure standard as demonstrated by the attached licensed engineers report, Attachment 4. In fact, the effective radiated power will be less than 5 percent of the maximum permitted by the FCC. In addition, cellular equipment is FCC licensed and approved, and produces no emissions that can interfere with consumer electronic equipment.

## **Site Description**

The subject site is near the intersection of Apperson Road and Holcomb Blvd., and is designated as neighborhood commercial (NC). The site is actually composed of several contiguous deep and narrow tax lots (100 through 500) under the same ownership. Parcels 200 and 300 contain "Steve's Market", a gas station and convenience market. The remaining parcels contain single family dwellings near the front of the property close to Holcomb Rd. The grade is relatively flat and located on a bluff above the surrounding area. Surrounding properties are residential. The site contains several deciduous and coniferous trees, and thick understory brush in areas which naturally screen the back portion of the parcels from the road. A water quality management overlay zone is located along the front portion of the lots near the road.

The proposed 100' monopole and Sprint PCS lease area will be placed at the rear of tax lot 500 and will be outside of the water quality overlay zone. The wireless telecommunication facility is proposed to be accessed via an access road from the parking lot



of Steve's Market, on tax lots 200 and 300. The access road will not exceed a 5% grade, and is also outside of the water quality management area. No construction activities will take place in the water quality overlay zone.

### **Cell Site Selection Process**

Sprint PCS is continuing to build out its Northwest PCS network to meet the needs of its customers and to provide the coverage and capacity required by customers in this area of Clackamas County. Once the need for a PCS site in a particular geographical area has been established, Sprint's system engineers identify a target area, referred to as a "search ring", in which to locate the facility. The required site location and antennae height is determined by a propagation study (Attachment 3). This study evaluates the expected radio frequency (RF) signal from the proposed site at a given location and height. The RF signal must be strong enough to provide adequate coverage within the desired area.

The selection and design is further refined by considering topographic and geographic factors, such as tree canopy, buildings, mountains, water bodies, the ability to mitigate the antennae support structures visual impact, compatibility with existing land uses, and the ability to negotiate a mutually beneficial lease with a property owner.

The coverage objective of this site is to provide solid in-vehicle coverage along Hwy. 213 from I-205 south towards Beavercreek Road. This site is part of a coverage expansion initiative by Sprint PCS to complete coverage on Hwy. 213 to southern portions of Oregon City and the Clackamas Community College that are not currently covered by Sprint PCS. This site will hand off to the following existing cell sites:

- PO03XC049 Jennings Lodge
- PO03XC130 Oak Grove
- PO03XC033 Oregon City

All of the surrounding residential properties will also be covered.

No collocation opportunities are available. After a thorough evaluation of the search ring, the subject site was determined to be the most appropriate and the only feasible location that satisfies all RF and network engineering requirements and presents the minimum impact to the surrounding area.

### **Applicable Criteria**

Pursuant to a pre-application conference held on November 28<sup>th</sup> with City staff, the proposal is reviewed as a conditional use (Oregon City ZDO, Section 17.56.030). The Planning Commission may grant a conditional use when the following criteria have been satisfied.

## Conditional Use Criteria:

A. *"The use is listed as a conditional use in the underlying district."*

The zoning district is NC. Public utility structures are identified as a conditional use in this zone.

B. *"The characteristics of the site are suitable for the proposed use considering size, shape, location, topography, existence of improvements and natural features."*

The site complies with these criteria. The location was found to be suitable according to the cell site selection process explained above. Adequate site improvements exist that allow access to be taken from the parking lot of Steve's Market, power and phone can be connected as well via underground lines. The site is level, and no natural features such as wetland, streams, or endangered species are present that would conflict with the proposed development. A water quality overlay zone is present on a small portion of the site, but all development activities will occur outside of this area.

Existing trees and established vegetation will be preserved and the facility will be further screened by the addition of extensive landscaping.

C. *"The site and proposed development is timely, considering the adequacy of transportation systems, public facilities and services existing or planned for the area affected by the use."*

Because the facility is unmanned it will not require public utilities such as sewer or water, and there will be no traffic impacts. The only trips generated will be for periodic routine maintenance consisting of one site visit per month typically.

D. *"The proposed use will not alter the character of the surrounding area in the manner which substantially limits, impairs, or precludes the use of surrounding properties for the primary uses listed in the underlying district."*

The proposed facility will have no negative land use impacts on the surrounding area and is a passive use on unused land. The facility will not generate airborne pollutants, hazardous wastes, odors, glare, heat, noise or vibrations. The proposed structure will not be lit, and no glare will occur as the structure will be painted a non-reflective dark green color to blend with the surrounding trees (see Attachment 6 for color chart). The facility will not generate excessive traffic as it is an unmanned facility.

The surrounding parcels are all built with single family residential dwellings, except for the adjacent commercial activity. The proposed facility will not affect the ability of the

surrounding properties to continue to be used as residential or commercial where designated, and will have no effect on the surrounding development pattern.

The communications services provided by this facility will be utilized by emergency services, delivery services, and area residents as they conduct their daily business.

*E. "The proposal satisfies the goals and policies of the Comprehensive Plan which apply to the proposed use."*

No portions of the Comprehensive Plan are applicable to this request.

### **Miscellaneous Criteria**

#### *Storm drainage:*

Storm water runoff will be accommodated through an 8" layer of gravel within the lease area. This will allow filtering and percolation of the storm water runoff into the ground. Management of storm water runoff will prevent any adverse impacts from drainage onto adjacent properties. All runoff will be contained on site and within the lease area.

#### *Emergency Vehicle Access and Parking:*

The proposed access road will comply with the Tualatin Valley Fire and Rescue requirements for access. The road will be 15' in width, constructed of an all weather surface (asphalt), and capable of supporting a 50,000 vehicle. In addition, the access road for the lease area will include a turnaround because the length of the road does not allow backing out safely.

The access road is proposed to be located along the rear property line in order to maximize the use of the interior lot. The access road will only be used once a month on average by a technician. Due to the infrequent use of the road, it is requested that the setback distance typically required between the property line and the road be found as unnecessary in this case. In addition, parking spaces are not applicable to this development due to the infrequent visitation of the site. The turnaround will provide adequate space for a single vehicle to park.

#### *Landscaping and Visual Impact:*

The lease area will be landscaped with native evergreen materials as depicted in the attached drawings. Although the proposed location of the antennae support structure is outside of the water quality management overlay zone, use of native landscape materials will enhance the wildlife habitat value of the site. Further, the landscaping will provide a natural screening and buffer.

The visual impact will be minimized in several ways. The height of the monopole is the lowest elevation that is technically feasible to provide cellular coverage in this area. The structure will be painted a non-reflective dark green color (see Attachment 6 for color samples) in order to camouflage its appearance with the outlying trees on and surrounding the property. Additionally, the panel antennas will be flush mounted on the pole instead of extended from the pole with davit arms as more commonly mounted. This will greatly reduce the visual bulk of the form.

### **Underlying District Criteria**

Height is exempt pursuant to “Supplemental Regulations and Exceptions” Section 17.54.040. “Maximum Height Exception” This section states that flagpoles and similar structures not used for human occupancy are not subject to building height limitations. Therefore, the proposed 100 foot monopole is in compliance.

The attached drawings and reports (Attachments 1 through 8) provide the necessary documentation to establish compliance with all remaining applicable criteria.

### **Summary**

The proposed Sprint PCS wireless telecommunications facility serves a purpose as a public utility. The proposal will improve cellular service for public safety personnel and the general public. Approval of the facility would be consistent state and local goals to provide adequate levels of utility services. The facility will not have any adverse impacts to the surrounding area and land uses.

**Attachments:**

1. Assessor's Map
2. Vicinity Map / Topographic Survey /  
Site Plan / Landscape Plan / Monopole Elevations
3. Cellular Coverage Maps
4. Power Densities Report / Engineer's Statement
5. Monopole Structural Requirements
6. Color Chart (due to copyright laws, the powder coated paint color sample may not be printed from the vendors web site. Therefore, an electronic copy has been provided on disc, which may be viewed on a computer)
7. Site Photographs
8. Pre-application Summary

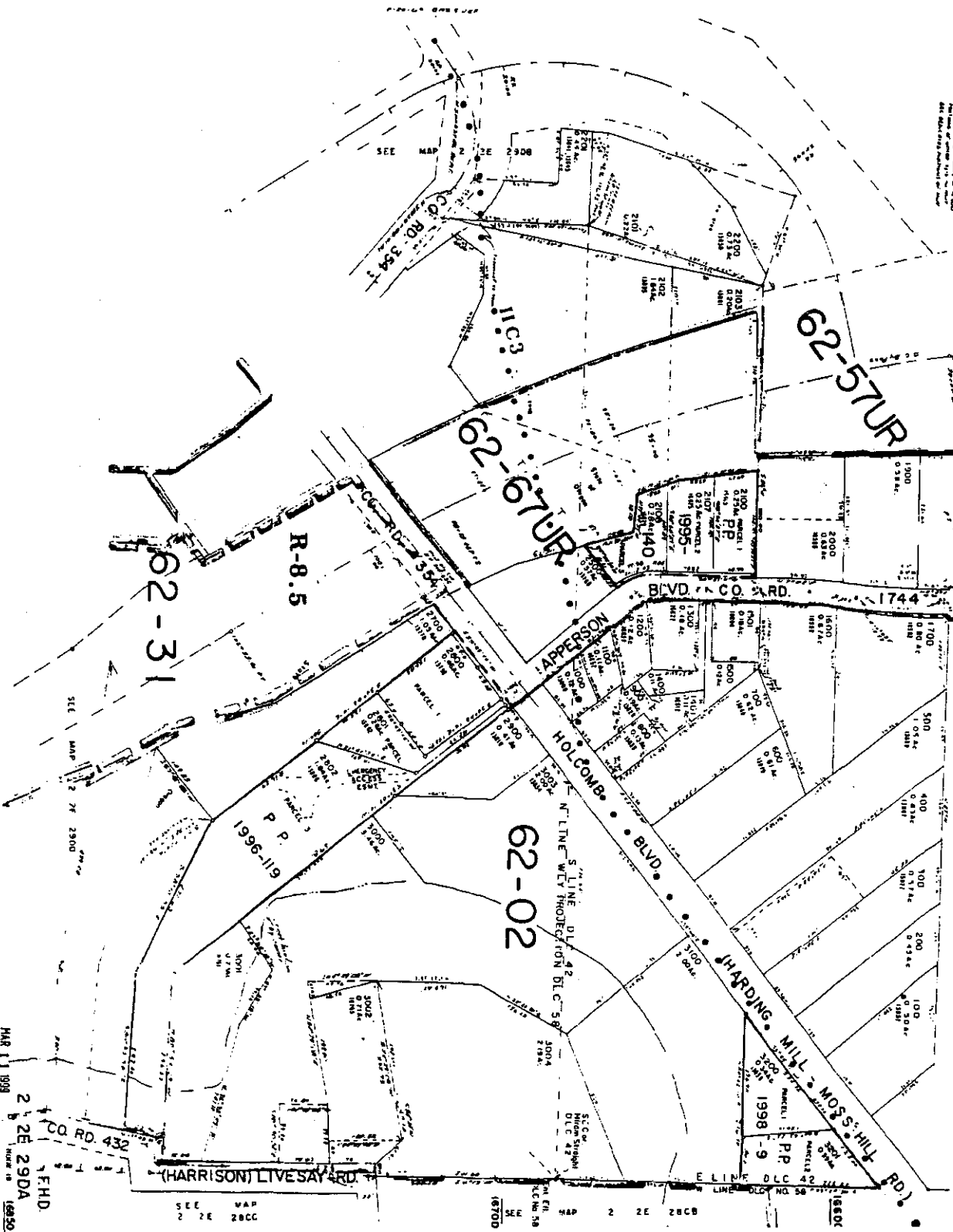
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This map was prepared for assessment purposes only.

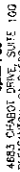
NE 1/4 SE 1/4 SEC. 29 T2S. R2E. W.M.  
CLACKAMAS COUNTY

D.L.C.'S  
MIRIAM STRAIGHT NO. 42  
GEORGE ABERNETHY NO. 58  
2 2E 29D

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2 2E 29D  
F.H.D.  
16932



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REV: DATE DESCRIPTION: LIVO: "A3"

3	12/13/00	ISSUED FOR ZONING
2	11/17/00	ISSUED FOR ZONING
1	10/27/00	ISSUED FOR 90% ZONING
0	10/18/00	ISSUED FOR FEASIBILITY

PLANS PREPARED BY:

▼  
**GAZLEY  
PLOWMAN  
ARCHITECTS**  
▼  
2701 NW Vaughn  
Suite 764  
Portland, Or. 97210  
503.274.7800  
503.274.7803 Fax

CONSULTANT: \_\_\_\_\_

DRAWN BY: \_\_\_\_\_ CHK: \_\_\_\_\_ APV: \_\_\_\_\_

[illegible]

1. *Journal of the American Medical Association*, 1997; 277: 1001-1005.

