ORDINANCE NO. 15-1016

AN ORDINANCE RE-ADOPTING THE BEAVERCREEK ROAD CONCEPT PLAN; AMENDING THE OREGON CITY COMPREHENSIVE PLAN AND ANCILLARY DOCUMENTS

WHEREAS, the Beavercreek Road Concept Plan was first adopted by the City Commission on September 17, 2008; and

WHEREAS, the Beavercreek Road Concept Plan was appealed to the Land Use Board of Appeals and LUBA remanded to the Concept Plan back to the City to address Metro Title 4, Industrial Lands; and

WHEREAS, in 2010, the Metro Council amended its Title 4 Industrial Lands map through the adoption of Ordinance 10-1244B, and that decision is now final; and

WHEREAS, in 2007-2008 and in 2015, the City worked with Oregon City residents and public advisory groups to develop the overall vision, policies and goals for the future growth and development of the Beavercreek Road Concept Plan area; and

WHEREAS, the Beavercreek Road Concept Plan supports the Overall Vision and Goals of the Citizen Advisory Committee for a complete and sustainable community; and

WHEREAS, the Beavercreek Road Concept Plan complies and is consistent with Statewide Planning Goals, Metro Ordinance No. 02-969B and 10-1244B, Chapter 3.07 of the Metro Urban Growth Management Functional Plan, specifically Metro Title 11 – Planning for New Urban Areas; and

WHEREAS, adequate notice was mailed to all Oregon City property owners in conformance with Measure 56 requirements and notice was published in the local newspaper. Public meetings open houses, workshops, work sessions, other media and web-based forums were held where the objectives and concepts of the Beavercreek Road Concept Plan were presented and discussed; and

WHEREAS, the Oregon City Planning Commission held four public hearings where it considered testimony and evidence limited to addressing Title 4 and utility and service demand issues; with revised findings and specific recommendations to consider for implementation of the Beavercreek Road Concept Plan and on January 25th, 2016 voted unanimously to approve re-adoption; and

WHEREAS, the Oregon City City Commission held six public hearings where it accepted testimony and evidence considering the proposed re-adoption of the Beavercreek Road Concept Plan and on March 2, 2016 voted unanimously to approve re-adoption subject to the presentation of updated findings; and

WHEREAS, amendments to the Oregon City Municipal Code and Zoning Map will be necessary in order to implement the Beavercreek Road Concept Plan, and these Amendments will be considered and reviewed through a separate legislative process and duly noticed public hearing which will be mailed to all Oregon City residents and interested parties in compliance with Measure 56; and

Ordinance No. 15-1016

Effective: Upon adoption of implementing zoning

WHEREAS, the re-adoption of the Beavercreek Road Concept Plan, narrative, appendices and Concept Plan Goals and Policies, amending the City of Oregon City Comprehensive Plan and adopting updates to the ancillary documents to the Comprehensive Plan in order to implement the Beavercreek Road Concept Plan; is consistent with the Oregon City Transportation System Plan, Oregon City Water Master Plan, Oregon City Sanitary Sewer Master Plan, Oregon City Parks and Recreation Plan and the Oregon City Trails Master Plan.

NOW, THEREFORE, OREGON CITY ORDAINS AS FOLLOWS:

<u>Section 1.</u> The Beavercreek Road Concept Plan and Appendices as provided in Exhibit 2, is hereby adopted as an Amendment to the Oregon City Comprehensive Plan, including the findings of fact for File LE-15-0003 in Exhibit 1, and the legislative record in Exhibit 3.

<u>Section 2.</u> This Ordinance shall take effect upon the adoption and enactment of the zoning that implements the Beavercreek Road Concept Plan.

Read for the first time at a regular meeting of the City Commission held on the 16th day of March 2016, and the foregoing ordinance was finally enacted by the Commission on this day of April 2016.

DAN HOLLADAY, Mayor

Approved as to legal sufficiency:

Attested to this 6 day of April 2016:

Kattie Riggs, City Recorder

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City Attorney

Exhibit 1 – LE-15-0003 Final Revised Findings of Fact

Exhibit 2 - Beavercreek Road Concept Plan and Appendices

Exhibit 3 – Record for Legislative File LE-15-0003

BEFORE THE CITY COMMISSION

In the Matter of)	
Adoption of the)	Findings of Fact
Beavercreek Road Concept Plan)	
ON REMAND)	
File No. LE-15-0003)	

I. INTRODUCTION

This matter comes before the City Commission (Commission) of Oregon City to approve the Beavercreek Road Concept Plan on remand.

After a review of the facts, including the Metro Ordinance 10-1244B and the City's recently adopted transportation and utility master plans, the City Commission finds that the applicable decision-making criteria are satisfied. Therefore, the City Commission APPROVES the above-referenced plan amendments. These plan amendments shall take effect upon adoption of zoning regulations implementing these plan amendments.

The Commission summarized the benefits of this plan in 2008 as follows:

The Beavercreek Road Concept Plan (BRCP) is a guide to the creation of a complete and sustainable community in southeast Oregon City. The concept plan includes 453-acres located along the east side of Beavercreek Road from Old Acres Lane, north to Thayer Road. The majority of the site (245 acres) was added to the UGB in December of 2002 and an additional 63 acres were added in 2004. The remaining acreage was in the UGB and/or Oregon City limits prior to 2002. During the update of the Oregon City Comprehensive Plan in 2003, Policy 2.6.8 was adopted acknowledging the jobs-related importance of the site to Oregon City and the region, while also allowing flexibility in the project area's land use. Comprehensive Plan policy 2.6.8 states:

Require lands east of Clackamas Community College that are designated as Future Urban Holding to be the subject of concept plans, which is approved as an amendment to the Comprehensive Plan, would guide zoning designations. The majority of these lands should be designated in a manner that encouraged family-wage jobs in order to generate new jobs and move towards meeting the City's employment goals.

The BRCP furthers this end by creating an area where residents can work, as well as live by providing a diverse mix of uses (an employment campus north of Loder Road, mixed use districts along Beavercreek Road, and two mixed use neighborhoods) all woven together by open space, trails, a network of green streets and sustainable development practices - all attributes necessary to provide a successful family-wage employment area. Transit-oriented land uses will be strategically located to increase the feasibility of transit service in the future. Specifically, the Mixed Employment Village, Main Street and Mixed Use Neighborhoods will be walkable and

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¹ Please see bottom of page 8 for further explanation and also LUBA Record No. 2008-170, PP 1837-1862. The overall vision for the concept plan is to create "A Complete and Sustainable Community". The Citizen Advisory Committee - Sustainability Focus Group utilized the definition of sustainability originally developed by the United Nations Brundtland Commission: "A sustainable society meets that needs of the present without sacrificing the ability of future generations to meet their own needs".

transit supportive through their proximity to Beavercreek Road, CCC and the High School. The plan has been carefully crafted to create a multi-use community with a mix of transit-oriented land uses that has synergistic relationships with Clackamas Community College, Oregon City High School and adjacent neighborhoods.

II. FACTS

A. Concept Plan History

In September, 2008, the Oregon City Commission adopted Ordinance No. 07-1008 adopting the Beavercreek Concept Plan (BRCP) and its ancillary documents to the Oregon City Comprehensive Plan. The decision was subsequently appealed to the Land Use Board of Appeals (LUBA), LUBA No. 2008-170. Although a wide-ranging series of arguments were presented before LUBA, they largely focused on whether the BRCP was consistent with Metro Code provisions relating to the designation of significant industrial lands, whether the Metro Code and comprehensive plan policies relating to utility and facility adequacy were satisfied, and lack of adequate citizen participation in the process. In August 2009, LUBA found that the BRCP designation of approximately 74 acres out of the total 308 acres that were designated by the Metro Code for an Industrial design type uses required remand. LUBA did not respond to any of the other arguments.

In December 2010, Metro adopted Ordinance No. 10-1244B that, in addition to expanding the urban growth boundary in portions of Washington County, it amended the Title 4 Industrial and Other Employment Areas Map to show changes to design-type designations to conform to new comprehensive plan designations by cities and to needs identified in the 2009 Urban Growth Report. The Metro Staff Report for Ord. 10-1244B explains that the 2009 Urban Growth Report found that "there is adequate capacity inside the current UGB...to accommodate general employment and industrial job growth even at the high end of the employment forecast range." The report also notes a shortage of residential capacity and increasing the residential capacity within Beavercreek responds to that concern. As a result, Metro decided to amend the Title 4 map and that decision was acknowledged by the Land Conservation and Development Commission in LCDC Approval Order 12-UGB-001826. The decision was then appealed to the Oregon Court of Appeals by the same petitioner who challenged adoption of the BRCP as well as others who opposed the UGB expansion. Resolution of the case was stayed pending resolution of the case considering Metro-area urban and rural reserves entitled Barkers Five v. LCDC. In February, 2014, the court remanded LCDC's decision in the Barkers Five case. The legislature responded by enacting House Bill (HB) 4078 (2014) (Or Laws 2014, ch 92), making numerous amendments to ORS chapter 197 and validating Metro's adoption of Ordinance No. 10-1244B. In August 2014, the Oregon Court of Appeals dismissed all challenges relating to Ordinance No. 10-1244B, finding that the amendment to state law established the UGB for Clackamas County as well and therefore, all of the challenges were moot.

B. BRCP Acreage at a Glance

The following table illustrates the estimated gross and net acreage within the BRCP area for the respective land use areas in the BRCP, organized by UGB expansion date. These acreages are based on a GIS analysis of the adopted hybrid plan using polygons, and should be considered approximate.

	Pre 200	2 UGB	2002	UGB	2004	UGB	
BRCP Land Use	Gross	Net	Gross	Net	Gross	Net	Total
Designations	Acres	Acres	Acres	Acres	Acres	Acres	Acres
North Employment							
Campus (Industrial)	51.43	39.36	121.81	75.14			173.24
Mixed Employment							
Village	11.88	11.88	14.45	14.39			26.33
Mixed Used							
Neighborhood (East							
+ West)	49.46	46.68	21.64	21.28	30.79	30.79	101.89
Resource and Natural							
Areas (Low Imp +							
Natural)	1.04	1.04	57.29	15.18	29.17	17.66	87.50
Main Street	7.00	7.00	3.18	3.12			10.18
Right of Way	29.26	25.96	24.84	20.09	4.18	4.18	58.40
BRCP Total Acres	150.08	131.92	243.21	149.21	64.13	52.63	457.54
Metro Title 4							
Industrial Land	59.74	46.05	160.67	77.80			220.41

The majority of the site (approximately 245 acres) was added to the UGB in December of 2002 and an additional approximately 63 acres were added in 2004. The remaining acreage was in the UGB and/or Oregon City limits prior to 2002. The 220.41 acres of Title 4 industrial land is estimated to yield approximately 123 acres.

III. The Process and Applicable Approval Standards

The City of Oregon City proposes to re-adopt the BRCP without any amendment to the plan itself coupled with revised findings that address more recently adopted infrastructure and service plans. New BRCP comprehensive plan map designations and development code and zone changes are not proposed at this time. The BRCP policies will not go into effect until the new BRCP comprehensive plan and zoning designations apply to specific parcels.

State law and the Oregon City Municipal Code do not specifically address the applicable procedures on remand, leaving the City Commission with considerable discretion. The City's only obligation is to address the issues on remand from LUBA. Given that LUBA did not

respond to all of the issues and that the City has implemented a number of relevant utility master plans since 2009, the City Commission decided to remand the matter to the Planning Commission with instructions to re-open the record only for the purposes raised in the arguments presented by the petitioner in the LUBA appeal. These issues can be summarized as Metro Code Title 4 requirements and public utility and service infrastructure planning requirements as discussed in greater detail below.

As for the applicable approval criteria, as a legislative decision, the fixed goal post rule, ORS 227.178(3)(a), does not apply and as a result, these findings respond to the Metro Code Title 4 and Title 11 provisions currently in place.

Adoption of the BRCP is subject to all of the applicable Statewide Planning Goals including Goal 12 – Transportation, and the State Transportation Planning Rule (OAR 660-012-0060) or TPR. Please see findings starting on Page 27 for compliance with Goal 12. In order to meet the requirements of this regulation, needed improvements and funding mechanisms have been identified for properties within the Concept Plan area that will mitigate impacts of plan implementation in a manner that avoids further degradation to the performance of the transportation facilities. TPR compliance also identifies the need for the City to develop a refinement plan to draft alternative mobility targets for regional ODOT facilities that are affected by new development within the city. The proposed transportation infrastructure improvements, financing and funding estimates, identified in the Plan, along with future amendments to the Transportation System Plan and Capital Improvement Plan provide sufficient methods to limit development until compliance with the Transportation Planning Rule is shown.

Oregon City must comply with the relevant portions of Metro's Urban Growth Management Functional Plan (Functional Plan). The Functional Plan is a regional land use plan that implements the 2040 Growth Concept. The Concept Plan is required to comply with Metro's title 11 requirements regarding residential density. Findings regarding Metro Title 11 are detailed below.

IV. Public Involvement and Public Comment

The Concept Plan was developed by a diverse 15-member Citizen Advisory Committee (CAC) and 9-member Technical Advisory Committee (TAC). The committees met twelve times between June 2006 and July 2007.

The CAC membership roster indicated several county residents including Elizabeth Graser-Lindsey and Bob Nelson from outside the concept plan area, with good audience participation from county and city residents. The CAC meeting summaries show strong input from county residents – these meeting summaries are in the record. The wide group of stakeholders included:

- Property owners within the study area.
- Oregon City High School and Clackamas Community College.
- Neighbors, including those in the Caufield Neighborhood Association, Beavercreek Community Planning Organization (CPO), and other adjacent areas.
- Service providers such as fire district, TriMet, utilities, school district, and parks district.

There was broad support on the CAC for the hybrid plan. In addition to the committee meetings, the public involvement process included a study area tour for CAC and TAC members, two public open houses, market focus group, sustainability focus group, employment lands coordination with Metro, Community Design Workshop, a project website, project posters, informational sign, email notice and extensive mailings to property owners and interested parties prior to each meeting and

public event. Notice of the public hearing for the proposal was published in the newspaper and mailed to all Oregon City property owners on June 22, 2007, in accordance with the requirements of Measure 56. The Planning Commission took public testimony at three hearings on September 24, 2007, October 22, 2007, and November 12, 2007. In addition to reviewing all of the evidence in the record, the City Commission also took public testimony at its hearings on January 16, 2008, March 5, 2008, March 19, 2008 and April 16, 2008.

For the re-adoption, planning staff held additional meetings to provide information and receive input on the Plan process:

Planning Commission Work Session	09/28/2015
Citizen Involvement Committee	10/05/2015
Natural Resources Committee	10/14/2015
Transportation Advisory Committee	10/20/2015
Parks & Recreation Advisory Committee	10/22/2015
Caufield Neighborhood Association	10/27/2015
Hamlet of Beavercreek	10/28/2015
City Commission Work Session	11/10/2015
Planning Commission Hearing #1	11/23/2015
City Commission Hearing #1	12/02/2015
Planning Commission Hearing #2	1/11/2016
Planning Commission Hearing #3	1/25/2016
City Commission Hearing #2	3/02/2016

Based on the forgoing, the Commission concluded that outreach and response from citizen groups regarding the plan re-adoption has been largely positive and supportive.

V. DECISION-MAKING CRITERIA:

A. Comprehensive Plan Criteria

The following considerations, goals and policies apply to amendment of the Comprehensive Plan and Concept Plans.

Comprehensive Plan Maintenance and Implementation - Regular Review and Update.

Section 2 – Land Use of the 2004 Oregon City Comprehensive Plan indicates that the regular review and updated of the Comprehensive Plan should consider the following:

- 1. Plan implementation process.
- 2. Adequacy of the Plan to guide land use actions, including an examination of trends.
- 3. Whether the Plan still reflects community needs, desires, attitudes and conditions. This shall include changing demographic patterns and economics.
- 4. Addition of updated factual information including that made available to the City of regional, state and federal governmental agencies.

B. Statewide Planning Goals

Compliance with the Statewide Planning Goals is a specific requirement for changes to the Comprehensive Plan or Comprehensive Plan map. For the BRCP to be approved by DLCD it must comply with applicable statewide planning goals. The analysis below is provided for the City and the public to understand how the proposed update complies with Statewide Planning Goals.

C. Metro Title 11.

Concept Plans are regulated by Title 11 in Metro's Urban Growth Management Functional Plan. Title 11 and Concept Plans are intended to lay a foundation for urbanization of areas added to the region's Urban Growth Boundary (UGB) in a way that reasonably provides public facilities and services, offers transportation and housing choices, supports economic development, and protects natural resources. The following land use elements of Metro's Title 11 regulations governing concept planning within Metro's jurisdiction, "3.07.1120 Urban Growth Boundary Amendment Urban Reserve Plan Requirements" which generally include the following:

- A. Annexation;
- B. Housing density;
- C. Variety of housing types;
- D. Housing affordability;
- E. Commercial/Industrial development;
- F. Transportation;
- G. Mapping;
- H. Public Facilities and Services;
- I. Schools;
- J. Urban Growth Diagram; and
- K. Plan Amendments.

IV. ANALYSIS AND FINDINGS

A. Comprehensive Plan Criteria

Comprehensive Plan Maintenance and Implementation - Regular Review and Update.

Another method of Plan maintenance and updating is a continuous technical review of the Plan by the Planning staff. This review and any subsequent recommendations for Plan updating should be presented to the Neighborhood Associations, Planning Commission and City Commission for input and discussion in the same manner as requested Plan changes. The continuous review should consider:

1. Plan implementation process;

Analysis: The main reason for amending the Comprehensive Plan is to adopt and implement the new BRCP in response to Metro Title 11 Requirements, and to guide appropriate comprehensive plan designations and zoning for the area. The concept planning process was initiated in order to ensure the appropriate mix of uses in the concept plan area, and so that public facilities and services can be planned to serve future development within the study area.

Completion of the concept plan and amendment of the Comprehensive Plan complies with the City's Comprehensive Plan Goal 14.3 - Orderly Provision of Services to Growth Areas, which

provides that the City plan for public services to lands within the Urban Growth Boundary through adoption of a concept plan and related Capital Improvement Program, as amendments to the Comprehensive Plan. The BRCP and regulations are in compliance with Metro's Functional Plan and the amendments to the comprehensive plan must be adopted through DLCD's post-acknowledgement process.

The City finds this criterion is satisfied.

2. Adequacy of the Plan to guide land use actions, including an examination of trends.

Analysis: The Existing Conditions report of the Concept Plan includes detailed market, infrastructure, transportation system, natural resources, demographics and industrial lands analyses in order to determine trends to guide future land use actions. The results of this analysis need to be incorporated into the Comprehensive Plan. The plan provides a thorough explanation of the existing conditions pertaining to this analysis and provides recommendations and preliminary cost estimates for improvements that will be necessary in order for the concept plan to be carried out. These cost estimates have subsequently been updated in the city's public infrastructure and transportation planning as follows:

Transportation System Plan (2013)

Sewer Master Plan (2014)

Water Master Plan (2010)

Stormwater and Erosion Control Manual and Design Standards (2015)

The Comprehensive Plan amendments are necessary in order for land use actions to be carried out within the concept plan area subsequent to the annexation of property. Adoption of the concept plan does not rezone property within the planning area until said property is annexed into the City and the implementing zoning regulations are in place. Comprehensive Plan map designations, relevant code amendments, and text and maps are required when these events take place. Likewise, the amendments to the ancillary documents and plans assure that the necessary improvements in the concept plan may be incorporated into the appropriate ancillary plan, as well as be included in the City's Capital Improvement Program and Transportation System Plan.

The Concept Plan provides a comprehensive and cohesive guide to future development in three parts:

Framework plan maps, goals and policies – These elements are adopted as part of the Oregon City Comprehensive Plan. Compliance with the Plan is required for all land use permits and development beyond that allowed by existing land use regulation. The framework plan is comprised of generalized maps and policies that integrate land use, transportation, open space and green infrastructure. The framework maps and policies are supported by detailed code and requirements for master planning and design review. This approach sets a broad framework and intent on the figures and text in the Plan that ensures that the vision, goals and standards are required in all land use decisions, provides flexibility in site specific design and implementation and allows for phased development over a longer period of time.

- 2) Ancillary report materials The descriptive text, graphics and technical appendix of this report are adopted as an "ancillary document" to the Comprehensive Plan, which provides "operational guidance to city departments in planning and carrying out city services" (Oregon City Comprehensive Plan, page 4). These documents include information for updating the City's utility master plans and Transportation System Plan.
- 3) Development code amendments Revisions to the development code are being prepared as part of the Concept Plan. Once final, it will be adopted as part of the Oregon City Municipal Code. Compliance with these amended provisions will be required for all land use permits and development.

The opportunities and constraints, market, infrastructure, natural resources and buildable lands analysis provided in the BRCP provide an adequate factual basis for determining trends within the study area. Following adoption of the BRCP, amendments to the Zoning Code, Comprehensive Plan and Ancillary Documents will provided an adequate basis for making future land use decision and can be found in compliance with this criterion.

The City finds this criterion is satisfied.

3. Whether the Plan still reflects community needs, desires, attitudes and conditions. This shall include changing demographic patterns and economics.

Analysis: Citizen input was critical to ensure that the community's desires and attitudes would be reflected in the Concept Plan. A public involvement program was developed and conducted from June 2006 through July 2007. A 15-member Citizen Advisory Committee (CAC) and 9-member Technical Advisory Committee (TAC) developed the concept plan. The purpose of the CAC was to serve as the forum for stakeholder representatives to work with each other and act as an advisory body to the Consulting Team, City Staff, Planning Commission, and City Commission regarding the Concept Plan. The CAC comprised city residents, representatives of neighborhood associations, residents of the Hamlet of Beavercreek, local businesses, the development community, property owners within the study area, the school district, Clackamas Community College, Transportation Advisory Committee, environmental interests, and the Planning Commission.

The CAC created several alternatives and finally chose a hybrid the included about 127 net acres of North Employment Campus, which is consistent with Metro's intent and similar to Oregon City's existing Campus Industrial designation, about 29 acres of Mixed Employment Village and Main Street, which allows a variety of uses in a village-oriented transit hub and mixed use neighborhoods to the south that also provide jobs tailored to the neighborhood setting.

The TAC included representatives from Metro, Clackamas County, ODOT, Tri-Met, DLCD, and City Planning Staff. Twelve meetings were held over the 13 months and there were two open houses, a market and sustainability focus group and a design workshop that were intended to provide information to citizens and to solicit their input.

For the 2015 re-adoption process, planning staff held additional meetings to provide information and receive input on the BRCP process with the following groups:

Planning Commission Work Session	09/28/2015
Citizen Involvement Committee	10/05/2015
Natural Resources Committee	10/14/2015
Transportation Advisory Committee	10/20/2015
Parks & Recreation Advisory Committee	10/22/2015
Caufield Neighborhood Association	10/27/2015
Hamlet of Beavercreek	10/28/2015
City Commission Work Session	11/10/2015

See also Pages 4-5 under Public Involvement and Public Comment.

The overall vision for the concept plan is to create "A Complete and Sustainable Community", and the CAC utilized the definition of sustainability originally developed by the United Nations Brundtland Commission:

"A sustainable society meets that needs of the present without sacrificing the ability of future generations to meet their own needs".

Based on public input, the committee created 10 Project Goals and 10 Principles of Sustainable Community Design that were used in the visioning and development of the concept plan. The Goals and Principles are on pages 7 and 8 of the Concept Plan. Utilizing these Goals and Principles, the committee created several alternative plans that were reviewed and combined into one preferred alternative plan, which is identified as the BRCP. The Plan has land use and transportation connections that support future transit, trails and greenspaces have been crafted to provide direct and convenient internal pedestrian connections and link to the broader regional network, lower densities near the edges and buffer treatments have been incorporated and a street network that provides for internal circulation. In accordance with the TSP and RTP, the access management approach envisioned in the plan will minimize impacts and access points on the Beavercreek Road corridor, and provides for parallel future connections to the north and south..

The BRCP meets the needs of Oregon City for providing employment lands, which are greatly needed. The Plan provides 156 net acres of employment lands in two forms: 127 net acres of tech flex campus industrial (Title 4) land and 29 acres of more vertical mixed use village and main street employment. The employment land is incorporated into a sustainable, complete community that includes jobs, varied housing types, green streets, open spaces, trails, mixed uses, focal points for activity, linkages to logical streets and activity centers (Clackamas Community College and Oregon City High School) and access to nature. Once the plan has been adopted and acknowledged, the City will develop and apply appropriate zoning designations to implement the concept plan areas. The concept plan is a reflection of the needs, desires, and attitudes of the Citizen Advisory Committee and represents the conditions, vision, direction and improvements that are necessary to accommodate the changing demographics and economics of the community.

The adoption of Metro Ordinance 10-1244B by the Metro Council of the amended Title 4 map for the Beavercreek Road area reflect updated economic conditions and employment land needs for the region and city. Based on the citizen outreach and input received during the Plan development process and throughout the re-adoption process, the BRCP document still reflects community needs, desires, attitudes and conditions including changing demographic patterns and economics.

The City finds this criterion is satisfied.

4. Addition of updated factual information including that made available to the City by regional, state and federal governmental agencies.

Analysis: The proposed changes respond to needs revealed by the Buildable Lands Inventory for the concept plan and where updated and affirmed in 2010 through Metro's adoption of Ordinance No. 10-1244B. These needs are documented in the technical appendix on housing and economic development, as well as in the background discussions in each of the Comprehensive Plan elements. Participation on the TAC by representatives of Metro and the State Department of Land Conservation and Development informed the Regulatory Framework which the Concept Plan must comply with, including the primary elements: Governance, Housing, Transportation and protection of Natural Resources. For example, policies support the provision of a variety of housing types and income levels, creation of mixed use zones to encourage more employment and housing, and the designation of Metro Design Types (Industrial and Employment). Metro data and the City's own GIS data was utilized to develop a variety of maps, notably the habitat conservation areas, steep slopes areas, urban growth potential, transportation (street system, transit, functional classification, street sizing, bicycle and pedestrian needs, trails), water, stormwater and sewer system maps. Policies in the Concept Plan support Metro and DLCD requirements and factual information is reflected in the BRCP.

The City finds this criterion is satisfied.

Oregon City Comprehensive Plan Goal 2.6 - Industrial Land Development Ensure an adequate supply of land for major industrial employers with family-wage jobs.

Adoption of the BRCP will ensure an adequate land supply for major industrial employers, consistent with regional employment land goals adopted by Metro. Goal 2.6 is further implemented by the following Policies 2.6.1 through 2.6.8:

Policy 2.6.1

Work with Metro to ensure that there is enough land available within the Urban Growth Boundary to meet the need for industrial and/or commercial development. If there is not enough, identify areas outside the boundary that may be appropriate to annex. The selection of these areas will be based on market factors, protection of environmentally sensitive areas, compatibility with adjoining and nearby uses, public facilities and infrastructure, proximity to expressways and transit, site requirements of specific types of industries, and the desires of the property owners.

Analysis: Metro has determined that the proposed plan provides an adequate amount of Title 4 employment land within the UGB. Reflecting changes in employment needs and demands between the Metro 2002 Urban Growth Report (UGR) –Employment, and the 2009 UGR - Employment, Metro's 2009 assessment found there is adequate capacity inside the current UGB to accommodate the next 20 years of general employment and general industrial job growth even at the high end of the employment forecast range. This question was fully evaluated and resolved by Metro during its 2009 UGR and re-affirmed in Metro's adoption of Ord. 10-1244B.

During the initial review of the proposed hybrid concept plan, market analysis done by EcoNorthwest included an inventory of available industrial and employment lands and concluded that it is not unreasonable to expect 150 acres of industrial and business park development to build out within the BRCP over a 20-year period. (LUBA Record page 1781). The subsequently adopted change to the Title 4 Employment and Industrial Areas map conformed the map to the updated information about employment needs in the 2009 UGR (Employment). This change also responded to the identification of a need for residential capacity in the 2009 UGR (Residential) by increasing the residential capacity of the Beavercreek planning area by 36 dwelling units above the level expected at the time the Metro Council added the areas to the UGB. Metro adopted the revised Title 4 map with passage of Ordinance 10-1244B, Exhibit D, on December 6, 2010. According to this map, which is consistent with the hybrid plan, the 151 gross acres on the revised map will supply approximately 121 net acres of employment land.

The City finds this criterion is satisfied.

Policy 2.6.2

Ensure that land zoned or planned for industrial use is used for industrial purposes, and that exceptions are allowed only where some other use supports industrial development. New non-industrial uses should especially be restricted in already developed, active industrial sites.

Analysis: Zoning will be developed to implement the BRCP and Metro Title 4. This zoning will be applied to the employment lands within the UGB following annexation of lands to restrict non-industrial uses within the area identified as NEC North Employment Campus and ensure that land is reserved and preserved for industrial use. Existing CI-Campus Industrial zoned land within the BRCP area specifically limits non-industrial land uses to support industrial land supply. It is anticipated that zoning similar to the CI zone district will be applied to newly annexed employment land that currently does not have city zoning.

The City finds this criterion is satisfied.

Policy 2.6.3

Protect the city's supply of undeveloped and underdeveloped land zoned for industrial uses by limiting non-industrial community uses, such as schools, parks, and churches on such properties and by limiting larger commercial uses within those areas.

Analysis: This plan policy is directed to lands already zoned for industrial uses and therefore, it does not apply to lands designated industrial through the concept plan. As stated above, the zoning of the property in the North Employment Campus will be the same as or similar to the current CI – Campus Industrial zone. Commercial uses within the northern employment campus would be limited to some upper limit, similar to the CI zone, which currently restricts retail sales and services to no more than ten percent of the net developable portion of all contiguous industrial lands. Clackamas Community College and Oregon City School District do not anticipate the need for additional land within the BRCP area. Religious land uses are not listed as a permitted use in the CI zone, but could be permitted as conditional uses on mixed-use lands in the southern part of the BRCP area. Taken together, these requirements will protect the City's supply of undeveloped and underdeveloped land zoned for industrial uses.

The City finds this criterion, to the extent it applies, is satisfied.

Policy 2.6.4

Protect existing and planned undeveloped and underdeveloped industrial lands from incompatible land uses, and minimize deterrents to desired industrial development.

Policy 2.6.5

Ensure that land-use patterns create opportunities for citizens to live closer to their workplace.

Analysis: An important focus of the BRCP is to create a live-work balance by providing employment opportunities in a mixed use community, with strong multi-modal transportation connections both within the BRCP area and externally to the existing commercial, employment and education centers nearby such as the two nearby shopping centers (Trail's End / Haggen Market and Berry Hill Shopping Center), Clackamas Community College and Oregon City High School. Additionally, live-work units and home occupations, that may include cottage industries, are supported by the mixed use approach. Adoption of the BRCP does not preclude the provision of cottage manufacturing or a greater variety of home occupations within the mixed use and residential areas. The proposed land use mix, combined with the improved transportation network, will guide the future development of the area in a manner that supports this policy. Finally, as part of creating the implementing zoning for the BRCP, the City Commission directs staff to further analyze the issue of allowing expanded home occupation uses, also known as cottage manufacturing, within the mixed use and residential areas.

The City finds this criterion is satisfied.

Policy 2.6.6

Identify industrial uses that could partner with Clackamas Community College as training centers and future employers of students graduating from CCC.

Analysis: Adoption of the BRCP is the first step towards attaining this policy. The Plan includes policies for strong programmatic connections to Oregon City High School and Clackamas Community College. The City is already working with the State and the County to develop enterprise zones within the CI-zoned lands within and adjacent to the BRCP area. The enterprise zones encompass industrial areas along Beavercreek Road, the Red Soils area and north of Highway 213 - an area approximately 1.2 square miles. The City partnered with Metro and Clackamas County on the Strategically Significant Employment Lands Project to study these lands and determine their readiness for development and marketability. One of the criteria for qualifying projects within the enterprise areas is to partner with local job training providers such as Clackamas Community College. Further city action to implement Policy 2.6.6, following plan adoption, could include the development of a Memorandum of Understanding with CCC to support and foster job training partnerships and other employment programs.

The City finds this criterion is satisfied.

Policy 2.6.7

Establish priorities to ensure that adequate public facilities are available to support the desired industrial development.

Analysis: Please see findings for compliance with Statewide Planning Goal 11 – Public Facilities and Services in Section B below.

Policy 2.6.8

Require lands east of Clackamas Community College that are designated as Future Urban Holding to be the subject of concept plans, which if approved as an amendment to the Comprehensive Plan, would guide zoning designations. The majority of these lands should be designated in a manner that encourages family-wage jobs in order to generate new jobs and move towards meeting the city's employment goals.