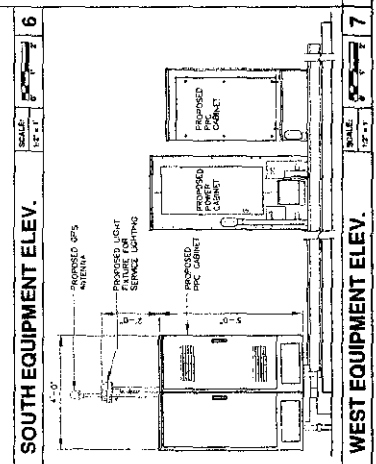
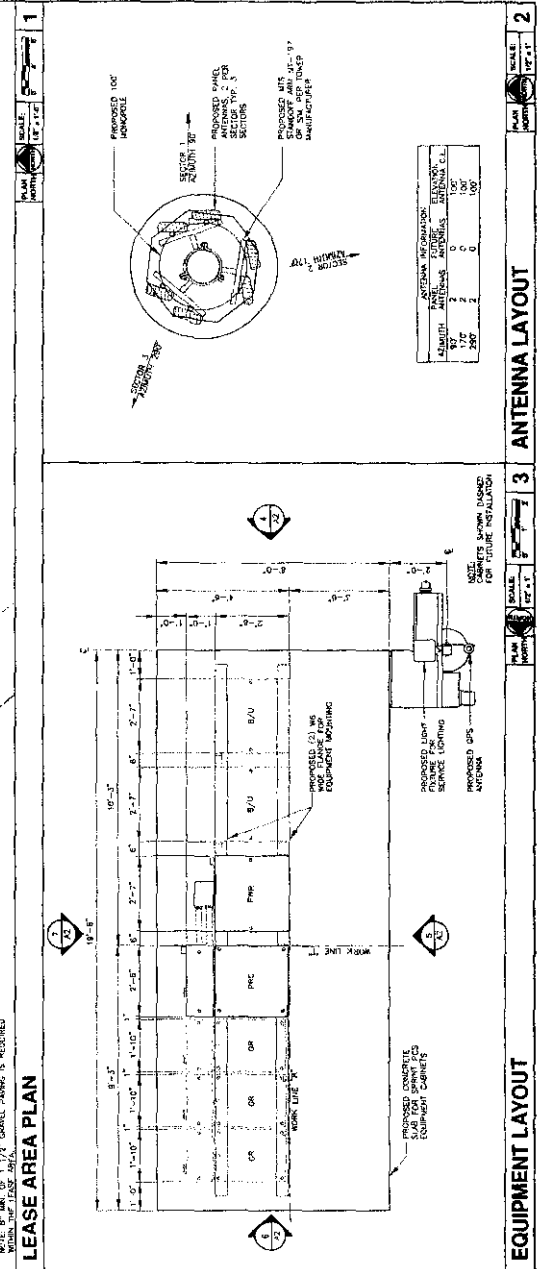
**TA**

00174

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## OVERALL SITE PLAN









PROJECT INFORMATION:

**STEVE'S MARKET**  
**P054XC003A**  
1388 S HOLCOMB BLVD  
OREGON CITY, OR 97045  
CLACKAMAS COUNTY

211

12/13/00

ISSUED FOR: \_\_\_\_\_

## ZONING

REV. DATE: DESCRIPTION: BY:

3	2/13/00	ISSUED FOR ZONING
2	11/17/00	ISSUED FOR ZONING
1	10/27/00	SSLED FOR 90% ZONING
0	10/19/00	ISSUED FOR FEASIBILITY

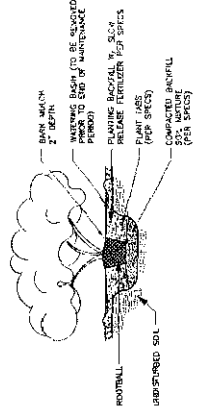
▼ 2701 S.W. Vaughlin  
Suite 764  
Gazley  
PLOWMAN  
ARCHITECTS

CONSULTANT: \_\_\_\_\_

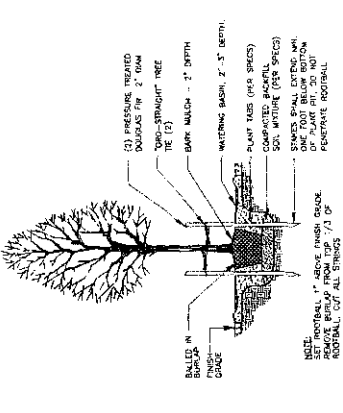
**NAME** \_\_\_\_\_

REVISION: 3  
SHEET NUMBER: 13

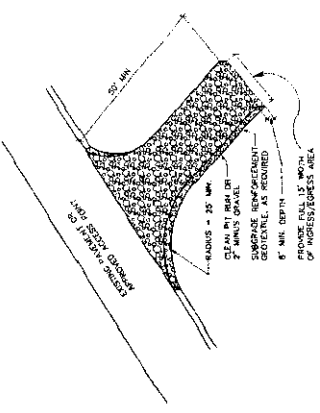
23



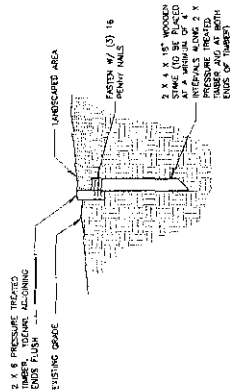
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DECIDUOUS TREE PLANTING



3	SCALE:	DATE:
GRAVEL CONSTRUCTION ENTRY		



**LAND AREA SEPARATION**

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NOT USED

NOT USED

NOT USED

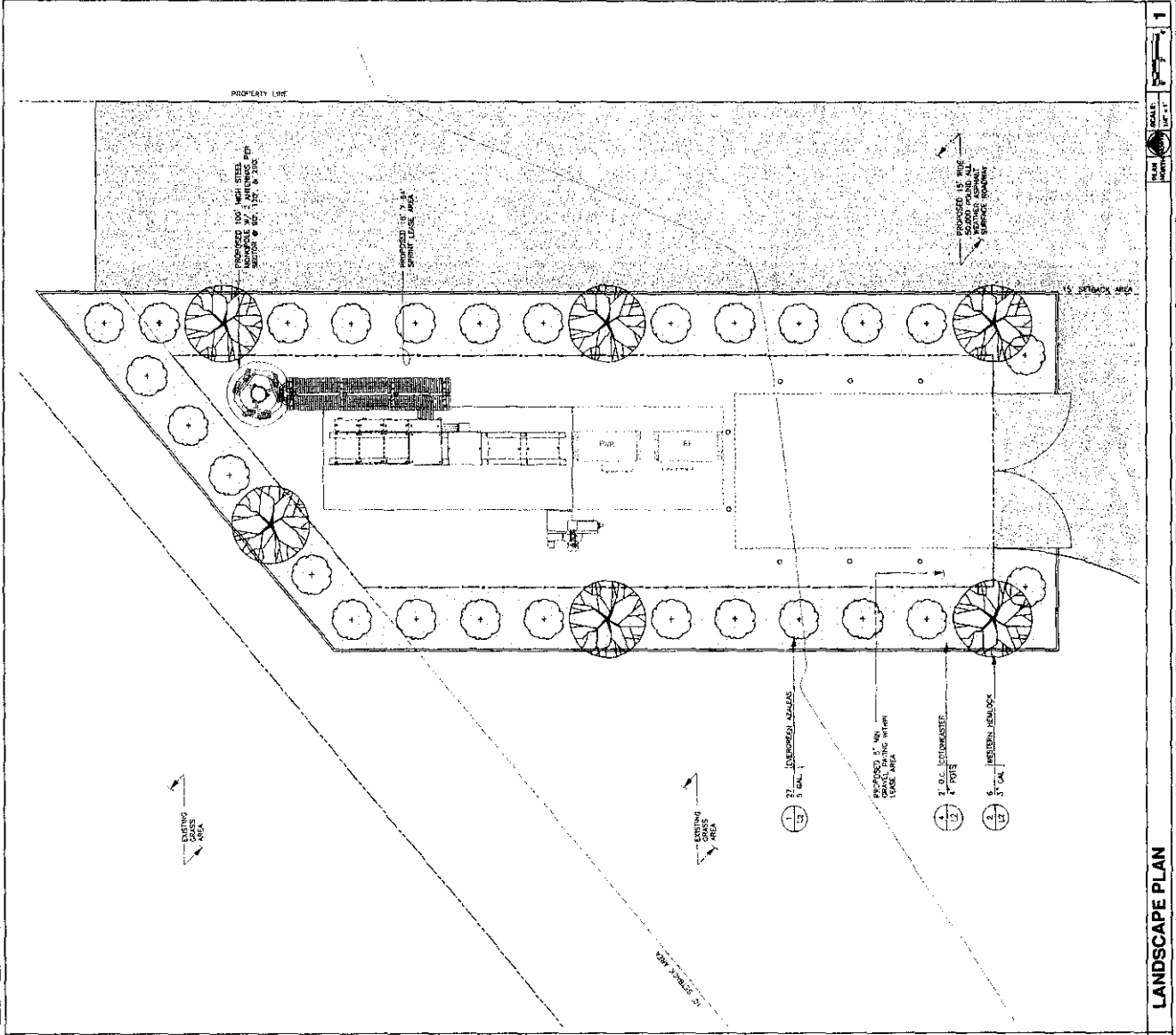
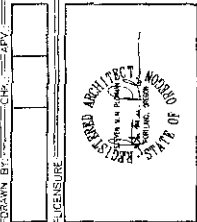
**NOT USED**

NOT USED

NOT USED

**NOT USED**

1	12/13/00	ISSUED FOR
2	11/17/00	ISSUED FOR
3	10/27/00	ISSUED FOR
4	10/18/00	ISSUED FOR



### GENERAL NOTES:

1. ALL PLANTING SHALL BE IN ACCORDANCE WITH THE LANDSCAPE PLAN. PLANTING SHALL BE IN ACCORDANCE WITH THE LANDSCAPE PLAN. PLANTING SHALL BE IN ACCORDANCE WITH THE LANDSCAPE PLAN.
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3. THE CONTRACTOR IS REQUIRED TO HAVE ALL PRELIMINARY HEADERS TO PROTECT UTILITIES AND ANY OTHER LINES OR STRUCTURES NOT SHOWN ON THE LANDSCAPE PLAN. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES AND STRUCTURES.
4. PLANTING SHALL BE DONE IN ACCORDANCE WITH THE WESTERN HEMLOCK PLANTING SPECIFICATIONS. PLANTING SHALL BE DONE IN ACCORDANCE WITH THE WESTERN HEMLOCK PLANTING SPECIFICATIONS.
5. THE GENERAL CONTRACTOR IS TO PROVIDE TWO-INCH LAYER OF GOOD BANK MULCH COVER, 1/4-INCH TO ONE-INCH SIZE AT NEW SOIL PLANTING AREA.

### LEGEND & LANDSCAPE GENERAL NOTES

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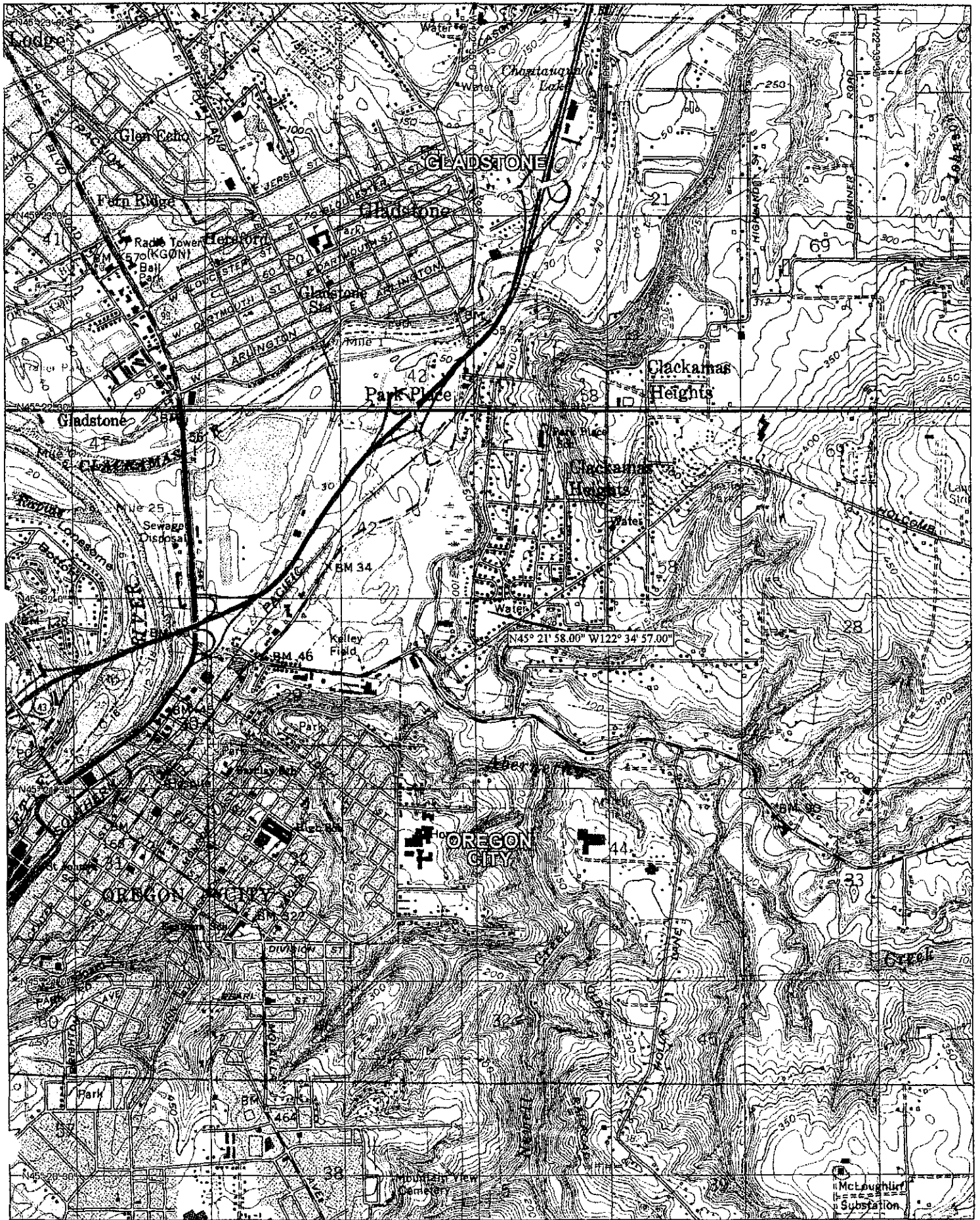


# **Cellular Coverage Propagation Study:**

**Prepared by:**






**Mike Ziehnert**

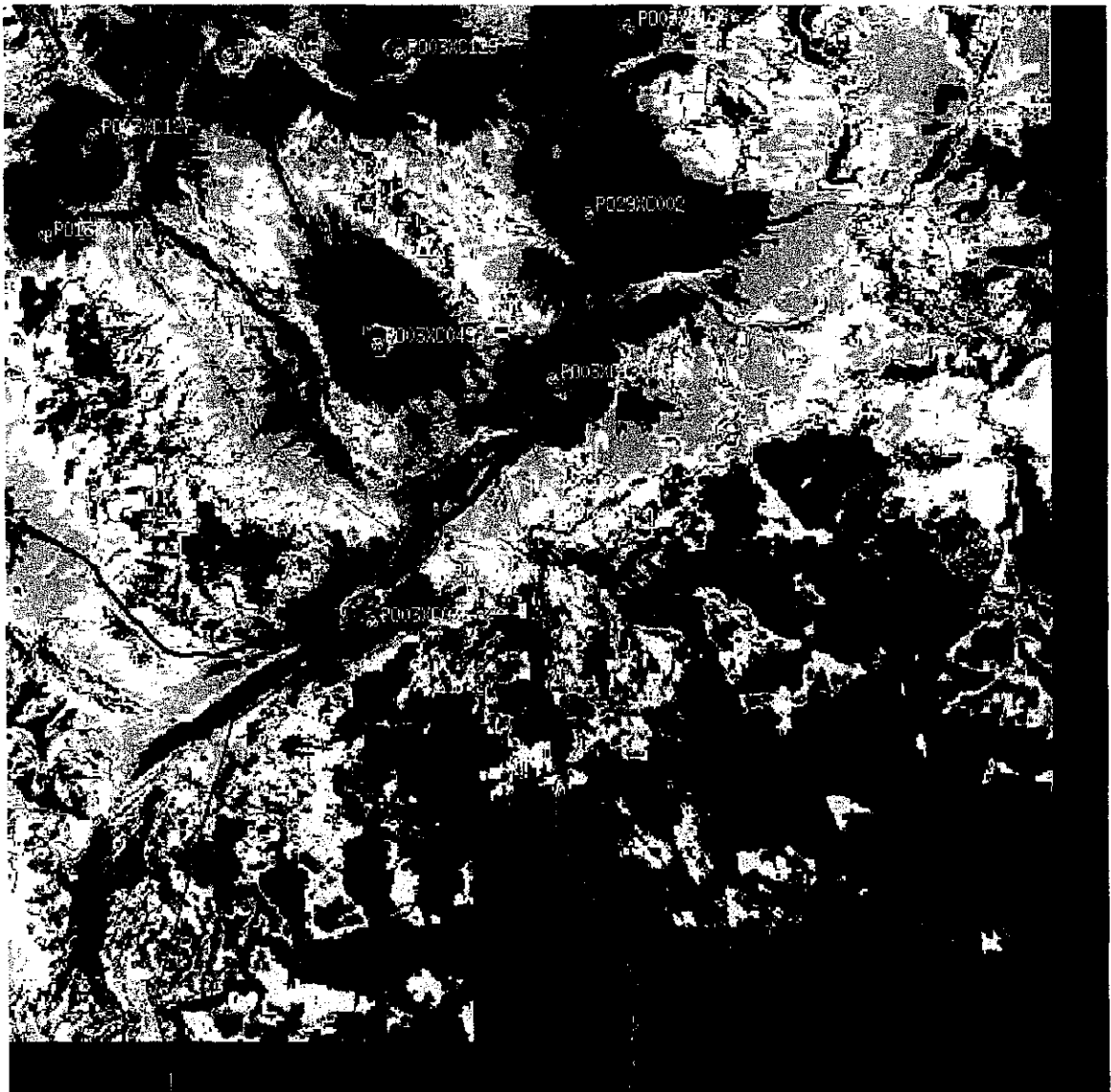
**Sprint PCS Wireless Division / Senior RF Engineer**



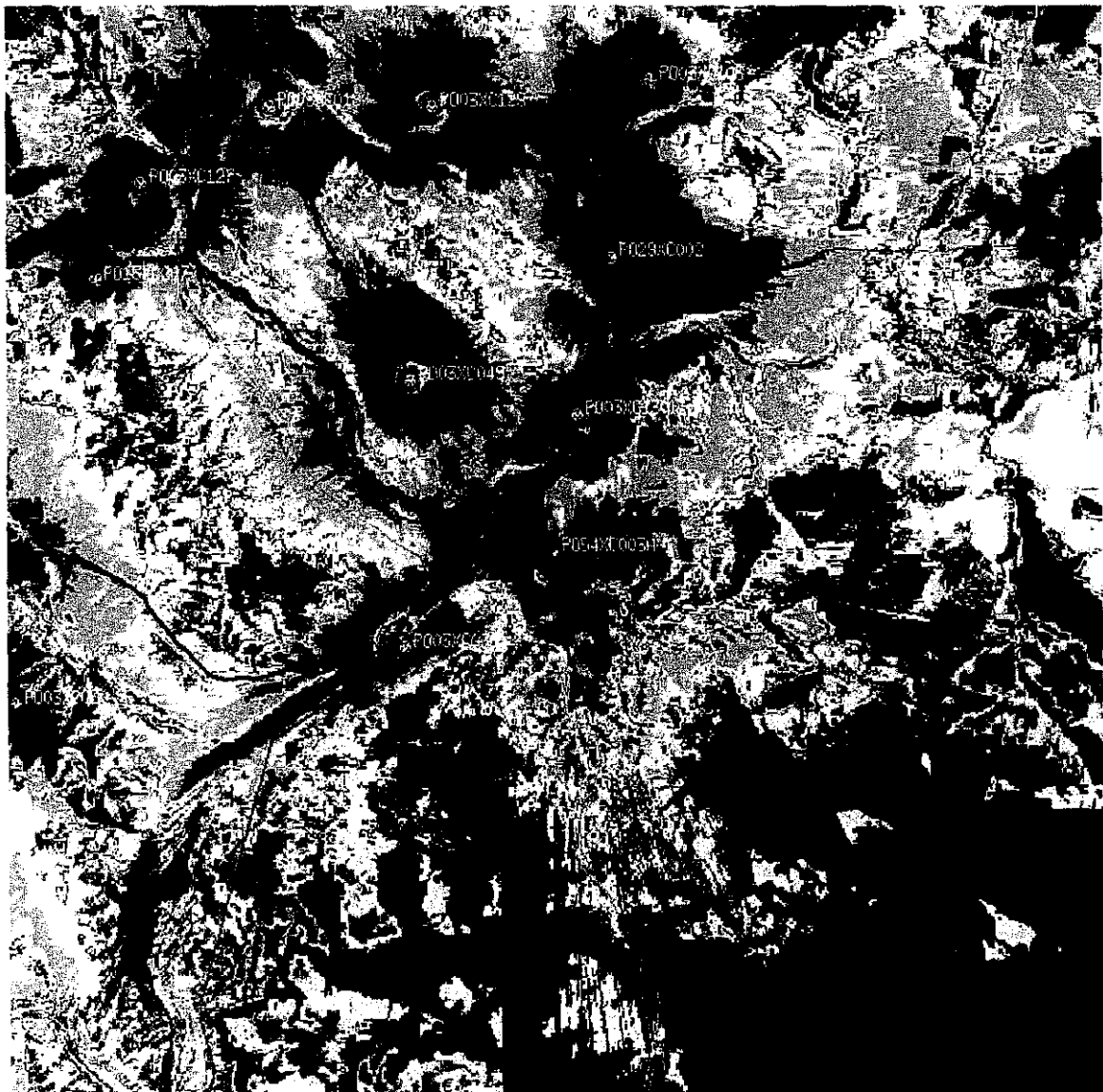
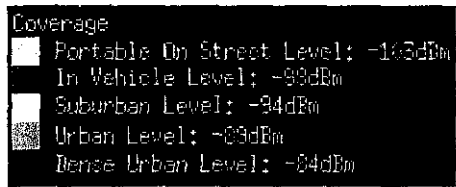
Network coverage excluding proposed site PO54XC003A I-205/Hwy. 213.

Coverage

	Portable On Street Level: -103dBm
	In Vehicle Level: -88dBm
	Suburban Level: -94dBm
	Urban Level: -89dBm
	Dense Urban Level: -84dBm



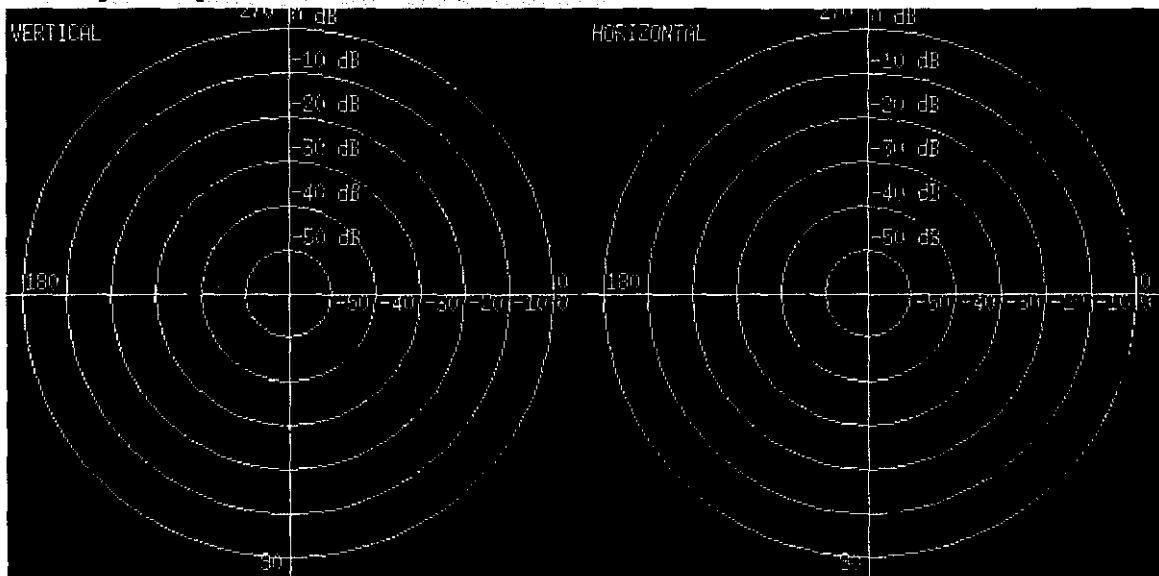
Network coverage including proposed site PO54XC003A I-205/Hwy. 213.