Analysis: Adoption of the BRCP will achieve this policy. The final draft hybrid plan was analyzed by the firm ECONorthwest, indicating the potential for substantial job creation within the concept plan area. The ECONorthwest findings were further confirmed by Metro in its 2009 Urban Growth Report (Employment) that "there is adequate capacity inside the current UGB to accommodate the next 20 years of general employment and general industrial job growth even at the high end of the employment forecast range." Ord. 1244B, Attachment 3, p.3. The North Employment Campus is to provide for the needed family wage employment that strengthens and diversifies the economy and will be compliant with Metro's Title 4 regulations. The NEC allows a mix of clean industries, offices serving industrial needs, light industrial uses, research and development and large² corporate headquarters. The uses permitted are intended to improve the region's economic climate, promote sustainable and traded sector businesses, and protect the supply of site for employment by limiting incompatible uses. Also, portions of the BRCP area are designated incentivize enterprise development (See http://www.orcity.org/economicdevelopment/enterprise-zone).

The City finds this criterion is satisfied.

B. Compliance with Statewide Planning Goals

Compliance with the Statewide Planning Goals is a specific requirement for changes to the Comprehensive Plan or Comprehensive Plan map. For the BRCP to be approved by DLCD it must comply with statewide planning goals. The analysis below is provided for the Planning Commission and the public to understand how the proposed update complies with Statewide Planning Goals.

Goal 1 Citizen Involvement

To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

Analysis: A brief summary of the public involvement program for the CAC/TAC and the general public was provided above. In accordance with this goal, the public involvement program involved affected Neighborhood Associations and groups, utilized community education measures to enhance participation (open houses, focus groups, design workshop, website, open access to planners at City Hall, timely provision of draft material mailed to the CAC/TAC in advance of meetings and on the web, mailings), and provided timely and accurate information to individuals,

² "Large" employers are generally considered to have 50 employees or more.

groups, communities and neighborhoods. After the CAC/TAC recommended a draft plan language, the Planning Commission and City Commission held a number of work sessions and public hearings where public testimony was considered. At all times the draft plan was available for review by the public. This open process encouraged participation by any interested citizen and all evidence submitted into the written record was considered. Finally, planning staff met with several advisory groups and the Hamlet of Beavercreek, and held two work sessions in October – November 2015 to update people on the re-adoption process (See Page 4 for details).

The City finds this Goal is satisfied.

Goal 2 Land Use Planning

To establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions.

Analysis: The Draft Concept Plan includes identification of facts, issues, and problems in the "Background" discussion for each element. Updated and market relevant documentation in the technical report provided the basis for the Land Use, Parks, Transportation, Water, Stormwater, Sanitary Sewer and Natural Resources elements, helping assure the proper factual basis for decisions in updating the maps, goals, policies and implementation measures. Inventories, such as for economic development, employment and natural resources, have been provided in the technical appendices to the BRCP. Based on this information, the Commission finds that this plan amendment is coordinated, as defined by state law. It has been reviewed and coordinated with the plans of other governmental units. It contains adequate implementation measures to ensure that upon taking effect (when the implementing zoning is subsequently adopted) sufficient means will carry out the BRCP. Although Goal 2 also implements periodic review, the amendments are not triggered as a result of periodic review. Finally, after a number of public hearings where alternative courses of action were considered, the Commission finds that the proposed plan amendments are consistent with public policy taking into account social, economic, energy and environmental needs.

The City finds this Goal is satisfied.

Goal 3 Agricultural Lands and Goal 4 Forest Lands

Analysis: By definition, Oregon City does not have rural resource lands such as for agricultural or forest use within its city limits or UGB and therefore those goals are not applicable.

The City finds these Goals are not applicable.

Goal 5 Open Spaces, Scenic and Historic Areas, and Natural Resources

To protect natural resources and conserve scenic and historic areas and open spaces.

Analysis: Goal 5 resources are addressed in detail in the Natural Resource Inventory which was part of the existing conditions analysis required by Metro Title 11. A detailed review of the Goal 5 resources within the study area was conducted, including wetlands, streams, riparian area, wildlife habitat and historic and cultural resources. The inventory consisted of two parts:

- 1) An examination of existing resource information for the Plan area; and
- 2) A field study to verify the location and evaluate resource habitat quality.

Natural Resources:

The first phase of the inventory included review of existing documents, such as Metro Goal 5 Inventory Maps, National Wetland Inventory maps, Natural Resource Conservation Service Soils Survey of Clackamas County, Stream Net fisheries data and other sources. Phase two consisted of a field verification of the BRCP area by a team of biologists. The team visited each of the previously mapped natural resource areas to confirm the location, size and quality. The natural areas determined to be of high resource value were distinguished from natural areas of lesser resource value and the lower quality natural areas were given a designation of enhancement potential in order to identity both the highest quality natural resource and provide a determination of the feasibility of enhancement.

The Natural Resources Inventory that was conducted as part of the existing conditions analysis for the BRCP consisted of examination of existing resource information for the area and a field study. This inventory is already part of the record. The inventory identified and summarized 19 natural areas within the BRCP area and were assigned values for their condition and enhancement potential. Of those 19 areas, the majority were consistent with Metro's Goal 5 mapping. The city's initial GIS analysis of the NROD areas for the entire UGB was done in 2008. The Natural Resource Overlay District was adopted in 2008 and replaced the old Water Resources Overlay District with a combined overlay district, which regulates both Metro Title 13 habitat and Metro Title 3 water resources. In particular Trimble Creek is an identified Goal 5 resource that runs from south to north through the site crossing Loder Road. The concept plan envisions this protected resource being combined within a linear park feature.

The BRCP will protect Goal 5 natural resource areas by guiding the designation of Natural Resource Overlay District areas and the restriction of development in those areas pursuant to OCMC 17.49. The code requires that further on-site analysis be conducted to determine the current extent of the protected resources which initially was done with the concept plan. More detailed, site specific delineations of the resources and the required associated vegetated corridors is required prior to development, along with impact analysis and mitigation for impacts. These existing restrictions will adequately protect natural resource areas and to the extent necessary serve as a natural resource protection plan.

Historic Resources:

A Goal 5 resource inventory that was conducted with the plan included a review of cultural and historic resources on any known state, county or local lists which, if found, would potentially be protected and included in the City's inventory and regulated under Chapter 17.40 of the City Municipal Code, when properties are annexed to the City.

No inventoried historic resources were documented within the Plan boundaries at the time of concept planning. Staff confirmed this through communication with County planning staff. If property owners seek designation for any eligible historic resources, or if any inventory reveals

eligible landmarks in the future, those landmarks could potentially be protected and included in the City's inventory and regulated through the designation process described in Chapter 17.40 of the Oregon City Municipal Code, when properties are annexed to the City.

Open Space:

The Beavercreek Road Open Space Framework plan provides a network of green spaces that are intended to provide a system of connected parks, opens spaces and natural areas, provide access to nature, preserve existing natural resources and provide green spaces near the system of trails and pedestrian connections. The power line corridors comprise approximately 52 acres of land north of Loder Road and have been utilized to provide publicly accessible opens space, trails and links to the broader open space network. The standard of 16-acres per 1,000 population was amended to a standard of 6 to 10 acres per 1,000 population as discussed at the Planning Commission. The extent and location of the park is conceptual, flexible and the costs associated with acquisition and development will need to be determined through more detailed parks master planning processes, similar to the Glen Oak Road park site and the Hazel Grove parks site master planning that was conducted in 2014. The parks master planning process will refine the locations and costs of parks infrastructure. Existing parks SDCs do not reflect the cost of providing parks in this area, and will require further study to account for the amount of parks acreage envisioned in the concept plan but they may be updated or lands could be obtained by private developers as development occurs. A park is proposed to extend through the central and southern areas of the BRCP. The location and linearity of the park was first indicated by Metro's Goal 5 mapping. This open space feature is intended as a continuous green space that links the districts and neighborhoods south of Loder Road.

The open space plan envisions establishing a publicly accessible resource area as the eastern edge of the community that is free from development, and accessible by low impact trails, known as the East Ridge. This vantage point is located at 490' elevation with views to the east into the Trimble Creek area (See pages 22-23). The plan provides very specific measures to preserve the East Ridge open space and conservation area.

The code will allow flexibility in the width, shape and acreage of the open space, provided there remains a clearly identifiable and continuous open space. The buildable lands identified 292 acres of Tier A or 'unconstrained' lands, 28 acres of Tier B or "Low Impact Development Allowed with Review" and 131 acres of Tier C or "Constrained". The Low Impact area was later evaluated and recommended for conservation under an Environmentally Sensitive and Resource Area designation on the BRCP. New development will be required to comply with the City's Natural Resources Overlay District in compliance with this goal.

The Parks and Recreation Advisory Committee (PRAC) met on October 22, 2015 to hear staff's presentation on the re-adoption process. The PRAC voted unanimously to supports the parks, open space and recreation elements of the Beavercreek Concept Plan.

Beavercreek Road Concept Plan goals and policies for preserving open space and tree cover, protecting scenic views, preserving and conserving view sheds, cultural, historic and natural resources and water quality have been provided.

The City finds this Goal is satisfied.

Goal 6 Air, Water and Land Resources Quality

To maintain and improve the quality of the air, water and land resources of the state.

Analysis: Existing Comprehensive Plan policies that apply to the concept plan require development practices to comply with regional, state, and federal standards for air and water quality, to protect water quality from erosion and sediment, to minimize the effects of noise, and to protect mineral resources.

All development within the BRCP will meet these federal, state and regional standards through compliance with the City's recently amended Storm Water and Low Impact Development Storm Water and Erosion Control standards, which have been deemed to comply with the Oregon Department of Environmental Quality National Pollutant Discharge Elimination System (NPDES) and Clean Water Act requirements. All storm water discharge from developed sites will meet applicable local, federal and state standards. Further, these goals and policies are implemented through the City's grading and erosion control ordinances, water quality resource protection regulations, development standards, and nuisance laws.

Additionally, DEQ regulates air quality but Oregon City's TSP recognizes the link between air quality and transportation (through vehicle emissions) and works to reduce impacts from single-occupancy vehicles. Finally, no state or federal standard directly regulates air quality in the Beavercreek area.

The TSP and Capital Improvements Fund will be updated to reflect transportation improvements recommended in the BRCP.

The City finds this Goal is satisfied.

Goal 7 Areas Subject to Natural Disasters and Hazards

To protect life and property from natural disasters and hazards.

Analysis: The Commission finds that the area does contain steep slopes. The east ridge of the concept plan area was identified as an area of steeper slopes that could be at risk for landslides and slumping. In order to address this, the BRCP calls for establishing a protected open space area along the west side of Thimble Creek and designating the area between the edge of that open space and the 490-foot elevation to the west, along the east ridge, as a conservation area within which a number of restrictions where development restrictions apply, including protecting a minimum of 50% of the conservation area, and building height and impact restrictions. The plan also requires a "window" of at least 700 feet of continuous area along the ridge to be publicly accessible.

According to the City Commission meeting minutes of September 3, 2008, the approximate elevation of 490 feet (MSL) is important in the southern half of the concept plan area relative to gravity sewer service. Existing storm water discharge points below the 490 foot level in this area may also need to be improved with future development to assure that storm water quality and quantity control standards are met. Roadways and development constructed above 490 feet will

most likely allow for gravity sewer service. If land uses requiring sanitary sewer service (or roadways with sewer underneath) are located lower than 490 feet, individual pump stations and pressurized services may be required.

Any development in this area will also be subject to the City's natural resources and geologic hazard overlay district review requirements when development is proposed³. As a practical matter land uses such as homes and habitable structures could not practicably meet the standards of the city's Geological Hazard Overlay District and Natural Resources Overlay District, which restricts development within known landslide areas and steep slopes, and within 50 to 200 feet of streams and stream tributaries and wetlands. Low impact recreational uses, such as trails, foot bridges and related uses, as well as storm water discharge facilities, may be permitted within the Natural Resources Overlay District (OCMC 17.49) and Geologic Overlay District (OCMC 17.44), subject to these specific code review criteria as well as Public Works engineering standards. Specifically, the geologic hazard code prohibits development other than roads, utilities, public facilities and geotechnical remediation in areas that exceed 35% slope, and constrains the density and impact of all development within all areas greater than 25% slope or which have landslide activity. In all cases, where develop may be permitted within the overlay district, it must meet stringent geologic and geotechnical construction standards.

The City's Natural Resources Overlay District and Geologic Hazards Overlay District are already mapped to the extent of the Urban Growth Boundary in this area and would be in effect upon annexation.

Public comments were made by residents of Holly Lane that Oregon City has an obligation to lobby the state and federal government to provide landslide insurance, that the City should regulate slopes at 15% or greater rather than slopes greater than 25%, and that due to the potential for landslides, the City should amend the Transportation System Plan to remove Holly Lane from the arterial roadway network. The City has no control over insurance coverage issues and there are no statewide planning goals, comprehensive plan policy or local code provisions that requires consideration of insurance issues. The City's Geologic Hazard Overlay District (OCMC 17.44) already provides additional requirements for subsurface exploration and peer review by a qualified expert geologic engineer or engineering geologist.) This requirement may be triggered whenever conditions warrant further review, whenever the overlay district is flagged on any property, and is not limited only to areas within the prescribed 50' from slopes 25% or greater and 200' from known landslide zones. Amendments to the geologic overlay standards were made in 2008 and again in 2010. Further amendments to OCMC 17.44 to regulate steep slopes differently or to exclude projects from the City's TSP are beyond the scope of the BRCP re-adoption decision and therefore, were not considered.

No other natural disaster or hazard areas have been identified and the City finds there are none.

The City finds this Goal is satisfied.

Goal 8 Recreational Needs

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³ Please see OCMC 17.44 – Geologic Hazards & OCMC 17.49 Natural Resource Overlay District for more details regarding the type, scale and standards for development and structures that may be permitted within these areas.

To satisfy the recreational needs of the citizens of the state and visitors, and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.

Analysis: The concept plan provides for an interconnected series of trails, parks and open spaces areas throughout the study area to implement this Goal. Specific plan policies related to this Goal include amending the parks and recreation, open space and trail master plans to be consistent with the concept plan, implementation of a hierarchy of connections (roads and trails of various types), create two scenic view points that are small public parks along the East Ridge, open space, and extensive trail systems that provide pedestrian and bicycle connectivity throughout the site and to adjoining trial systems. Additionally the concept plan recognizes the opportunity for acquisition and/or dedication of sensitive areas for open space and habitat by private landowners.

The City finds this Goal is satisfied.

Goal 9 Economic Development

To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.

Analysis: As part of the concept plan process, Oregon City worked with a consultant to inventory and evaluate the local and regional market conditions within and adjacent to the concept planning area. This report details patterns in the community, the profile of local employment, the supply of industrial, commercial and office land, and potential for industrial and commercial development within the area. Metro's employment land needs analysis reports that about 9,300 net acres of industrial land is needed between 2002 and 2022, of which, approximately 6,300 net acres must be vacant and that the region has a shortage of large and small industrial lots. The EcoNorthwest market analysis (LUBA record pp. 1781) identified the advantages and disadvantages of industrial development within the study area and concluded that under the right market conditions it is not unreasonable to expect 150 acres of industrial and business park development to build out on the site over a 20-year period.

Metro's adoption of Ord. 1244B updated the EcoNorthwest analysis, concluding that the proposed plan provides an adequate amount of Title 4 employment land within the UGB, through 2029. Reflecting changes in employment needs and demands between the Metro 2002 Urban Growth Report (UGR) –Employment, and the 2009 UGR - Employment, Metro's 2009 assessment found there is adequate capacity inside the current UGB to accommodate the next 20 years of general employment and general industrial job growth even at the high end of the employment forecast range. The subsequently adopted change to the Title 4 Employment and Industrial Areas map conformed the map to the updated information about employment needs in the 2009 UGR (Employment). According to this map, which is consistent with the hybrid plan, the 151 gross acres on the revised map will supply approximately 121 net acres of employment land.

A key issue for the committee was how much employment, what type and where. The Oregon City Comprehensive Plan requires that a majority of the lands be designated in a manner that encourages family-wage jobs in order to generate new jobs and move towards meeting the City's employment goals.

Metro brought 245 gross acres in the UGB in 2002 and an additional 63 acres were added in 2004. The remaining acreage was in the UGB and/or Oregon City limits prior to 2002. These areas (308 gross acres) are designated as the Industrial Design Type on Metro's 2040 Growth Concept Map. Given the expected net acreage once non-buildable areas such as power lines, natural areas, were removed from the buildable lands inventory, Metro intended 120 net acres of the concept plan area would be used for employment uses. Metro noted that it was important to fulfill the original intent for providing industrial lands and that there was flexibility for the local process to evaluate creative ways to meet the intent. See Metro's vacant lands methodology. This approach was blessed by David Bragdon, Metro Council President, in a letter dated May 14, 2007 as well as Metro planner Ray Valone in a letter dated March 19. 2008. This conclusion was re-affirmed in 2009 for Ord. 10-1244B, where Metro staff explained, "there is adequate capacity inside the current UGB...to accommodate general employment and industrial job growth even at the high end of the employment forecast range."

The CAC created several alternatives and finally chose a hybrid the included about 127 net acres of North Employment Campus (NEC), which is consistent with Metro's intent and similar to Oregon City's existing Campus Industrial designation, about 29 acres of Mixed Employment Village and Main Street, which allows a variety of uses in a village-oriented transit hub and mixed use neighborhoods to the south that also provide jobs tailored to the neighborhood setting.

The North Employment Campus is to provide for the needed family wage employment that strengthens and diversifies the economy and will be compliant with Metro's Title 4 regulations. The NEC allows a mix of clean industries, offices serving industrial needs, light industrial uses, research and development and large corporate headquarters. The uses permitted are intended to improve the region's economic climate, promote sustainable and traded sector businesses, and protect the supply of site for employment by limiting incompatible uses.

The concept plan provides land for an identified need within the region and state, and provides for a mix of other uses that will contribute to the economic welfare of the city, state and the citizens.

The City finds this Goal is satisfied.

Goal 10 Housing

To provide for the housing needs of citizens of the state.

Analysis: The concept plan recommends and provides for a mix of residential areas that allow and/or require different densities and housing types, including low, medium and high densities, single-family homes on a range of lot sizes, townhouses, duplexes, multi-family units and mixed commercial/residential uses. The West Mixed Use Neighborhood will be a walkable, transit-oriented neighborhood with an overall average or residential uses not to exceed 22 dwelling units per acre. The East Mixed Use Neighborhood will be a walkable and tree lined neighborhood with a variety of housing types that will not exceed densities permitted in the R-5 zone (8.7 units per acre).

The concept plan provides for housing affordable to a range of incomes and will utilize sustainable building designs and green development practices. As noted above, the concept plan provides or allows for a range of housing types and densities, including those that are most likely to be

affordable to households or families with lower incomes, including single-family homes on small lots, townhouses, duplexes and multi-family units. The Plan also identifies strategies for distributing less expensive housing units among different areas rather than concentrating them all in one place, specifically calling for a variety of densities within the East Mixed Use Neighborhood that move from higher densities to lower densities from north to south across the site.

The adoption of Ordinance 1244B also responded to the identification of a need for residential capacity in the 2009 UGR (Residential) by increasing the residential capacity of the Beavercreek planning area by 36 dwelling units above the level expected at the time the Metro Council added the areas to the UGB.

The City finds this Goal is satisfied.

Goal 11 Public Facilities and Services

To plan and develop a timely, orderly, and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

Analysis: This goal applies to urban areas within the city limits of Oregon City and to urbanizable areas within the city's UGB. "Urban Facilities and Services" means appropriate types and levels of, at a minimum, the following: police protection; sanitary sewer facilities; storm drainage facilities; water, planning, zoning and subdivision control; health services; recreation facilities and services; energy and communication services; solid waste; and community governmental services.

Since the BRCP was first adopted, the City has updated a number of its utility master plans. As will be discussed in greater detail below, each of these plans included providing service to BRCP properties at the uses and densities authorized by the BRCP. These plans establish utility services necessary to serve the proposed BRCP area and provide for future utility services without compromising existing customer service. Upon adoption, these various master plans were incorporated as part of the City's Comprehensive Plan and as a result, control future utility extensions throughout the City.

Sanitary Sewer Infrastructure Planning

The BRCP plans for a sanitary sewer system that primarily consists of a gravity sewer collection system with a trunk sewer in Beavercreek Road, a network of trunk sewers within the BRCP area, and a sanitary sewer lift station for a section of the northern half of the concept plan area. The BRCP estimated the total cost of \$4.4 million for capital improvements within the study area and an additional \$2.3 million of programmed capital improvement projects needed to extend the existing sanitary sewer collection system to the concept plan area. The cost estimates were based on year 2003 dollars.

In October 2014, the City adopted an update to the Oregon City Sanitary Sewer Master Plan (SSMP), an ancillary document to the City's adopted Comprehensive Plan consistent with federal requirements, state statutes, and the Statewide Planning Goals. The SSMP identifies build out capacity concerns, recommends future capital improvements, and develops a capital improvement program (CIP) to meet future needs.

The SSMP also identifies and recommends in more detail the future capital improvements and provides updated estimated costs to serve the BRCP area with respect to sanitary sewer service. Table 5-9, from the SSMP Section 5.2.3.4, identifies the recommended improvements and provides the estimated costs.

Table 5-9. Beavercreek Road Concept Area, Estimated Improvement Costs				
Description of improvement			Estimated cost of improvements, dollars ^a	
Gravity sewer extensions ^b				
8-inch diameter sewers, 14,356 LF				5,050,000
10-inch diameter sewers, 4,317 LF				1,610,000
12-inch diameter sewers, 10,683 LF				4,230,000
15-inch diameter sewers, 4,372 LF				1,930,000
Gravity sewer extension subtotal				12,820,000
Pumping stations and FMs				
Pumping station number	Pumping station capacity, gpm	FM, diameter, inches	FM, length, LF	
BR-1	272	4	2,080	1,390,000
BR-2	217	4	2,333	1,370,000
Pumping station and FM subtotal				2,760,000
Total			15,580,000	

^a Estimated costs include a 50 percent allowance for construction contingencies, engineering, and overhead. Costs are rounded to the nearest \$10,000. Costs assume an average depth of 10 feet using cost condition 2. See Appendix C for unit cost tables.

The primary potential funding sources that may be expected to fund the future sanitary sewer facilities listed in Table 5-9 to serve BRCP, include:

- 1. System Development Charges (SDCs) Developers pay these charges up front to the City based on the proposed impact of the new development on the existing infrastructure.
- 2. Developer funded improvements –Developers are required to construct an appropriate level of public utility improvements within their proposed development and along all street frontages adjacent to their property, including off-site improvements as may be needed to serve the development.
- 3. Reimbursement District: A developer may finance and construct a public improvement that has the capacity to serve more than their development. The reimbursement district provides developers with a mechanism to be reimbursed by other property owners that benefit from the use of the constructed public improvement.

The future sanitary sewer facilities recommended to serve BRCP developments shall be paid for in a way that does not financially burden or adversely affect existing public facilities and services in other parts of the City.

In 2014, the City issued a Type II Land Use Decision with conditions for improvements to serve the Beavercreek Road Apartment-Live-Work development (File SP 14-01)⁴. SP 14-01 was not

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^b Pipes sizes shown are based on an assumed minimum slope. Actual slope may permit smaller size pipes. For example, the modeling did not predict the need to upsize the existing City sewer downstream of MH 11144.

⁴ Live/Work units and Apartment Buildings are permitted uses within the MUC-1 zone. The rezoning of the subject property to MUC-1 was conditioned to meet the intent of the yet-to-be-adopted Mixed Employment Village of the

subject to the current 2014 SSMP but the conditions attached to the land use approval require the applicant to pay for a component of the future Beavercreek Road trunk line and connect to the trunk line when it is available.

The City received comments that allowing the SP 14-01 developer to utilize cross-basin connections from the concept plan area to the Glen Oak sewer basin violate the SSMP or reduce capacity and safety are unfounded and were fully considered and resolved by LUBA in Graser-Lindsey v. City of Oregon City, ___ Or LUBA ____ (LUBA No. 2015-13, 2015). SSMP, Appendix I: Glen Oak Road Analysis, Section 4: Conclusion and Recommendations, provides for an overall recommendation to convey a portion of flows from the Beavercreek Road Concept Plan Area through a new sewer extension constructed in Beavercreek Road. This analysis also provides routing scenarios to convey a portion of the BRCP area flows to another basin as an interim alternative until the new Beavercreek Road sewer is constructed. This analysis also indicates that the capacity of the existing system within the Glen Oak Road basin will remain adequate and support additional development within the basin without affecting flow capacity for existing or future customers. A condition of approval for SP 14-01 requires that although a crossbasin connection is approved, the design of the connecting sewer shall incorporate the design of the planned future 15-inch sanitary sewer so that in the future the development can be transferred to the Beavercreek basin through a connection from the new 8-inch to the future 15-inch sewer when it is available. Additionally, the SP 14-01 applicant is required to pay fee-in-lieu of downstream improvements in the Glen Oak Basin required due to the cross basin connection. The amount of the fee-in-lieu shall be \$545,000 in accordance with the documentation provided in the "Public Works Engineering File Memorandum" (November 5, 2014) exhibit to the Staff Report for SP 14-01. Therefore the cross-basin connection previously approved does not violate the SSMP and that decision is not before the City.

In summary, the 2014 SSMP documents and SP 14-01 approval consistently support sustainable development that will not financially burden existing rate payers or adversely affect the existing sanitary sewer system.

Water Infrastructure Planning

The BRCP plans for a water distribution system that primarily consists of a "backbone" network of water supply pipelines, two pressure zones with two-thirds of the BRCP area being served from the existing water main in Beavercreek Road, being the lower pressure zone, and the remaining one-third of BRCP area being served from future water facilities that include a booster pump station and reservoir, being the higher pressure zone. BRCP estimated the total cost of \$5.4 million for the "backbone" network capital improvements within the study area, and an additional \$6.9 million of programmed capital improvement projects needed to extend the existing water distribution system to the concept plan area. The cost estimates were based on year 2003 dollars.

In January 2012, the City adopted an update to the Oregon City Water Distribution System Master Plan (WMP), an ancillary document to the City's adopted Comprehensive Plan consistent with federal requirements, state statutes, and the Statewide Planning Goals. The WMP analyzes future water demands and develops a capital improvement program (CIP) to meet these future needs.

BRCP (See P. 18 of the plan document for details). SP 14-01 was appealed to LUBA, which upheld the City's approval of the development. The developer is in the process of working through the conditions of approval and construction plan preparation for engineering review.

The WMP also recommends in more detail the future capital improvements and provides updated estimated costs based on year 2009 dollars for specific improvements, including the water storage reservoir, transmission and distribution pipelines to serve the BRCP area. The future reservoir is recommended to serve both the future BRCP higher pressure zone and the existing Fairway Downs pressure zone that currently has no water storage facilities and with this improvement will be enhanced by increasing the reliability and improving water service.

The WMP includes updated estimated costs for future water facilities recommended to increase the storage capacity of the higher pressure zone, provide a transmission main from the future reservoir to BRCP distribution system, and expand the "backbone" network of water pipelines within the BRCP area. Specifically the WMP project numbers F-CIP-4, F-CIP-5, and F-CIP-14, include the two million gallon reservoir and transmission pipeline with an estimated total cost of \$5.7 million, and various "backbone" network pipelines within the BRCP area with an estimated total cost of \$2.6 million.

The primary potential funding sources that may be expected to fund the future water facilities, include:

- 1. System Development Charges (SDCs) Developers pay these charges up front to the City based on the proposed impact of the new development on the existing infrastructure.
- 2. Developer funded improvements –Developers are required to construct an appropriate level of public utility improvements within their proposed development and along all street frontages adjacent to their property, including off-site improvements as may be needed to serve the development.
- 3. Reimbursement District: A developer may finance and construct a public improvement that has the capacity to serve more than their development. The reimbursement district provides developers with a mechanism to be reimbursed by other property owners that benefit from the use of the constructed public improvement.

The City's raw water supply system is adequate to support development of the concept plan area, as indicated in the support letter from South Fork Water Board (SFWB) that is in the record. Adequate water facilities and services can be made available concurrent with development. Water facilities shall supply adequate water pressure in compliance with Oregon City's Water Distribution System Design Standards for fire flow protection and domestic water service.

Should interim water service to the area be provided by Clackamas River Water district (CRW), CRW / Oregon City already have joint service agreements to serve certain areas within the city, and this does not violate the Water Master Plan. Ultimately, as development occurs in these the concept plan areas, the City's water distribution system is extended and CRW withdraws from serving these areas and transfers service to the City. In the immediate future, water service to the development of the apartments on Beavercreek Road (See planning file SP 14-01 discussion below) shall be from the City of Oregon City's water distribution system from a proposed new City pipeline in Beavercreek Road.

The City has existing goals and policies in place to conserve water use. The City will continue to work with CRW and SFWB to encourage water conservation methods by water users in accordance with regionally adopted Water Management Conservation Plans.⁵

The future water facilities recommended to serve future BRCP developments, including pipes, pump stations, and reservoirs, shall be paid for in a way that does not financially burden or adversely affect existing public facilities and services in other parts of the City.

In 2014, the City issued a Type II Land Use Decision with conditions for improvements to serve the Beavercreek Road Apartment-Live-Work development (File SP 14-01). SP 14-01 was subject to conditions to construct water facility improvements that included a waterline extension in Beavercreek Road, and this improvement is identified in the WMP as part of the future distribution system for the higher pressure zone. This decision was reviewed and affirmed by LUBA.

In summary, the 2012 WMP documents and SP 14-01 approval consistently support sustainable development that will not financially burden existing rate payers or adversely affect the existing sanitary sewer system.

Stormwater Management Infrastructure Planning

The BRCP plans for a stormwater management system that primarily consists of low-impact development (LID) practices that mimic natural hydrologic processes and minimize impacts to existing natural resources. A three tier stormwater management system has been created that is focused on managing stormwater in a naturalistic manner at three separate scales: site, street and neighborhood/regional. Tier 1 being site specific stormwater management facilities utilizing on-site best management practices (BMPs), Tier 2 green street stormwater management facilities such as vegetated swales and rain gardens adjacent to streets, and Tier 3 regional stormwater management facilities such as regional detention ponds. BRCP estimated the total cost between \$15 million to \$23 million for stormwater management improvements to serve the concept plan area.

In August 2015, the City adopted Public Works stormwater design standards, to be incorporated as part of the City's drainage master plan. The new design standards are consistent with federal and state regulations for water quality and quantity control, and provide BMPs for LID that mimics natural hydrologic processes and minimize impacts to existing natural resources. BRCP embraces the application of LID and these new standards will guarantee compliance.

The primary potential funding sources that may be expected to fund the future stormwater management facilities, include:

- 1. System Development Charges (SDCs) Developers pay these charges up front to the City based on the proposed impact of the new development on the existing infrastructure.
- 2. Developer funded improvements –Developers are required to construct an appropriate level of public utility improvements within their proposed development

⁵ • http://www.orcity.org/publicworks/public-education-and-oregon-citys-water-quality-program

[•] http://www.crwater.com/conservation/

[•] http://www.sfwb.org/index.php/conservation

- and along all street frontages adjacent to their property, including off-site improvements as may be needed to serve the development.
- 3. Reimbursement District: A developer may finance and construct a public improvement that has the capacity to serve more than their development. The reimbursement district provides developers with a mechanism to be reimbursed by other property owners that benefit from the use of the constructed public improvement.

The stormwater management facilities' strategy to serve BRCP developments shall be paid for in a way that does not financially burden or adversely affect existing public facilities and services in other parts of the City.

In 2014, the City issued a Type II Land Use Decision with conditions for stormwater improvements to serve the Beavercreek Road Apartment-Live-Work development (SP 14-01). Although this site plan and design review application was submitted prior to adoption of the City adopted Public Works stormwater design standards, SP 14-01 was subject to conditions to construct storm facility improvements using an approved LID method prior to discharge to the public system consistent with the low impact development standards contemplated in the BRCP.

In summary, the 2015 stormwater design documents and development approval consistently support sustainable development that will not financially burden existing rate payers or adversely affect the existing sanitary sewer system.

The City finds this Goal is satisfied.

Police and Fire Protection Planning

Oregon City Police Department (OCPD) has indicated their ability to serve the concept plan area. The concept plan area is already within Clackamas Fire District #1 (CFD#1). Clackamas Fire District #1 has indicated their ability to serve the concept plan area.

Letters from OCPD and CFD#1 are included in the record.

Solid Waste Planning

The city regulates solid waste management to pursuant to ORS 459.200 and City Code 8.20 and the city has authority and obligation to franchise the provisions of service and solid waste management within the city. The franchise to provide solid waste service within the city limits of the city is granted to Oregon City Garbage Co., Inc.

Additionally, the city has an adopted set of Refuse and Recycling Standards for Non Single-Family or Duplex Uses. The purpose of these requirements is to promote:

- A. Efficient, safe and convenient location of refuse and recycling areas.
- B. Efficient, safe and convenient on-site maneuvering of collection vehicles, equipment and personnel for servicing solid waste and recycling areas; and
- C. Compliance with the Regional Solid Waste Management Plan, OCMC Chapter 8.20 Solid Waste Collection and Disposal, and the Oregon Revised Statutes (ORS) Chapter 459.