# Antenna configuration.

1	60deg	2.0deg	47.60dBm	89.99ft	DB950F85-M
2	140deg	4.0deg	51.60dBm	89.99ft	DB982F30-M
3	315deg	1.0deg	51.60dBm	89.99ft	DB982F30-M



NAME: DB950F85-M

GAIN: 14.8 dBd

FRONT TO BACK: 40.0 dB

NAME: Decibel Products

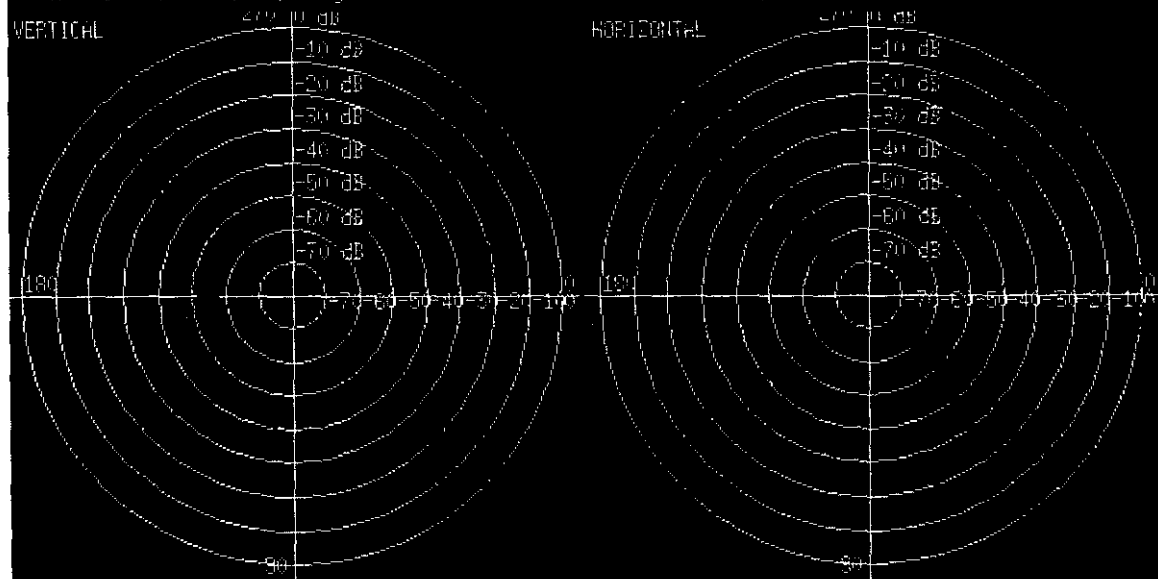
FREQUENCY: 1520.0 MHz

HORIZONTAL BEAMWIDTH: 85.0 deg

DOWN TILT: MECHANICAL

VERTICAL BEAMWIDTH: 6.0 deg

POLARIZATION: VERTICAL



NAME: DB982F30-M

GAIN: 19.5 dBd

FRONT TO BACK: 40.0 dB

NAME: Decibel Products

FREQUENCY: 1910.0 MHz

HORIZONTAL BEAMWIDTH: 30.0 deg

DOWN TILT: MECHANICAL

VERTICAL BEAMWIDTH: 4.5 deg

POLARIZATION: VERTICAL

JAMES B. HATFIELD, PE  
BENJAMIN F. DAWSON III, PE  
THOMAS M. ECKELS, PE  
STEPHEN S. LOCKWOOD, PE  
DAVID J. PINION, PE  
PAUL W. LEONARD, PE  
ERIK C. SWANSON  
THOMAS S. GORTON

HATFIELD & DAWSON  
CONSULTING ELECTRICAL ENGINEERS  
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(206) 789-9834  
E-MAIL  
hatdaw@hatdaw.com  
MAURY L. HATFIELD, PE  
CONSULTANT  
Box 1326  
ALICE SPRINGS, NT 5950  
AUSTRALIA

NON-IONIZING ELECTROMAGNETIC EXPOSURE ANALYSIS  
AND  
ENGINEERING CERTIFICATION

PREPARED FOR

**SPRINT PCS**

Facility No. PO54XC003-A

I-205 / HWY 213  
OREGON CITY, OREGON

DECEMBER 2000

## INTRODUCTION

Hatfield & Dawson Consulting Engineers has been retained by Sprint PCS to evaluate the proposed Sprint PCS personal wireless telecommunications facility, number PO54XC003-A, near the intersection of I-205 and Highway 213, for compliance with current Federal Communications Commission (FCC) rules regarding human exposure to radiofrequency (RF) electromagnetic fields (EMFs).

According to information provided by representatives of Sprint PCS, the proposed facility is configured as follows: PCS transmitting and receiving equipment with all antennas to be mounted atop a new 100-foot steel monopole tower to be located within a fenced enclosure on private property at 13889 S Holcomb Blvd., Oregon City, Clackamas County, Oregon.

There appears to be no other wireless facilities near the proposed Sprint PCS site.

All of the proposed Sprint PCS antennas will be approximately 100 feet above ground level. Access to the proposed site is shown to be restricted by a 6-foot chain link fence topped with three strands of barbed wire. Thus it is unlikely that anyone other than authorized RF workers could approach near enough to the monopole-mounted antennas to cause those persons' RF exposure to exceed FCC limits.

It is expected that RF exposure conditions near ground level due to the contributions from all of the proposed transmitting antennas will be well below the FCC public exposure limit.

To verify that the proposed Sprint PCS facility will be in compliance with FCC rules regarding human exposure to RF fields, I have performed EMF power density calculations to determine the exposure conditions that are likely to exist in accessible areas near the proposed facility.

## CALCULATIONS OF RF POWER DENSITY NEAR GROUND LEVEL

RF power densities are computed in accordance with methods described in *Evaluating Compliance with FCC Guidelines for Human Exposure to Radiofrequency Electromagnetic Fields, OET Bulletin 65, August 1997*. Wireless facilities are required to comply with the FCC "Rules & Regulations" *CFR 47 §1.1310, Radiofrequency radiation exposure limits*. The OET Bulletin 65 describes the methods established by the FCC for predicting compliance with the FCC-specified exposure limits.

Compliance is determined by comparing RF field predictions with the general population/uncontrolled environment (i.e., "Public") Maximum Permissible Exposure limits (MPEs) allowed by the FCC rules, as specified in *47 CFR §1.1310*. The following formula has been used to calculate the power densities at specific locations:

$$\text{mW/cm}^2 = 0.36 \times \text{ERP (watts)} / (\text{Distance in feet})^2$$

This formula is derived from Equation 9 on page 22 of OET Bulletin 65. It includes the effect of ground reflections. The Effective Radiated Power (ERP) depends on the vertical antenna pattern.

## THEORETICAL ANALYSIS

According to the site plan drawings furnished by Sprint PCS, the transmitting antennas for the proposed facility will be mounted at the 100-foot level. The proposed transmit antennas are highly directional and project the majority of the transmitted RF energy horizontally and well above all nearby accessible areas.

According to information provided by Sprint PCS engineer Mike Ziehnert, the maximum ERP from any sector will be less than 1100 Watts. The FCC Public MPE limit for PCS frequencies, which are all greater than 1500 MHz, is 1.0 mW/cm<sup>2</sup>.

The following theoretical calculations predict the peak exposure condition for a six-foot person standing at the nearest approach to the proposed facility. The calculations assume that the Sprint transmit antennas are isotropic; that is they emit the maximum ERP in all directions, including towards ground level.

A six-foot tall person standing on the ground near the base of the proposed monopole tower would be approximately 94 feet below the proposed antennas. Using the formula shown on page 2, the worst-case calculated power density at head height from the Sprint PCS facility is  $0.0448 \text{ mW/cm}^2$ . The worst-case calculated exposure condition resulting from the Sprint PCS facility is the power density divided by the Public MPE limit for PCS frequencies:

$$100\% \times 0.0448 / 1.0 = 4.48\% \text{ of the Public MPE limit}$$

All publicly accessible areas, habitable structures, and property lines are farther than 94 feet from the proposed Sprint PCS antennas. RF power densities, and thus RF exposure conditions, decrease with distance from an isotropic radiator. The worst-case calculations described in the previous paragraph were based on an assumed isotropic transmit antenna operating with maximum power. Therefore all publicly accessible areas, habitable structures, and property lines in the vicinity of the proposed site are expected to have exposure conditions less than 4.48% of the Public MPE due to the Sprint PCS facility because all such areas, structures and boundaries will be greater than 94 feet from the proposed antennas.

## **COMPUTATIONAL RESULTS**

My calculations show that the maximum predicted RF power densities resulting from the Sprint PCS facility in all habitable and accessible areas will not exceed 4.48% of the general population/uncontrolled environment MPE percent limit allowed by the FCC rules.

**FCC COMPLIANCE**

The FCC has determined through calculations and technical analysis that certain wireless facilities are highly unlikely to cause human RF exposures in excess of FCC guideline limits. In particular, PCS facilities with non-building-mounted antennas greater than 10 meters (about 33 feet) above ground level are considered to have such a low impact on overall exposure conditions that they are "categorically excluded" (i.e., exempt) from the requirement for routine environmental assessment regarding RF exposure hazards.

Thus according to FCC rules, the proposed Sprint PCS facility, with antennas at the 100-foot level, is exempt from further RF safety environmental assessment because it is presumed to be in compliance with the FCC's RF exposure rules.

**CONCLUSIONS BASED ON CALCULATIONS, AND FEDERAL AND LOCAL REGULATIONS**

Based on my calculations and information supplied to me by Sprint PCS representatives, the proposed Sprint PCS facility PO54XC003-A will comply with current FCC rules regarding human exposure to radiofrequency electromagnetic fields. Furthermore, according to federal regulations, the proposed Sprint PCS facility is categorically exempt from the requirement for routine environmental processing.

This conclusion is based solely on the comparison of predicted RF conditions in specific areas with the corresponding safe exposure limits set forth in the FCC rules. The FCC exposure limits are based on recommendations by federal and private entities with the appropriate expertise in human safety issues.

The analysis and conclusions presented in this report do not determine the presence or absence of human health and safety hazards in any area due to any cause.

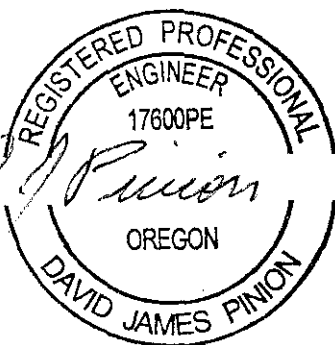
## QUALIFICATIONS

I am an experienced radio engineer whose qualifications are a matter of record with the Federal Communications Commission. I am a partner in the firm of Hatfield & Dawson Consulting Engineers and am registered as a Professional Engineer in the States of Oregon, Washington and California, and I hold an FCC General Radiotelephone Operator License PG-12-21740.

All representations contained herein are true to the best of my knowledge except, when noted, when data has been furnished by others.

7 December 2000

*David J. Pinion*

A circular professional seal for David James Pinion, a Registered Professional Engineer in Oregon. The seal contains the text "REGISTERED PROFESSIONAL ENGINEER" around the top, "17600PE" in the center, "OREGON" below the center, and "DAVID JAMES PINION" around the bottom. A handwritten signature "David J. Pinion" is written across the seal.

David J. Pinion, P.E.

Hatfield & Dawson Consulting Engineers



# Fax

<b>To:</b>	Craig Walkenhorst	<b>From:</b>	Jeff Leber
<b>Fax:</b>	503-372-3630	<b>Pages:</b>	2 (including cover)
<b>Phone:</b>	503-372-3710	<b>Date:</b>	November 7, 2000
<b>Re:</b>	Wind Load Documentation	<b>cc:</b>	

☐ Urgent    ☒ For Review    ☐ Please Comment    ☐ Please Reply    ☐ Please Recycle

● Comments:

Craig,

The Oregon State Licensed Structural Engineer is required to adhere to the attached TIA/EIA-222-F requirements for Basic Wind Speed regarding Tower construction.

Jeff



State of OREGON

<u>COUNTY</u>	<u>NOTE*</u>	<u>BASIC WIND SPEED (MPH)</u>
KLAMATH	1	75
LAKE		70
LANE	1	80
LINCOLN	1	90
LINN		80
MALHEUR		70
MARION		80
MORROW	1	70
MULTNOMAH	1	80
POLK		80
SHERMAN	1	70
TILLAMOOK	1	95
UMATILLA		70
UNION		70
WALLOWA		70
WASCO	1	70
WASHINGTON		80
WHEELER		70
YAMHILL		80

State of PENNSYLVANIA

ADAMS	2	70
ALLEGHENY		70
ARMSTRONG		70
BEAVER		70
BEDFORD		70
BERKS	2	70
BLAIR		70
BRADFORD		70
BUCKS	2	75
BUTLER		70
CAMBRIA		70
CAMERON		70
CARBON	2	70
CENTRE		70
CHESTER	2	75
CLARION		70
CLEARFIELD		70
CLINTON		70
COLUMBIA		70
CRAWFORD	1	70
CUMBERLAND	2	70
DAUPHIN	2	70
DELAWARE	2	75
ELK		70
ERIE	1	70
FAYETTE		70

State of PENNSYLVANIA

<u>COUNTY</u>	<u>NOTE*</u>	<u>BASIC WIND SPEED (MPH)</u>
FOREST		70
FRANKLIN	2	70
FULTON		70
GREENE		70
HUNTINGTON		70
INDIANA		70
JEFFERSON		70
JUNIATA		70
LACKAWANNA		70
LANCASTER	2	70
LAWRENCE		70
LEBANON	2	70
LEHIGH	2	70
LUZERNE		70
LYCOMING		70
MCKEAN		70
MERCER		70
MIFFLIN		70
MONROE	2	70
MONTGOMERY	2	75
MONTGOMERY		70
NORTHAMPTON	2	70
NORTHUMBERLAND		70
PERRY	2	70
PHILADELPHIA	2	75
PIKE	2	70
POTTER		70
SCHUYLKILL	2	70
SNYDER		70
SOMERSET		70
SULLIVAN		70
SUSQUEHANNA		70
TIOGA		70
UNION		70
VENANGO		70
WARREN		70
WASHINGTON		70
WAYNE	2	70
WESTMORELAND		70
WYOMING		70
YORK	2	70

State of RHODE ISLAND

BRISTOL	2	90
KENT	2	90
NEWPORT	2	90
PROVIDENCE	2	90
WASHINGTON	2	90

\*For notes, see end of Section 16



# Fax

<b>To:</b>	Craig Walkenhorst	<b>From:</b>	Jeff Leber
<b>Fax:</b>	503-372-3630	<b>Pages:</b>	2 (including cover)
<b>Phone:</b>	503-372-3710	<b>Date:</b>	November 7, 2000
<b>Re:</b>	Wind Load Documentation	<b>cc:</b>	

☐ Urgent    ☒ For Review    ☐ Please Comment    ☐ Please Reply    ☐ Please Recycle

• Comments:

Craig,

The Oregon State Licensed Structural Engineer is required to adhere to the attached TIA/EIA-222-F requirements for Basic Wind Speed regarding Tower construction.

Jeff

This facsimile contains information that is proprietary to Sprint PCS. It is intended only for the use of the individual or entity to which it addresses. If this facsimile was received by someone other than the addressee, or agent responsible for delivering this facsimile to the addressee, you are hereby notified that use, dissemination, communication, distribution or copying of this facsimile is prohibited.

State of OREGON

COUNTY	NOTE*	BASIC WIND SPEED (MPH)
KLAMATH	1	75
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MARION		80
MORROW	1	70
MULTNOMAH	1	80
POLK		80
SHERMAN	1	70
TILLAMOOK	1	95
UMATILLA		70
UNION		70
WALLOWA		70
WASCO	1	70
WASHINGTON		80
WHEELER		70
YAMHILL		80

State of PENNSYLVANIA

ADAMS	2	70
ALLEGHENY		70
ARMSTRONG		70
BEAVER		70
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CARBON	2	70
CENTRE		70
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CLARION		70
CLEARFIELD		70
CLINTON		70
COLUMBIA		70
CRAWFORD	1	70
CUMBERLAND	2	70
DAUPHIN	2	70
DELAWARE	2	75
ELK		70
ERIE	1	70
FAYETTE		70

State of PENNSYLVANIA

COUNTY	NOTE*	BASIC WIND SPEED (MPH)
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JUNIATA		70
LACKAWANNA		70
LANCASTER	2	70
LAWRENCE		70
LEBANON	2	70
LEHIGH	2	70
LUZERNE		70
LYCOMING		70
MCKEAN		70
MERCER		70
MIFFLIN		70
MONROE	2	70
MONTGOMERY	2	75
MONTOUR		70
NORTHAMPTON	2	70
NORTHUMBERLAND		70
PERRY	2	70
PHILADELPHIA	2	75
PIKE	2	70
POTTER		70
SCHUYLKILL	2	70
SNYDER		70
SOMERSET		70
SULLIVAN		70
SUSQUEHANNA		70
TIOGA		70
UNION		70
VENANGO		70
WARREN		70
WASHINGTON		70
WAYNE	2	70
WESTMORELAND		70
WYOMING		70
YORK	2	70

State of RHODE ISLAND

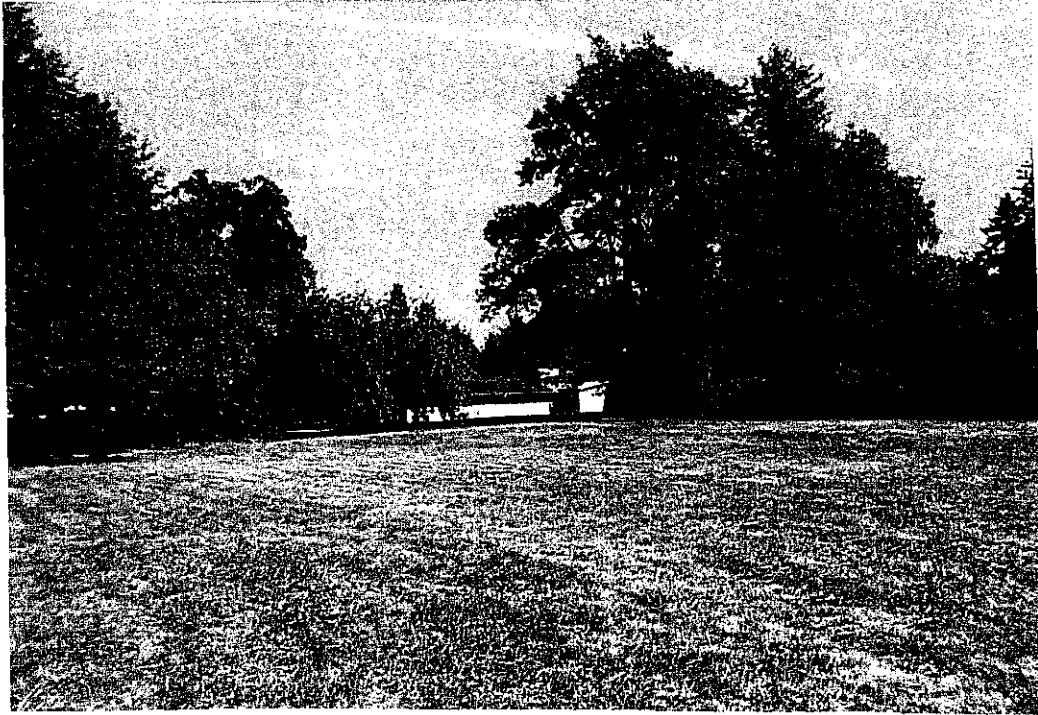
BRISTOL	2	90
KENT	2	90
NEWPORT	2	90
PROVIDENCE	2	90
WASHINGTON	2	90

\*For notes, see end of Section 16

**Sprint Spectrum  
Site Candidate Information Form  
Submitted by W&H Pacific**

Site Number	PO54XC003	Ring Name	I-205 / Hwy213
Date Prepared	9/15/00	Candidate Name	PO54XC003A

**120 Degrees from Site**



**240 Degrees from Site**



**Sprint Spectrum  
Site Candidate Information Form  
Submitted by W&H Pacific**

Site Number	PO54XC003	Ring Name	I-205 / Hwy213
Date Prepared	9/15/00	Candidate Name	PO54XC003A

**Looking South to Site**



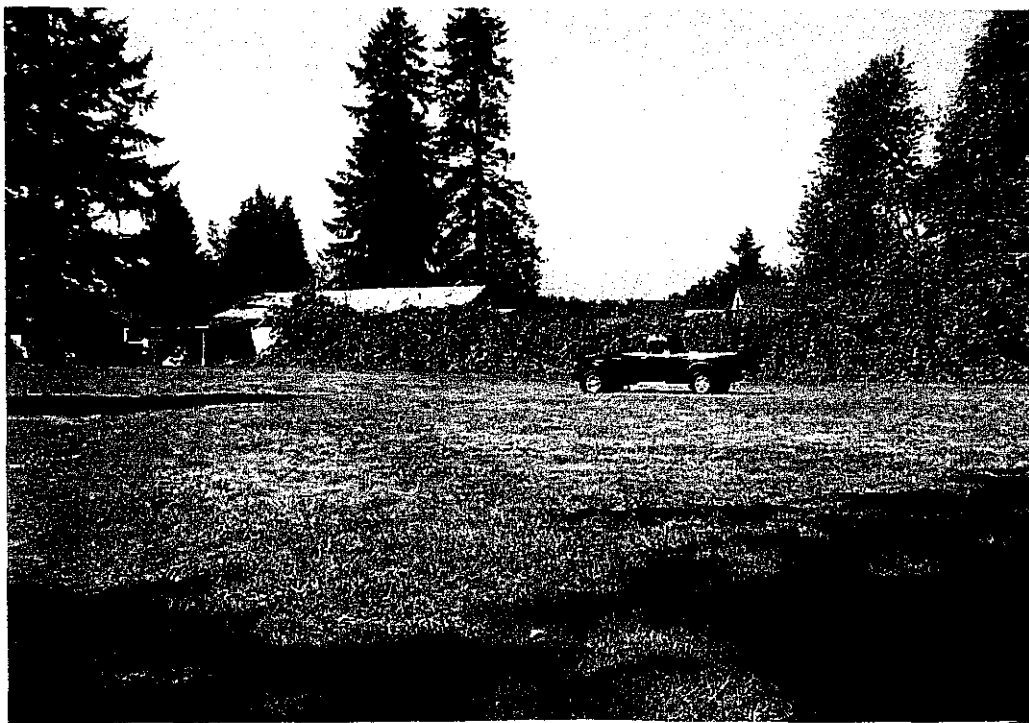
**Looking West to Site**



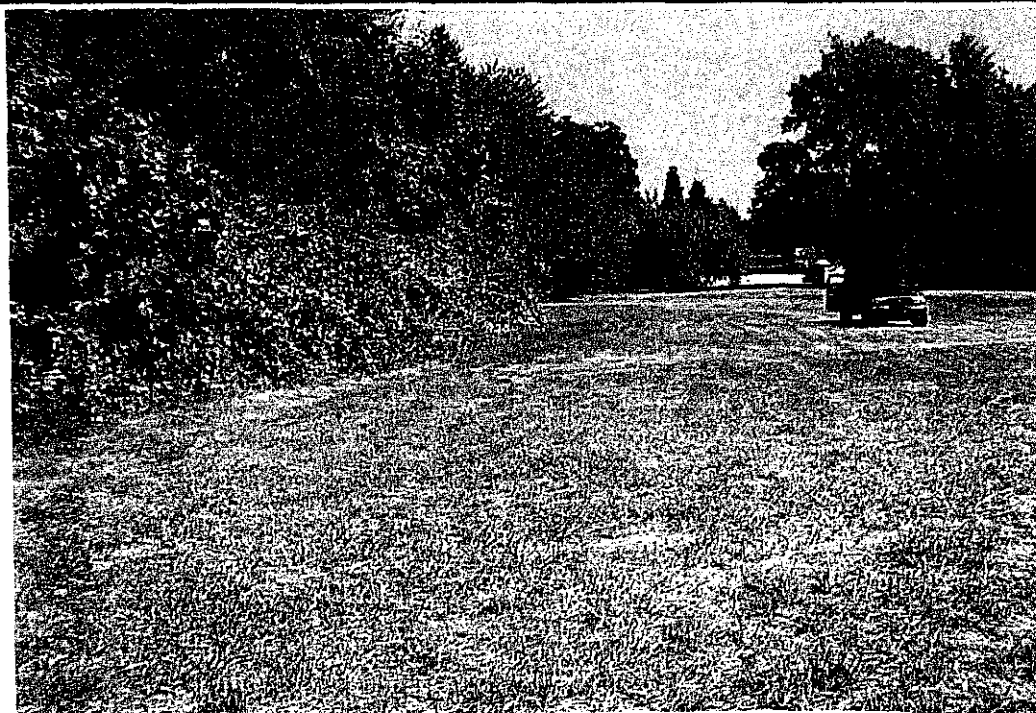
**Sprint Spectrum  
Site Candidate Information Form  
Submitted by W&H Pacific**

Site Number	PO54XC003	Ring Name	I-205 / Hwy213
Date Prepared	9/15/00	Candidate Name	PO54XC003A

**Looking North to Site**



**Looking East to Site**



**Sprint Spectrum  
Site Candidate Information Form  
Submitted by W&H Pacific**

Site Number	PO54XC003	Ring Name	I-205 / Hwy213
Date Prepared	9/15/00	Candidate Name	PO54XC003A