Compliance with these standards may be demonstrated without having to go through a formal land use (site plan and design review) process, provided the application meets the standards

The City finds this Goal is satisfied.

Goal 12 Transportation

To provide and encourage a safe, convenient, and economic transportation system.

Analysis: At the time of its initial adoption, the Beavercreek Concept Plan was subject to compliance with the City's 2001 Transportation System Plan (2001 TSP). The 2001 TSP focused on identifying future transportation projects necessary to provide an adequate transportation system to serve existing and future urban growth using a horizon year of 2021. A component of ensuring adequate capacity, the 2001 TSP called for the installation of a "Single Point Diamond grade separated interchange improvement" at the intersection of Highway 213 and Beavercreek Road, at a cost of an estimated \$20 million allocated between \$5 million to the City and \$15 million to ODOT and Metro. This project was deliberately removed from subsequent updates to the TSP with the full concurrence of ODOT, Oregon City and Clackamas County. The 2013 TSP replaced and superseded all previous discussions or plans for a grade-separated interchange. Funding roadways identified in the 2013 TSP and the BRCP will be accomplished through new development and reimbursement districts as well as through SDCs. Additionally, a refinement plan to develop alternative mobility standards, setting new standards for congestion and providing additional safety measures, will be adopted before any zone changes that would allow trip generation to exceed that permitted under current zoning. ODOT officials have testified on the record to support the BRCP re-adoption and the City's approach to address the mobility standards.

The Beavercreek Concept Plan relied on the 2001 TSP as the starting point for identifying planned improvements and from there, the plan document itself forecasted future travel demand, needed improvements necessary to avoid further degradation to the performance of the facilities, and funding mechanisms through the 2027 planning horizon. However, at the time that the 2001 TSP was adopted, much of the area designated within the BRCP was located outside of the Metro UGB. As a result, the transportation impacts resulting from the proposed residential development and employment in the Beavercreek Concept Plan area were independently analyzed through the concept plan process and were described in the May 9, 2007, Kittelson & Associates transportation memorandum "Future Conditions Analysis" and in August 12, 2008, Kittelson & Associates transportation memorandum "Updated Future Traffic Conditions Analysis." These memoranda included an analysis of 2027 transportation needs and identified transportation improvements to satisfy the transportation demands in the south part of Oregon City.

In 2013, the City adopted a new Transportation System Plan (2013 TSP) that was concurrently implemented through the adoption of amendments to OCMC 12.04. The Plan identified transportation improvements necessary to accommodate existing and projected population and employment growth within the city limits as well as the city's urban growth areas through 2035. The TSP and its analysis supersede that undertaken for the 2001 TSP and the concept plan; the TSP is based on newer information relating to population and employment and uses new mobility standards consistent with Metro's Regional Transportation Plan. The 2013 TSP calculated transportation demand using a Metro model that divided land into Transportation Analysis Zones (TAZ.) In Metro's model, the TAZs represent the sources of vehicle trip

generation within the region. Although each TAZ did not align perfectly with the city limits or urban growth boundary, they were subdivided to correspond with these boundaries. The land use plan designations within each TAZ were then used to determine the expected traffic generation. ⁶ The result was a calculation within each TAZ that estimates the total trips generated by the zone from additional development of vacant or underdeveloped properties under existing zoned densities within the city limits and the trips generated by development of the concept planned areas within the urban growth boundary consistent with the designations in the comprehensive plan. The analysis conducted for the TSP specifically included the Beavercreek Concept Plan area. The TSP also includes updated policies to meet the travel needs of the residents and employees in the City. These include an increased emphasis on non-single occupancy automobile use and increased emphasis on multi-modal solutions and multi-modal transportation facilities.

As described in the 2013 TSP, Oregon City is currently home to over 13,000 households and over 14,500 jobs. Between 2013 and 2035, household growth is expected to increase nearly 2.4 percent a year, slightly outpacing the rate of employment growth over the same period (2.3 percent). The City is expected to be home to over 23,000 jobs and almost 21,000 households by 2035, a 58 and 61 percent increase respectively from 2010. The City Commission finds that these projections of population and employment growth were based on regional forecasts developed in coordination with Metro; that the projections of future traffic were developed by Metro and by qualified, traffic engineers and planners who prepared the City's TSP and that these data and traffic forecasts are more reliable that unsupported statements about trip generation submitted by opponents.

In addition, the travel and transportation demand projections developed for the TSP included projected development for all areas within the City's urban growth boundary including the Beavercreek Road Concept Plan and Park Place Concept Plan areas, new development within Beavercreek and Meyers Road industrial areas (such as the new Oregon City School District bus facility), expansion of the Clackamas Community College, and other development in the south part of Oregon City consistent within existing zoning designations. The nearby Enterprise zone designation encourages additional development at existing zoning designations; it does not add vehicle trips that exceed those considered by the TSP.

With more people and more jobs in Oregon City, the transportation network will face increased demands. Beyond the general planned street network, the TSP provides an additional level of specificity by identifying individual projects in "Table 2: Likely to be Funded Transportation System." The following table is an extracted portion of "Table 2: Likely to be Funded Transportation System" that lists the TSP projects within or adjacent to the concept plan area.

Other solutions for the transportation network identified in the concept plan (e.g. Concept Plan, Figure 14 – Circulation Framework) are replicated in the planned network specified in the 2013 TSP (e.g. TSP, Figure 17 – Planned Street Extensions). Furthermore, the TSP emphasizes the multi-modal aspects of the transportation system within the concept plan area by identifying

The future 2035 land use projection is an estimate of the amount of each land use that the TAZ could accommodate at expected build-out of vacant or underdeveloped lands assuming Comprehensive Plan designations. The allocation of future growth to Metro TAZs was modified based on input from City of Oregon City Staff. TSP, TM #5, p. 7.

⁶ The TSP describes this analysis as follows:

planned pedestrian and bicycle improvements in TSP Figure 19 – Walking Solutions; TSP Figure 20 – Biking Solutions; and Figure 21 – Shared Walking and Biking Solutions.

Extracted from TSP Table 2: Likely to Be Funded Transportation System

Project #	Project Description	Project Extent	Project Elements	Priority
D0	OR 213/ Beavercreek Rd Refinement Plan	OR 213 from Redland Road to Molalla Avenue	Identify and evaluate circulation options to reduce motor vehicle congestion along the corridor. Explore alternative mobility targets.	Short- term
D47	Meyers Road East extension	Beavercreek Road to the Meadow Lane Extension	Extend Meyers Road from Beavercreek Road to the Meadow Lane Extension as an Industrial Minor Arterial. Between the Holly Lane and Meadow Lane extensions, add a sidewalk and bike lane to the south side of the street, with a shared-use path to be added on north side per project S19. Modify the existing traffic signal at Beavercreek Road	Mediu m-term
D54	Clairmont Drive extension	Beavercreek Road to Holly Lane South Extension	Extend Clairmont Drive from Beavercreek Road to the Holly Lane South extension as an Industrial Collector. Add a sidewalk and bike lane to the south side of the street, with a shared-use path to be added on north side per project S17.	Long- term
D55	Glen Oak Road extension	Beavercreek Road to the Meadow Lane Extension	Extend Glen Oak Road from Beavercreek Road to the Meadow Lane Extension as a Residential Collector. Install a roundabout at Beavercreek Road (per project D39)	Long- term
D56	Timbersky Way extension	Beavercreek Road to the Meadow Lane Extension	Extend Timbersky Way from Beavercreek Road to the Meadow Lane Extension as a Residential Collector. Add a sidewalk and bike lane to the south side of the street, with a shared-use path to be added on north side per project S20.	Long- term
D57	Holly Lane South extension *	Maple Lane Road to Thayer Road	Extend Holly Lane from Maple Lane Road to Thayer Road as a Residential Collector. Add a sidewalk and bike lane to the west side of the street, with a shared-use path to be added on east side per project S14. Install a roundabout at Maple Lane Road (per project D37).	Mediu m-term
D58	Holly Lane South extension *	Thayer Road to Meyers Road	Extend Holly Lane from Thayer Road to the Meyers Road extension as an Industrial Collector. Add a sidewalk and bike lane to the west side of the street, with a shared-use path to be added on east side per project S15.	Mediu m-term
D59	Holly Lane South extension *	Meyers Road to the Meadow Lane Extension	Extend Holly Lane from the Meyers Road extension to the Meadow Lane Extension as a Mixed-Use Collector. Add a sidewalk and bike lane to the west side of the street, with a shared-use path to be added on east side per project S16.	Long- term
D60	Meadow Lane extension **	Meadow Lane to Meyers Road	Extend Meadow Lane to the Meyers Road Extension as a Mixed-Use Collector. Between Old Acres Lane and the Glen Oak Road extension, add a sidewalk and bike lane to the west side of the street, with a shared-use path to be added on east side per project S21.	Long- term
D61	Meadow Lane extension **	Meyers Road to UGB (north of Loder Road)	Extend Meadow Lane from the Meyers Road Extension to the UGB (north of Loder Road) as an Industrial Collector	Mediu m-term
D81	Beavercreek Road Upgrade	Clairmont Drive (CCC Entrance) to Meyers Road	Improve to Industrial Major Arterial cross-section	Mediu m-term
D82	Beavercreek Road Upgrade	Meyers Road to UGB	Improve to Residential Major Arterial cross-section	Long- term

^{*}Note: Holly Lane extension is referred to as the Center Parkway in the BRCP.

** Note: Meadow Lane Extension is referred to as the Ridge Parkway in the BRCP.

The Loder Road improvements identified in the BRCP are listed on the "Not Likely to be Funded list in the TSP as Project #D85, *Loder Road Upgrade*, *Beavercreek Road to UGB*. It is expected that new development of the adjacent parcels would fund the entire cost of this improvement.

Alternative modes of transportation are also key strategies in the 2013 TSP and the BRCP to meeting the transportation needs of the City, its residents and employees. The TSP sets a non-single occupancy vehicle mode share target to help meet transportation demand management (TDM) goals, specifically reducing reliance on the single occupancy vehicle. As specified in the TSP, Oregon City's non-SOV mode shares⁷ (outside of the Oregon City Regional Center) are expected to be above the TSP objective of 40 to 45 percent with an estimated non-SOV mode share of 47 percent in 2005 and 48 percent in 2035. The non-SOV mode share in the Oregon City Regional Center is expected to remain steady through 2035, at around 42 percent, slightly below the TSP objective of 45 to 50 percent.

Some of this congestion may be off-set through a robust partnership with Tri-Met to improve public transportation in this area. TriMet has submitted a letter of support for the Beavercreek Concept Plan, a project which Oregon City and TriMet staff have discussed on multiple occasions dating back to 2007 when the original plan was proposed. TriMet is committed to improving public access to growing communities in our region and meeting the mobility needs of Oregon City and Clackamas County residents.. The Planning Commission heard a presentation from Tri-Met during its meeting on February 22, and the Planning Commission asked for a specific commitment from Tri-Met to provide improved service to Oregon City. As stated in Tri-Met's support letter, Clackamas Community College has recently engaged TriMet concerning their master plan, which specifically recognizes the planned extension of Meyers Rd east of Hwy 213 to Beavercreek Rd. TriMet acknowledges the future potential for routing bus service in and out of the college campus via this new connection. Tri-Met is supportive of the planned changes at the college to grow and serve more students, especially their willingness to add more bus parking capacity for future increases in transit service. Additionally, through TriMet's Southeast Service Enhancement Plan initiative, TriMet staff have been coordinating with Oregon City staff, among other stakeholders, to assess transit service needs and identify improvements. The plan proposes future service for the Beavercreek Concept Plan area that will be made in coordination with the City of Oregon City and will be guided by the timing and scale of future development.

The combination of policies and investments related to walking, biking and transit are expected to help the City work towards tripling the walking, biking and transit mode share between 2010 and 2035.

The 2013 TSP also recognizes the limitations brought about by the limited availability of funding. Despite the investments to the transportation system, the 2013 TSP predicts that operating conditions at a few intersections (including the OR 213/Beavercreek Road and I-205/OR 213 intersections) will be over the operating standard by 2035. For purposes of evaluating the impact of proposed development that is <u>permitted</u>, either conditionally, outright, or through detailed development master plan approval, the OR 213/ Beavercreek Road, and I-205/OR 213

⁷ Non-SOV mode share includes carpooling, as well as bike/walk/transit.

intersections are exempt from meeting the state mobility targets until solutions (beyond those included in the 2013 TSP) or alternative mobility targets are explored for the intersections, as explained further below. However, plan amendments are still subject to the state mobility targets.

Rather than relying on "level of service" standards to determine intersection capacity, as was done in the 2001 TSP, the 2013 TSP adopted the volume / capacity ratios for state highways at levels identified in the Oregon Highway Plan (OHP), which allowed a finding that an intersection could accommodate a greater number of vehicles during peak hours. Even with the increased congestion contemplated with adoption of the new mobility thresholds, the 2013 TSP concluded that existing and planned growth, including 2035 build-out of the Beavercreek plan area, will result in congestion at the Highway 213 / Beavercreek intersection, that will exceed the OHP adopted mobility standards at the end of the 2035 planning horizon. Notwithstanding this finding of inadequacy, at the time of TSP adoption, the City concluded that the high cost of improvements necessary to meet the OHP mandated mobility standard, particularly the gradeseparated interchange at Highway 213 / Beavercreek, would be prohibitive. ODOT concurred with that conclusion, indicating that it would not assist in funding what it characterized as "a low priority improvement" within the region. As a result, ODOT recommended that the City undertake additional work to develop other ways of meeting the City's transportation needs that do not involve such major construction projects on ODOT facilities. Therefore, the 2013 TSP included a Highway 213 / Beavercreek Road Refinement Plan including the potential adoption of alternative mobility measures as a project likely to be implemented within one to five years. The adoption of the 2013 TSP, including future transportation demand for the Beavercreek concept area, was not appealed and that decision is acknowledged.

Development that has occurred in the south part of Oregon City since the development of the Beavercreek Concept Plan has been consistent with both the TSP and OCMC 12.04.205(D). For example, the approval for the Oregon City School District to construct a transportation and maintenance facility adjacent to Meyers Road and High School Avenue was allowed under the current zoning and the traffic impacts of the facility are similar to a typical medium industrial land use as assumed in the TSP. Another example of a recent development is the Beavercreek Road Apartments-Live-Work development on the east side of Beavercreek Road near Meyers Road. This development was also approved under applicable zoning and is consistent with the assumptions of residential and employment increases specified in both the Beavercreek Concept Plan and the 2013 TSP.

In addition, one of the ODOT recommended methods to address additional congestion is to improve existing parallel local streets, collectors and arterials to relieve traffic demand on state highways. The City's Transportation System Plan does this by calling for the extension of Holly Lane south of Maple Lane Road. Making these improvements may have the effect of increasing vehicle trips on that portion of Holly Lane north of Maple Lane Road located outside the UGB, in the County. As a result, the Planning Commission recommended and the City Commission agreed that the City coordinate closely with the County in the future, adopting transportation plans and road design standards that acknowledge that these challenges are regional and will require joint solutions.

Adoption of the BRCP is a Plan Amendment subject to section -0060 of Oregon's Transportation Planning Rule (OAR 660-012-0060). However, the adoption of the BCRCP does not have a "significant effect" on Beavercreek / Hwy 213, because the trips from BRCP are already

included in the TSP and accounted for in the evaluation and selection of transportation system alternatives, as required under OAR 660-012-0035. In other words, the Concept Plan adoption is consistent with the TSP, and that is what OAR 660-012-0060(1) requires. OAR 660-012-0060(1)(c)(C) provides that a "significant affect" occurs when the proposed plan will "degrade the performance of an existing or planned transportation facility that is otherwise projected to not meet the performance standards identified in the TSP or comprehensive plan...based on projected conditions measured at the end of the planning period identified in the adopted TSP." The adopted TSP includes all of the degradation expected to result from the development of the BRCP area as well as that due to through traffic from rural Clackamas County and other parts of the region, therefore the adoption of the BRCP will not cause further degradation than what is already accounted for in the TSP. Needed improvements and funding mechanisms were identified that will mitigate impacts of development while recognizing reasonable financial limitations of the City and its partners. The improvements needed to mitigate for the development in the Beavercreek concept plan area were identified in the Concept Plan and included in the 2013 TSP. Improvements needed for entire Oregon City planning area are identified in the TSP. The TSP shows that the mobility standards prescribed by the TSP will be met except as noted above, at the intersection of OR 213/Beavercreek Road. The 2013 TSP assumes the development in the Concept Plan and the adopted system in the TSP is based on that development. Adoption of the concept plan is necessary to fulfill the City's duties under OAR 660-012-0045(1) and to ensure consistency among all parts of the City's comprehensive plan. The amendments have already been considered, evaluated, and resolved by the TSP adoption process and no further action is necessary.

Further, the adoption of the Beavercreek concept plan will not further degrade the Highway 213 / Beavercreek intersection because it will not take effect until the City adopts urban zoning designations, which will not happen until after the City and OTC adopt alternative mobility standards and identifies and commits to financially and technically feasible solutions to address safety and congestion at the OR 213/Beavercreek intersection, per OHP Action 1F3. Concurrent with the adoption of the 2013 TSP, the City adopted amendments to OCMC Chapter 12.04, creating a temporary exemption from the mobility standards for all development that is permitted, either conditionally, outright or through detailed development master plan approval affecting the three intersections, including Highway 213 / Beavercreek Road. OCMC 12.04.205(D). For the Beavercreek concept area, the only development that may occur prior to the adoption of alternative mobility standards is that which is already permitted under the existing City urban or county holding zone. No more intensive urban development, as contemplated in the Concept Plan, will be allowed until the implementing comprehensive plan designations and zoning classifications are created within the OCMC and applied to the City's Zoning Map. The City will not adopt urban zoning implementing the Beavercreek concept plan area until alternative mobility targets are adopted.

As the Commission is aware, implementing the BRCP will result in increased vehicle congestion in the Beavercreek / Highway 213 interchange, which already exceeds ODOT's congestion thresholds. Both the Planning Commission and City Commission heard testimony from ODOT officials in support of the planning process for the BRCP and development of a refinement plan to be developed in 2016 for addressing congestion and alternative mobility standards. The City is committed to follow through with adoption of the alternative mobility standards as soon as staff is able to prepare them. These targets must be adopted prior to any re-zoning of the lands within the concept plan area.

The Commission rejected testimony that the intersection at Highway 213 and Beavercreek Road is "exceptionally dangerous." The City's TSP labeled two locations as "high collision locations." The intersection of Highway 213 and Beavercreek Road was one of those two. The TSP contains the following information:

■ The OR 213/Beavercreek Road signalized intersection is located within the 55 mile per hour speed zone and expressway segment of OR 213. This is the first at-grade intersection south of Redland Road for over two miles. Most of the collisions at this intersection were rearend type (166 of the 212 collisions). This may indicate that drivers are caught off guard by queues from the intersection after traveling at uninterrupted higher speeds for an extended period of time. The severities of the collisions were generally low, with 85 percent involving property damage only (no injuries) or minor injuries. Major injuries were involved in about seven percent of the collisions and there were no fatalities.

Further analysis of the crash data provided by ODOT indicates that the majority of crashes were rearend crashes; that they occurred during daylight hours; and that they occurred in dry conditions. This information further supports the suggestion in the TSP that the causes were primarily driver error. These types of crashes are fairly typical of crashes at busy signalized intersections. Efforts are being made to improve performance at this and similar locations.

As part of its desire to improve transportation safety, the TSP includes at least two projects that may be expected to mitigate for existing or potential safety issues in the vicinity of Highway 213 and Beavercreek Road. These projects are both included as short-term projects in the TSP's "Table 1: Likely to be Funded Transportation System."

Project D1 Molalla Avenue/ Beavercreek Road Adaptive Signal Timing

Location: Molalla Avenue from Washington Street to Gaffney Lane; Beavercreek Road from Molalla Avenue to Maple Lane Road

Description: Deploy adaptive signal timing that adjusts signal timings to match real-time traffic conditions.

Project D14 Southbound OR 213 Advanced Warning System

Location: Southbound OR 213, north of the Beavercreek Road intersection

Description: Install a queue warning system for southbound drivers on OR 213 to automatically detect queues and warn motorists in advance via a Variable Message Sign

In addition to identifying projects needed to mitigate for the transportation impacts of development, the TSP (Section H) includes a discussion of current transportation funding sources and other potential sources. The existing sources identified in the TSP include the Street Fund, Street System Development Charge (SDC) Fund and Transportation Utility Fee Fund. Potential sources discussed in the TSP include general city revenues, local fuel tax, urban renewal districts, local improvement districts, and debt financing. The proposed transportation infrastructure improvements, financing and funding estimates, identified in the concept plan and as supplemented by the Transportation System Plan provide an adequate basis to demonstrate compliance with the Transportation Planning Rule.

Implementation strategies and financing tools for the needed transportation improvements have been identified at the TSP level and will be further refined during Capital Improvement Plan updates.

The City finds this Goal is satisfied.

Goal 13 Energy Conservation

To conserve energy.

Analysis: One of the adopted goals of the concept plan is that the area will be a model of sustainable design, development practices, planning and innovative thinking. The Plan assumes that sustainable practices will be a combination of private initiatives (LEED certification), public requirements (green streets) and public-private partnerships. The Commission recommends that the City use incentives, education and policy support as much as possible for promoting sustainability in the study area. Some initiatives will require mandates, but at the end of the day, it is up to the private sector to invest in sustainable development. The Beavercreek Road site's legacy as a model of sustainable design will depend on the built projects that are successful in the marketplace and help generate the type of reputation that the community desires and deserves. The concept plan identifies sustainability design strategies that address energy efficiency, water conservation, compact development, mixed use, solar orientation, green streets/infrastructure, alternative transportation options, pedestrian and cyclist system, use of the natural systems and minimizing impervious surfaces.

The City finds this Goal is satisfied.

Goal 14 Urbanization

To provide for an orderly and efficient transition from rural to urban land use.

Analysis: This goal essentially defines the purpose of the concept plan. Oregon City's Urban Growth Boundary was expanded in 2002 and 2004 through Metro's regional review process to include more industrial land. This was the result of a demonstrated need for additional land to accommodate the deficiency in available, vacant industrial lands. The revised element of the updated plan calls for implementing Metro's "concept plan" requirements under Title 11 of the Functional Plan that will result in subarea planning of new areas added to the UGB. The concept plan establishes policies to convert rural to urban land within the UGB while monitoring the supply of land to ensure its adequacy to accommodate growth. Oregon City coordinates with Clackamas County through an intergovernmental agreement that guides land uses and extension of public services in the unincorporated UGB. In addition, the transportation, parks, trails, water, and sewer master plans address orderly extension of services to accommodate growth.

The City finds this Goal is satisfied.

C. Compliance with Metro Title 4.

The findings below are intended to show compliance with the current Metro-adopted Employment and Industrial Areas Map. The northern portion of the concept plan area, known as the North Employment Campus (NEC) in the concept plan, is considered an "Industrial area" on the Metro Title 4 map, as opposed to a "Regionally significant industrial area" such as the area along the OR 212 / 224 Corridor in Clackamas County, or an "Employment area", such as existing zoned land within the city of Clackamas Community College and the commercially and industrially zoned lands adjacent to it between Beavercreek Road and OR 213. Therefore,

findings for compliance with Metro Title 4 are specifically provided for section 3.07.430 Protection of Industrial Areas.

TITLE 4: INDUSTRIAL AND OTHER EMPLOYMENT AREAS

3.07.410 Purpose and Intent

The Regional Framework Plan calls for a strong regional economy. To improve the economy, Title 4 seeks to provide and protect a supply of sites for employment by limiting the types and scale of non-industrial uses in Regionally Significant Industrial Areas (RSIAs), Industrial and Employment Areas. Title 4 also seeks to provide the benefits of "clustering" to those industries that operate more productively and efficiently in proximity to one another than in dispersed locations. Title 4 further seeks to protect the capacity and efficiency of the region's transportation system for the movement of goods and services and to encourage the location of other types of employment in Centers, Corridors, Main Streets and Station Communities. The Metro Council will evaluate the effectiveness of Title 4 in achieving these purposes as part of its periodic analysis of the capacity of the urban growth boundary.

Analysis: The Commission notes that a key issue for the CAC/TAC was determining how much employment land was needed, what type and where. The Oregon City Comprehensive Plan requires that a majority of the lands be designated in a manner that encourages family-wage jobs in order to generate new jobs and move towards meeting the City's employment goals. The EcoNorthwest market analysis identified the advantages and disadvantages of industrial development within the study area and concluded that under the right conditions it is not unreasonable to expect 150 acres of industrial and business park development to build out on the site over a 20-year period.

Metro brought 245 gross acres in the UGB in 2002 and 2004 to fulfill regional industrial employment needs. These areas (308 gross acres including those already within the UGB) are designated as the Industrial Design Type on Metro's 2040 Growth Concept Map. As noted above, Metro estimated 120 net acres of the concept plan area would be used for employment uses and indicated that it was important to fulfill the original intent for providing industrial lands and that there was flexibility for the local process to evaluate creative ways to meet the intent.

Metro's adoption of Ord. 1244B updated the EcoNorthwest analysis, concluding that the proposed plan provides an adequate amount of Title 4 employment land within the UGB, through 2029. Reflecting changes in employment needs and demands between the Metro 2002 Urban Growth Report (UGR) –Employment, and the 2009 UGR - Employment, Metro's 2009 assessment found there is adequate capacity inside the current UGB to accommodate the next 20 years of general employment and general industrial job growth even at the high end of the employment forecast range. The subsequently adopted change to the Title 4 Employment and Industrial Areas map conformed the map to the updated information about employment needs in the 2009 UGR (Employment). According to this map, which is consistent with the hybrid plan, the 151 gross acres on the revised map will supply approximately 121 net acres of employment land.

The CAC created several alternatives and finally chose a hybrid within the industrial designated area that included about 127 net acres of North Employment Campus, which is consistent with Metro's intent and similar to Oregon City's existing Campus Industrial designation, and about 29

acres of Mixed Employment Village and Main Street, which allows a variety of uses in a villageoriented transit hub and mixed use neighborhoods to the south that also provide jobs tailored to the neighborhood setting.

The North Employment Campus is to provide for the needed family wage employment that strengthens and diversifies the economy and will be compliant with Metro's Title 4 regulations. The NEC allows a mix of clean industries, offices serving industrial needs, light industrial uses, research and development and large corporate headquarters. The uses permitted are intended to improve the region's economic climate, promote sustainable and traded sector businesses, and protect the supply of site for employment by limiting incompatible uses.

Proposed policy 1.3 identifies the need to support the attraction of family wage jobs and connections with Clackamas Community College within the North Employment Campus, Policy 1.4 identifies the need to promote job creation, mixed use and transit oriented development within the Mixed Employment Village and Main Street, and recommends the adoption of minimum density requirements, limitations on stand-alone residential and other standards that implement the policy. Goal 3 – Green Jobs, includes policies recommending coordination with other local, county and state economic development agencies to recruit green industries and promote green development practices.

The concept plan provides land for an identified need within the region and state, and provides for a mix of other uses that will contribute to the economic welfare of the city, state and the citizens.

The City finds this requirement is satisfied.

3.07.430 Protection of Industrial Areas

A. Cities and counties shall review their land use regulations and revise them, if necessary, to include measures to limit new buildings for retail commercial uses—such as stores and restaurants—and retail and professional services that cater to daily customers—such as financial, insurance, real estate, legal, medical and dental offices—in order to ensure that they serve primarily the needs of workers in the area. One such measure shall be that new buildings for stores, branches, agencies or other outlets for these retail uses and services shall not occupy more than 5,000 square feet of sales or service area in a single outlet, or multiple outlets that occupy more than 20,000 square feet of sales or service area in a single building or in multiple buildings that are part of the same development project, with the following exceptions:

- 1. Within the boundaries of a public use airport subject to a facilities master plan, customary airport uses, uses that are accessory to the travel-related and freight movement activities of airports, hospitality uses, and retail uses appropriate to serve the needs of the traveling public; and
- 2. Training facilities whose primary purpose is to provide training to meet industrial needs.

Analysis: Please also see findings under city comprehensive plan Policy 2.6.3. The zoning of the property in the North Employment Campus will be the same as or similar to the current CI – Campus Industrial zone in OCMC 17.37. Any commercial or retail uses within the northern

employment campus would be limited to some upper limit, similar to the CI zone, which limits the square footage for retail and commercial office use in accordance with the Metro requirement:

L. Retail sales and services, including eating establishments for employees (i.e. a cafe or sandwich shop), located in a single building or in multiple buildings that are part of the same development shall be limited to a maximum of twenty thousand square feet or five percent of the building square footage, whichever is less, and the retail sales and services shall not occupy more than ten percent of the net developable portion of all contiguous industrial lands;

M. Financial, insurance, real estate, or other professional offices, as an accessory use to a permitted use, located in the same building as the permitted use and limited to ten percent of the total floor area of the development. Financial institutions shall primarily serve the needs of businesses and employees within the development, and drive-through features are prohibited;

The specific use restrictions that are necessary to assure protection of employment lands will be further refined with adoption of new zoning designations and code requirements for the BRCP.

Taken together, these requirements will protect the city's supply of undeveloped and underdeveloped land zoned for industrial uses.

The City finds this requirement is satisfied.

B. Cities and counties shall review their land use regulations and revise them, if necessary, to include measures to limit new buildings for the uses described in subsection A to ensure that they do not interfere with the efficient movement of freight along Main Roadway Routes and Roadway Connectors shown on the Regional Freight Network Map in the RTP. Such measures may include, but are not limited to, restrictions on access to freight routes and connectors, siting limitations and traffic thresholds. This subsection does not require cities and counties to include such measures to limit new other buildings or uses.

Analysis: RTP freight routes were analyzed with the adoption of the TSP in 2014. Within the concept plan area, Beavercreek Road, Loder Road, Meyers Road extension and Ridge Parkway extension are indicated as local truck routes. Beavercreek Road is designated as a Roadway Connector on the RTP. The planned street network for the area is designed to limit new connections to Beavercreek Road, preserve the roadway capacity, and provide a secondary collector street network to serve the buildout of the area. In accordance with the TSP and RTP, the access management approach envisioned in the plan will minimize impacts and access points on the Beavercreek Road corridor. As new development is reviewed for compliance with the TSP and the city's street standards, the form and design of the land uses abutting these roads will also be reviewed.

The City finds this requirement is satisfied.

C. No city or county shall amend its land use regulations that apply to lands shown as Industrial Area on the Employment and Industrial Areas Map to authorize uses described in subsection A of this section that were not authorized prior to July 1, 2004.

Analysis: No such authorization will occur with adoption of the BRCP, and none is anticipated.

The City finds this requirement is satisfied.

- D. Cities and counties may allow division of lots or parcels into smaller lots or parcels as follows:
- 1. Lots or parcels smaller than 50 acres may be divided into any number of smaller lots or parcels.
- 2. Lots or parcels 50 acres or larger may be divided into smaller lots and parcels pursuant to a master plan approved by the city or county so long as the resulting division yields at least one lot or parcel of at least 50 acres in size.
- 3. Lots or parcels 50 acres or larger, including those created pursuant to paragraph (2) of this subsection, may be divided into any number of smaller lots or parcels pursuant to a master plan approved by the city or county so long as at least 40 percent of the area of the lot or parcel has been developed with industrial uses or uses accessory to industrial use, and no portion has been developed, or is proposed to be developed with uses described in subsection A of this section.
- 4. Notwithstanding paragraphs 2 and 3 of this subsection, any lot or parcel may be divided into smaller lots or parcels or made subject to rights-of-way for the following purposes:
- a. To provide public facilities and services;
- b. To separate a portion of a lot or parcel in order to protect a natural resource, to provide a public amenity, or to implement a remediation plan for a site identified by the Oregon Department of Environmental Quality pursuant to ORS 465.225;

To separate a portion of a lot or parcel containing a nonconforming use from the remainder of the lot or parcel in order to render the remainder more practical for a permitted use; or

d. To allow the creation of a lot solely for financing purposes when the created lot is part of a master planned development.

Analysis: No land division is proposed with the adoption of the BRCP. Land division for any parcels larger than 50 acres within the North Employment Campus would typically occur concurrently with the master planning process to assure that the site is well planned for the proposed use in compliance with this requirement. The master plan process in OCMC 17.65 is appropriate for sites of 10 acres or larger. There is only one such parcel larger than 50 acres on the north side of Loder Road and it is physically bisected by Trimble Creek, a Goal 5 resource area.

The City finds this requirement is satisfied.

E. Notwithstanding subsection B of this section, a city or county may allow the lawful use of any building, structure or land at the time of enactment of an ordinance adopted pursuant to this section to continue and to expand to add up to 20 percent more floorspace and 10 percent more land area.

Analysis: Compliance with this requirement would be considered if development is proposed within the Industrial area portion of the BRCP following adoption. Lawfully pre-existing non-conforming uses are regulated under OCMC 17.58. The specific use restrictions that are necessary to assure protection of employment lands will be further refined with adoption of new zoning designations and code requirements for the BRCP.