**Looking South from Site**



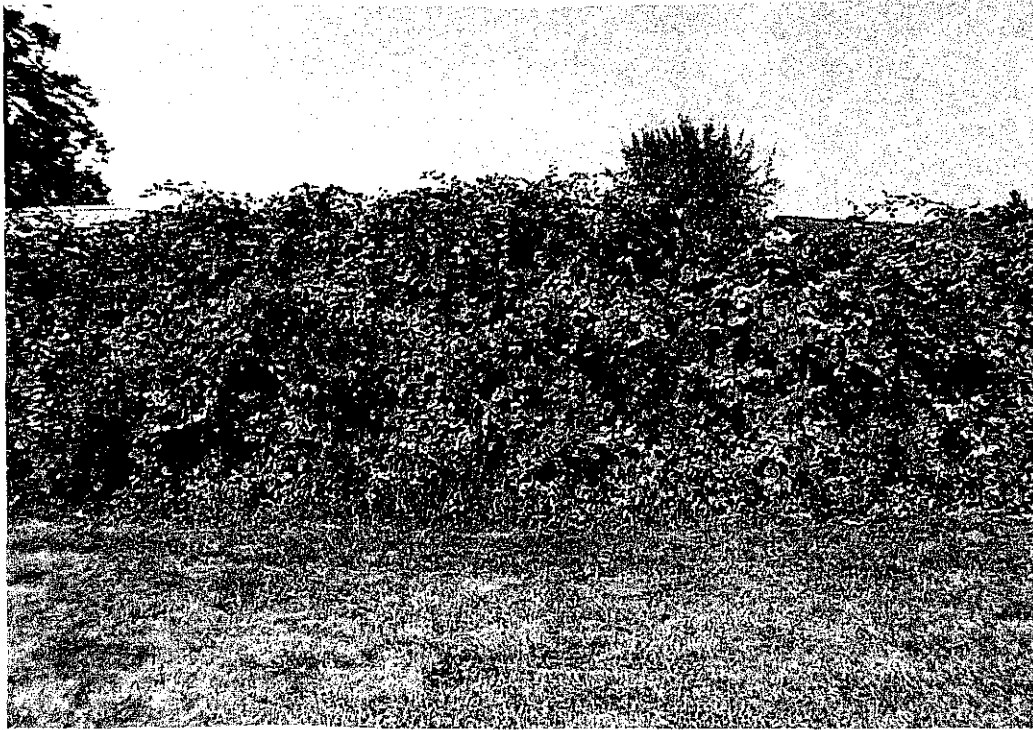
**Looking West from Site**



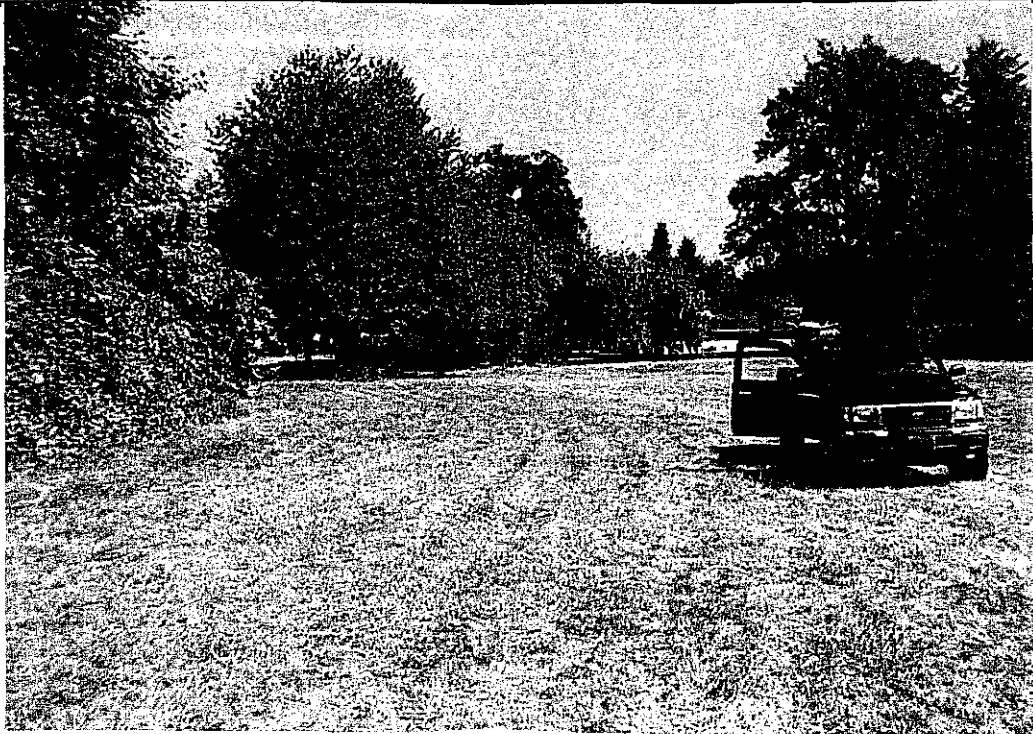
**Sprint Spectrum  
Site Candidate Information Form  
Submitted by W&H Pacific**

Site Number	PO54XC003	Ring Name	I-205 / Hwy213
Date Prepared	9/15/00	Candidate Name	PO54XC003A

**Looking North from Site**



**Looking East from Site**





# CITY OF OREGON

## Pre-Application Conference Summary

Pre-application conferences are required by Section 17.50.030 of the City Code, as follows:

- (A) PURPOSE: The pre-application conference is to provide the applicant the necessary information to make an informed decision regarding their land use proposal.
- (B) A pre-application conference is required for all land use permits.
- (C) Time Limit: A pre-application conference is valid for a period of **six (6) months**.
- (D) An omission or failure by the Planning Division to provide an applicant with relevant information in a pre-application discussion shall not constitute a waiver of any standard, criterion, or requirement of the City of Oregon City. Information given in the conference is subject to change without notice.

**NOTE: The subsequent application may be submitted to any member of the Planning Staff.**

DATE: NOV. 28 / 00 PA 00-67  
 APPLICANT: SPRINT PCS  
 SITE ADDRESS: ? R22E 29 PA 600  
 PROPERTY DESCRIPTION: EXISTING RESIDENTIAL STRUCTURE  
 STAFF: BARBARA SHIELDS ZONING: NC NEIGHBORHOOD COMMERCIAL  
 PROPOSED USE/ACTIVITY: CELL TOWER  
 INFORMATION NECESSARY TO BEGIN DEVELOPMENT: This listing of information does not preclude the Community Development Department or hearings body from requesting additional data necessary to make a recommendation and/or decision regarding the proposed activity.

### 1. PLANNING

- A. Setbacks/Zoning: NC - NEIGHBORHOOD COMMERCIAL OCHC 17.24 - ATTACHED  
CEG ATTACHED 17.24
- B. Design Review Standards (check list attached):  
 1) Parking Requirements: SEE ATTACHED PARKING OCHC 17.52.020  
 2) Landscaping: 15%
- C. Signing: \_\_\_\_\_
- D. Other: possible variance to setback requirements, if less than required  
setbacks for RC zone

### 2. ENGINEERING

- A. Grading: N/A
- B. Drainage: drain concrete pad area to infiltration system
- C. Sanitary Sewer: N/A
- D. Water: N/A
- E. Right-of-Way Dedication/Easements: N/A
- F. Street Improvements (including continuation of existing streets within subdivisions): N/A
- G. Special Analysis (traffic study, geotechnical study, EIS): N/A
- H. Development Impact Statement required with Subdivision applications.

### 3. BUILDING

- A. Proposed Construction Type: \_\_\_\_\_  
B. Number of Stories: 1  
C. Square Footage: 1600  
D. Number of Buildings: 1  
E. Type of Occupancy: U-1  
F. Fire Sprinklers: NO  
G. Valuation (estimate): \$ \_\_\_\_\_  
H. Fire/Life Safety Required: Yes \_\_\_\_\_ No X

### 4. FIRE

- A. Fire Flow Requirements (gallons per minute): NONE REQUIRED FOR TOWER OR CABINETS  
B. Location/Number of Hydrants: NONE REQUIRED  
C. Access Requirements: 15' WIDE 5000016 ALL WEATHER SURFACE ROADWAY WITH APPROVED TURNAROUND  
D. Other: TURNAROUND MUST BE 20' WIDE ROADWAY AND MEET TURNING RADIUS 25' INSIDE 40' OUTSIDE  
5% INTERLOCK FIRE ACCESS ROADWAY MUST BE APPROVED BY FIRE DISTRICT FIRE MARSHAL'S OFFICE

### 5. FEES/PERMITS

- A. Design Review: \_\_\_\_\_  
B. Plan Check/Building Permit/State 5% Surcharge: \_\_\_\_\_  
C. System Development Charges (SDC):  
1) Sanitary Sewer: \_\_\_\_\_  
2) Water: \_\_\_\_\_  
3) Storm Drainage: \_\_\_\_\_  
4) Transportation: \_\_\_\_\_  
5) Parks: \_\_\_\_\_  
D. Engineering 5% Technical Fee (based on improvements): \_\_\_\_\_  
E. Grading Permit: \_\_\_\_\_  
F. Right-of-Way Permit: \_\_\_\_\_  
G. Land Use Application(s): CONDITIONAL USE PERMIT

TOTAL ESTIMATED FEES:

\$

POSSIBLE SITE PLAN & DESIGN REVIEW  
WATER RESOURCE REVIEW  
(POSSIBLE UPDATES TO SERVICES)  
SEE ATTACHED PERMIT FEE SCHEDULE

OTHER COMMENTS:

**NOTICE TO APPLICANT:** A property owner may apply for any permit they wish for their property. HOWEVER, THERE ARE NO GUARANTEES THAT ANY APPLICATION WILL BE APPROVED. No decisions are made until all reports and testimony have been submitted. This form will be kept by the Community Development Department. A copy will be given to the applicant. IF the applicant does not submit an application within six (6) months from the Pre-application Conference meeting date, a NEW Pre-Application Conference will be required.

Park Place Neighborhood Association  
15937 S. Swan Avenue  
Oregon City, Oregon 97045

January 25, 2001

City of Oregon City  
Planning Division  
P.O. Box 3040  
Oregon City, Oregon 97045

Attn: Colin Cooper  
Senior Planner

RE: File # CU 00-07  
Applicant: W. H. Pacific  
Request Construction of a 100' monopole with antenna on site  
Location: 13889 S. Holcomb Blvd.

Dear Mr. Cooper:

The Park Place Neighborhood Association met on November 13, 2000 and discussed the application for a cellular tower at 13889 S. Holcomb Blvd. It was discussed and voted on unanimously of the 22 members present to the following:

There was no opposition to the cellular tower itself. It was understood that towers are needed in the area for clearer reception.

The only issue that was important to the residents was the look of the tower. It was voted on that the tower reflect the surrounding community and blend in with the area. The cellular tower on Hwy 43 near West Linn was cited as an example of how a builder can be creative and work with the community to come up with a design that is more pleasing to the eye.

Therefore it is the opinion of the Park Place Neighborhood Association that the cellular tower be allowed to be built but care should be taken with the design of the pole to reflect the "country atmosphere".

Sincerely,  
Park Place Neighborhood Association.

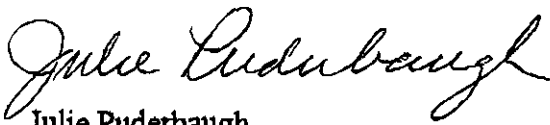
  
Julie Puderbaugh  
Chairman

EXHIBIT 3

January 28, 2001  
Received 2/5/01 me

to: OREGON City Planning Commission  
Concerning: Tower construction and use  
file # CU00-07  
submitted by: Tim & Jackie Barnett  
16552 S. APPERSON BLVD.  
OREGON City, Or. 97045  
503-656-7898

Questions and Concerns of project file # CU00-07.

1. Question of Community impact of other towers already constructed in other areas.
2. Question of impact on our property value.
3. Question of visual impact of tower on neighboring properties.
4. Question of impact on T.V. reception and on other equipment in neighborhood.
5. Question of effects on community from supporting wires and utility buildings.
6. Questions of impact from support and maintenance traffic.

EXHIBIT 4

7. Questions of Community impact from Construction

A. time (Duration) of Construction

B. noise impact of Construction

C. noise impact from tower usage after construction

D. impact from lights and other equipment.

8. Question of SAFETY of tower from falling, usage, impact from flying planes (this area is heavily used for plane flights.)

My property connects the Property where the Pole will be. I'm afraid I won't even be able to sell my property with such a tower in my back yard.

Jacqueline H. Barnett  
16552 & 16562

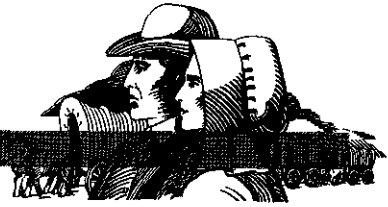
So. Apperson Blvd.  
Oregon City, Ore. 97045

# CITY OF OREGON CITY

## PLANNING COMMISSION

320 WARNER MILNE ROAD  
TEL 657-0891

OREGON CITY, OREGON 97045  
FAX 657-7892



### STAFF REPORT

**Date: February 20, 2001**

**FILE NO.:** MD 01-01

**HEARING DATE:** February 26, 2001  
7:00 p.m., City Hall  
320 Warner Milne Road  
Oregon City, OR 97045

**APPLICANT:** City of Oregon City

**OWNER:** Metro  
600 NE Grand Avenue  
Portland, OR 97232-1795

**REQUEST:** Modification to Condition of Approval #7  
of File No. CU 00-06

**LOCATION:** 2001 Washington Street  
Clackamas County Map 2S-2E-29, Tax Lot 904

**REVIEWER:** Maggie Collins, Planning Manager

**RECOMMENDATION:** Staff recommends approval of MD 01-01

### CRITERIA:

#### **Municipal Code:**

Section 17.38 Heavy Industrial District M-2  
Section 17.50 Administration and Procedures  
Section 17.50.130(D) Modification of Conditions  
Section 17.56 Conditional Uses

## **BACKGROUND:**

### **Proposal:**

This modification request is to change the language of Condition of Approval #7 about future truck access to and from the South Metro Transfer Station (File No. CU 00-06). The Oregon City Planning Commission at its yearly review of the Metro South Transfer Station operations (Exhibit A) adopted Conditions of Approval on October 9, 2000. The existing language and proposed replacement language are listed below:

#### **Existing Language, Condition #7**

Metro shall work with the City to design a traffic control structure that will limit and control ingress and egress to the Home Depot and Metro properties in a safe and acceptable manner. The design shall be subject to the review and approval of ODOT.

#### **Proposed Language, Condition #7**

**Metro shall continue to monitor the safety and convenience factors for truck ingress and egress at the facility's easternmost access point from Highway 213. In addition, Metro shall coordinate where necessary with Conditions #16, #17, #20, #21, and #22 of File No. SP 99-11R (Home Depot). Should future traffic increases compromise the safety of said access for freight purposes, Metro shall consider design options such as signalization, limitation on hours of operation, or closing the left-out exit option to alleviate traffic problems. All changes shall be subject to the review and approval of ODOT.**

#### **Reason for Request**

Changes in anticipated traffic on Washington Street due to new development may necessitate changes in how the site's freight-only access point is managed. The revised language is specific to the potential issue (Exhibit B).

### **Metro Facility:**

The Metro Transfer Station is owned by Metro and is operated by Browning-Ferris Industries of Oregon, Inc. The facility is located at 2001 Washington Street. It serves both public and commercial haulers of solid waste.