The City finds this requirement is satisfied.

D. Compliance with Metro Title 11.

The Plan is required to show compliance with the current version of Metro Title 11.

3.07.1105 Purpose and Intent

The Regional Framework Plan calls for long-range planning to ensure that areas brought into the UGB are urbanized efficiently and become or contribute to mixed-use, walkable, transit-friendly communities. It is the purpose of Title 11 to guide such long-range planning for urban reserves and areas added to the UGB. It is also the purpose of Title 11 to provide interim protection for areas added to the UGB until city or county amendments to land use regulations to allow urbanization become applicable to the areas.

Analysis: The adoption of the BRCP achieves the purpose and intent of Metro Title 11. Detailed findings are provided below.

3.07.1120 Planning for Areas Added to the UGB

A. The county or city responsible for comprehensive planning of an area, as specified by the intergovernmental agreement adopted pursuant to section 3.07.1110C(7) or the ordinance that added the area to the UGB, shall adopt comprehensive plan provisions and land use regulations for the area to address the requirements of subsection C by the date specified by the ordinance or by section 3.07.1455B(4) of this chapter.

Analysis: The Intergovernmental Agreement with Metro to complete the concept plan for Beavercreek Road was signed by Metro Council in 2007. The City fulfilled all of the designated Milestones specified in the IGA and was fully reimbursed by Metro for the planning work following the City Commission's initial adoption of the concept plan in September 2008. The City's decision was appealed to the Land Use Board of Appeals (LUBA). LUBA remanded the Concept Plan, finding that the Plan was not consistent with the Metro 2040 Growth Concept Map. Oregon City and Metro staff worked to amend the 2040 Growth Concept Map and address the reason for remand, which was adopted by the Metro Commission early in 2011. The City requested a 3-year extension of the compliance deadline which was granted by Metro in May, 2011. Due to further legal

challenges to the Metro UGB, re-adoption of the Plan by the City could not practicably occur until 2015.

Once the City Commission has adopted the revised findings and all appeal timelines have expired, the City will prepare a scope of work to prepare and adopt the implementation measures (zoning and development code amendments) for the Beavercreek Road Concept Plan. It is expected that the preparation and adoption process for the implementation measures will be included in the 2016 Community Development Department work plan and budget.

The City finds this requirement is satisfied.

B. If the concept plan developed for the area pursuant to section 3.07.1110 assigns planning responsibility to more than one city or county, the responsible local governments shall provide for concurrent consideration and adoption of proposed comprehensive plan provisions unless the ordinance adding the area to the UGB provides otherwise.

Analysis: Oregon City is solely responsible for adoption of the Beavercreek Road Concept Plan.

The City finds this requirement is satisfied.

C. Comprehensive plan provisions for the area shall include:

1. Specific plan designation boundaries derived from and generally consistent with the boundaries of design type designations assigned by the Metro Council in the ordinance adding the area to the UGB:

Analysis: The revised Industrial and Other Employment Areas map adopted by Metro in 2010 by Ordinance 10-1244B, Exhibit D is consistent with the North Employment Campus (NEC) plan area on the BRCP. The remaining plan areas – the Mixed Employment Village, Main Street, and West and East Mixed Use Neighborhoods, are consistent with the Metro Outer Neighborhoods design type designation.

The City finds this requirement is satisfied.

2. Provision for annexation to a city and to any necessary service districts prior to, or simultaneously with, application of city land use regulations intended to comply with this subsection;

Analysis: The City's Comprehensive Plan and Code establishes a framework of policies and implementing ordinances before annexation can take place and urban-level development can occur.

Applications for annexation, whether initiated by the City or by individuals, are based on specific criteria contained in Chapter 14 of the City of Oregon City Municipal Code.

Annexation to the City of Oregon City is required as a condition of extension of city services properties within the Urban Growth Boundary, including sewer, water, and stormwater utilities.

As a general policy the city does not extend services to properties outside the city limit. In situations where the timing of extension of a particular city service may not be practicable until a greater level of urbanization occurs, such as sewer connections farther than 300' from city sewer, exceptions may be made in accordance with law or based on intergovernmental agreements.

Concept plans are an important tool that identifies where and when areas might be considered for annexation in order to control the expansion of the city limits and services to help avoid conflicts and provide predictability for residents and developers. Other considerations are consistency with the provisions of the Comprehensive Plan and the City's public facility plans, with any plans and agreements of urban service providers, and with regional annexation criteria.

The City finds this requirement is satisfied.

3. Provisions that ensure zoned capacity for the number and types of housing units, if any, specified by the Metro Council pursuant to section 3.07.1455B(2) of this chapter;

Analysis: The concept plan recommends and provides for a mix of residential areas that allow and/or require different densities and housing types, including low, medium and high densities, single-family homes on a range of lot sizes, townhouses, duplexes, multi-family units and mixed commercial/residential uses. Accessory dwelling units are allowed in all single-family residential zones, per the Oregon City Municipal Code, subject to special development and occupancy standards. Manufactured homes are typically permitted in any zone where single-family detached housing units are permitted unless other factors, such as historic review guidelines, might otherwise preclude them. Proposed policy 1.6 indicates that within the West and East Mixed Use Neighborhoods, a variety of housing types will be required and that lot size averaging and other techniques that help create housing variety while maintaining overall average density should be allowed. Requiring a mix of housing types and requiring a minimum and maximum density, rather than a minimum and maximum lot size, will allow a wide variety of housing units to be created, meeting the intent of this section.

The BRCP envisions that the West Mixed Use Neighborhood shall be a walkable, transit-oriented neighborhood with an overall average or residential uses not to exceed 22 dwelling units per acre. The East Mixed Use Neighborhood will be a walkable and tree lined neighborhood with a variety of housing types that will not exceed densities permitted in the R-5 zone (8.7 units per acre). Based on the proposed densities, the BRCP has an estimated capacity of approximately 1,000 dwellings, which is approximately 10.3 dwellings per net developable residential-designated acre. These residential densities do not apply to lands designated for industrial and employment use where residential uses are not permitted.

The City finds this requirement is satisfied.

4. Provision for affordable housing consistent with Title 7 of this chapter if the comprehensive plan authorizes housing in any part of the area.

Analysis: According to the 2000 census, the median household income in Oregon City was \$45,531. The 2013 median household income (2010 inflation adjusted) was \$60,223. Affordable housing is typically defined as housing that does not cost more than 30% of a household's income. In addition, very low income households are typically defined as those earning less than 30% of median household income; low-income households as those earning less than 50% of median household income; and moderate income households are those making between 50% and 80% of median income. Typically, the types of housing most affordable to people with low and moderate incomes are single-family homes on small lots, attached single-family homes, duplexes and multifamily housing, and accessory dwelling units. These types of housing types are expected to account for 390 to 480 units, providing affordable housing opportunities within the concept plan area. As stated above, requiring a variety of housing types will create opportunities for affordable housing within the proposed neighborhoods.

The City finds this requirement is satisfied.

5. Provision for the amount of land and improvements needed, if any, for public school facilities sufficient to serve the area added to the UGB in coordination with affected school districts. This requirement includes consideration of any school facility plan prepared in accordance with ORS 195.110;

Analysis: The concept plan has not identified any new school sites within the study area. The Oregon City School District High School is located directly across Beavercreek Road from the study area and the district owns a vacant parcel of land directly south of the study area that could be used as a future school facility. The Oregon City School District provided a representative that was a member of the Citizen Advisory Committee. No need for additional lands identified as a result of the implementation of the concept plan was identified.

Oregon City School District owns property adjacent to the Beavercreek Road Concept Plan and believes this is probably adequate for the near term. The District has some current capacity at the elementary school K-5 level and high school 9-12 level. The District is near capacity at the middle school 6-8 level.

According to the School District, even with existing school property adjacent to the Beavercreek Road Concept Plan, public financing support will be required to develop the additional capacity in the future. The District is embarking on a long-range facilities planning process to study existing and future capital needs.

The City finds this requirement is satisfied.

6. Provision for the amount of land and improvements needed, if any, for public park facilities sufficient to serve the area added to the UGB in coordination with affected park providers.

Analysis: The Beavercreek Road Open Space Framework plan provides a network of green spaces that are intended to provide a system of connected parks, opens spaces and natural areas, provide access to nature, preserve existing natural resources and provide green spaces near the system of trails and pedestrian connections. The power line corridors comprise approximately 52 acres of land north of Loder Road and have been utilized to provide publicly accessible opens space, trails and links to the broader open space network. The City's Parks and Recreation Master Plan requires

between 6 and 10 acres of parkland per 1,000 population. The extent and location of the park is conceptual, flexible and the costs associated with acquisition and development may need to be determined through more detailed Master Planning processes, similar to the Glen Oak Road park site and the Hazel Grove parks site master planning that was conducted in 2014. Existing parks SDCs do not reflect the cost of providing parks in this area, and they may need to be updated to account for the amount of parks acreage envisioned in the concept plan. A park is proposed to extend through the central and southern areas of the BRCP. The location and linearity of the park was first indicated by Metro's Goal 5 mapping. This open space feature is intended as a continuous green space that links the districts and neighborhoods south of Loder Road.

The City finds this requirement is satisfied.

7. A conceptual street plan that identifies internal street connections and connections to adjacent urban areas to improve local access and improve the integrity of the regional street system. For areas that allow residential or mixed-use development, the plan shall meet the standards for street connections in the Regional Transportation Functional Plan;

Analysis: See also findings under Goal 12 earlier in this report. The BRCP provides for a mixed use community that provides viable options for internal trip making (i.e. many daily needs provided on-site), transit use, maximized walking and biking, and re-routed trips within the Oregon City area. Beavercreek Road will be improved as a green boulevard that will be a 5-lane arterial section to Clairmont, then a 3-lane arterial from Clairmont to the UGB. The internal street system will provide logical, but limited access to Beavercreek Road, by connecting to existing streets on the west side of Beavercreek Road and requiring that an internal street/alley system be utilized, eliminating driveway cuts on Beavercreek Road and maximizing its available capacity. The plan identifies an internal north-south connection from Old Acres Lane to Thayer Road that will reduce the need to access Beavercreek Road for daily trips within the area and an extensive pedestrian and bicycle circulation system connecting the residential, commercial and industrial areas together and extends to existing and proposed transportation systems adjacent to the study area. The plan identifies appropriate green street options to be implemented, and expanded on, as development occurs, including: vegetated swales, planter islands, curb extensions, and porous pavement.

Goal 6 of the BRCP recommends providing multi-modal transportation links connected within the site as well as to the surrounding areas and includes policies recommending that land use reviews support bus service by ensuring a mix of land uses, densities and design options that support public transportation and other alternative transportation methods, ensure that local connectivity and offstreet pedestrian routes link together in a highly connected pedestrian system that is safe, direct, convenient and attractive and improve pedestrian and bicycle safety along Beavercreek Road. The concept plan process has identified and prepared the construction cost estimates for the planned transportation improvements and a detailed list of financing options has been created.

The City finds this requirement is satisfied.

8. Provision for the financing of local and state public facilities and services; and Analysis: The plan includes adequate consideration of public facilities cost estimates and financing approaches.

The plan provides a thorough explanation of the existing conditions pertaining to this analysis and provides recommendations and preliminary cost estimates for improvements that will be necessary in order for the concept plan to be carried out. Since the BRCP was initially adopted in 2008, three public facilities plans were amended to include the concept plan area. These plan updates include cost estimates which have subsequently been updated in the city's public infrastructure and transportation planning as follows:

Transportation System Plan (2013)

Sewer Master Plan (2014)

Water Master Plan (2010)

Stormwater and Erosion Control Manual and Design Standards (2015)

Parks and recreation system development charges will need to be analyzed to reflect the type of dwelling unit to be constructed and the number of employees associated with non-residential uses in the area. Future parks planning will need to include consideration of SDCs. SDCs could be utilized to acquire open space, natural resource and natural hazard areas that are part of the larger open space framework plan. Four other primary funding sources have been identified, including: Urban Renewal/Tax Increment Financing; Local Improvement Districts; Bonds; and Developer Funded Improvements. The plan also calls for creating the Environmentally Sensitive Resource Area to protect, conserve and enhance identified natural by applying a low-density base zoning that allows property owners to cluster density outside the ESRA and transfer to more appropriate sites.

Planning, funding and cost estimates for the transportation system plan (TSP) consistent with the Regional Transportation Plan (RTP) were adopted in early 2014 and are described in more detail under section 7 above.

The City finds this requirement is satisfied.

9. A strategy for protection of the capacity and function of state highway interchanges, including existing and planned interchanges and planned improvements to interchanges.

Analysis: The Statewide Planning Goal 12 analysis and findings provided earlier in this report on Page 25 discusses in detail the City's Transportation System Plan and consistency with the Metro RTP, as well as a discussion of mobility challenges for existing state highway interchanges.

The City finds this requirement is satisfied.

D. The county or city responsible for comprehensive planning of an area shall submit to Metro a determination of the residential capacity of any area zoned to allow dwelling units, using the method in section 3.07.120, within 30 days after adoption of new land use regulations for the area. **Analysis**: See analysis under provision 3 above relating to zoned capacity.

The City finds this requirement is satisfied.

3.07.1130 Interim Protection of Areas Added to the UGB

Until land use regulations that comply with section 3.07.1120 become applicable to the area, the city or county responsible for planning the area added to the UGB shall not adopt or approve:

- A. A land use regulation or zoning map amendment that allows higher residential density in the area than allowed by regulations in effect at the time of addition of the area to the UGB;
- B. A land use regulation or zoning map amendment that allows commercial or industrial uses not allowed under regulations in effect at the time of addition of the area to the UGB;
- C. A land division or partition that would result in creation of a lot or parcel less than 20 acres in size, except for public facilities and services as defined in section 3.07.1010 of this chapter, or for a new public school;
- D. In an area designated by the Metro Council in the ordinance adding the area to the UGB as Regionally Significant Industrial Area:
- 1. A commercial use that is not accessory to industrial uses in the area; and
- 2. A school, a church, a park or any other institutional or community service use intended to serve people who do not work or reside in the area.

Analysis: The areas added to the UGB which are subject to this title are zoned County FU-10 which is a holding zone that prevents urbanization prior to concept plan adoption, and does not allow land uses A, B or C described above. None of the lands added to the UGB are considered RSIAs, although they are considered important to the local employment and industrial land capacity of Oregon City.

The City finds this requirement is satisfied.

VI. CONCLUSION

The City finds that Beavercreek Road Concept Plan and appendices meets the requirements of the Statewide Land Use Goals, Metro Title 11, Metro Title 4, as well as the applicable Comprehensive Plan criteria.

DAN HOLLADAY, Mayor	Date	
Attested to this day of 2016		
KATTIE RIGGS, City Recorder	_	
GSB:7581443.1		



Beavercreek Road Concept Plan

Envisioning a Complete and Sustainable Community

Concept Plan Report, Summary and Recommendations Final Plan August 2008







This project is partially funded by a grant from the Transportation and Growth Management (TGM) Program, a joint program of the Oregon Department of Transportation and the Oregon Department of Land Conservation and Development. This TGM grant is financed, in part, by Federal Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), local government, and State of Oregon funds. The contents of this document do not necessarily reflect views or policies of the State of Oregon.

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Beavercreek Road Concept Plan

Summary and Recommendations

Final Plan - August 2008

Funding provided by:

City of Oregon City

Oregon Department of Transportation -Transportation and Growth Management Program

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Appendix

- 1. Project Goals with Objectives, March 13, 2007
- 2. Concept Plan Alternatives
- 3. GIS Analysis Map

1. 2.

3.

4. Job and Housing Estimates

Technical Appendix (Under Separate Cover)

Design Workshop

Open House No. 2

A. B.	Public Involvement Plan Goals and Evaluation Criteria		F. G. H.	Alternatives Evaluation Report Final Transportation Evaluation Infrastructure Reports 1. Water	
C.	Existing Conditions, Opportunities and Constraints Reports 1. Land use				
	2. Transportation3. Sustainability	2. Sewer			
	4. 5. 6.	Market Natural resources Infrastructure	I. J.	 Storm Water/Water Quality Fiscal Impact Analysis Draft Code 	
D.	Focu	as Group Summaries			
E.	Sum	maries of Community Events			
	1. Open House No. 1				
	_				



I. Introduction

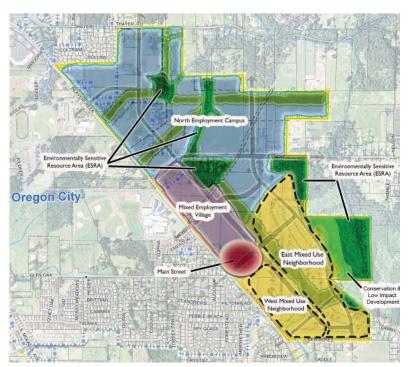
Summary

The Beavercreek Road Concept Plan is a guide to the creation of a complete and sustainable community in southeast Oregon City. Most of the 453 acre site along Beavercreek Road was added to the regional urban growth boundary by Metro in 2002 and 2004. The plan envisions a diverse mix of uses (an employment campus north of Loder Road, mixed use districts along Beavercreek Road, and two mixed use neighborhoods) all woven together by open space, trails, a network of green streets, and sustainable development practices. Transit-oriented land uses have been strategically located to increase the feasibility of transit service in the future. The plan has been carefully crafted to create a multi-use community that has synergistic relationships with Clackamas Community College, Oregon City High School, and adjacent neighborhoods.

Key features of the Concept Plan are:

- A complete mix of land uses, including:
 - A North Employment Campus for tech flex and campus industrial uses, consistent with Metro requirements for industrial and employment areas.
 - A Mixed Employment Village along Beavercreek Road, between Meyers Road and Glen Oak Road, located as a center for transitoriented densities, mixed use, 3-5 story building scale, and active street life.
 - A 10-acre Main Street area at Beavercreek Road and Glen Oak Road, located to provide local shops and services adjacent neighborhoods and Beavercreek sub-districts.

- A West Mixed Use Neighborhood along Beavercreek Road, intended for medium to high density (R-2) housing and mixed use.
- o An East Mixed Use Neighborhood, intended for low density residential (R-5) and appropriate mixed use. The East Neighborhood has strong green edges and the potential for a fine grain of open space and walking routes throughout.



Proposed Land Use Sub-districts



- Policy support for employment and program connections with Clackamas Community College.
- Sustainability strategies, including:
 - o Mixed and transit supportive land uses.
 - O A sustainable stormwater management plan that supports low impact development, open conveyance systems, regional detention, and adequate sizing to avoid downstream flooding.
 - Green street design for all streets, including the three lane boulevard design for Beavercreek Road.
 - A preliminary recommendation supporting LEED certification or equivalent for all commercial and multi-family buildings, with Earth Advantage or equivalent certification for single family buildings. This recommendation includes establishment of a Green Building Work Group to work collaboratively with the private sector to establish standards.
 - Open spaces and natural areas throughout the plan. North of Loder Road, these include the power line corridors, the tributary to Thimble Creek, and a mature tree grove. South of Loder Road, these include an 18-acre Central Park, the east ridge area, and two scenic view points along the east ridge.
- A trail framework that traverses all sub-districts and connects to city and regional trails.
- A street framework that provides for a logical and connected street pattern, parallel routes to Beavercreek Road, and connections at Clairmont, Meyers, Glen Oak, and the southern entrance to the site.
- A draft Beavercreek Road Zone development code to implement the plan.

Purpose of this Report and Location of Additional Information

This report is a summary of the Plan, with emphasis on describing key elements and recommendations. Many of the recommendation are based on technical reports and other information that is available in the Technical Appendix to this report.



Beavercreek Road Concept Plan Area - Existing Conditions



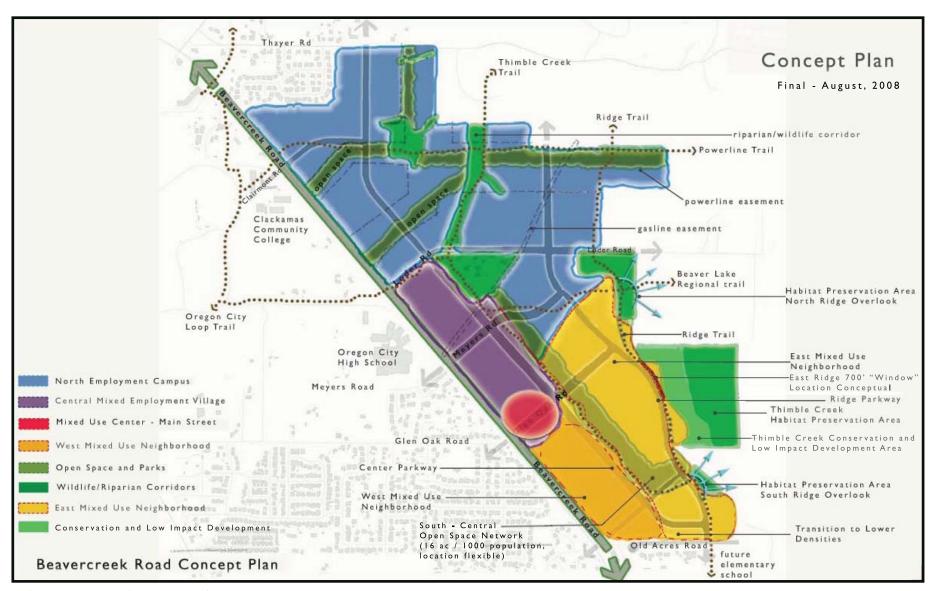


Figure 1 - Composite Concept Plan



II. Purpose and Process

The purpose of the Beavercreek Road Concept Plan is to provide a conceptual master plan to be adopted as an ancillary document to the City of Oregon City's Comprehensive Plan. As such, it provides a comprehensive and cohesive guide to future development, in three parts:

- Framework plan maps, goals and policies These elements will be adopted as part of the Oregon City Comprehensive Plan. Compliance will be required for all land use permits and development.
- Ancillary report materials The descriptive text, graphics and technical appendix of this report will be adopted as an "ancillary document" to the Comprehensive Plan, which provides "operational guidance to city departments in planning and carrying out city services" (Oregon City Comprehensive Plan, page 4). These documents include information for updating the City's utility master plans and Transportation System Plan.
- Draft development code A working draft development code was prepared as part of the Concept Plan. Once final, it will be adopted as part of the Oregon City Code. Compliance will be required for all land use permits and development. The Beavercreek Zone code relies on master planning to implement the concepts in the Plan.

The Concept Plan was developed by a 15-member Citizen Advisory Committee (CAC) and 9-member Technical Advisory Committee (TAC) (see Project Participants list at the beginning of this report). The committees met twelve times between June 2006 and July 2007.



Design Workshop Participants

In addition to the Committee meetings, additional process steps and community involvement included:

- Study area tour for CAC and TAC members
- Two public open houses
- Market focus group
- Sustainability focus group
- Employment lands coordination with Metro
- Community design workshop
- Website
- Project posters, site sign, email notice, and extensive mailing prior to each public event



The major steps in the process were:

- Inventory of base conditions, opportunities, constraints for land use, transportation, natural resources, market conditions, infrastructure and sustainability.
- Establishment of project goals.
- Extensive discussion of employment lands questions: how much, what type and where?
- Following the community workshop, preparation of three alternative concept plans (sketch level), addition of a fourth plan, prepared by a CAC member, and narrowing of the alternatives to two for further analysis.
- Evaluation of the alternatives (including transportation modeling) and preparation of a hybrid Concept Plan (framework level).
- Preparation of detailed plans for water, sewer, storm water, and transportation facilities.
- Preparation of a draft development code.
- Committee action to forward the Concept Plan package to the Planning Commission and City Commission.

For additional information please see Technical Appendix, Sections A, D, E, and F.



Design Workshop Plan



III. Vision, Goals and Principles

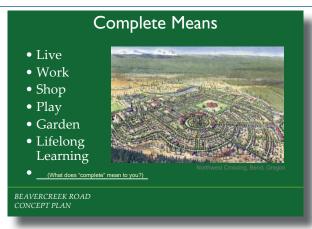
The overall vision for the Beavercreek Concept Plan is to create "A Complete and Sustainable Community". The images shown on this page were displayed throughout the process to convey the project's intent for this vision statement.

Regarding the meaning of sustainability, the vision statement is based in part on the definition of sustainability originally developed by the United Nations Brandtland Commission: "A sustainable society meets the needs of the present without sacrificing the ability of future generations to meet their own needs".

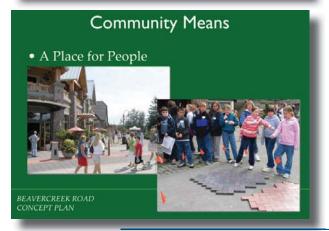
The following project goals were developed by the Citizen Advisory Committee. The Committee also added objectives to each of the goals – please see Appendix 1 for the objectives.

The Beavercreek Road Concept Plan Area will:

- Create a complete and sustainable community, in conjunction with the
 adjacent land uses, that integrates a diverse mix of uses, including housing,
 services, and public spaces that are necessary to support a thriving
 employment center;
- Be a model of sustainable design, development practices, planning, and innovative thinking;
- Attract "green" jobs that pay a living wage;
- Maximize opportunities for sustainable industries that serve markets beyond the Portland region and are compatible with the site's unique characteristics;
- Incorporate the area's natural beauty into an ecologically compatible built environment;
- Provide multi-modal transportation links (such as bus routes, trails, bike-ways, etc.) that are connected within the site as well as to the surrounding areas;









- Implement design solutions along Beavercreek Road that promote pedestrian safety, control traffic speeds and access, and accommodate projected vehicular demand;
- Promote connections and relationships with Oregon City High School and Clackamas Community College;
- Have a unique sense of place created by the mix of uses, human scale design, and commitment to sustainability; and
- Ecological Health Manage water resources on site to eliminate pollution to watersheds and lesson impact on municipal infrastructure by integrating ecological and man-made systems to maximize function, efficiency and health.
- The following 10 Principles of Sustainable Community Design were submitted by a CAC member, supported by the committee, and used throughout the development of the Concept Plan:
- 1. Mix Land Uses Promote a mix of land uses that support living wage jobs and a variety of services.
- 2. Housing Types Create a range of housing choices for all ages and incomes.
- 3. Walk-ability Make the Neighborhood "walkable" and make services "walk-to-able."
- 4. Transportation Provide a range of transportation options using a connected network of streets and paths.
- 5. Open Space Protect and maintain a functioning green space network for a variety of uses.
- 6. Integrate Systems Integrate ecological and man-made systems to maximize function, efficiency and health.
- 7. Watershed Health Manage water resources on site to eliminate pollution to watershed and lesson impact on municipal infrastructures.

- 8. Reuse, Recycle, Regenerate Reuse existing resources, regenerate existing development areas
- 9. Green Buildings Build compact, innovative structures that use less energy and materials
- 10. Work Together Work with community members and neighbors to design and develop.



Thimble Creek Tributary



IV. Regional and Local Context

The Beavercreek Road Concept Plan area is 453 acres of land located at the southeast edge of Oregon City and the Urban Growth Boundary (UGB). It marks a transition point between the City's current edge of urbanization and rural and resource lands to the south and east.

The majority of the site (245 acres) was added to the Metro UGB in December 2002 and an additional 63 acres were added to the UGB in 2004. The remaining site acreage was in the UGB and/or the Oregon City limits prior to 2002. The Concept Plan area carries Metro design type designations of Employment, Industrial, and Outer Neighborhood on the Region 2040 Growth Concept Map. The properties with the Outer Neighborhood designation have been in the UGB since 1980. Employment design type areas, as defined by Metro, allow various types of employment with some residential development and limited commercial uses. Industrial design type areas are set aside by Metro primarily for industrial activities with limited supporting uses.

During the update of Oregon City's Comprehensive Plan, a policy was adopted acknowledging the jobs-related importance of the site to Oregon City and the region, while also allowing some flexibility in the project area's land use. Comprehensive Plan policy 2.6.8 states:

"Require lands east of Clackamas Community College that are designated as Future Urban Holding to be the subject of concept plans, which is approved as an amendment to the Comprehensive Plan, would guide zoning designations. The majority of these lands should be designated in a manner that encourages family-wage jobs in order to generate new jobs and move towards meeting the City's employment goals."

There are relatively limited employment centers within this area of Oregon City and Clackamas County. This imbalance of jobs and housing contributes to Clackamas County's pattern of approximately 60% of the work force traveling outside of the County to work.

The site is surrounded by residential and undeveloped properties within the city limits, including the Hamlet of Beavercreek, and rural Clackamas County. The nearest commercial area is the Berry Hill Shopping Center at the intersection of Beavercreek Road and Highway 213. Clackamas County College (CCC) and Oregon City High School are across Beavercreek Road adjacent to the site. These institutional uses offer a unique opportunity to plan synergistic land uses that connect the properties, reinforce an identity for the area, and help localize trips. A Tri-Met transit hub is located on the CCC property.

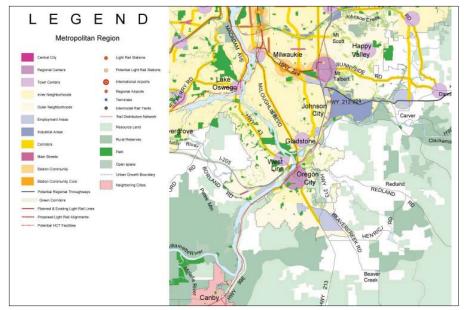


Figure 2 - Regional Context



Like all additions to the Portland Metropolitan Area Urban Growth Boundary, the Beavercreek Road area is inextricably tied to it's place in the region and its place within Oregon City. The Concept Plan responds to this context in multiple ways.

From a regional perspective, the Beavercreek Road area is currently a transition point from urban to rural use. Whether this "hard line" of transition will remain in the future cannot be established with certainty. The CAC openly acknowledged this issue in its discussions and sought to balance the needs of creating a great urban addition to Oregon City with sensitivity to adjacent areas. Examples of this balance include:

- The plan has land use and transportation connections that support future transit. This will link the Beavercreek Road area, via alternative transportations, to Clackamas Community College (CCC), the Oregon City Regional Center (downtown and adjacent areas) and the rest of the region.
- Trails and green spaces have been crafted to link into the broader regional network.
- The plan recommends lower densities and buffer treatments along Old Acres Road.
- The north south collector roads are coalesced to one route that could (if needed) be extended south of Old Acres Road.
- The recommended street framework provides for a street that parallels Beavercreek Road, connecting Thayer Road to Old Acres Road, and potentially north and south in the future. This keeps options open: if the UGB extends south, the beginning of a street network is in place. If it does not, the connection is available for rural to urban connectivity if desired.
- As with the street network described above, the East Ridge trail is extended all the way to Old Acres Road, and therefore, potentially beyond.

This will provide a connection from rural areas to the open spaces and trail network of Beavercreek Road area and the rest of the region.

From a City and local neighborhood perspective, the Beavercreek Road area offers an opportunity to establish a new complete and sustainable community within Oregon City. Specific linkages include the following:

- Oregon City needs employment land. The Beavercreek Concept Plan provides 156 net acres of it in two forms: 127 net acres of tech flex campus industrial land, 29 acres of more vertical mixed use village and main street. Additional employment will be available on the Main Street and as mixed use in the two southern neighborhoods.
- The street framework connects to all of the logical adjacent streets. This includes Thayer, Clairmont, Meyers, Glen Oak, and Old Acres Roads. This connectivity will disperse traffic to many routes, but equally important, make Beavercreek Road connected to, rather than isolated from, adjacent neighborhoods, districts and corridors.
- The plan provides for a complete community: jobs, varied housing, open space, trails, mixed use, focal points of activity, trails, and access to nature.
- The plan provides for a sustainable community, in line with the City's

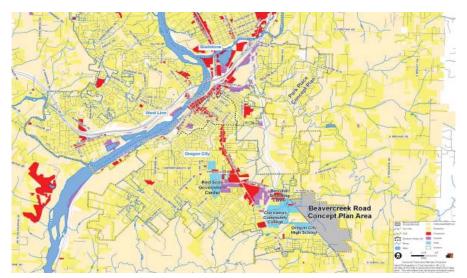


Figure 3 - Oregon City Context



Comprehensive Plan support for sustainability. This takes the form of mixed land uses, transportation options, green streets, sustainable storm water systems, and LEED or equivalent certification for buildings. Much more can certainly be done – the Concept Plan offers an initial platform to work from.

 Physical linkages have been provided to Oregon City High School and Clackamas Community College. These take the form of the planned 3-lane green street design for Beavercreek Road and the intersections and trails at Clairmont, Loder and Meyers Roads. The physical linkages are only the beginning – the City, School District and College need to work together to promote land uses on the east side of Beavercreek Road that truly create an institutional connection.

For additional information, see Existing Conditions, Opportunities and Constraints Reports, Technical Appendix C.



Figure 4 - Existing Conditions

Site Conditions and Buildable Lands

A portion of the study area (approximately 50 acres) is currently within the existing city limits and zoned Campus Industrial (CI). The study area's northern boundary is Thayer Road and the southern boundary is Old Acres Lane. Loder Road is the only existing road that runs through the project area.