The Metro South Station began operating on April 11, 1983, under a conditional use permit (CU 81-03) issued by the City of Oregon City, and a solid waste disposal permit issued by the Oregon Department of Environmental Quality.

Pursuant to Conditional Use CU-91-03, each year Metro is required to submit an annual report regarding the operation of the transfer station and to have an annual review of the Conditional Use Permit issued for the facility by Oregon City.

### **BASIC FACTS:**

1. The Metro South Station is located on an approximately 11-acre site located at 2001 Washington Street and was built to replace Rossman's Landfill, located directly across Washington Street. Rossman's Landfill was closed in 1983 and the Clackams Transfer and Recycling Center opened at that time.
2. The Metro South Transfer Station is bordered by Washington Street on the south, Highway 213 to the north and the Southern Pacific railroad to the northwest. The End of the Oregon Trail Interpretive Center is located just across from the station, on the east side of Washington Street.
3. The subject property is designated "Industrial" in the Oregon City Comprehensive Plan. The site is zoned M-2, Heavy Industrial. Solid waste processing and transfer facilities are allowed as conditional uses in the M-2 Heavy Industrial District (OCMC 17.38.030) and subject to OCMC 17.56 requirements.
4. Transmittals of the proposed language (MD 01-01) were sent to various City departments, affected agencies, property owners within 300 feet, and the Park Place Neighborhood Association.
5. Staff received comments from City Engineering, Public Works and the Oregon Department of Transportation (ODOT). The ODOT comments are included as Exhibit C.

### **ANALYSIS AND FINDINGS:**

#### **Chapter 17.50.130(D)**

##### **1. Minor or major modification**

Staff had originally assessed the proposed language change as a minor modification (see memo from Bryan Cosgrove, Exhibit B). Under that decision, the request may be processed as a Type II rather than a Type III application.

##### **2. Processing requirements**

While the proposed language was considered to be minor, the modification is to a set of Conditional Use Conditions of Approval, a Type III application. Planning policy is to request that the body who originally heard the application review any changes. Thus, MD 01-01 is being processed as a Type III application.



### **3. Limitation of review**

The scope of review is to text of a previously adopted Condition. No other Conditions of Approval are being reviewed.

### **4. Conditional Use Criteria**

#### **Criterion (1): The use is listed as a conditional use in the underlying district.**

The site is zoned M-2, Heavy Industrial. Solid waste processing and transfer facilities are allowed as conditional uses in the M-2 Heavy Industrial District (OCMC 17.38.030) and subject to OCMC 17.56 requirements.

Therefore, staff finds that this criterion is satisfied.

#### **Criterion (2): The characteristics of the site are suitable for the proposed use considering size, shape, location, topography, existence of improvements and natural features.**

The proposed text modification affects an already developed site. The station began operating in 1983. Each year since the opening of the transfer station, Metro has made modifications to improve facility features and services, as shown in the Metro Annual Report, March 1999. The proposed text modification will not expand the area currently occupied by the transfer station. The proposed text modification does not affect natural features of the site. Furthermore, the proposed text modification is intended to reduce potential truck traffic conflicts at the intersection of Highway 213 and Washington Street and improve internal circulation and working conditions at the transfer station.

Therefore, based on the above analysis, staff concludes that this criterion is satisfied.

#### **Criterion (3): The site and proposed development are timely, considering the adequacy of transportation systems, public facilities and services existing or planned for the area affected by the use.**

Utility providers evaluated the proposal. The Engineering Division and the Public Works Department did not indicate that the proposal would create any negative impacts on City utilities. No comments were received from affected property owners or the Park Place Neighborhood Association.

Based on above analysis, staff concludes that adequate services are available to serve the site and this criterion is satisfied.

**Criterion (4): The proposed use will not alter the character of the surrounding area in a manner which substantially limits, impairs or precludes the use of surrounding properties for the primary uses listed in the underlying district.**

This criterion addresses the impacts to the surrounding area. As discussed previously in this report, any new impacts generated from this text amendment are anticipated to improve rather than negatively impact traffic conditions on Washington Street and internal operations of the site.

Therefore, staff finds that this criterion is satisfied.

**Criterion (5): The proposal satisfies the goals and policies of the city comprehensive plan, which apply to the proposed use.**

The Oregon City Comprehensive Plan contains the following applicable goals and policies:

*“Encourage citizen participation in all functions of government and land-use planning.”* (Citizen Involvement Goals and Policies, Policy 4).

The public hearing was advertised and noticed as prescribed by law to be heard by the Planning Commission on February 26, 2001. The public hearing will provide an opportunity for comment and testimony from interested parties.

*“The City of Oregon City will encourage the planning and management efforts of the following agencies that provide additional public facilities and services...m. Solid waste disposal...”* (Community Facilities Goals and Policies, Policy 4, page I-21).

Each year since the opening of the station, Metro has made modifications to improve facility features and services. A summary of improvements that have been completed at the station since 1983 is provided in the Annual Report for Metro South Station, March 1999 (not included in this report). Proposed improvements are reviewed by the City to ensure sufficient support of public utilities for station operations.

Therefore, staff finds that this criterion is satisfied in that this proposal satisfies the applicable goals and policies of the Oregon City Comprehensive Plan.

## **CONCLUSION AND RECOMMENDATION:**

Based on the analysis and findings presented in the report, staff concludes that the proposed modification of language for Condition of Approval #7 of CU-00-06, proposed by File No. MD 01-01, satisfies the requirements as described in the Oregon City Municipal Code for Conditional Use Permits, Chapter 17.56; and for processing a Modification of Conditions, Chapter 17.05.130(D).

Based on the findings of fact, staff recommends the Planning Commission approve MD 01-01, affecting the property identified as Clackamas County Map 2S-2E-29, Tax Lot 904. by amending Condition of Approval #7 for File No. Cu 00-06 to read as follows:

**Metro shall continue to monitor the safety and convenience factors for truck ingress and egress at the facility's easternmost access point from Highway 213. In addition, Metro shall coordinate where necessary with Conditions #16, #17, #20, #21, and #22 of File No. SP 99-11R (Home Depot). Should future traffic increases compromise the safety of said access for freight purposes, Metro shall consider design options such as signalization, limitation on hours of operation, or closing the left-out exit option to alleviate traffic problems. All changes shall be subject to the review and approval of ODOT.**

**EXHIBITS:**

1. Conditions of Approval File CU 00-06
2. Memo from Bryan Cosgrove, dated 1/29/01
3. Letter from Sonja Kazan, ODOT, dated February 13, 2001

**CU00-06**  
**Conditions of Approval**  
**Exhibit 1**

1. The approved Conditional Use Permit is limited to the area of the Metro property (11.47 acres) and to the activities as described in the applicant's annual report (Exhibit 2).
2. Site Plan and Design Review in accordance with OCMC 17.62 shall be submitted and reviewed and completed for any future site modifications.
3. Applicants shall design and construct all required public works improvements to City Standards. These Standards include the latest version in effect at the time of application of the following list of documents: Oregon City Municipal Code, Water Master Plan, Transportation Master (System) Plan, Sanitary Sewer Master Plan, and the Drainage Master Plan. It includes the Public Works Design Standards, which is comprised of Sanitary Sewer, Water Distribution System, Stormwater and Grading, and Erosion Control. This list also includes the Street Work Drawings, Appendix Chapter 33 of the Uniform Building Code (by reference), and the Site Traffic Impact Study Procedures.
4. The Applicant is responsible for this project's compliance to Engineering Policy 00-01 (Exhibit 5). The policies pertain to any land use decision requiring the applicant to provide any public improvements.
5. Metro shall continue to submit additions and modifications to their facility infrastructure for City of Oregon City site plan and design review.
6. Metro shall continue to actively participate in the Highway 213 Corridor Study and refinement plan.
7. Metro shall work with the City to design a traffic control structure that will limit and control ingress and egress to the Home Depot and Metro properties in a safe and acceptable manner. The design shall be subject to the review and approval of ODOT.
8. This land use action is valid for a period of one year from the effective date of the decision. Any land use permit may be extended prior to expiration by the Planning Staff with notice given, for a period of six months up to an aggregate period of one year. However, no permit may be extended unless there has been substantial implementation thereof.

**EXHIBIT 1**

# Memorandum

**To:** Maggie Collins  
**CC:** Planning Commission  
**From:** Bryan Cosgrove, Asst. City Manager  
**Date:** 1/29/01  
**Re:** Metro South Transfer Station Access

---

This memo is provided as background information to the Oregon City Planning Commission for planning file number MD 01-01. As you know, City staff recently met with Metro staff to clarify the City's position on Metro's easternmost access point (from Highway 213) to the Metro South Transfer Station.

Metro and the City have addressed issues relating to this access point both formally and informally over the course of the past two years. The City recently processed two land use applications that discuss this access point: CU 00-06 and SP 99-11(R) (Home Depot). Unfortunately, the eastern access is treated differently in these two land use applications, which is why the modification of CU 00-06 is necessary.

Metro is concerned that the conflicting language in these two land use applications will lead to uncertainty. The City never intended to close off the eastern access of Metro's facility. The City's primary interest is to leave the door open to further modifications of this access point should safety or other traffic problems become an issue in the future.

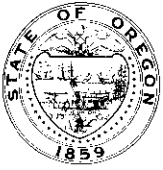
The Home Depot site plan and design review application (SP 99-11(R)) preserved full access to the eastern portion of the transfer station. CU 00-06 has a condition of approval that states: "Metro shall work with the City to design a traffic control structure that will limit and control ingress and egress to the Home Depot and Metro properties in a safe and acceptable manner. The design shall be subject to the review and approval of ODOT". In addition to this condition, the City had used some fairly strong language in the body of the staff report that suggested the eastern access point should be closed down when the Home Depot opens for business.

The purpose, therefore, of this modification is to avoid inconsistency. The City's true goal is better expressed in the proposed language before the Planning Commission tonight:

**EXHIBIT 2**

"Metro shall continue to monitor the safety and convenience factors for truck ingress and egress at the facility's easternmost access point from Highway 213. In addition, Metro shall coordinate where necessary with Conditions #16, #17, #20, #21, and #22 of File No. SP 99-11(R) (Home Depot). Should future traffic increases compromise the safety of said access for freight purposes, Metro shall consider design options such as signalization, limitation on hours of operation, or closing the left-out exit option to alleviate traffic problems. All changes shall be subject to the review and approval of ODOT."

The above language will allow the City to deal with the long-term traffic safety and circulation issues relating to the eastern access point of the transfer station. It will also provide Metro with assurances that the City will work with them to address these issues in a cooperative manner.



# Oregon

John A. Kitzhaber, M.D., Governor

## Department of Transportation

Region 1  
123 NW Flanders  
Portland, OR 97209-4037  
(503) 731-8200  
FAX (503) 731-8259

FILE CODE:

February 13, 2001

PLA9-1-2B -160  
Proposal Number: 1002

City of Oregon City  
Planning Department  
PO Box 351  
Oregon City, OR 97045-0021

Attn: Maggie Collins, Planner Director

**Subject: MD 01-01 Metro South Transfer Station**  
OR 213 and Washington St

Dear Ms. Collins:

We have reviewed the City's proposed revision of Condition #7 of the City's conditional use approval for the South Metro Transfer Station. We understand that the revised condition is a result of negotiations that have occurred between Metro and the City. We do not object to the revision particularly since the language continues to require ODOT's review and approval of any proposed mitigation. This is appropriate given our interest in maintaining adequate operations at the OR 213-Washington Street intersection and ODOT's retention of access control on the affected section of Washington Street.

ODOT would like to participate early in any discussion of mitigation options if safety concerns at Metro's east access arise. ODOT is willing to explore the range of mitigation measures that may be available. A future signal at Metro's eastern approach would not meet the signal warrant criteria and would be close to the signal at OR 213-Washington Street and the signal at Metro-Home Depot's west accesses. While signalization would create substandard conditions, we are willing to discuss it along with other options.

Please call me at (503) 731-8282 if you have questions regarding this matter. Please forward a copy of the decision when it has been issued.

Sincerely,

Sonya Kazen,  
Development Review Coordinator

cc: John Bosket, Traffic, ODOT Region 1  
Thomas Picco, Planning, ODOT Region 1  
Loretta Kieffer, Access, ODOT District 2B  
Glen Taylor, Metro

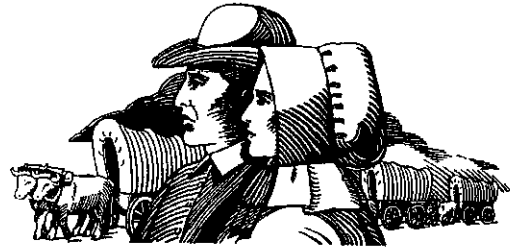
## EXHIBIT 3

# CITY OF OREGON CITY

## PLANNING COMMISSION

320 WARNER MILNE ROAD  
TEL 503-657-0891

OREGON CITY, OREGON 97045  
FAX 503-657-7892



### MEMO

**TO:** PLANNING COMMISSION

**FROM:** BARBARA SHIELDS, AICP, SENIOR PLANNER

**RE:** OREGON CITY TRANSPORTATION SYSTEM PLAN  
Legislative File No. L00-06  
Draft Ordinance and Findings

**DATE:** FEBRUARY 20, 2001

At the meeting on February 12, 2001, the Planning Commission continued the public hearing on the proposed adoption of the Oregon City Transportation System Plan as an Ancillary Document to the Comprehensive Plan.

At the February 12, 2001, meeting, the Planning Commission

- Closed the hearing, but left the record open until February 20, 2001, at 5 p.m. to allow for submission of additional written testimony;
- Directed staff to prepare draft ordinance and findings for adoption of the Transportation System Plan as an Ancillary Document to the Comprehensive Plan for Planning Commission review at the February 26, 2001, meeting.

It should be noted that

- No additional written testimony was submitted to the Planning Division by 5 p.m. on February 20, 2001;
- Given the scope of the project, staff did not finalize draft ordinance and findings by February 20, 2001, 5 p.m. Both the proposed draft ordinance and findings will be forwarded to the Planning Commission by Friday, February 23, 2001, for Planning Commission review at the February 26, 2001 meeting.

The TSP is scheduled for a City Commission hearing on March 7, 2001, with the final adoption by the end of March, 2001.

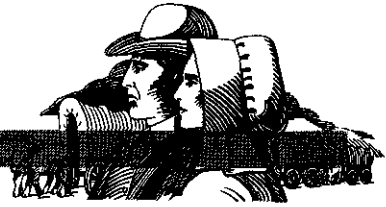


# CITY OF OREGON CITY

## PLANNING COMMISSION

320 WARNER MILNE ROAD  
TEL 503- 657-0891

OREGON CITY, OREGON 97045  
FAX 503- 657-7892



### STAFF REPORT

Date: February 20, 2001

**FILE NO.:** L 00-02

**FILE TYPE:** Legislative

**HEARING DATE:** **February 26, 2001**  
7:00 p.m., City Hall  
320 Warner Milne Road  
Oregon City, OR 97045

**APPLICANT:** City of Oregon City  
320 Warner Milne Road  
Oregon City, OR 97045

**REQUEST:** Amendments to Chapter 12.08 of the Oregon City  
Municipal Code (Street Trees)

**LOCATION:** Citywide

**REVIEWER:** Maggie Collins, Planning Manager

**RECOMMENDATION:** **Staff recommends approval of L 00-02**

### **BASIC FACTS:**

1. The Planning Commission conducted a worksession on proposed changes to Chapter 12.08 on May 10, 2000. This resulted in an amended draft.
2. At a second worksession on June 14, 2000, the Planning Commission recommended that the "Tree Ordinance" not regulate trees on private property; that the ordinance make clear that property owners are responsible for tree maintenance on public rights-of-way adjacent to their property; that the City require street trees on public property; and that a Tree Committee be created to develop a tree planting plan for the City in general.

3. The City Commission reviewed a Second Draft that incorporated the above concepts on February 7, 2001. The Commission directed that the Planning Commission review the Second Draft through means of a legislative public hearing, and make a recommendation on amendments to Chapter 12.08 to the City Commission.
4. The public hearing for City Commission action has been advertised for March 21, 2001.
5. This Legislative file is not considered a land use action; it is, rather, an amendment to existing City Code that clarifies City responsibilities regarding street trees.

**CRITERIA:**

Appropriate criteria to use for a Planning Commission recommendation include the following:

- A. NATURAL RESOURCES GOAL OF THE OREGON CITY COMPREHENSIVE PLAN: "Preserve and manage our scarce natural resources while building a livable urban environment."
- B. POLICY 7 OF THE NATURAL RESOURCES GOAL: "Discourage activities that may have a detrimental effect on fish and wildlife."
- C. POLICY 9 OF THE NATURAL RESOURCES GOAL: "Preserve the environmental quality of major water resources by requiring site plan review, and/or other appropriate procedures on new developments."
- D. ADVISORY LANGUAGE ON SIDEWALKS, TRANSPORTATION ELEMENT OF THE COMPREHENSIVE PLAN: " Sidewalks are an important and integral part of any transportation network. New development should include sidewalks in their design, where needed. Sidewalks should be of sufficient width to accommodate the anticipated pedestrian traffic, but in no case should they be less than four feet wide. For safety reasons, a planting strip is desirable between the walkway and the street. Not only can this enhance the beauty of the street, but reduces the possibility of children, as well as others, stepping out into the street or falling off the curb."
- E. ENDORSEMENT OF THE PROPOSED PURPOSE SECTION OF CHAPTER 12.08: "(A) Develop tree-lined streets to protect the living quality and beautify the city; (B) Establish physical separation between pedestrians and vehicular traffic; (C) Create opportunities for solar shading; (D) Improve air quality; and (E) Increase the community tree canopy and resource."

## **CONCLUSION AND RECOMMENDATION:**

Discussions about the importance of an enhanced tree canopy have occurred at the City Commission level since 1998. Staff finds that the proposed changes to Chapter 12.08 set the tone for further action. A Tree Committee structure can be a way of providing citizen participation opportunities; the provision of street trees is established as a clear development requirement; and the City's role in community forest and street tree preservation and enhancement is well stated.

Requirement of street trees for new development and redevelopment is desirable in that trees provide public goods to humans and the environment. Staff recommends that the Planning Commission forward a positive recommendation on the proposed language of File L 00-02.

## **EXHIBIT:**

1. Second Draft "Tree Ordinance"

# **DRAFT**

## **Chapter 12.08** **Community Forest and Street Trees**

### **Sections:**

- 12.08.010 Purpose
  - 12.08.011 Definitions
- 12.08.020 Street Tree Planting Requirements
- 12.08.030 Street Tree Species Selection
- 12.08.040 General Tree Maintenance
  - 12.08.041 Public Property Tree Maintenance
  - 12.08.042 Public Tree Removal
- 12.08.050 City Tree Committee
  - 12.08.051 Tree Committee Terms of Operation and Compensation
  - 12.08.052 Tree Committee Responsibilities
  - 12.08.053 Tree Committee Procedures
  - 12.08.054 City Commission Review
  - 12.08.055 Preparation of a City Tree Plan
  - 12.08.056 Utility Operations and Tree Maintenance
- 12.08.060 Heritage Trees
- 12.08.070 Gifts and Funding
- 12.08.080 Violation and Penalty

### **12.00.810 Purpose.** The purposes of this chapter are to:

- A. Develop tree-lined streets to protect the living quality and beautify the city;
- B. Establish physical separation between pedestrians and vehicular traffic;
- C. Create opportunities for solar shading;
- D. Improve air quality; and
- E. Increase the community tree canopy and resource.

### **12.08.011 Definitions.** For the purposes of this chapter, the following apply:

- A. "Tree" means a living standing woody plant having a trunk six (6) inches in diameter or nineteen (19) inches in circumference at a point four and one-half feet above mean ground level at the base of the tree.
- B. "Street trees" mean trees located in public rights-of-way within the city.
- C. "Public trees" mean trees located on property designated as public park and trees located in public right-of-way not defined as street right-of-way.
- D. "Hazard tree" means any tree or tree part that poses a high risk of damage or injury to property or people by failure or fracture.
- E. "Tree topping" means the severe cutting back of limbs to stubs larger than three (3) inches in diameter within the tree's crown to such a degree so as to remove the normal canopy and disfigure the tree.
- F. "Heritage tree" means a tree of significant historical value so designated by the city commission.

**12.08.020 Street Tree Planting Requirements.** All new construction 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 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 (40) 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.
- B. The following dimensional standards shall be maintained when planting trees:
  - 1. 25 feet from street lights;
  - 2. 5 feet from fire hydrants;
  - 3. 20 feet from stop signs;
  - 4. 25 feet from intersections;
  - 5. No less than three (3) feet in tree lawn widths from curbs or curb lines and sidewalks; and
  - 6. A minimum of 5 feet (at mature height) below power lines.
- C. All trees shall be a minimum of three (3) inches in caliper and installed to City specifications.

**12.08.030 Street Tree Species Selection.** The planning manager may specify the species of street trees required to be planted if there is an established planting scheme adjacent to the lot frontage, if there are obstructions in the planting strip, or if overhead power lines are present.

**12.08.040 General Tree Maintenance.** Abutting property owners shall be responsible for the maintenance of street trees and planting strips. Topping of trees is permitted only under recommendation of a certified arborist, or other qualified professional, if required by city staff. Trees shall be trimmed appropriately. Maintenance shall include trimming to remove dead branches, dangerous limbs and to maintain a minimum seven (7) foot clearance above all sidewalks and ten foot (10) clearance above the street. Planter strips shall be kept clear of weeds, obstructing vegetation and trash.

**12.08.041 Public Property Tree Maintenance.** The city shall have the right to plant, prune, maintain and remove trees, plants and shrubs in the public right-of-way and public grounds, as may be necessary to insure public safety or to preserve and enhance the symmetry and beauty of such public areas. The tree committee may cause to be removed any tree or part thereof which is in an unsafe condition, or which by reason of its nature is injurious to above- or below-ground public utilities or other public improvements.

**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. Except for diseased trees, any tree that is removed shall be replaced with a similar caliper tree and species, unless said species is not included on the Street Tree List. 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 may approve off-site installation of replacement trees where necessary due to planting constraints.

**12.08.050 City Tree Committee.** A tree committee for the city of Oregon City is hereby created, which shall consist of five (5) members, at least three (3) of whom shall be residents of this city, and two of whom may reside outside the city limits. Members shall be appointed by the mayor. Two (2) members shall be from the field of arboriculture, landscape architecture or otherwise have an interest or demonstrated experience in tree care and urban forestry.

**12.08.051 Tree Committee Terms of Office and Compensation.** Terms of service of the five (5) persons appointed shall be three (3) years, except that the term of two (2) members appointed to the first committee shall be for only one (1) year, and the term of two (2) additional members of the first committee will be for two (2) years. In the event a vacancy occurs during the term of any member, a successor shall be appointed for the remaining portion of the term. Members shall serve without compensation.

**12.08.052 Tree Committee Responsibilities.** The tree committee is charged with the following:

- A. To study, investigate, develop, and submit a written tree plan for the care, preservation, pruning, planting, replanting, removal or disposition of trees in parks, and in public areas, which includes the public right-of-way. Approval of said tree plan shall be by the city commission.
- B. When requested by the city, tree committee shall investigate, make findings, report, and recommend upon any special matter or question within the committee's scope of work.
- C. To review the city's adopted Street Tree List on a regular basis, using its guidelines in development of 12.08.052 (A) and (B) above.
- D. To promote the planting and proper maintenance of trees through special events, including an annual local celebration of Arbor Day.
- E. To apply for the annual Tree City, USA designation by the National Arbor Day Foundation.
- F. To designate and see that appropriately-located plaques identify heritage trees on public land within the city.
- G. To consider information and data provided by neighborhood associations and organizations; and to coordinate committee plans and activities with other city departments and appropriate agencies.

H.

**12.08.053 Tree Committee Procedures.** The tree committee shall elect a chairperson and vice-chairperson, and shall develop its own meeting schedule. A majority of its

members shall constitute a quorum. The committee shall keep a journal of its proceedings, to be placed on file in the city recorder's office.

**12.08.054 City Commission Review.** The city commission shall have the right to review the conduct, acts, and decisions of the tree committee. Tree committee decisions that are considered binding may be appealed to the city commission, who shall hear the matter and make a final decision.

**12.08.055 City Tree Plan.** The tree committee, in conjunction with other city departments, shall prepare a tree plan for the planting, maintenance and replacement of trees on the streets of Oregon City. The plan should include, but not be limited to, a series of maps of city streets with specific species designations. The committee shall, within a reasonable time, cause to have prepared a survey of street trees now growing, with a record of their condition.

**12.08.056 Utility Operations and Tree Maintenance.** The tree committee shall review and recommend regulations for tree pruning and maintenance by utility companies operating in the city. Committee rules and guidelines shall be sent by certified letter to the appropriate utility providers.

**12.08.057 Tree Maintenance Permits.** The tree committee may consider and propose methods of municipal review of any activity which could be detrimental to public trees, such as requiring a permit, including appeal procedures, for tree removal, trimming, planting, trenching near trees, installing pavement, etc. all with the intent to preserve the community tree cover consistent with the overall tree plan.

**12.08.060 Heritage Trees.** Certain trees, because of their age, type, notability or historical association, are of special importance. A Heritage Tree designation shall be enacted using the following process:

- A. The tree committee shall prepare a list of criteria to be used for determining when a tree qualifies for designation as a heritage tree.
- B. The tree committee shall review a heritage tree nomination by a citizen or the committee itself, and if on private property, by the permission of the property owner.
- C. The tree committee shall make a recommendation on heritage tree designation to the city commission, who shall approve said recommendation by resolution.
- D. The tree committee shall plan for appropriately-placed plaques for such designated trees, and shall make recommendations for tree maintenance.

**12.08.070 Gifts and Funding.** The city of Oregon City may accept gifts, which are specifically designated for the purpose of planting or maintaining trees within the city. A separate fund shall be established and maintained for revenues and expenditures created by activities specified in this chapter. The tree commission shall have authority to seek grants and alternative funding for tree projects.

**12.08.080 Violation and Penalty.** Any act or omission of this chapter shall be deemed a nuisance. The violation of any provision of this chapter shall constitute a civil infraction, subject to code enforcement procedures of Chapter 1.16 and/or Chapter 1.20.