Currently, the project area is largely undeveloped, which has allowed the site to retain its natural beauty. There are 448 gross acres in the project area, not including the right-of-way for Loder Road (approximately five acres). The existing land uses are primarily large-lot residential with agricultural and undeveloped rural lands occupying approximately 226 acres of the project area. The Oregon City Golf Club (OCGC) and private airport occupy the remaining 222 acres.

There are several large power line and natural gas utility easements within the project boundaries. These major utility easements crisscross the northern and central areas of the site. The utility easements comprise approximately 97 acres or 20% of the project area.

There are 51 total properties ranging in size from 0.25 acres to 63.2 acres. Many of these properties are under single ownership, resulting in only 42 unique property owner names (Source: Clackamas County Assessor). There are several existing homes and many of the properties have outbuildings such as, sheds, greenhouses, barns, etc., which result in 127 existing structures on the site (Source: Clackamas County Assessor).

A key step in the concept planning process is the development of a Buildable Lands Map. The Buildable Lands Map was the base map from which the concept plan alternatives and the final recommended plan were. "Buildable" lands, for the purpose of the Beavercreek Road Concept Plan, are defined as the gross site area minus wetlands, steep slopes, other Goal 5 resources, public utility easements, road rights-of-way, and committed properties (developed properties with an assessed improvement value



greater than \$350,000). Properties with an assessed improvement value of less than \$350,000 (based on County assessment data) are considered redevelopable over the long-term as the existing structures are converted to higher value uses. The OCGC has an improvement value over \$350,000, but has been included as buildable lands (minus the clubhouse) because the owners may wish to redevelop the property in coordination with the recommended concept plan over time. The private airport has also been included as buildable over the long-term, recognizing that the owners may choose to continue the airport's use for many years.

When land for power lines, the natural gas line, natural resources, and committed structures are removed the net draft buildable acreage is approximately 292 acres. The CAC reviewed the Preliminary Buildable Lands map and approved a three-tier system to define the buildable lands. Tier A or "Unconstrained" has approximately 292 acres, Tier B or "Low Impact Development Allowed with Review" has approximately 28 acres, and Tier C "Constrained" has approximately 131 acres. The "Low Impact" area was later further evaluated and recommended for conservation under a Environmentally Sensitive and Resource Area designation on the plan.

The Buildable Lands Map was reviewed at the July 20th and August 17th Citizen and Technical Advisory Committee (CAC/TAC) meetings, as well as at the August 24th, 2006 Open House. The draft buildable land boundaries and acreages shown in Figure 6 reflect the input received from the advisory committee members, property owners, and citizen input.

For additional information, see Existing Conditions, Opportunities and Constraints Reports, Technical Appendix C.

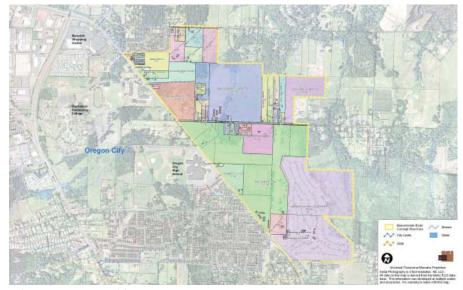


Figure 5 - Ownerships



Figure 6 - Natural Resource Inventory



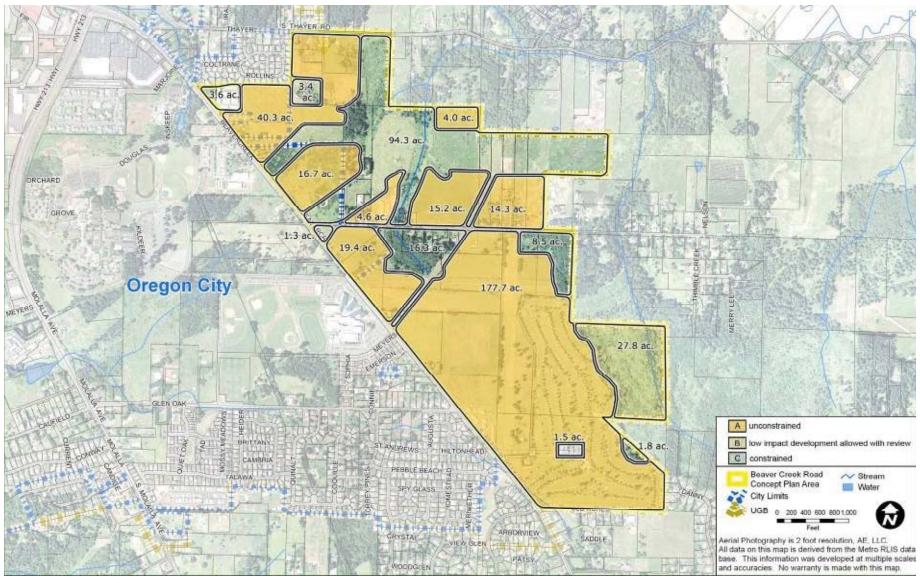


Figure 7 - Buildable Lands



Employment – A Key Issue

How much employment? What type? And where? These questions were extensively discussed during the development of the Concept Plan. Three perspectives emerged as part of the discussion:

Oregon City Perspective

Prior to initiating the Concept Plan process, the City adopted a comprehensive plan policy which emphasizes family wage employment on the site. The policy reads: "Require lands east of Clackamas Community College that are designated as Future Urban Holding to be the subject of concept plans, which is approved as an amendment to the Comprehensive Plan, [and will] guide zoning designations. The majority of these lands should be designated in a manner that encourages family-wage jobs in order to generate new jobs and move towards meeting the City's employment goals." Oregon City Comprehensive Plan, Policy 2.6.8.

Metro Perspective

Metro brought the majority of the concept plan area (245 gross acres) into the UGB in 2002 and 2004 to fulfill regional industrial employment needs. These areas (308 gross acres) are designated as the Industrial Design Type on Metro's 2040 Growth Concept Map. As part of its land need metrics reported to the region and state, Metro estimated 120 net acres of the Beavercreek Road Concept Plan's land would be used for employment uses. Metro representatives met with the Concept Plan CAC and emphasized: (1) it was important to Metro for the Concept Plan to fulfill their original intent for providing Industrial land; and, (2) that there was flexibility, from Metro's perspective, for the local process to evaluate creative ways to meet that intent.

Citizen Advisory Committee Perspective

The CAC discussed extensively the issues and options for employment lands. Many sources of information were consulted: a market analysis by ECONorthwest (See Appendix ___), a developer focus group, land inventory and expert testimony submitted by property owners, the Metro perspective cited above, and concerns of neighbors. The advice ranged from qualified optimism about long term employment growth to strong opposition based on shorter term market factors and location considerations. Some members of the CAC advocated for a jobs target (as opposed to an acreage target) to be the basis for employment planning.

At it's meeting on September 14th, 2006, the CAC developed a set of "bookends" for the project team to use while creating the plan alternatives.

- a. At least one plan alternative will be consistent with the Metro Regional Growth Concept.
- b. At least one plan alternative (may be the same as above) would be designed consistent with Policy 2.6.8.
- c. Other alternatives would have the freedom to vary from "a" and "b" above, but would also include employment.
- d. No alternative would have heavy industrial, regional warehousing or similar employment uses".

After evaluating alternatives, the CAC ultimately chose a hybrid employment strategy. The recommended Concept Plan includes: (1) about 127 net acres of land as North Employment Campus, which is consistent with Metro's intent and similar to Oregon City's Campus Industrial designation; (2) about 29 acres as Mixed Employment Village and Main Street, which allows a variety of uses in a village-oriented transit hub; and, (3) mixed use neighborhoods to the south that also provide for jobs tailored to their neighborhood setting.



V. Concept Plan Summary

The Framework Plan Approach

The Beavercreek Road Concept Plan is a framework for a new, urban community. The plan is comprised of generalized maps and policies that integrate land use, transportation, open space, and green infrastructure. The framework maps and policies are supported by detailed code and requirements for master planning and design review. The approach here is to set the broad framework and intent on the figures and text in this Plan. Detailed development plans demonstrating compliance with the Concept Plan are required in the implementing code.

The framework plan approach is intended to:

- Ensure the vision, goals and standards are requirements in all land use decisions
- Provide for flexibility in site specific design and implementation of the Plan and code
- Allow for phased development over a long period of time (20+ years)

Concept Plan Comprehensive Plan & Zoning Provides an integrated Amendments will focus on framework for: process for development · Open Space and Natural approvals. Resource Systems Comprehensive plan · Transportation Systems policies Land Use Map designations Infrastructure Master plan process and Includes analysis of and Master Plan/Detail Plan approval criteria Construction recommendations for: Uses and development/ Population design standards · Housing and Detailed plans for specific Construction of Jobs development areas. infrastructure, Provides analysis of commercial and specific site level systems residential structures, Details site specific open space systems, Vision Legislation sustainabilty measures and transportation Long-range vision intended Clear and objective standards Site-specific proposals for: improvements to guide growth and develthat development must abide by Land Use opment by identifying goals, **Building Types** policies, and principles. Design Circulation Infrastructure Implementation

The code describes many detailed requirements such as street connectivity, block configuration, pocket parks, building scale, pedestrian connections, low impact development features, tree preservation, and sustainable buildings. These design elements will be essential to the success of the area as a walkable, mixed use community. The expectation of this Plan is that the flexibility is coupled with a high standard for sustainable and pedestrian-oriented design.



Land Use Sub-Districts

Figure 8 illustrates the five land-use "subdistricts" of the concept plan area. Each has a specific focus of land use and intended relationship to its setting and the plan's transportation and open space systems. Each is briefly described below and illustrated on Figures 9 through 12.

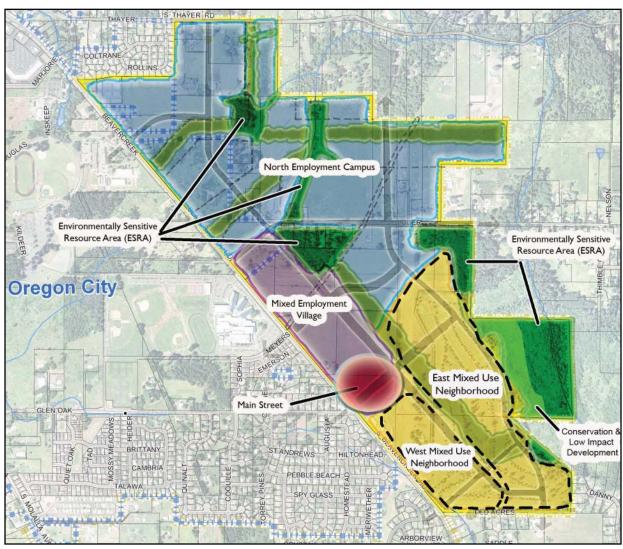


Figure 8 - Land Use Sub-districts



North Employment Campus - NEC

The purpose of the North Employment Campus is to provide for the location of family wage employment that strengthens and diversifies the economy. The NEC allows a mix of clean industries, offices serving industrial needs, light industrial uses, research and development and large corporate headquarters. The uses permitted are intended to improve the region's economic climate, promote sustainable and traded sector businesses, and protect the supply of sites for employment by limiting incompatible uses. The sub-district is intended to comply with Metro's

Title 4 regulations. Site and building design will create pedestrian-friendly areas and utilize cost effective green development practices. Business and program connections to Clackamas Community College (CCC) are encouraged to help establish a positive identity for the area and support synergistic activity between CCC and NEC properties. Businesses making sustainable products and utilizing sustainable materials and practices are encouraged to reinforce the identity of the area and promote the overall vision for the Beavercreek Road area.

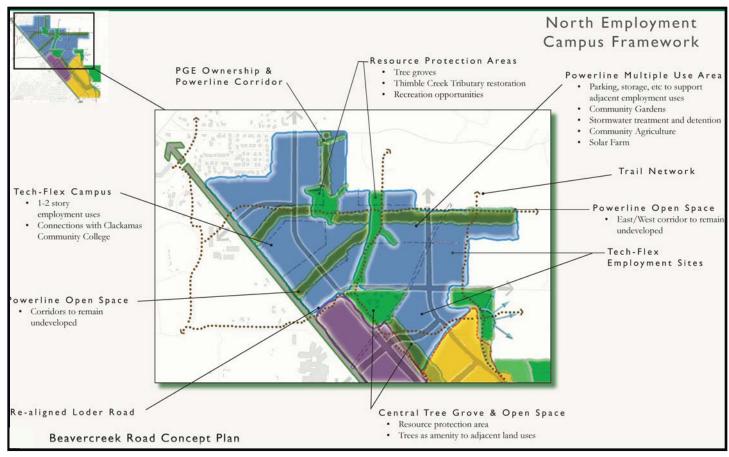


Figure 9 - North Employment Campus Framework



Mixed Employment Village – MEV

The purpose of the Mixed Employment Village is to provide employment opportunities in an urban, pedestrian friendly, and mixed use setting. The MEV is intended to be transit supportive in its use mix, density, and design so that transit remains an attractive and feasible option. The MEV allows a mix of retail, office, civic and residential uses that make up an active urban district and serve the daily needs of adjacent neighborhoods and Beavercreek Road sub-districts. Site and building design will create

pedestrian-friendly areas and utilize cost effective green development practices. Business and program connections to Clackamas Community College and Oregon City High School are encouraged. Businesses making sustainable products and utilizing sustainable materials and practices are encouraged to reinforce the identity of the area and promote the overall vision for the Beavercreek Road area.

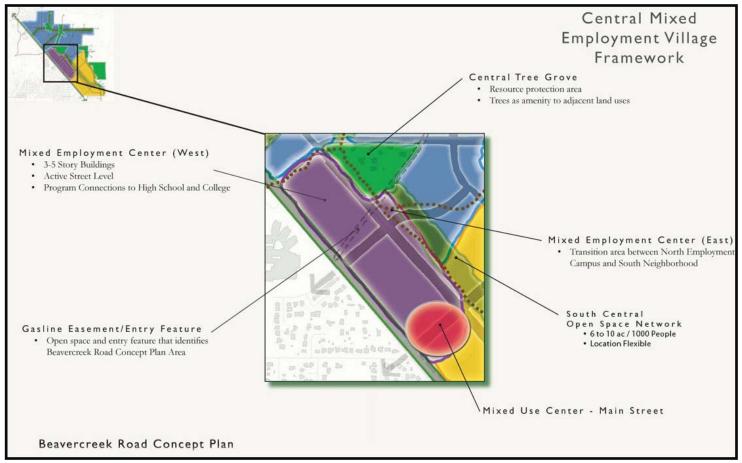


Figure 10 - Central Mixed Employment Village Framework



Main Street - MS

The purpose of this small mixed-use center is to provide a focal point of pedestrian activity. The MS allows small scale commercial, mixed use and services that serve the daily needs of the surrounding area. "Main Street" design will include buildings oriented to the street, an minimum of 2 story building scale, attractive streetscape, active ground floor uses and other elements that reinforce pedestrian oriented character and vitality of the area.

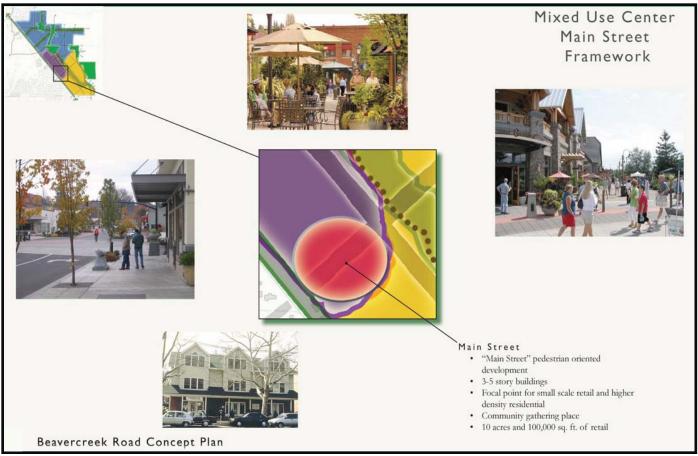


Figure 11 - Main Street Framework



West Mixed Use Neighborhood - WMU

The West Mixed Use Neighborhood will be a walkable, transit-oriented neighborhood. This area allows a transit supportive mix of housing, live/work units, mixed use buildings and limited commercial uses. A variety of housing and building forms is required, with the overall average of residential uses not exceeding 22 dwelling units per acre. The WMU area's uses, density and design will support the multi-modal transportation system and provide good access for pedestrians, bicycles, transit and vehicles. Site and building design will create a walkable area and utilize cost effective green development practices.

East Mixed Use Neighborhood - EMU

The East Mixed Use Neighborhood will be a walkable and tree-lined neighborhood with a variety of housing types. The EMU allows for a variety of housing types while maintaining a low density residential average not exceeding densities permitted in the R-5 zone. Limited non-residential uses are permitted to encourage a unique identity, sustainable community, and in-home work options. The neighborhood's design will celebrate open space, trees, and relationships to public open spaces. The central open space, ridge open space scenic viewpoints, and a linked system of open spaces and trails are key features of the EMU. Residential developments will provide housing for a range of income levels, sustainable building design, and green development practices.

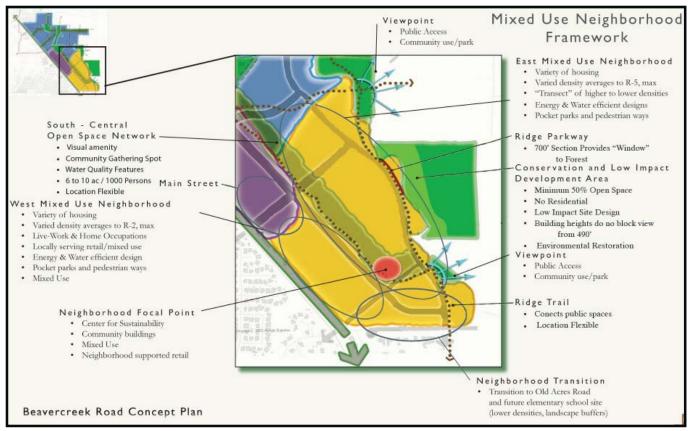


Figure 12 - West and East Mixed Use Neighborhoods



Open Space

The Open Space Framework illustrated on Figure 13 provides a network of green spaces intended to provide:

- A connected system of parks, open spaces and natural areas that link together and link to the Environmentally Sensitive Resource Areas.
- Scenic and open space amenities and community gathering places
- Access to nature
- Tree and natural area preservation
- Locations where storm water and water quality facilities can be combined with open space amenities, and opportunities to implement sustainable development and infrastructure
- Green spaces near the system of trails and pedestrian connections
- Open spaces which complement buildings and the urban, built environment

Power Line Open Spaces

The power line corridors and gas line corridor comprise 97 acres of land. The power line corridors north of Loder Road are a dominant feature. They are a dominant feature because they define open corridors and have a significant visual impact related to the towers. They also have a influence on the pattern of land use and transportation connections. In response to these conditions, the Concept Plan includes four main strategies for the use of the power line corridors:

- Provide publicly accessible open spaces. The implementing code includes a minimum 100 foot-wide open space and public access easement would be required at the time of development reviews, or, obtained through cooperative agreements with the utilities and property owners.
- Provide trails. A new east-west trail is shown on Figure 13 that follows the main east-west corridor. This corridor has outstanding views of Mt. Hood.

- Allow a broad array of uses. Ideas generated by the CAC, and permitted by the code, include: community gardens, urban agriculture, environmental science uses by CCC, storage and other "non-building" uses by adjacent industries, storm water and water quality features, plant nurseries, and solar farms.
- Link to the broader open space network. The power line corridors are linked to the open spaces and trail network in the central and southern areas of the plan.

South-Central Open Space Network

Park spaces in the central and southern areas of the plan will be important to the livability and sustainability goals for the plan. The basic concept is to assure parks are provided, provide certainty for the total park acreage, guide park planning to integrate with other elements, and provide flexibility for the design and distribution of parks.

The following provisions will apply during master planning and other land use reviews:

- Park space will be provided consistent with the City's Park and Recreation Master Plan standard of 6 to 10 acres per 1000 population.
- The required acreage may be proposed to be distributed to a multiple park spaces, consistent with proposed land uses and master plan design.
- A central park will be provided. The location and linearity of the park was first indicated by Metro's Goal 5 mapping. It was illustrated by several citizen groups during the design workshop held in October, 2006. This open space feature is intended as a connected, continuous and central green space that links the districts and neighborhoods south of Loder Road. The code provides for flexibility in its width and shape, provided there remains a clearly identifiable and continuous open space. It may be designed as a series of smaller spaces that are clearly connected by open space. It may be designed



as a series of smaller spaces that are clearly connected by open space. If buildings are incorporated as part of the central park, they must include primary uses which are open to the public. Civic buildings are encouraged adjacent to the central park. Streets may cross the park as needed. The park is an opportunity to locate and design low impact storm water facilities as an amenity for adjacent urban uses.

East Ridge

The East Ridge is a beautiful edge to the site that should be planned as a publicly accessible amenity and protected resource area. The natural resource inventory identified important resources and opportunities for habitat restoration in the riparian areas of Thimble Creek. In addition, Lidar mapping and slope analysis identified steeper slopes (greater than 15%) that are more difficult to develop than adjacent flat areas of the concept plan. The sanitary sewer analysis noted that lower areas on the east

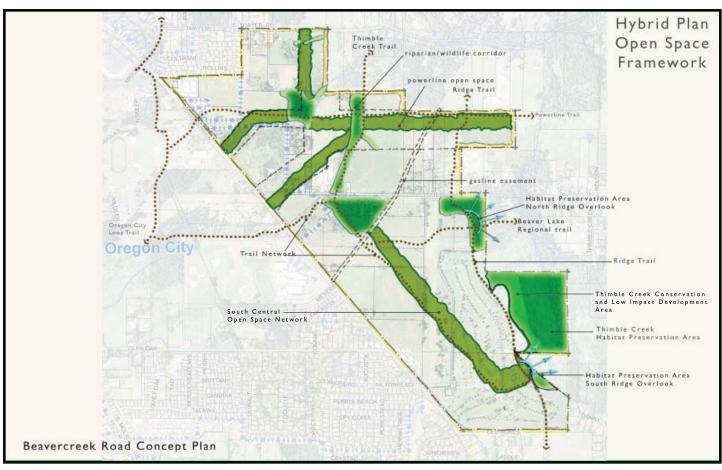
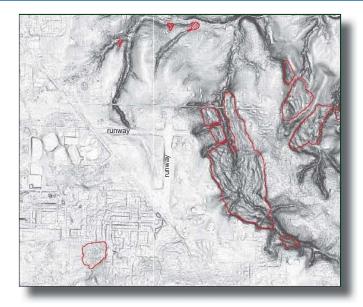


Figure 13 - Open Space Framework





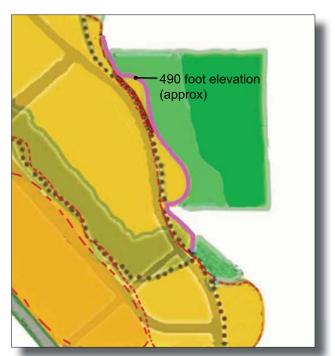


Figure 13A - East Ridge Lidar and 490 foot elevation

ridge could not be readily served with gravity systems - they would require private pump facilities. For all of these reasons, it is recommended here that an East Ridge open space and conservation area be designated.

The plan and code call for:

- Establishing the Class I and II Riparian area (per Metro mapping) plus 200 feet as a protected open space area. No development is permitted, except for very limited uses such as trails.
- Between the west edge of the above referenced protected open space area and the 490 foot elevation (MSL), establish a conservation area within which the following provisions apply:
 - a. A minimum of 50% of the conservation area must be open space. No residential uses are permitted.
 - b. All development must be low impact with respect to grading, site design, storm water management, energy management, and habitat.
 - c. Building heights must not obscure views from the 490 foot elevation of the ridge.
 - d. Open space areas must be environmentally improved and restored.
- Establishing a limit of development that demarks the clear edge of urban uses and a "window" to adjacent natural areas. In the central area of the est ridge, the "window" must be a minimum of 700 feet of continuous area and publicly accessible. The specific location of the "window" is flexible and will be establishing as part of a master plan.
- Creating two scenic view points that are small public parks, located north and south of the central area.
- Creating an East Ridge Trail the location of the trail is flexible and will be established during master planning. It will be located so as to be safe, visible, and connect the public areas along the ridge. Along the "window" area described above, it will be coordinated with the location of the adjacent East Ridge Parkway.



Transportation

In summary, the key elements of the Concept Plan transportation strategy are to:

- Plan a mixed use community that provides viable options for internal trip making (i.e. many daily needs provided on-site), transit use, maximized walking and biking, and re-routed trips within the Oregon City area.
- Improve Beavercreek Road as a green street boulevard.
- Create a framework of collector streets that serve the Beavercreek Road Concept Plan area.
- Require local street and pedestrian way connectivity.
- Require a multimodal network of facilities that connect the Beavercreek Road Concept Plan area with adjacent areas and surrounding transportation facilities.
- Provide an interconnected street system of trails and bikeways.
- Provide transit-attractive destinations.
- Provide a logical network of roadways that support the extension of transit services into the Beavercreek Road Concept Plan area.
- Use green street designs throughout the plan.
- Update the Oregon City Transportation System Plan to include the projects identified in the Beavercreek Road Concept Plan, provide necessary off-site improvements, and, assure continued compliance with Oregon's Transportation Planning Rule.

Streets

Figure 14 illustrates the street plan. Highlights of the plan include:

• Beavercreek as a green boulevard. The cross-section will be a 5 lane arterial to Clairmont, then a 3 lane arterial (green street boulevard) from Clairmont to UGB. The signalization of key intersections is illustrated on the Street Plan.

- Center Parkway as a parallel route to Beavercreek Road. This new north-south route provides the opportunity to completely avoid use of Beavercreek Road for trips between Old Acres and Thayer Road. This provides a much-needed separation of local and through trips, as well as an attractive east-side walking and biking route. Major cross-street intersections, such as Loder, Meyers and Glen Oak may be treated with roundabouts or other treatments to help manage average speeds on this street. Minor intersections are likely to be stop-controlled on the side street approaches. The alignment of Center Parkway along the central open space is intended to provide an open edge to the park. The cross-section for Center Parkway includes a multi-use path on the east side and green street swale. Center Parkway is illustrated as a three-lane facility. Depending on land uses and block configurations, it may be able to function well with a two lane section and left turn pockets at selected locations.
- Ridge Parkway as a parallel route to Center Parkway and Beavercreek Road. The section of Ridge Parkway south of the Glen Oak extension is intended as the green edge of the neighborhood. This will provide a community "window" and public walkway adjacent to the undeveloped natural areas east of the parkway. Ridge Parkway should be two lanes except where left turn pockets are needed. Major intersections south of Loder are likely to only require stop control of the side street, if configured as "tee" intersections. Mini roundabouts could serve as a suitable option, particularly if a fourth leg is added.
- Ridge Parkway. Ridge Parkway was chosen to extend as the through-connection south of the planning area to Henrici Road. Center Parkway and Ridge Parkway are both recommended for extension to the north as long-term consideration for Oregon City and Clackamas County during the update of respective Transportation System Plans. It is beyond the scope of this study to identify and determine each route and the feasibility of such extensions. Fatal flaws to one or both may be discovered during subsequent planning. Nonetheless, it is prudent at this level of study, in this area of the community, to identify opportunities to efficiently and systematically expand the transportation system to meet existing and future needs.



- Extensions of Clairmont, Meyers, Glen Oak Roads and the south entrance through to the Ridge Parkway. These connections help complete the network and tie all parts of the community to adjacent streets and neighborhoods.
- Realignment of Loder Road at its west end. Loder is recommended for reconfiguration to create a safer "T" intersection. The specific location of the intersection is conceptual and subject to more site specific planning.

The streets of the Concept Plan area are recommended to be green streets. This is an integral part of the storm water plan and overall identity and vision planned for the area. The green street cross-sections utilize a combination of designs: vegetated swales, planter islands, curb extensions, and porous pavement. Figures 15 – 19 illustrate the recommended green street cross-sections. These are intended as a starting point for more detailed design.

Trails

Figure 14 also illustrates the trail network. The City's existing Thimble Creek Trail and Metro's Beaver Lake Regional Trail have been incorporated into the plan. New trails include the Powerline Corridor Trail, multi-use path along Center Parkway, and the Ridge Trail.

Transit

The Concept Plan sets the stage for future transit, recognizing that how that service is delivered will play out over time. Specifics of transit service will depend on the actual rate and type of development built, Tri-Met resources and policies, and, consideration of local options. Three options have been identified:

- 1. A route modification is made to existing bus service to Clackamas Community College (CCC) that extends the route through CCC to Beavercreek Road via Clairmont, then south to Meyers or Glen Oak, back to HWY 213, and back onto Molalla to complete the normal route down to the Oregon City Transit Center. To date, CCC has identified Meyers Road as a future transit connection to the college.
- 2. A new local loop route that connects to the CCC transit center and serves the Beavercreek Road Concept Planning area, the High School, the residential areas between Beavercreek and HWY 213, and the residential areas west of HWY 213 (south of Warner Milne).
- 3. A new "express" route is created from the Oregon City Transit Center, up/down HWY 213 to major destinations (CCC, the Beavercreek Road Employment area, Red Soils, Hilltop Shopping Center, etc.).

It is the recommendation of this Plan that the transit-oriented (and Use mix), density, and design of the Beavercreek Road area be implemented so that transit remains a viable option over the long term. The City should work with Tri-Met, CCC, Oregon City High School, and developers within the Concept Plan area to facilitate transit.



Connectivity

The street network described above will be supplemented by a connected local street network. Consistent with the framework plan approach, connectivity is required by policy and by the standards in the code. The specific design for the local street system is flexible and subject to master plan and design review. Figure 20 illustrates different ways to organize the street and pedestrian systems. These are just three examples, and are not intended to suggest additional access to Beavercreek Road beyond what is recommended in Figure 14. The Plan supports innovative ways to configure the streets that are consistent with the goals and vision for the Beavercreek Concept Plan area.

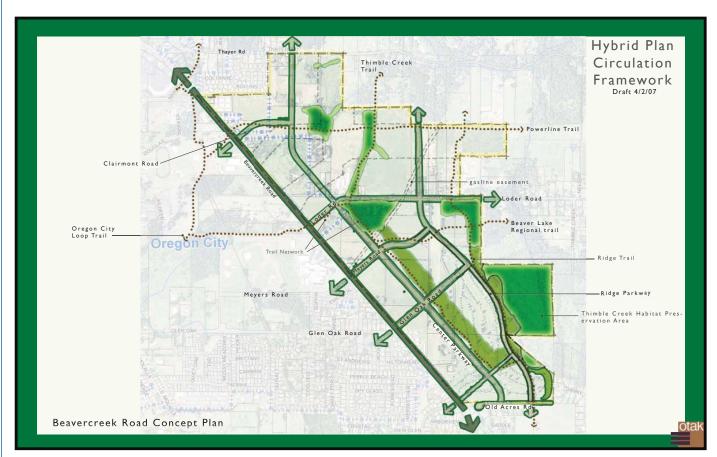


Figure 14 - Circulation Framework



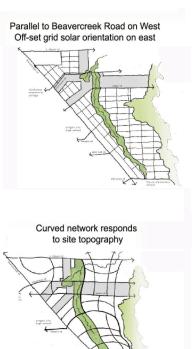


Figure 20 - Connectivity Diagrams

Conceptual only - See Figure 14 for recommended access points to Beavercreek Road.



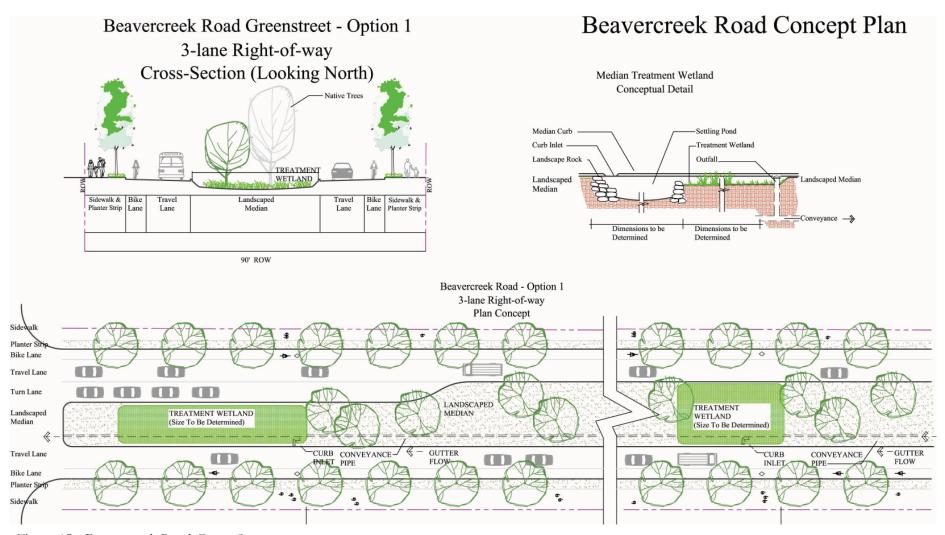


Figure 15 - Beavercreek Road Green Street



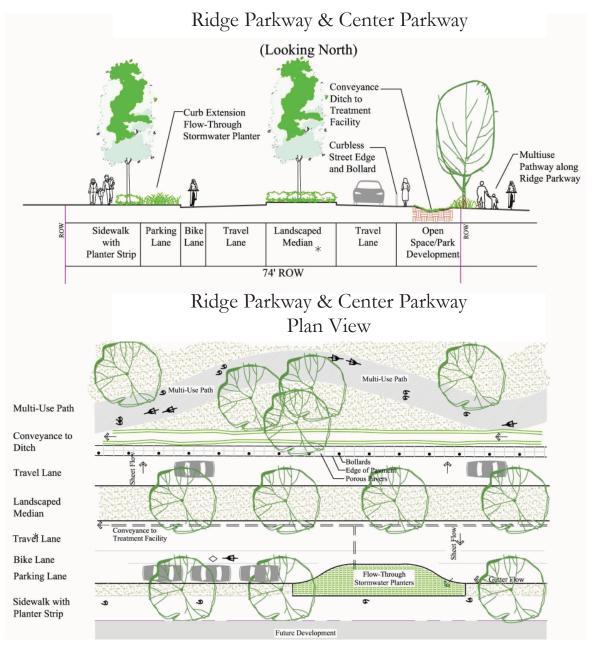


Figure 16 - Ridge Parkway and Central Parkway Green Streets

*Center median is optional for Ridge Parkway.



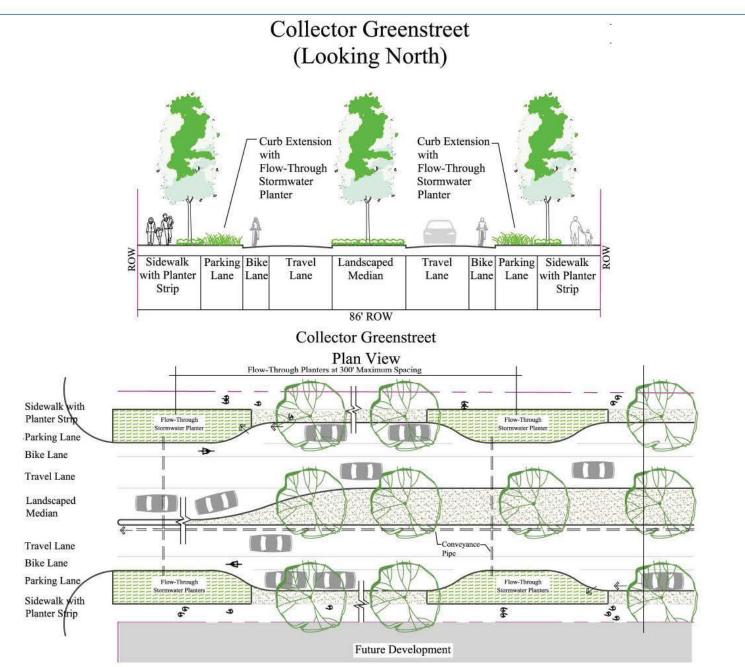
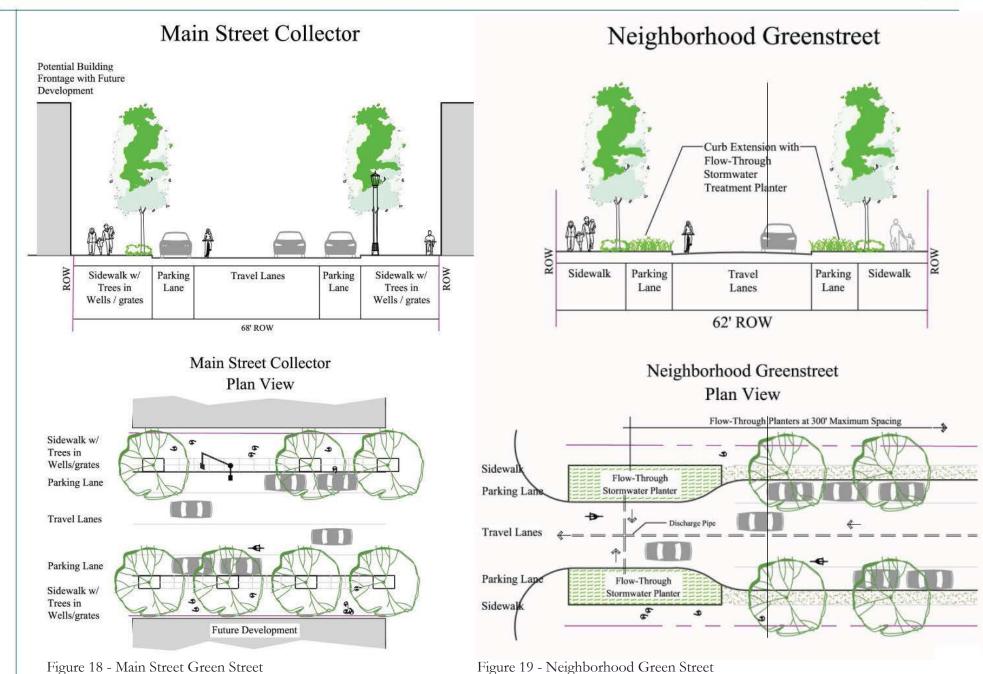


Figure 17 - Collector Green Street





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Cost Estimate

A planning-level cost estimate analysis was conducted in order to approximate the amount of funding that will be needed to construct the needed improvements to the local roadway system, with the build-out of the Beavercreek Road Concept Plan. The table below lists these improvements and their estimated costs. These generalized cost estimates include assumptions for right-of-way, design, and construction.

For additional information, please see Technical Appendix, Sections C2 and G.

Roadway Improvements	Improvement	Estimated Cost		
Beavercreek Road: Marjorie Lane to Clairmont Drive	Construct 5-lane cross-section to City standards	\$6,300,000		
Beavercreek Road: Clairmont Drive to Henrici Road	Construct 3-lane cross-section to City standards	\$12,300,000		
Clairmont Drive: Beavercreek Road – Center Parkway	Construct new 3-lane collector to City standards and modify signal at Beavercreek Road	\$2,400,000		
Loder Road: Beavercreek Road to Center Parkway	Construct 3-lane cross-section to City standards and signalize Beavercreek Road intersection	\$1,400,000		
Loder Road: Center Parkway – East Site Boundary	Construct 3-lane cross-section to City standards	\$4,200,000		
Meyers Road: Beavercreek Road – Ridge Parkway	Construct new 3-lane collector to City standards and modify signal at Beavercreek Road	\$3,500,000		
Glean Oak Road: Beavercreek Road – Ridge Parkway	Construct new 3-lane collector to City standards and modify signal at Beavercreek Road	\$3,400,000		
Center Parkway	Construct new 3-lane collector with 12' multi-use path	\$17,700,000		
Ridge Parkway	Construct new 3-lane collector	\$9,800,000		
Total Roadway Improvements		\$61,000,000		
Intersection Only Improvements	Improvement	Estimated Cost		
Beavercreek Road/Maplelane	Road Construct new WB right-turn lane	\$250,000		
Beavercreek Road/ Meyers Road	Construct new NB and SB through lanes	\$5,000,000		
Total Intersection Improvements		\$5,250,000		
TOTAL IMPROVEMENTS		\$66,250,000		

Transportation Cost Estimate





Figure 21 - Sustainable Stormwater Plan



Storm Water and Water Quality

This Beavercreek Road stormwater infrastructure plan embraces the application of low-impact development practices that mimic natural hydrologic processes and minimize impacts to existing natural resources. It outlines and describes a stormwater hierarchy focused on managing stormwater in a naturalistic manner at three separate scales: site, street, and neighborhood.

Tier 1 – Site Specific Stormwater Management Facilities (Site)

All property within the study area will have to utilize on-site best management practices (BMPs) to reduce the transport of pollutants from their site. Non-structural BMPs, such as source control (e.g. using less water) are the best at eliminating pollution. Low-impact structural BMPs such as rain gardens, vegetated swales, pervious surface treatments, etc. can be designed to treat stormwater runoff and reduce the quantity (flow and volume) by encouraging retention/infiltration. They can also provide beneficial habitat for wildlife and aesthetic enhancements to a neighborhood. These low-impact BMP's are preferred over other structural solutions such as underground tanks and filtration systems. Most of these facilities will be privately maintained.

Tier 2 – Green Street Stormwater Management Facilities (Street)

Green Streets are recommended for the entire Beavercreek Concept Plan area. The recommended green street design in Figures 15 - 19 use a combination of vegetated swales or bioretention facilities adjacent to the street with curb cuts that allow runoff to enter. Bioretention facilities confined within a container are recommended in higher density locations where space is limited or is needed for other urban design features, such as on-street parking or wide sidewalks. The majority of the site is underlain with silt loam and silty clay loam. Both soils are categorized as Hydrologic Soil Group C and have relatively slow infiltration rates.

The recommended green streets will operate as a collection and conveyance system to transport stormwater from both private property and streets to regional stormwater facilities. The conveyance facilities need to be capable of managing large storm events that exceed the capacity of the swales. For this reason, the storm water plan's conveyance system is a combination of open channels, pipes, and culverts. Open channels should be used wherever feasible to increase the opportunity for stormwater to infiltrate and reduce the need for piped conveyance.

Tier 3 – Regional Stormwater Management Facilities (Neighborhood)

Regional stormwater management facilities are recommended to manage stormwater from larger storms that pass through the Tier 1 and Tier 2 facilities. Figure 21 illustrates seven regional detention pond locations. Coordinating the use of these for multiple properties will require land owner cooperation during development reviews, and/or, City initiative in advance of development.

The regional facilities should be incorporated into the open space areas wherever possible to reduce land costs, and reduce impacts to the buildable land area. Regional stormwater facilities should be designed to blend with the other uses of the open space area, and can be designed as a water feature that offers educational or recreational opportunities. Stormwater runoff should be considered as a resource, rather than a waste stream. The collection and conveyance of stormwater runoff to regional facilities can offer an opportunity to collect the water for re-use.



Discharge Locations

Post-development stormwater runoff rates from the Beavercreek Road Concept Plan Area will need to match pre-development rates at the existing discharge locations, per City Stormwater Design Standards. Since there are several small discharge locations to Thimble Creek, flow control facilities may not be feasible at all discharge locations. In this situation, over-detention is needed at some discharge locations to compensate for the undetained areas so that flows in Thimble Creek at the downstream point of compliance meet City Stormwater Design Standards for flow control.

The stormwater infrastructure for the Beavercreek Road Concept Plan Area is estimated to cost between \$7.8 million and \$9.4 million for base construction. When construction contingencies, soft costs (engineering, permitting, construction management), and land acquisition, the total cost is estimated at \$15 to \$23 million.

Water The pr

The proposed water infrastructure plan creates a network of water supply pipelines as the "backbone" system. In addition, as individual parcels are developed, a local service network of water mains will be needed to serve individual lots.

Since there are two pressure zones in the concept plan area, there will need to be a network of pipes for each of the two zones. These systems are illustrated on Figure 22. The Fairway Downs Pressure Zone will serve the south one-third of the concept plan area. This zone receives water from

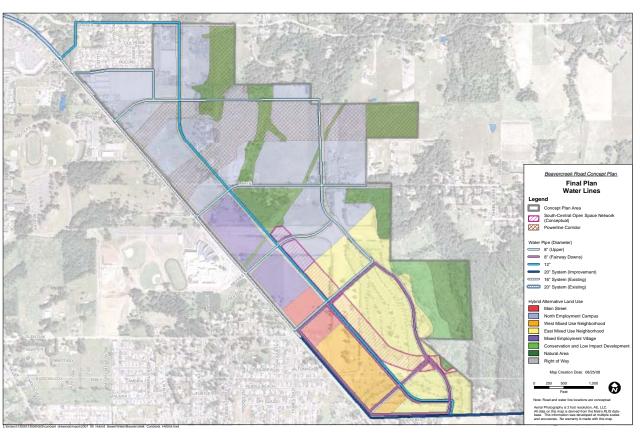


Figure 22 - Water Plan

the system reservoirs. But, because this zone is at the highest elevation in the entire water system, pressure from the reservoir system is insufficient to maintain a usable pressure to customers in this part of the system. The water pressure is increased by using a booster pump station located at the intersection of Glen Oak Road and Beavercreek Road.



In the Fairway Downs Pressure Zone, the majority of the water mains will be installed in the proposed public rights-of-way. However, a small portion of the system may need to be in strip easements along the perimeter of the zone at the far southeast corner of the concept plan area. The system layout shown is preliminary and largely dependent on future development and the final system of internal (local) streets. Additional mains may be needed or some of the water mains shown may need to be removed. For instance, if the development of the residential area located at the southeast end of the site, adjacent to Old Acres Road, includes internal streets, the water mains shown along the perimeter of the site may be deleted because service will be provided from pipes that will be installed in the internal street system.

Some of the planned streets in the Fairway Downs Pressure Zone will contain two water mains. One water main will provide direct water service to the area from the booster pump system. The other water main will carry water to the lower elevation areas in the Upper Pressure Zone.

The Upper Pressure Zone will serve the north two-thirds of the concept plan area. The "backbone" network for the Upper Pressure Zone will have water mains that are pressured from the Henrici and Boynton reservoirs. A single 12-inch water main will run parallel with Beavercreek Road through the middle of concept plan area. This water conduit will serve as the "spine" for the Upper Pressure Zone. A network of 8-inch water pipes will be located in the public rights-of-way and will provide water to the parcels that are identified for development. The system can be extended easterly on Loder Road, if needed.

The preliminary design ensures that the system is looped so that there are no dead-end pipes in the system. Along a portion of the north perimeter, approximately 1,600 feet of water pipe will be needed to complete a system loop and provide water service to adjacent lots. This pipe will share

a utility easement with a gravity sanitary sewer and a pressure sewer. There may also be stormwater facilities in this same alignment.

In the Water Master Plan, under pipeline project P-201, there is a system connection in a strip easement between Thayer Road and Beavercreek Road at the intersection with Marjorie Lane. Consideration should be given to routing this connection along Thayer Road to Maplelane Road and then onto Beavercreek Road. This will keep this proposed 12-inch main in the public street area where it can be better accessed.

The estimated total capital cost for the "backbone" network within the concept plan area will be in the area of \$5,400,000. This estimate is based the one derived for Alternative D, which for concept planning purposes, is representative of the plan and costs for the final Concept Plan. This is in addition to the \$6.9 million of programmed capital improvement projects that will extend the water system to the concept plan area. All estimates are based on year 2003 dollars. Before the SDC can be established, the estimates will need to be adjusted for the actual programmed year of construction.

For additional information, please see Technical Appendix, Sections C6 and H3.



Sanitary Sewer

The northern half of the concept area drains generally to the north and follows the natural land contours formed by the uppermost portion of Thimble Creek. The proposed sanitary sewer system in the vicinity of Loder Road will follow the north-south street rights-of-way. This part of the system will terminate at the low point of the concept plan area in a wetwell. A sanitary lift station over the wetwell will pump the wastewater uphill in a westerly direction to a point that it can be discharged into a gravity sewer that will flow west to the trunk sewer in Beavercreek Road. The lift station and pressure sewer project has been identified in the Sanitary Sewer Master Plan as projects BC-COL-5 and 6. A utility bridge that will carry the pressure pipe and gravity sewer pipe over Thimble

Creek is anticipated. A short road access to the pump station that is parallel to Thimble Creek will also be

needed.

The majority of the southern half of the concept area will have a gravity sanitary sewer system that will convey waste water to the existing 2,400-foot long trunk sewer in Beavercreek Road, which currently extends from Highway 213 to approximately 800 feet south of Marjorie Lane. This portion of the system can be built in the planned roadways and in the existing Beavercreek Road right-of-way. This portion of the system can be built in the planned roadways. A portion of the system, approximately 900 feet long, will need to be built in the current alignment of Loder Road so that the gravity sewer can be connected to the trunk sewer in Beavercreek Road. The circulation plan includes a realignment of Loder Road. Therefore, a sewer easement will need to be retained across the future parcel that now includes the current Loder Road alignment.

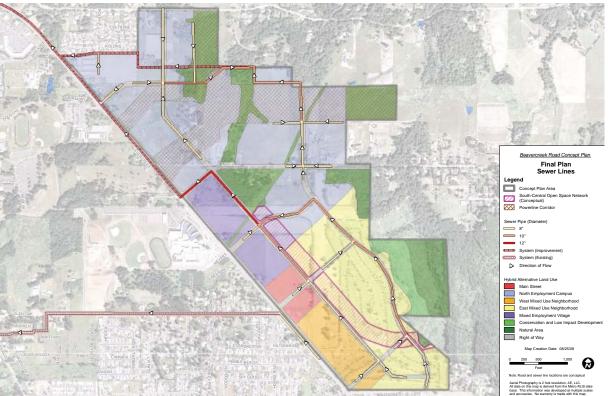


Figure 23 - Sewer Plan

The approximate elevation of 490 ft (MSL) is important in the southern half of the concept plan area relative to gravity sewer service. Roadways and development constructed above 490 ft will most likely allow for gravity sewer service. If land uses requiring sanitary sewer service (or roadways with sewer underneath) are located lower than 490 ft, individual pump stations and pressurized services may be required.



The estimated total capital cost will be in the vicinity of \$4,400,000. This estimate is based on the cost analysis for Alternative D, which is comparable. This is in addition to the \$2.3 million in sanitary sewer master plan capital costs that needed to bring the sanitary sewers to the concept plan area. These estimates are based on year 2003 dollars. The estimates will need to be adjusted for the programmed year of construction.

For additional information, please see Technical Appendix, Sections C6 and H2.

Funding strategies

For water, sewer, storm water and parks, there are five primary funding sources and strategies that can be used:

- System development charges (SDCs)— Oregon City requires developers to pay SDCs for new development. Developers pay these charges up front based on the predicted impact of the new development on the existing infrastructure and the requirements it creates for new improvements. Although the charges are paid by the developer, the developer may pass on some of these costs to buyers of newly developed property. Thus, SDCs allocate costs of development to the developer and buyers of the new homes or new commercial or industrial buildings.
- Urban renewal/tax increment financing Tax increment financing is the primary funding vehicle used within urban renewal areas (URA). The tax increment revenue is generated within a URA when a designated area is established and the normal property taxes within that area are 'frozen' (often called the frozen base). Any new taxes generated within that area through either property appreciation or new investment becomes the increment. Taxing jurisdictions continue to collect income from the frozen base but agree to release assessed value above the base to the URA. The URA then can issue bonds to pay for identified public improvements. The tax increment is used to pay off the bonds.

Oregon City has the authority to establish an URA. The Beavercreek Road Concept Plan Area would have to meet the definition of 'blight' as defined in ORS 457. It is likely to meet 'blight' standards because its existing ratios of improvement-to-land values are likely low enough to meet that standard.

• Local Improvement Districts - Local Improvement Districts (LIDs) are formed for the purpose of assessing local property owners an amount sufficient to pay for a project deemed to be of local benefit. LIDs are a specific type of special assessment district, which more broadly includes any district that is formed within an existing taxing district to assess specific property owners for some service that is not available throughout the larger district. The revenues from the LID assessments are used to pay the debt payments on a special assessment bond or a note payable issued for the capital improvements.

LID assessments increase costs for property owners. Under a LID the improvements must increase the value of the taxed properties by more than the properties are taxed. LIDs are typically used to fund improvements that primarily benefit residents and property owners within the LID.

• Bonds - Bonds provide a financing mechanism for local governments to raise millions of dollars for parks and other capital projects. The City could back a bond with revenue from a LID, the Urban Renewal Districts, or property taxes citywide. General obligation (GO) bonds issued by local governments are secured by a pledge of the issuer's power to levy real and personal property taxes. Property taxes necessary to repay GO bonds are not subject to limitation imposed by recent property tax initiatives. Oregon law requires GO bonds to be authorized by popular vote.

Bond levies are used to pay principal and interest for voter-approved bonded debt for capital improvements. Bond levies typically are approved in terms of dollars, and the tax rate is calculated as the total levy divided by the assessed value in the district.

Developer funded infrastructure – The City conditions land use approvals and permits to include required infrastructure. Beyond



the sources cited above, developers cover the remaining costs for the infrastructure required for their development.

Additional funding tools that could be investigated and implemented within the Concept Plan area include a Road District, a County Service District, Intergovernmental Agreements, an Advance Finance District, a Certificate of Participation, and a Utility Fee. There are benefits and limitations associated with each of the funding options that should be reviewed carefully before implementing.

For transportation infrastructure, the same sources as cited above are available. For larger facilities, such as Beavercreek Road, additional funds may be available. They include Metro-administered federal STP and CMAQ funding, and, regional Metro Transportation Improvement Plan funding. These sources are limited and extremely competitive. County funding via County SCSs should also be considered a potential source for Beavercreek Road. Facilities like Beavercreek Road are often funded with a combination of sources, where one source leverages the availability of another.

Sustainability

One of the adopted goals is: The Beavercreek Road Concept Plan Area will be a model of sustainable design, development practices, planning, and innovative thinking.

Throughout the development of the concept plan, sustainability has been paramount in guiding the CAC, the City, and the consultant team. The final plan assumes that sustainable practices will be a combination of private initiatives (such as LEED certified buildings), public requirements (green streets and low impact development policies), and public-private partnerships. It is recommended that City use incentives, education and policy support as much as possible for promoting sustainability at Beavercreek Road. Some initiatives will require regulation and City mandates, but caution and balance should be used. At the end of the

day, it is up to the private sector to invest in sustainable development. The Beavercreek Road's site's legacy as a model of sustainable design will depend, in large part on the built projects that are successful in the marketplace and help generate the type of reputation that the community desires and deserves.

The key to fulfilling the above-listed goal will be in the implementation. For the City's part, implementation strategies that support sustainable design will be included within the Oregon City Comprehensive Plan policies and Code provisions. They will be applied during master plan and design review permitting. Some of these strategies will be "required" while other are appropriate to "encourage." These sustainability strategies include:

- Energy efficiency
- Water conservation
- Compact development
- Solar orientation
- Green streets/infrastructure
- Adaptive reuse of existing buildings/infrastructure
- Alternative transportation
- Pedestrian/Cyclist friendly developments
- Natural drainage systems
- Tree preservation and planting to "re-establish" a tree canopy
- Minimizing impervious surfaces
- Sustainability education (builder, residents, businesses and visitors)
- Collaboration with "local" institutional and economic partners, particularly Clackamas Community College and Oregon City High School
- Community-based sustainable programs and activities



Principles for Sustainable Community Design

The CAC discussed Principles for Sustainable Community Design that were offered by one of the members. These provide a good framework for how the Concept Plan is addressing sustainability.

Mix Land Uses - Promote a mix of land uses that support living wage jobs and a variety of services.

All of the sub-districts are, to some degree, mixed use districts. The Mixed Use Village, Main Street and West Mixed Use Neighborhood allow a rich mix of employment, housing, and services. Taken together, the entire 453 acre area will be a complete community.

Housing Types - Create a range of housing choices for all ages and incomes.

The concept plan includes housing in many forms: mixed use formats in the 3-5 story buildings, high density apartments and condominiums, livework units, townhomes, small cottage lots, and low density single family homes.

Walk-ability - Make the Neighborhood "walkable" and make services "walk-to-able."

The plan provides a street and trail framework. The code will require a high level of connectivity and maximum block sizes for most subdistricts. Services are provided throughout the plan as part of mixed use areas and a broad range of permitted uses.

Transportation - Provide a range of transportation options using a connected network of streets and paths.

The plan provides for all modes: walking, biking, driving and transit. Transit-supportive land use is specifically required in the Mixed Employment Village, Main Street and West Mixed Use Neighborhoods. The framework of connected streets and paths will be supplemented by a

further-connected system of local streets and walking routes.

Open Space - Protect and maintain a functioning green space network for a variety of uses.

Open space is distributed throughout the plan. New green spaces are connected with existing higher-value natural areas.

Integrate Systems - Integrate ecological and man-made systems to maximize function, efficiency and health.

Infrastructure systems (green storm water, multi-modal transportation) are highly integrated with the open space network and array of land uses. It will be important for the implementation of the plan to further integrate heating, cooling, irrigation and other man-made systems with the Concept Plan framework.

Ecological Health - Manage natural resources to eliminate pollution to watersheds and lesson impact on habitat and green infrastructure.

Methods to achieve this principle are identified in the Stormwater Infrastructure Report. Additionally, the code requires measures to preserve natural resources and eliminate pollution to watersheds necessary to achieve this principle.

Reuse, Recycle, Regenerate - Reuse existing resources, regenerate existing development areas.

The principle will be applied primarily at time of development and beyond.



Green Buildings - Build compact, innovative structures that use less energy and materials.

The draft code includes provisions for green buildings. This is a new area for the City to regulate, so a public-private Green Building Work Group is recommend to explore issues, build consensus, and develop specific code recommendations.

Work Together - Work with community members and neighbors to design and develop.

The development of the alternatives and the recommended plan has been a collaborative process with all project partners. The concept plan process through implementation and subsequent project area developments will continue to be a collaborative process where all stakeholders are invited to participate.

For additional information, please see Technical Appendix, Sections C3, D, and F.



Metrics

Land Use

The following table summarizes the acreages for major land uses on the Concept Plan.

Land Use Category (acres)	<u>Hybrid</u>		
North Employment Campus (adjusted gross acreage)*	149		
Mixed Employment Village	26		
Main Street	10		
West Mixed Use Neighborhood	22		
East Mixed Use Neighborhood	77		
Total Acres of "built" land use	284		
Other Land Uses (not "built")			
Parks/Open Space/Natural Areas (Total)**	113		
Major ROW+	56		
Existing Uses (unbuildable)	0		
Total Project Area Gross Acres	453		

*Adjusted gross acreage is the sum of 50% of the employment land use shown under the powerline easement plus all other unconstrained employment land use areas. Calculations shown below:

Land Use Category (acres)	Hybrid	
Total North Employment Campus	175	
Unconstrained NEC	123	
Employment with powerline overlay	52	
Useable portion of powerline overlay (50%)	26	
North Employment Campus (adjusted gross		
acreage)*	149	



Housing and Employment Estimates

The Concept Plan has an estimated capacity for approximately 5000 jobs and 1000 dwellings. The following table displays the estimates and assumptions used to estimate jobs and housing. On a net acreage, these averages are 33 jobs/ net developable acre and 10.3 dwellings/ net developable acre.

	<u>Hybrid</u> Gross	<u>Hybrid</u> <u>Net</u>				Avg.	
Land Use Category	Acres	Acres*	FAR/Acre**	SF/Job**	# of Jobs***	Units/Acre	# of Units+
North Employment Campus (adjusted gross							
acreage)	149	127	0.3	450	3,678		
Mixed Employment Village	26	21	0.44	350	1,139		
Main Street****	10	8	0.44	350	219	25	100
West Mixed Use Neighborhood	22	18			15	22	387
East Mixed Use Neighborhood	77	62			21	8.7	536
Total # of Jobs					5,073		
Total # of Housing Units							1,023
Total Acres of Developed Land++	284	235					

^{*}For Hybrid - Net acres equals gross acres minus 15% for local roads and easements in Employment. Mixed Employment, Mixed Use, and residential areas assume 20% for local roads and easements

^{* *}Based on Metro 2002-2022 Urban Growth Report: An Employment Land Need Analysis. Includes total on site employment (full and part time). Mixed Employment FAR and job density reflects a mix of office, tech/flex, and ground floor retail.

^{***}Number of Jobs in Employment, Mixed Employment, Mixed Use calculated by multiplying total acres by the FAR; Converting to square feet; and dividing by number of jobs/square foot. Jobs in residential areas (Work at Home Jobs) estimated at 4% (potential could be as high as 15%).

^{****} Mixed Use land use assumes 50% of acreage devoted to commercial uses and the remaining 50% devoted to vertical mixed use.

⁺Number of units calculated by multiplying total net acres of residential land use by average units per acre

⁺⁺Includes 50% of useable power line corridor (26 acres total) as part of developed land (included in Employment land area)

⁺⁺⁺Does not include powerline corridor acreage as part of developed land



VI. Goals and Policies

The following goals and policies are recommended for adoption into the Oregon City Comprehensive Plan. The goal statements are those developed by the Citizen Advisory Committee as goals for the plan.

Goal 1 Complete and Sustainable Community

Create a complete and sustainable community, in conjunction with the adjacent land uses, that integrates a diverse mix of uses, including housing, services, and public spaces that are necessary to support a thriving employment center.

Policy 1.1

Adopt new comprehensive plan and zone designations, and development code, that implement the Beavercreek Concept Plan. Require all development to be consistent with the Concept Plan and implementing code.

Policy 1.2

Establish sub-districts to implement the Concept Plan. The sub-districts are:

North Employment Campus – NEC

The purpose of the North Employment Campus is to provide for the location of family wage employment that strengthens and diversifies the economy. The NEC allows a mix of clean industries, offices serving industrial needs, light industrial uses, research and development and large corporate headquarters. The uses permitted are intended to improve the region's economic climate, promote sustainable and traded sector businesses, and protect the supply of sites for employment by limiting

incompatible uses. The sub-district is intended to comply with Metro's Title 4 regulations. Site and building design will create pedestrian-friendly areas and utilize cost effective green development practices. Business and program connections to Clackamas Community College (CCC) are encouraged to help establish a positive identity for the area and support synergistic activity between CCC and NEC properties. Businesses making sustainable products and utilizing sustainable materials and practices are encouraged to reinforce the identity of the area and promote the overall vision for the Beavercreek Road area.

Mixed Employment Village - MEV

The purpose of the Mixed Employment Village is to provide employment opportunities in an urban, pedestrian friendly, and mixed use setting. The MEV is intended to be transit supportive in its use mix, density, and design so that transit remains an attractive and feasible option. The MEV allows a mix of retail, office, civic and residential uses that make up an active urban district and serve the daily needs of adjacent neighborhoods and Beavercreek Road sub-districts. Site and building design will create pedestrian-friendly areas and utilize cost effective green development practices. Business and program connections to Clackamas Community College and Oregon City High School are encouraged. Businesses making sustainable products and utilizing sustainable materials and practices are encouraged to reinforce the identity of the area and promote the overall vision for the Beavercreek Road area.

Main Street - MS

The purpose of this small mixed-use center is to provide a focal point of pedestrian activity. The MS allows small scale commercial, mixed use and services that serve the daily needs of the surrounding area. "Main Street" design will include buildings oriented to the street, and minimum of 2 story building scale, attractive streetscape, active ground floor uses and other elements that reinforce pedestrian oriented character and vitality of the area.



West Mixed Use Neighborhood - WMU

The West Mixed Use Neighborhood will be a walkable, transit-oriented neighborhood. This area allows a transit supportive mix of housing, live/work units, mixed use buildings and limited commercial uses. A variety of housing and building forms is required, with the overall average of residential uses not exceeding 22 dwelling units per acre. The WMU area's uses, density and design will support the multi-modal transportation system and provide good access for pedestrians, bicycles, transit and vehicles. Site and building design will create a walkable area and utilize cost effective green development practices.

East Mixed Use Neighborhood - EMU

The East Mixed Use Neighborhood will be a walkable and tree-lined neighborhood with a variety of housing types. The EMU allows for a variety of housing types while maintaining a low density residential average not exceeding the densities permitted in the R-5 zone. Limited non-residential uses are permitted to encourage a unique identity, sustainable community, and in-home work options. The neighborhood's design will celebrate open space, trees, and relationships to public open spaces. The central open space, ridge open space scenic viewpoints, and a linked system of open spaces and trails are key features of the EMU. Residential developments will provide housing for a range of income levels, sustainable building design, and green development practices.

Policy 1.3

Within the Northern Employment Campus sub-district, support the attraction of family wage jobs and connections with Clackamas Community College.

Policy 1.4

Within the Mixed Employment Village and Main Street sub-districts, promote job creation, mixed use and transit oriented development. Adopt minimum densities, limitations on stand-alone residential developments, and other standards that implement this policy.

Policy 1.5

The Main Street sub-district may be located along the extension of Glen Oak Road and not exceed 10 gross acres. The specific configuration of the MS sub-district may be established as part of a master plan.

Policy 1.6

Within the West and East Mixed Use Neighborhoods, require a variety of housing types. Allow lot size averaging and other techniques that help create housing variety while maintaining overall average density.

Policy 1.7

Within the MEV, MS, WMU and EMU sub-districts, require master plans to ensure coordinated planning and excellent design for relatively large areas (e.g. 40 acres per master plan). Master plans are optional in the NEC due to the larger lot and campus industrial nature of the area.



Goal 2 Model of Sustainable Design

Be a model of sustainable design, development practices, planning, and innovative thinking.

Policy 2.1

Implement the Sustainable Storm Water plan recommended in the Concept Plan. During site specific design, encourage innovative system design and require low impact development practices that manage water at the site, street and neighborhood scales.

Policy 2.2

Storm water facilities will be designed so they are amenities and integrated into the overall community design.

Policy 2.3

Support public and private sector initiatives to promote sustainable design, development practices and programs, including but not limited to:

- Energy efficiency
- Water conservation
- Compact development
- Solar orientation
- Green streets/infrastructure
- Adaptive reuse of existing buildings/infrastructure
- Alternative transportation
- Pedestrian/Cyclist friendly developments
- Natural drainage systems
- Tree preservation and planting to "re-establish" a tree canopy
- Minimizing impervious surfaces

- Sustainability education (builder, residents, businesses and visitors)
- Collaboration with "local" institutional and economic partners, particularly Clackamas Community College and Oregon City High School
- Community based sustainable programs and activities

Policy 2.4

Work with stakeholders and the community to develop LEED or equivalent green building standards and guidelines to apply in the Concept Plan area.

Goal 3 Green Jobs

Attract "green" jobs that pay a living wage.

Policy 3.1

Coordinate with county, regional and state economic development representatives to recruit green industry to the Concept Plan area.

Policy 3.2

Promote the Concept Plan area as a place for green industry.

Policy 3.3

Work with Clackamas Community College to establish programs and education that will promote green development within the Concept Plan area.



Goal 4 Sustainable Industries

Maximize opportunities for sustainable industries that serve markets beyond the Portland region and are compatible with the site's unique characteristics.

Policy 4.1

As master plans are approved, ensure there is no net loss of land designated North Employment Campus.

Policy 4.2

Coordinate with County, regional and state economic development representatives to recruit sustainable industries that serve markets beyond the Portland region.

Goal 5 Natural Beauty

Incorporate the area's natural beauty into an ecologically compatible built environment.

Policy 5.1

Incorporate significant trees into master plans and site specific designs. Plant new trees to establish an extensive tree canopy as part of the creation of an urban community.

Policy 5.2

Provide scenic viewpoints and public access along the east ridge.

Policy 5.3

Protect views of Mt Hood and locate trails and public areas so Mt Hood can be viewed within the community

Policy 5.4

Establish open space throughout the community consistent with the Open Space Framework Plan. Allow flexibility in site specific design of open space, with no net loss of total open space area.

Policy 5.5

Protect steeply sloped and geologically sensitive areas along the east ridge from development.

Goal 6 Multi-modal Transportation

Provide multi-modal transportation links (such as bus routes, trails, bikeways, etc.) that are connected within the site as well as to the surrounding areas.

Policy 6.1

Work with Tri-Met and stakeholders to provide bus service and other alternatives to the Concept Plan area.

Policy 6.2

As land use reviews and development occur prior to extension of bus service, ensure that the mix of land uses, density and design help retain transit as an attractive and feasible option in the future.

Policy 6.3

Ensure that local street connectivity and off-street pedestrian routes link together into a highly connected pedestrian system that is safe, direct, convenient, and attractive to walking.

Policy 6.4

The "walkability" of the Concept Plan area will be one of its distinctive qualities. The density of walking routes and connectivity should mirror



the urban form – the higher the density and larger the building form, the "finer" the network of pedestrian connections.

Policy 6.5

Require trails to be provided consistent with the Concept Plan Circulation Framework.

Policy 6.6

Provide bike lanes on Beavercreek Road and all collector streets, except for Main Street. The City may consider off-street multi-use paths and similar measures in meeting this policy. Bike routes will be coordinated with the trails shown on the Circulation Framework.

Goal 7 Safety Along Beavercreek Road

Implement design solutions along Beavercreek Road that promote pedestrian safety, control traffic speeds and access, and accommodate projected vehicular demand.

Policy 7.1

Design Beavercreek Road to be a green street boulevard that maximizes pedestrian safety.

Policy 7.2

Work with the County and State to establish posted speeds that are safe for pedestrians and reinforce the pedestrian-oriented character of the area.

Policy 7.3

Control access along the east side of Beavercreek Road so that full access points are limited to the intersections shown on the Circulation Framework. Right in-Right-out access points may be considered as part of master plans or design review.

Goal 8 Oregon City High School and Clackamas Community College

Promote connections and relationships with Oregon City High School and Clackamas Community College.

Policy 8.1

Coordinate with OCHS and CCC when recruiting businesses and promoting sustainability. Within one year of adoption of the Concept Plan, the City will convene dialogue with OCHS, CCC and other relevant partners to identify target industries and economic development strategies that are compatible with the vision for the Concept Plan. Encourage curricula that are synergistic with employment and sustainability in the Concept Plan area.

Policy 8.2

Prior to application submittal, require applicants to contact OCHS and CCC to inform them and obtain early comment for master plans and design review applications.

Policy 8.3

Improving the level-of-service and investing in the Highway 213 corridor improves the freight mobility along Highway 213, which provides access to Beavercreek Road and the Concept Plan area. Protecting the corridor and intersections for freight furthers the City goal of providing living-wage employment opportunities in the educational, and research opportunities to be created with CCC and OCHS.



Goal 9 Unique Sense of Place

Have a unique sense of place created by the mix of uses, human scale design, and commitment to sustainability.

Policy 9.1

Utilize master plans and design review to ensure detailed and coordinated design. Allow flexibility in development standards and the configuration of land uses when they are consistent with the comprehensive plan, development code, and vision to create a complete and sustainable community.

Policy 9.2

Implement human scale design through building orientation, attractive streetscapes, building form/architecture that is matched to the purpose of the sub-district, location of parking, and other techniques. The design qualities of the community should mirror the urban form – the higher the density and larger the buildings, the higher the expectation for urban amenities and architectural details.

Policy 9.3

Density should generally transition from highest on the west to lowest in the eastern part of the site.

Policy 9.4

Promote compatibility with existing residential areas at the north and south end of the Concept Plan area. Transition to lower densities, setbacks, buffers and other techniques shall be used.

Goal 10 Ecological Health

Manage water resources on site to eliminate pollution to watersheds and lesson impact on municipal infrastructure by integrating ecological and man-made systems to maximize function, efficiency and health.

Policy 10.1

Utilize low impact development practices and stormwater system designs that mimic natural hydrologic processes, minimize impacts to natural resources and eliminate pollution to watersheds.

Policy 10.2

Prepare the Environmentally Sensitive Resource Area overlay to protect, conserve and enhance natural areas identified on the Concept Plan. Apply low-density base zoning that allows property owners to cluster density outside the ESRA and transfer to other sites.

Appendix

- 1. Project Goals
- 2. Concept Plan Alternatives
- 3. GIS Analysis Map
- 4. Job and Housing Estimates



To: Beavercreek Road Concept Plan Citizens

and Technical Advisory Committees

From: Tony Konkol

Date: March 13, 2007

Subject: Project Goals with Objectives

The following project goals and supplemental objectives were prepared using the *Ideas* we Like, Principles of Sustainable Development, and the Advisory Committees' long-term vision for the project area. This update reflects input by the Citizens and Technical Advisory Committees at their March 8th, 2007 meeting.

The Beavercreek Road Concept Plan Area will:

Goal

Create a **complete community**, in conjunction with the adjacent land uses, that
integrates a diverse mix of uses, including housing, services, and public spaces that are
necessary to support a thriving employment center;

Objective 1.1

Allow a variety of employment uses that may integrate and utilize the surrounding city and rural economies.

Objective 1.2

Develop plans that consider the existing rural lands and uses around the Urban Growth Boundary.

Objective 1.3

Continue to coordinate with the Oregon City School District and Clackamas Community College to identify partnerships, land needs and programs that would be beneficial to all parties and contribute to the community.

Objective 1.4

Encourage neighborhood-oriented and scaled mixed-use centers that provide goods, services, and housing for local workers and residents of all ages and incomes.

Objective 1.5

Become a model of sustainability that may be implemented throughout the City. Objective 1.6

Allow the integration of housing and employment uses where practicable.

Objective 1.7

Work with Metro to ensure that there is enough land available within the Beavercreek Road Study Area to meet the need for employment/industrial development and reduce the jobs to housing imbalance in the sub-region.

2. Be a **model of sustainable design**, development practices, planning, and innovative thinking;

Objective 2.1

Allow a variety of employment uses that may integrate and utilize the surrounding city and rural economies.

Objective 2.2

Develop plans that consider the existing rural lands and uses around the Urban Growth Boundary.

Objective 2.3

Encourage neighborhood-oriented and scaled mixed-use centers that provide goods, services and housing for local workers and residents of all ages and incomes.

Objective 2.4

Encourage environmentally responsible developments that are economically feasible, enhance livability of neighborhoods and enhance the natural environment.

Objective 2.5

Investigate development standards that offer incentives for developments that exceed energy efficiency standards and meets green development requirements and goals.

3. Attract "green" jobs that pay a living wage;

Objective 3.1

Allow a variety of employment uses that may integrate and utilize the surrounding city and rural economies.

Objective 3.2

Develop plans that consider the existing rural lands and uses around the Urban Growth Boundary.

Objective 3.3

Encourage neighborhood-oriented and scaled mixed-use centers that provide goods, services and housing for local workers and residents of all ages and incomes.

Objective 3.4

Allow the integration of housing and employment uses where practicable.

Objective 3.5

Work with Metro to ensure that there is enough land available within the Beavercreek Road Study Area to meet the need for employment/industrial development and reduce the jobs to housing imbalance in the sub-region.

Objective 3.6

Create a "brand" for the area that reflects the desire for sustainable development that will serve as the theme to attract and recruit businesses and developers as well as guide the design standards and build-out of the area.

4. Maximize opportunities for **sustainable industries that serve markets beyond the Portland region** and are compatible with the site's unique characteristics;

Objective 4.1

Create a "brand" for the area that reflects the desire for sustainable development that will serve as the theme to attract and recruit businesses and developers as well as guide the design standards and build-out of the area.

Objective 4.2

Work with Metro to ensure that there is enough land available within the Beavercreek Road Study Area to meet the need for employment/industrial development and reduce the jobs to housing imbalance in the sub-region.

Objective 4.3

Support locally based and founded employers that provide living wages jobs.

Objective 4.4

Support the development of sustainable industries that utilize green design standards and development practices.

5. Incorporate the area's **natural beauty** into an ecologically compatible built environment;

Objective 5.1

Design the adjacent land-uses to Beavercreek Road in such a manner to ensure that the pedestrian experience is not diminished through the development of fences, parking lots, backs of buildings, or other impediments to pedestrian access and circulation.

Objective 5.2

Allow a variety of employment uses that may integrate and utilize the surrounding city and rural economies.

Objective 5.3

Develop plans that consider the existing rural lands and uses around the Urban Growth Boundary.

Objective 5.4

Work with Metro to ensure that there is enough land available within the Beavercreek Road Study Area to meet the need for employment/industrial development and reduce the jobs to housing imbalance in the sub-region.

6. Provide **multi-modal transportation links** (such as bus routes, trails, bike-ways, etc.) that are connected within the site as well as to the surrounding areas;

Objective 6.1

Provide public connectivity routes for bicycles and pedestrians that encourage non-vehicular trips to employment, retail and recreational areas within the study area and to the communities beyond.

Objective 6.2

Provide an integrated street system that is designed as practicable to minimize the impacts to the environment through the use of green streets, swales and other natural stormwater systems that provide water quality and quantity control and contribute to the natural beauty of the area.

Objective 6.3

Explore local and regional transit opportunities that will increase non-single occupancy vehicle travel.

7. Implement **design solutions along Beavercreek Road** that promote pedestrian safety, control traffic speeds and access, and accommodate projected vehicular demand;

Objective 7.1

Develop and maintain a multi-modal transportation system that is safe for all users and will minimize conflict points between different modes of travel, especially across Beavercreek Road to the existing neighborhoods, Clackamas Community College, Oregon City High School and the Berry Hill Shopping Center.

Objective 7.2

Design the adjacent land-uses to Beavercreek Road in such a manner to ensure that the pedestrian experience is not diminished through the development of fences, parking lots, backs of buildings, or other impediments to pedestrian access and circulation.

8. Promote connections and relationships with **Oregon City High School and Clackamas Community College**;

Objective 8.1

Allow a variety of employment uses that may integrate and utilize the surrounding city and rural economies.

Objective 8.2

Develop plans that consider the existing rural lands and uses around the Urban Growth Boundary.

Objective 8.3

Continue to coordinate with the Oregon City School District and Clackamas Community College to identify partnerships, land needs and programs that would be beneficial to all parties and contribute to the community.

9. Have a **unique sense of place** created by the mix of uses, human scale design, and commitment to sustainability.

Objective 9.1

Provide public connectivity routes for bicycles and pedestrians that encourage non-vehicular trips to employment, retail and recreational areas within the study area and to the communities beyond.

Objective 9.2

Provide an integrated street system that is designed as practicable to minimize the impacts to the environment through the use of green streets, swales and other natural stormwater systems that provide water quality and quantity control and contribute to the natural beauty of the area.

Objective 9.3

Allow a variety of employment uses that may integrate and utilize the surrounding city and rural economies.

Objective 9.4

Develop plans that consider the existing rural lands and uses around the Urban Growth Boundary.

Objective 9.5

Encourage neighborhood-oriented and scaled mixed-use centers that provide goods, services and housing for local workers and residents of all ages and incomes.

Objective 9.6

Allow the integration of housing and employment uses where practicable.

Objective 9.7

Work with Metro to ensure that there is enough land available within the Beavercreek Road Study Area to meet the need for employment/industrial development and reduce the jobs to housing imbalance in the sub-region.

Objective 9.8

Create a "brand" for the area that reflects the desire for sustainable development that will serve as the theme to attract and recruit businesses and developers as well as guide the design standards and build-out of the area.

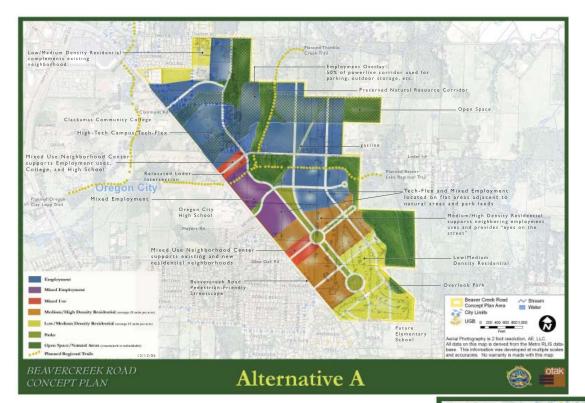
Objective 9.9

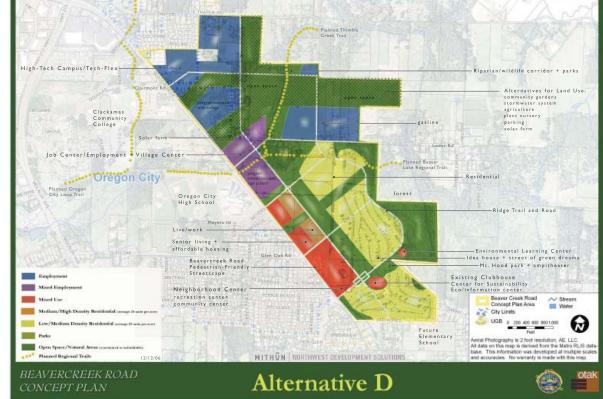
Design the adjacent land-uses to Beavercreek Road in such a manner to ensure that the pedestrian experience is not diminished through the development of fences, parking lots, backs of buildings, or other impediments to pedestrian access and circulation.

10. Ecological Health – Manage water resources on site to **eliminate pollution to** watersheds and lesson impact on municipal infrastructure by integrating ecological and man-made systems to maximize function, efficiency and health.

Objective 10.1

Provide an integrated street system that is designed as practicable to minimize the impacts to the environment through the use of green streets, swales and other natural stormwater systems that provide water quality and quantity control and contribute to the natural beauty of the area.





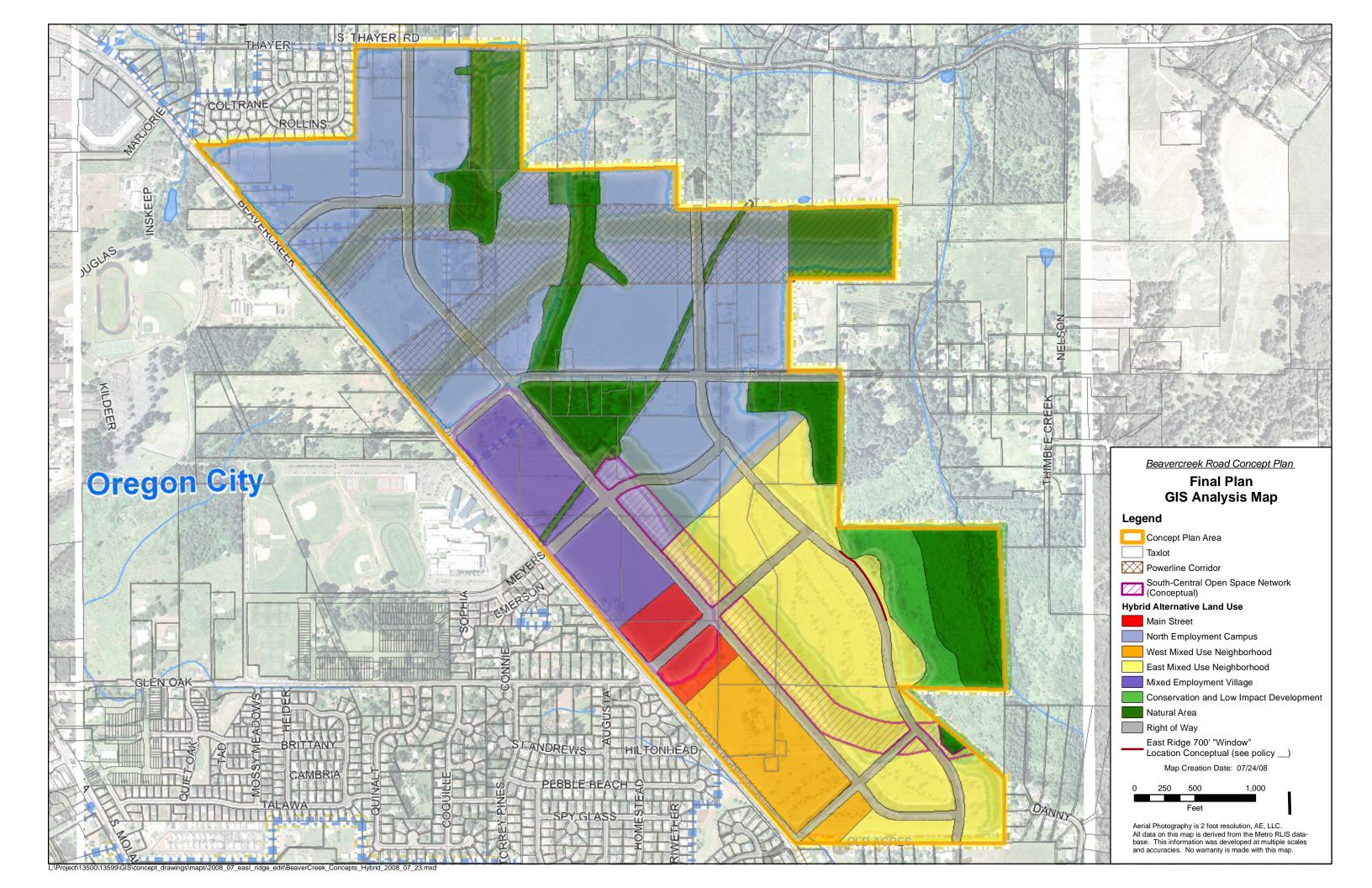


Table 2
Beavercreek Concept Plan Job & Housing Density Assumptions
Revised - 7/10/07

	Hybrid	Hybrid					
	Gross	Net				Avg.	
Land Use Category	Acres	Acres*	FAR/Acre**	SF/Job**	# of Jobs***		# of Units+
North Employment Campus (adjusted gross							
acreage)	149	127	0.3	450	3,678		
Mixed Employment Village	26	21	0.44	350	1,139		
Main Street***	10	8	0.44	350	219	25	100
West Mixed Use Neighborhood	22	18			15	22	387
East Mixed Use Neighborhood	77	62			21	8.7	536
Total # of Jobs					5,073		
Total # of Housing Units							1,023
Total Acres of Developed Land++	284	235					
	Plan A	Plan A					
	Gross	Net				Avg.	
Land Use Category	Acres	Acres*	FAR/Acre**	SF/Job**	# of Jobs***		# of Units+
Employment (adjusted gross acreage)	139	118					
Mixed Employment	24	20	0.44	350			
Mixed Use****	10	9	0.44	350	233	25	106
Medium/High Density Residential	50	43			43	25	1,063
Low/Medium Density Residential	53	45			18	10	451
Total # of Jobs					4,841		
Total # of Housing Units							1,619
Total Acres of Developed Land++	276	235					
	Plan D	Plan D					
	Gross	Net				Avg.	
Land Use Category	<u>Acres</u>	Acres*	FAR/Acre**	SF/Job**	# of Jobs***	Units/Acre	# of Units+
Employment (adjusted gross acreage)	84	71	0.3	450	2,073		
Mixed Employment	25	21	0.44	350	1,164		
Mixed Use****	29	25	0.44	350	675		308
Medium/High Density Residential	9	8			8	25	191
Low/Medium Density Residential	99	84			34	10	842
Total # of Jobs					3,953		
Total # of Housing Units							1,341
Total Acres of Developed Land+++	246	209					

^{*}For Hybrid - Net acres equals gross acres minus 15% for local roads and easements in Employment. Mixed Employment, Mixed Use, and residential areas assume 20% for local roads and easements

^{* *}Based on Metro 2002-2022 Urban Growth Report: An Employment Land Need Analysis. Includes total on site employment (full and part time). Mixed Employment FAR and job density reflects a mix of office, tech/flex, and ground floor retail.

^{***}Number of Jobs in Employment, Mixed Employment, Mixed Use calculated by multiplying total acres by the FAR; Converting to square feet; and dividing by number of jobs/square foot. Jobs in residential areas (Work at Home Jobs) estimated at 4% (potential could be as high as 15%).

^{****} Mixed Use land use assumes 50% of acreage devoted to commercial uses and the remaining 50% devoted to vertical mixed use.

⁺Number of units calculated by multiplying total net acres of residential land use by average units per acre

⁺⁺Includes 50% of useable power line corridor (26 acres total) as part of developed land (included in Employment land area)

⁺⁺⁺Does not include powerline corridor acreage as part of developed land

Table 3
Land Use Metrics/Assumptions - HYBRID
Revised - 7/10/07

Land Use Category (acres)	<u>Hybrid</u>	Alt. A	Alt. D
North Employment Campus (adjusted gross acreage)*	149	139	84
Mixed Employment Village	26	24	25
Main Street	10	10	29
West Mixed Use Neighborhood	22	50	9
East Mixed Use Neighborhood	77	53	99
Total Acres of "built" land use	284	276	246
Other Land Uses (not "built")			
Parks/Open Space/Natural Areas (Total)**	113	132	166
Major ROW+	56	36	30
Existing Uses (unbuildable)	0	7	7
Total Project Area Gross Acres	453	~450	~450

*Adjusted gross acreage is the sum of 50% of the employment land use shown under the powerline easement plus all other unconstrained employment land use areas. Calculations shown below:

Land Use Category (acres)	<u>Hybrid</u>	Alt. A	Alt. D
Total North Employment Campus	175	166	84
Unconstrained NEC	123	111	84
Employment with powerline overlay	52	55	0
Useable portion of powerline overlay (50%)	26	28	na
North Employment Campus (adjusted gross			
acreage)*	149	139	84

** Open Space/Natural areas is the sum of all "unbuildable lands" as shown on the *Buildable Lands Map* plus two areas under the powerlines. Calculations shown below.

Open Space/Natural Areas Break-Out	<u>Hybrid</u>	Alt. A	Alt. D
Open Space -Gas Overlay	3	4	4
Open Space - Unbuildable Powerlines***	48	49	0
Environmental Resources/Buildable Lands Map	61	61	61
Parks	na	12	na
Other Open Space Areas _	18	6	101
Open Space/Natural Areas (Total)	130	132	166

^{***}For Hybrid - Unbuildable Powerlines area includes 12 acres on east edge of site under powerlines plus 50% of employment area under powerlines (~26 acres) and the PGE parcel (10 acres). For Alt. A - Unbuildable Powerlines area includes 12 acres on east edge of site under powerlines and 10 acres of the PGE Parcel and 50% of powerline area (27 acres).

⁺Major ROW are approximate location & acreage (may be shown as crossing natural resource areas. Actual location and size of ROW will be addressed during development review/master planning). Includes 2 acre adjustment for GIS polygon alignment.



Community Development Department

221 Molalla Ave. Suite 200 | Oregon City OR 97045 Ph (503) 722-3789 | Fax (503) 722-3880

MEMORANDUM

To: City Commission
From: Planning Commission

Re: Beavercreek Road Concept Plan Re-Adoption

Date: February 12, 2016 Meeting Date: February 22, 2016

The Planning Commission recommended that the City Commission approve Planning File LE 15-01, the Re-Adoption of the Beavercreek Road Concept Plan (BRCP) on January 25th, 2016. This recommendation is based on our review of the original BRCP record compiled in 2008, along with oral testimony presented by the public and staff through four public hearings, and written materials submitted during an open-record period of approximately three months. Based on this lengthy and detailed review, the Planning Commission finds that the BRCP strikes an appropriate balance, achieving the community's vision for a complete and sustainable community with opportunities for Oregon City residents to live and work. The development of lands within the concept plan area will provide opportunities for employment, education, housing, education, recreation, open space, commercial amenities and most importantly, transportation options. Although we fully endorse adoption of this plan, we recommend that the Commission consider the following issues as part of its review:

Transportation Issues - Alternative Mobility Targets, Tri-Met Service and Holly Lane

As the Commission is aware, implementing the BRCP will result in increased vehicle congestion in the Beavercreek / Highway 213 interchange, which already exceeds ODOT's congestion thresholds. We heard testimony from ODOT officials in support of the planning process for the BRCP, and urge the City Commission to follow through with adoption of the alternative mobility standards as soon as staff is able to prepare them. These targets must be adopted prior to any re-zoning of the lands within the concept plan area.

Although the vast majority of the vehicle congestion at ODOT intersections within Oregon City is the result of vehicle trips that start and end outside of the City, and are beyond the regulatory control of the City, we are still responsible for good land use planning in accordance with the Oregon City Comprehensive Plan and the Metro Functional Growth Management Plan. Building on the adoption of the City's TSP, we are jointly responsible, along with Clackamas County, Metro, Tri-Met and



Community Development Department

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ODOT, to provide our residents with a safe, complete and functional transportation system with alternatives to travel by bicycle, walking, public transit, carpooling and other modes.

The Planning Commission believes that some of this congestion may be off-set through a robust partnership with Tri-Met to improve public transportation in this area. Therefore, the Planning Commission is scheduled to hear a presentation from Tri-Met during its meeting on February 22, where we intend to ask for a specific commitment from Tri-Met to provide improved service to Oregon City. Staff will supplement this record with the results from that meeting.

In addition, one of the ODOT recommended methods to address additional congestion is to improve existing parallel local streets, collectors and arterials to relieve traffic demand on state highways. The City's Transportation System Plan does this by calling for the extension of Holly Lane south of Maple Lane Road. Making these improvements may have the effect of increasing vehicle trips on that portion of Holly Lane north of Maple Lane Road located outside the UGB, in the County. As a result, the Planning Commission recommends that the City coordinate closely with the County in the future, adopting transportation plans and road design standards that acknowledge that these challenges are regional and will require joint solutions.

Cottage Manufacturing / Zoning

The Planning Commission recommends that as part creating the implementing zoning for the BRCP, the City Commission direct staff to further analyze the issue of allowing expanded home occupation uses, also known as cottage manufacturing, within the mixed use and residential areas.

Goal 5 Cultural and Historic Resources

The Planning Commission recommends that the language of the Staff Report dealing with Goal 5 resources reflect that newly discovered cultural and historic resources may be added to the City's inventory in the future and protected under *OCMC 17.40 Historic Overlay District*. The revised findings are to be included in the City Commission packet.

Summary

In summary, we are satisfied that all of the issues raised through the initial round of public hearings for Re-Adoption of the Beavercreek Road Concept Plan have been fully addressed through the proposed findings, subject to the concerns set forth above. For these reasons, we recommend approval.



City of Oregon City

625 Center Street Oregon City, OR 97045 503-657-0891

Meeting Agenda Planning Commission

Monday, December 14, 2015 7:00 PM Commission Chambers

1. Call to Order

2. Public Comments

3. Public Hearing

3a. PC 15-239 Re-adoption of the Beavercreek Road Concept Plan - Request for

Continuance (Planning File LE 15-03)

Sponsors: Community Development Director Tony Konkol

Attachments: Commission Report

Planning Commission Staff Report - 11/23/2015

<u>City Attorney Summary Memo</u> <u>LE-15-0003 Findings Final</u>

Beavercreek Road Concept Plan

Metro Title 4 Map Ord 1244B

Beavercreek Road Industrial Lands Map

Clackamas Fire District #1 Letter 11.16.2015

Oregon City Police Department Letter 11.12.2015

Oregon City School District Letter 11.17.15

PowerPoint Presentation 11.23.2015

Comments and Exhibits entered at Nov 23 Hearing.pdf

3b. PC 15-238 The Cove Phase I: CP 15-01: Concept (Master) Plan Amendment, DP

15-01: Detailed Development Plan, NR 15-05: Natural Resources Overlay District Review and US 15-06: Geologic Hazards Overlay

District Review

<u>Sponsors:</u> Laura Terway <u>Attachments:</u> <u>Commission Report</u>

CP 15-01 Cove Staff Report

Exhibit 1: Vicinity Map
Exhibit 2A: Narrative

Exhibit 2A: Application Form

Exhibit 2A: Resubmittal Letters

Exhibit 2B: Site Circulation With Road Cross Sections

Exhibit 2B.1: Architectural Plans

Exhibit 2B.1: Civil Plans

Exhibit 2B.1: Rendered Drawings

Exhibit 2B.3: Lighting Plan

Exhibit 2C: Trios and Titles

Exhibit 2C: Tax Maps

Exhibit 2D.0: PA 15-02 Pre-Application Conference Notes

Exhibit 2D.1: 100 Yr Floodplain Map

Exhibit 2D.2: Geologic Hazards Map

Exhibit 2D.3: Natural Resource Overlay Map

Exhibit 2E: TIA

Exhibit 2F: Natural Resources Overlay District Report

Exhibit 2F.1: Mitigation Plans

Exhibit 2F.2: Habitat Assessment

Exhibit 2G.0: Geotech Response

Exhibit 2G.0: Photo of Previous Use

Exhibit 2G.1: Updated Geologic Hazard Report

Exhibit 2G.2: Geotechnical Assessment

Exhibit 2G.3:Geotech Report

Exhibit 2H: Drainage Report

Exhibit 2I.0: Floodplain Memo

Exhibit 21.1: Phase 1 Floodplain Summary

Exhibit 21.2: Phase 2 Floodplain Summary

Exhibit 2J: Site Lighting

Exhibit 2K: Material Board

Exhibit 2L: Neighborhood Meeting

Exhibit 2M: Site Aerial

Exhibit 2N: Previously Approved Tree Removal Plan

Exhibit 20: Construction Management Plan

Exhibit 2: Additional Information from the Applicant

Exhibit 2: Previous Information Which has Since Been Revised2

Exhibit 3: Comments from John Replinger of Replinger and Associates,

City Consultant

Exhibit 4: Comments from Joshua Brooking, Assistant Planner with the

Oregon Department of Transportation (ODOT)

Exhibit 5: Comments from Scott Archer, Community Services Director

Exhibit 6: Comments from Gigi Cooper of David Evans and Associates,

City Consultant

Exhibit 7: Comments from Nick Bezzerides

Exhibit 8: Comments from Clelia Brigneti

Exhibit 9: Comments from Kim Baller

Exhibit 10: Excerpts from the 2008 Cove Master Plan Approval

Exhibit 11: Excerpts from the 2009 Cove Master Plan Approval

3c. PC 15-240 Revised Heritage Tree Ordinance.

Sponsors: Natural Resources Committee

Attachments: Commission Report

Heritage Tree Code PC Draft 12.14.2015.pdf

Heritage Tree code current.pdf

4. Communications

5. Adjourn



City of Oregon City

625 Center Street Oregon City, OR 97045 503-657-0891

Meeting Agenda Planning Commission

Monday, November 23, 2015 7:00 PM Commission Chambers

1. Call to Order

2. Public Hearing

2a. PC 15-229 File LE-15-0003: Re-adoption of the Beavercreek Road Concept Plan.

Sponsors: Community Development Director Tony Konkol

Attachments: Commission Report

LE-15-0003 Findings Final.pdf

Beavercreek Road Concept Plan

Metro Title 4 Map Ord 1244B

Beavercreek Road Industrial Lands Map

CFD1 LTR 11.16.2015.pdf

OCPD LTR 11.12.2015.pdf

OCSD LTR 11.17.15.pdf

3. Work Session

3a. PC 15-226 Cove Phase I Application: Work Session Explaining files CP 15-01:

Concept (Master) Plan Amendment, DP 15-01: Detailed Development Plan, NR 15-05: Natural Resources Overlay District Review and US

15-06: Geologic Hazards Overlay District Review

<u>Sponsors:</u> Planner Laura Terway <u>Attachments:</u> <u>Commission Report</u>

Exhibit A: Narrative

Exhibit A: Application Form

Exhibit A: Resubmittal Letters

Exhibit B: Site Circulation With Road Cross Sections

Exhibit B.1: Architectural Plans

Exhibit B.1: Civil Plans

Exhibit B.1: Rendered Drawings

Exhibit B.3: Lighting Plan
Exhibit C: Trios and Titles

Exhibit C: Tax Maps

Exhibit D.0: PA 15-02 Pre-Application Conference Notes

Exhibit D.1: 100 Yr Floodplain Map

Exhibit D.2: Geologic Hazards Map

Exhibit D.3: Natural Resource Overlay Map

Exhibit E: TIA

Exhibit F: Natural Resources Overlay District Report

Exhibit F.1: Mitigation Plans

Exhibit F.2: Habitat Assessment

Exhibit G.0: Geotech Response

Exhibit G.0: Photo of Previous Use

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Exhibit O: Construction Management Plan

Previous Information Which has Since Been Revised2

4. Communications

5. Adjournment



City of Oregon City

625 Center Street Oregon City, OR 97045 503-657-0891

Staff Report

File Number: PC 15-239

Agenda Date: 12/14/2015 Status: Agenda Ready

To: Planning Commission Agenda #: 3a.

From: Community Development Director Tony Konkol File Type: Planning Item

SUBJECT:

Re-adoption of the Beavercreek Road Concept Plan - Request for Continuance (Planning File LE 15-03)

RECOMMENDED ACTION (Motion):

Staff recommends that the Planning Commission take testimony from anyone present who wishes to comment, and continue the Public Hearing with the record open to January 11, 2016.

BACKGROUND:

The Planning Commission held the first evidentiary hearing for File LE-15-03 and continued the Public Hearing to December 14, 2015.

Staff is in the process of preparing a memorandum responding to public testimony and requests for information from the Planning Commission hearing on November 23, 2015, and requires additional time to research and respond to these issues comprehensively and accurately. Exhibits entered into the record at the November 23 hearing are attached.

The City Commission remanded the Beavercreek Road Concept Plan to the Planning Commission with direction to re-open the record for the limited purpose of addressing the protection of the Title 4 lands, inserting the recently implemented transportation system plan and public utility plans, identifying transportation improvements and addressing police and fire services.

Please see attached recommended findings for adoption of the Beavercreek Road Concept Plan. Additionally, please find attached a Summary Memo from the City Attorney, the concept plan, title 4 maps, staff's latest powerpoint presentation to the Planning Commission, and letters from Clackamas Fire District #1, Oregon City Police Department and Oregon City School District. The complete record is available by contacting the Planning Division.

The Beavercreek Road Concept Plan was adopted by the City Commission in September, 2007 and was subsequently appealed to the Land Use Board of Appeals and remanded to the City in August, 2008. In December of 2010 the Metro Council adopted Ordinance 10-1244B, which reduced the amount of land designated for industrial use in the Title 4 Employment and Industrial Areas Map to conform to the City's Beavercreek Road Concept Plan, reflecting the determination that the region had sufficient employment capacity for the next 20 years. Due to

various other legal challenges involving the regional UGB expansions, re-adoption of the plan was further delayed until 2015.

While the appeals process was on-going, several legislative updates to the City's public facilities plans, including sewer, stormwater, water and transportation system plans were adopted which refine much of the public facilities planning for the area within the Beavercreek Road Concept Plan. A summary of this information along with updated cost estimates for public facilities is included in the recommended findings.

The Concept Plan was created with the assistance of a 15-member Citizen Advisory Committee and 9-member Technical Advisory Committee. The recommended plan was reviewed during several public hearings before the Planning Commission and City Commission prior to final adoption in September, 2007.

To provide public information on the proposed plan re-adoption, planning staff has held work sessions with the Planning Commission and City Commission, and presented the plan to the Transportation Advisory Committee, Natural Resources Committee, Parks and Recreation Advisory Committee, Citizen Involvement Committee, Caufield Neighborhood Association and the Hamlet of Beavercreek.

The project website, which includes a link to the complete LUBA appeal record, is at http://www.orcity.org/planning/landusecase/le-15-0003-re-adoption-beavercreek-road-concep-t-plan.



City of Oregon City

625 Center Street Oregon City, OR 97045 503-657-0891

Staff Report

File Number: PC 15-229

Agenda Date: 11/23/2015 Status: Agenda Ready

To: Planning Commission Agenda #: 2a.

From: Community Development Director Tony Konkol File Type: Planning Item

SUBJECT:

File LE-15-0003: Re-adoption of the Beavercreek Road Concept Plan.

RECOMMENDED ACTION (Motion):

Staff recommends that the Planning Commission provide approval of the Beavercreek Road Concept Plan, file LE-15-0003. Should the Planning Commission determine that additional information is required from staff, the Planning Commission should leave the public hearing open and continue the hearing to the December 14, 2015 Planning Commission date.

BACKGROUND:

Please see attached recommended findings for adoption of the Beavercreek Road Concept Plan. Additionally, please find attached the concept plan, title 4 maps, staff's latest powerpoint presentation to the City Commission, and letters from Clackamas Fire District #1, Oregon City Police Department and Oregon City School District.

This is the first evidentiary public hearing.

The Beavercreek Road Concept Plan was adopted by the City Commission in September, 2007 and was subsequently appealed to the Land Use Board of Appeals and remanded to the City in August, 2008. In December of 2010 the Metro Council adopted Ordinance 10-1244B, which reduced the amount of land designated for industrial use in the Title 4 Employment and Industrial Areas Map to conform to the City's Beavercreek Road Concept Plan, reflecting the determination that the region had sufficient employment capacity for the next 20 years. Due to various other legal challenges involving the regional UGB expansions, re-adoption of the plan was further delayed until 2015.

While the appeals process was on-going, several legislative updates to the City's public facilities plans, including sewer, stormwater, water and transportation system plans were adopted which refine much of the public facilities planning for the area within the Beavercreek Road Concept Plan. A summary of this information along with updated cost estimates for public facilities is included in the recommended findings.

The Concept Plan was created with the assistance of a 15-member Citizen Advisory Committee and 9-member Technical Advisory Committee. The recommended plan was reviewed during several public hearings before the Planning Commission and City Commission prior to final adoption in September, 2007.

File Number: PC 15-229

The City applied for an extension to complete the Title 11 planning requirements for the concept plan area, which was approved by Metro and extended to June 30, 2014. The LUBA appeal raised numerous issues, including an inconsistency between the concept plan and Metro's Title 4 map, inadequate protection of industrial lands, deficiencies in the transportation infrastructure and other service inadequacies. After reviewing the issues raised, staff recommended that the City Commission remand the concept plan to the Planning Commission and re-open the record for the limited purpose of addressing the protection of the Title 4 lands, inserting the recently implemented transportation system plan and capital improvement plan identifying transportation improvements and addressing police and fire services.

To provide public information on the proposed plan re-adoption, planning staff has held worksessions with the Planning Commission and City Commission, and presented the plan to the Transportation Advisory Committee, Natural Resources Committeem, Parks and Recreation Advisory Committee, Citizen Involvement Committeee, Caufield Neighborhood Association and the Hamlet of Beavercreek.

A copy of the draft plan, Metro Title 4 map decision, and the powerpoint presentation for the November 10, 2015 City Commission worksession are attached for reference. The project website, which includes a link to the complete LUBA appeal record, is http://www.orcity.org/planning/landusecase/le-15-0003-re-adoption-beavercreek-road-concept-plan.>



MEMORANDUM

TO: Oregon City Planning Commissioners

FROM: Carrie Richter, Deputy City Attorney

DATE: November 20, 2015

RE: Beavercreek Road Concept Plan Summary

A number of Planning Commissioners have asked for a quick outline of LUBA's decision and how staff is recommending that the City respond to LUBA's decision. This memorandum is intended to provide a summary of the arguments made by petitioner Graser-Lindsey, the City's response and how the findings respond to LUBA's decision.

In the LUBA case, the petitioner raised three assignments of error. The first addressed the amount of industrial lands in the plan, the second with utility and natural resource issues and the third with the process for adoption. LUBA did not reach several of the arguments, finding that the concept plan did not designate sufficient industrial lands to meet a Metro requirements. A copy of LUBA's decision is attached for your reference.

Applicable Standards

Before turning the petitioner's arguments, it is important to identify the standards that the City must meet in adopting a concept plan. The BRCP is an amendment to the City's comprehensive plan and, when the City amends its plan, it must make findings that the amendments are consistent with the statewide planning goals, Metro code requirements and the City's existing Comprehensive Plan - including any ancillary transportation and utility master plans. In addition to those requirements, when Metro amended the UGB bringing rural land into the urban area, the City was also obligated to plan those areas consistently with Metro's Urban Growth Management Functional Plan Title 11. Part of Title 11 planning requires compliance with the Regionally Significant Industrial, Industrial or Employment design types, set forth in Metro's UGMFP Title 4.

LUBA's Decision & Title 4 Industrial Lands

When LUBA reviewed the BRCP, the Metro Title 4 map identified 308 acres with an Industrial design concept and the Beavercreek Road Concept Plan designated only 121 net acres - the North Employment Campus - for industrial uses. LUBA found that the City failed to designate sufficient industrial lands to comply with the Title 4 design type requirements.

After LUBA's decision, the City Commission decided not to revise the BRCP to designate more industrial land. Instead, in 2010, as part of adopting a new regional population and employment range forecast, Metro found that the identified deficiency in industrial lands would be remedied

by including additional lands for industrial uses north of the City of Hillsboro. Metro went on to identify a shortage in residential lands that justified reducing the amount of Title 4 designated industrial lands within the City of Oregon City to 220.41 gross acres that is estimated to yield approximately 123 acres for industrial uses. As a result of Metro's Title 4 map amendment, the BRCP, as adopted in 2010, now complies with Metro's Title 4 land designations.

Transportation and Utility Plans

In addition, to the industrial land issue, the petitioner challenged the adequacy of the City's findings in the inventory of infrastructure demands. The challenges included challenges to the financing approaches for transportation, parks, police, fire and sold waste, and schools and whether serving the Beavercreek area would impact services and costs on the city as a whole.

When the BRCP was originally adopted, it was evaluated against transportation and other utility plans in place at that time, which did not contemplate development demands in the areas covered by the BRCP. As a result, the BRCP attempted to analyze those impacts in the first instance but because LUBA did not weigh in on those issues, we do not know if those findings were adequate.

Since that time, the City has adopted new transportation system, water, sewer master plans as well as new low impact development stormwater standards. These utility master plans assumed development at the levels set out in the BRCP and included updated lists of projects and costs necessary to serve the BRCP area. As a result, these master plans more fully flesh out service demand, their costs, and explain how utilities will be funded so as not to increase costs to existing City residents.

The findings for the BRCP have been revised to include consideration of these updated plans. Since the City decided to open the record to allow consideration of these new plans, it made sense to revisit the provision of parks, schools, police and fire adequacy issues as well.

Natural Resources and Landslides

The petitioner also argued that the City failed to adequately protect streams and wetlands as well as protect for natural hazards and landslides. As the draft findings provide, the City's natural resource and hazard overlay zone protections already in the City's code will be applicable to all development within the BRCP area responds to these issues.

Public Process

Finally, with regard to public process, the petitioner argued before LUBA that the hybrid BRCP put forward by the Citizen Involvement Committee (CIC) did not consider "community input [or] adequately reflect community desires." As pointed out in the findings, the CIC held multiple meetings to consider three different concept plans. The CIC voted to put forward the hybrid plan which was fully vetted by the Planning Commission and City Commission over numerous public hearings. Petitioner was given a full and fair opportunity to present oral and



written testimony during the previous proceedings and will have the same opportunity during the City's limited review of the record on remand.

Conclusion

It is important to remember that staff has not made any amendments to the Beavercreek Concept Plan document. Rather, the only revisions appear in the findings supporting the concept plan as originally drafted and with new, more current evidence addressing the Title 4 map issues, the utility and natural feature issues raised by the petitioner in the LUBA appeal.

We look forward to discussing this issue with you further during the hearing.

GSB:7394391.2

BEFORE THE CITY COMMISSION

In the Matter of)	
Adoption of the)	Findings of Fact
Beavercreek Road Concept Plan)	
ON REMAND)	
File No. LE-15-0003)	

I. INTRODUCTION

This matter comes before the City Commission (Commission) of Oregon City to approve the Beavercreek Road Concept Plan on remand.

After a review of the facts, including the Metro Ordinance 10-1244B and the City's recently adopted transportation and utility master plans, the City Commission finds that the applicable decision-making criteria are satisfied. Therefore, the City Commission APPROVES the above-referenced plan amendments. Unless otherwise provided for, these plan amendments shall take effect on Jan 1, 2017 or upon adoption of zoning regulations implementing these plan amendments, whichever comes first.

The Commission summarized the benefits of this plan in 2008 as follows:

The Beavercreek Road Concept Plan (BRCP) is a guide to the creation of a complete and sustainable community in southeast Oregon City. The concept plan includes 453-acres located along the east side of Beavercreek Road from Old Acres Lane, north to Thayer Road. The majority of the site (245 acres) was added to the UGB in December of 2002 and an additional 63 acres were added in 2004. The remaining acreage was in the UGB and/or Oregon City limits prior to 2002. During the update of the Oregon City Comprehensive Plan in 2003, Policy 2.6.8 was adopted acknowledging the jobs-related importance of the site to Oregon City and the region, while also allowing flexibility in the project area's land use. Comprehensive Plan policy 2.6.8 states:

Require lands east of Clackamas Community College that are designated as Future Urban Holding to be the subject of concept plans, which is approved as an amendment to the Comprehensive Plan, would guide zoning designations. The majority of these lands should be designated in a manner that encouraged family-wage jobs in order to generate new jobs and move towards meeting the City's employment goals.

The BRCP furthers this end by creating an area were families can work, as well as live by providing a diverse mix of uses (an employment campus north of Loder Road, mixed use districts along Beavercreek Road, and two mixed use neighborhoods) all woven together by open space, trails, a network of green streets and sustainable development practices - all attributes necessary to provide a successful family-wage employment area. Transit-oriented land uses have been strategically located to increase the feasibility of transit service in the future. The plan has been carefully crafted to create a multi-use community that has synergistic relationships with Clackamas Community College, Oregon City High School and adjacent neighborhoods.

II. FACTS

A. Concept Plan History

In September, 2008, the Oregon City Commission adopted Ordinance No. 07-1008 adopting the Beavercreek Concept Plan (BRCP) and its ancillary documents to the Oregon City Comprehensive Plan. The decision was subsequently appealed to the Land Use Board of Appeals (LUBA), LUBA No. 2008-170. Although a wide-ranging series of arguments were presented before LUBA, they largely focused on whether the BRCP was consistent with Metro Code provisions relating to the designation of significant industrial lands, whether the Metro Code and comprehensive plan policies relating to utility and facility adequacy were satisfied, and lack of adequate citizen participation in the process. In August, 2009, LUBA found that the BRCP designation of approximately 74 acres out of the total 308 acres that were designated by the Metro Code for an Industrial design type uses required remand. LUBA did not respond to any of the other arguments.

In December 2010, Metro adopted Ordinance No. 10-1244B that, in addition to expanding the urban growth boundary in portions of Washington County, it amended the Title 4 Industrial and Other Employment Areas Map to show changes to design-type designations to conform to new comprehensive plan designations by cities and to needs identified in the 2009 Urban Growth Report. See Attachment 3, Gerry Uba staff report. Metro's decision was acknowledged by the Land Conservation and Development Commission in LCDC Approval Order 12-UGB-001826. The decision was then appealed to the Oregon Court of Appeals by the same petitioner who challenged adoption of the BRCP as well as others who opposed the UGB expansion. Resolution of the case was stayed pending resolution of the case considering Metro-area urban and rural reserves entitled Barkers Five v. LCDC. In February, 2014, the court remanded LCDC's decision in the Barkers Five case. The legislature responded by enacting House Bill (HB) 4078 (2014) (Or Laws 2014, ch 92), making numerous amendments to ORS chapter 197 and validating Metro's adoption of Ordinance No. 10-1244B. In August 2014, the Oregon Court of Appeals dismissed all challenges relating to Ordinance No. 10-1244B, finding that the amendment to state law established the UGB for Clackamas County as well and therefore, all of the challenges were moot.

B. BRCP Acreage at a Glance

The following table illustrates the estimated gross and net acreage within the BRCP area for the respective land use areas in the BRCP, organized by UGB expansion date. These acreages are based on a GIS analysis of the adopted hybrid plan using polygons, and should be considered approximate.

	D 4004 V/GD		**************************************				
	<u> Pre 200</u>	2 UGB	<u>2002</u>	<u>UGB</u>	<u>2004</u>	<u>UGB</u>	
BRCP Land Use	<u>Gross</u>	<u>Net</u>	<u>Gross</u>	<u>Net</u>	<u>Gross</u>	<u>Net</u>	<u>Total</u>
<u>Designations</u>	<u>Acres</u>	<u>Acres</u>	Acres	<u>Acres</u>	<u>Acres</u>	<u>Acres</u>	<u>Acres</u>
North Employment							
Campus (Industrial)	51.43	39.36	121.81	75.14			173.24
Mixed Employment							
Village	11.88	11.88	14.45	14.39			26.33
Mixed Used							
Neighborhood (East							
+ West)	49.46	46.68	21.64	21.28	30.79	30.79	101.89
Resource and Natural							
Areas (Low Imp +							
Natural)	1.04	1.04	57.29	15.18	29.17	17.66	87.50
Main Street	7.00	7.00	3.18	3.12			10.18
Wan Street	7.00	7.00	3.10	3.12			10.10
Right of Way	29.26	25.96	24.84	20.09	4.18	4.18	58.40
BRCP Total Acres	150.08	131.92	243.21	149.21	64.13	52.63	457.54
Metro Title 4							
Industrial Land	59.74	46.05	160.67	77.80			220.41

The majority of the site (approximately 245 acres) was added to the UGB in December of 2002 and an additional approximately 63 acres were added in 2004. The remaining acreage was in the UGB and/or Oregon City limits prior to 2002. The 220.41 acres of Title 4 industrial land is estimated to yield approximately 123 acres.

III. The Process and Applicable Approval Standards

The City of Oregon City proposes to re-adopt the BRCP without any amendment. New comprehensive plan map designations and development code and zone changes are not proposed at this time. These concept plan policies will not go into effect until the new zoning designations apply to specific parcels.

State law and the Oregon City Municipal Code do not specifically address the applicable procedures on remand, leaving the City Commission with considerable discretion. The City's only obligation is to address the issues on remand from LUBA. Given that LUBA did not

respond to all of the issues and that the City has implemented a number of relevant utility master plans since 2009, it makes sense to re-open the record only for the purposes raised in the arguments presented by the petitioner in the LUBA appeal. These issues can be summarized as Metro Code Title 4 requirements and public utility and service infrastructure planning requirements as discussed in greater detail below. All written and oral testimony that does not relate to these limited purposes as preserved in the LUBA case, will be rejected and not considered by the City during its review.

As for the applicable approval criteria, as a legislative decision, the fixed goal post rule, ORS 227.178(3)(a), does not apply and as a result, these findings respond to the Metro Code Title 4 and Title 11 provisions currently in place.

Adoption of the BRCP is subject to all of the applicable Statewide Planning Goals including the Transportation Planning Rule (OAR 660-012-0060). In order to meet the requirements of this regulation, needed improvements and funding mechanisms have been identified for properties within the Concept Plan area that will mitigate impacts of the amendment in a manner that avoids further degradation to the performance of the transportation facilities. The proposed transportation infrastructure improvements, financing and funding estimates, identified in the Plan, along with future amendments to the Transportation System Plan and Capital Improvement Plan provide adequate basis to limit development until compliance with the Transportation Planning Rule is shown.

Oregon City must comply with the relevant portions of Metro's Urban Growth Management Functional Plan (Functional Plan). The Functional Plan is a regional land use plan that implements the 2040 Growth Concept. The Concept Plan is required to comply with Metro's title 11 requirements regarding residential density. Findings regarding Metro Title 11 are detailed below.

IV. Public Involvement and Public Comment

The Concept Plan was developed by a 15-member Citizen Advisory Committee (CAC) and 9-member Technical Advisory Committee (TAC). The committees met twelve times between June 2006 and July 2007. There was broad support on the CAC for the hybrid plan. In addition to the committee meetings, the public involvement process included a study area tour for CAC and TAC members, two public open houses, market focus group, sustainability focus group, employment lands coordination with Metro, Community Design Workshop, a project website, project posters, informational sign, email notice and extensive mailings to property owners and interested parties prior to each meeting and public event. Notice of the public hearing for the proposal was published in the newspaper and mailed to all Oregon City property owners on June 22, 2007, in accordance with the requirements of Measure 56. The Planning Commission took public testimony at three hearings on September 24, 2007, October 22, 2007, and November 12, 2007. In addition to reviewing all of the evidence in the record, the City Commission also took public testimony at its hearings on January 16, 2008, March 5, 2008, March 19, 2008 and April 16, 2008.

For the re-adoption, planning staff held additional meetings to provide information and receive input on the plan process:

Planning Commission Work Session

09/28/2015

Citizen Involvement Committee	10/05/2015
Natural Resources Committee	10/14/2015
Transportation Advisory Committee	10/20/2015
Parks & Recreation Advisory Committee	10/22/2015
Caufield Neighborhood Association	10/27/2015
Hamlet of Beavercreek	10/28/2015
City Commission Work Session	11/10/2015
Planning Commission Hearing #1	11/23/2015
City Commission Hearing #1	12/02/2015

V. DECISION-MAKING CRITERIA:

A. Comprehensive Plan Criteria

The following considerations, goals and policies apply to amendment of the Comprehensive Plan and Concept Plans.

Comprehensive Plan Maintenance and Implementation - Regular Review and Update.

Section 2 – Land Use of the 2004 Oregon City Comprehensive Plan indicates that the regular review and updated of the Comprehensive Plan should consider the following:

- 1. Plan implementation process.
- 2. Adequacy of the Plan to guide land use actions, including an examination of trends.
- 3. Whether the Plan still reflects community needs, desires, attitudes and conditions. This shall include changing demographic patterns and economics.
- 4. Addition of updated factual information including that made available to the City of regional, state and federal governmental agencies.

B. Statewide Planning Goals

Compliance with the Statewide Planning Goals is a specific requirement for changes to the Comprehensive Plan or Comprehensive Plan map. For the BRCP to be approved by DLCD it must comply with applicable statewide planning goals. The analysis below is provided for the City and the public to understand how the proposed update complies with Statewide Planning Goals.

C. Metro Title 11.

Concept Plans are regulated by Title 11 in Metro's Urban Growth Management Functional Plan. Title 11 and Concept Plans are intended to lay a foundation for urbanization of areas added to the region's Urban Growth Boundary (UGB) in a way that reasonably provides public facilities and services, offers transportation and housing choices, supports economic development, and protects natural resources. The following land use elements of Metro's Title 11 regulations governing concept planning within Metro's jurisdiction, "3.07.1120 Urban Growth Boundary Amendment Urban Reserve Plan Requirements" which generally include the following:

- A. Annexation;
- B. Housing density;
- C. Variety of housing types;
- D. Housing affordability;
- E. Commercial/Industrial development;
- F. Transportation;
- G. Mapping;
- H. Public Facilities and Services;
- I. Schools;
- J. Urban Growth Diagram; and
- K. Plan Amendments.

IV. ANALYSIS AND FINDINGS

A. Comprehensive Plan Criteria

Comprehensive Plan Maintenance and Implementation - Regular Review and Update.

Another method of Plan maintenance and updating is a continuous technical review of the Plan by the Planning staff. This review and any subsequent recommendations for Plan updating should be presented to the Neighborhood Associations, Planning Commission and City Commission for input and discussion in the same manner as requested Plan changes. The continuous review should consider:

1. Plan implementation process;

Analysis: The main reason for amending the Comprehensive Plan is to adopt and implement the new BRCP in response to Metro Title 11 Requirements, and to guide appropriate comprehensive plan designations and zoning for the area. The concept planning process was initiated in order to ensure the appropriate mix of uses in the concept plan area, and so that public facilities and services can be planned to serve future development within the study area.

Completion of the concept plan and amendment of the Comprehensive Plan complies with the City's Comprehensive Plan Goal 14.3 - Orderly Provision of Services to Growth Areas, which provides that the City plan for public services to lands within the Urban Growth Boundary through adoption of a concept plan and related Capital Improvement Program, as amendments to the Comprehensive Plan. The BRCP and regulations are in compliance with Metro's Functional Plan and the amendments to the comprehensive plan must be adopted through DLCD's post-acknowledgement process.

The City finds this criterion is satisfied.

2. Adequacy of the Plan to guide land use actions, including an examination of trends.

Analysis: The Existing Conditions report of the Concept Plan includes detailed market, infrastructure, transportation system, natural resources, demographics and industrial lands analyses in order to determine trends to guide future land use actions. The results of this analysis need to be incorporated into the Comprehensive Plan. The plan provides a thorough explanation of the existing conditions pertaining to this analysis and provides recommendations and

preliminary cost estimates for improvements that will be necessary in order for the concept plan to be carried out. These cost estimates have subsequently been updated in the city's public infrastructure and transportation planning as follows:

Transportation System Plan (2013)

Sewer Master Plan (2014)

Water Master Plan (2010)

Stormwater and Erosion Control Manual and Design Standards (2015)

The Comprehensive Plan amendments are necessary in order for land use actions to be carried out within the concept plan area subsequent to the annexation of property. Adoption of the concept plan does not rezone property within the planning area until said property is annexed into the City and the implementing zoning regulations are in place. Comprehensive Plan map designations, relevant code amendments, and text and maps are required when these events take place. Likewise, the amendments to the ancillary documents and plans assure that the necessary improvements in the concept plan may be incorporated into the appropriate ancillary plan, as well as be included in the City's Capital Improvement Program and Transportation System Plan.

The Concept Plan provides a comprehensive and cohesive guide to future development in three parts:

- Framework plan maps, goals and policies These elements are adopted as part of the Oregon City Comprehensive Plan. Compliance with the plan is required for all land use permits and development beyond that allowed by existing land use regulation. The framework plan is comprised of generalized maps and policies that integrate land use, transportation, open space and green infrastructure. The framework maps and policies are supported by detailed code and requirements for master planning and design review. This approach sets a broad framework and intent on the figures and text in the plan that ensures that the vision, goals and standards are required in all land use decisions, provides flexibility in site specific design and implementation and allows for phased development over a longer period of time.
- 2) Ancillary report materials The descriptive text, graphics and technical appendix of this report are adopted as an "ancillary document" to the Comprehensive Plan, which provides "operational guidance to city departments in planning and carrying out city services" (Oregon City Comprehensive Plan, page 4). These documents include information for updating the City's utility master plans and Transportation System Plan.
- 3) Development code amendments Revisions to the development code are being prepared as part of the Concept Plan. Once final, it will be adopted as part of the Oregon City Municipal Code. Compliance with these amended provisions will be required for all land use permits and development.

The opportunities and constraints, market, infrastructure, natural resources and buildable lands analysis provided in the BRCP provide an adequate factual basis for determining trends within

the study area. Following adoption of the BRCP, amendments to the Zoning Code, Comprehensive Plan and Ancillary Documents will provided an adequate basis for making future land use decision and can be found in compliance with this criterion.

The City finds this criterion is satisfied.

3. Whether the Plan still reflects community needs, desires, attitudes and conditions. This shall include changing demographic patterns and economics.

Analysis: Citizen input was critical to ensure that the community's desires and attitudes would be reflected in the Concept Plan. A public involvement program was developed and conducted from June 2006 through July 2007. A 15-member Citizen Advisory Committee (CAC) and 9-member Technical Advisory Committee (TAC) developed the concept plan. The purpose of the CAC was to serve as the forum for stakeholder representatives to work with each other and act as an advisory body to the Consulting Team, City Staff, Planning Commission, and City Commission regarding the Concept Plan. The CAC comprised residents, representatives of neighborhood associations, the Hamlet of Beavercreek, local businesses, the development community, property owners within the study area, the school district, Clackamas Community College, Transportation Advisory Committee, environmental interests, and the Planning Commission.

The CAC created several alternatives and finally chose a hybrid the included about 127 net acres of North Employment Campus, which is consistent with Metro's intent and similar to Oregon City's existing Campus Industrial designation, about 29 acres of Mixed Employment Village and Main Street, which allows a variety of uses in a village-oriented transit hub and mixed use neighborhoods to the south that also provide jobs tailored to the neighborhood setting.

The TAC included representatives from Metro, Clackamas County, ODOT, Tri-Met, DLCD, and City Planning Staff. Twelve meetings were held over the 13 months and there were two open houses, a market and sustainability focus group and a design workshop that were intended to provide information to citizens and to solicit their input.

For the 2015 re-adoption process, planning staff held additional meetings to provide information and receive input on the BRCP process with the following groups:

Planning Commission Work Session	09/28/2015
Citizen Involvement Committee	10/05/2015
Natural Resources Committee	10/14/2015
Transportation Advisory Committee	10/20/2015
Parks & Recreation Advisory Committee	10/22/2015
Caufield Neighborhood Association	10/27/2015
Hamlet of Beavercreek	10/28/2015
City Commission Work Session	11/10/2015

The overall vision for the concept plan is to create "A Complete and Sustainable Community", and the CAC utilized the definition of sustainability originally developed by the United Nations Brundtland Commission:

"A sustainable society meets that needs of the present without sacrificing the ability of future generations to meet their own needs".

Based on public input, the committee created 10 Project Goals and 10 Principles of Sustainable Community Design that were used in the visioning and development of the concept plan. The Goals and Principles are on pages 7 and 8 of the Concept Plan. Utilizing these Goals and Principles, the committee created several alternative plans that were reviewed and combined into one preferred alternative plan, which is identified as the BRCP. The plan has land use and transportation connections that support future transit, trails and greenspaces have been crafted to provide direct and convenient internal pedestrian connections and link to the broader regional network, lower densities near the edges and buffer treatments have been incorporated and a street network that provides for internal circulation, minimizing impacts on Beavercreek Road and providing for future connections to the north and south have been identified.

The plan meets the needs of Oregon City for providing employment lands, which are greatly needed. The plan provides 156 net acres of employment lands in two forms: 127 net acres of tech flex campus industrial (Title 4) land and 29 acres of more vertical mixed use village and main street employment. The employment is incorporated into a sustainable, complete community that includes jobs, varied housing types, green streets, open spaces, trails, mixed uses, focal points for activity, linkages to logical streets and activity centers (Clackamas Community College and Oregon City High School) and access to nature. The concept plan is a reflection of the needs, desires, attitudes and conditions of the community and represents the vision, direction and improvements that are necessary to accommodate the changing demographics and economics of the community.

The City finds this criterion is satisfied.

4. Addition of updated factual information including that made available to the City by regional, state and federal governmental agencies.

Analysis: The proposed changes respond to needs revealed by the Buildable Lands Inventory for the concept plan and where updated and affirmed in 2010 through Metro's adoption of Ordinance No. 10-1244B. These needs are documented in the technical appendix on housing and economic development, as well as in the background discussions in each of the Comprehensive Plan elements. Participation on the TAC by representatives of Metro and the State Department of Land Conservation and Development informed the Regulatory Framework which the Concept Plan must comply with, including the primary elements: Governance, Housing, Transportation and protection of Natural Resources. For example, policies support the provision of a variety of housing types and income levels, creation of mixed use zones to encourage more employment and housing, and the designation of Metro Design Types (Industrial and Employment). Metro data and the City's own GIS data was utilized to develop a variety of maps, notably the habitat conservation areas, steep slopes areas, urban growth potential, transportation (street system, transit, functional classification, street sizing, bicycle and pedestrian needs, trails), water, stormwater and sewer system maps. Policies in the Concept Plan support Metro and DLCD requirements and factual information is reflected in the BRCP.

The City finds this criterion is satisfied.

Oregon City Comprehensive Plan Goal 2.6 - Industrial Land Development Ensure an adequate supply of land for major industrial employers with family-wage jobs.

Adoption of the BRCP will ensure an adequate land supply for major industrial employers, consistent with regional employment land goals adopted by Metro. Goal 2.6 is further implemented by the following Policies 2.6.1 through 2.6.8:

Policy 2.6.1

Work with Metro to ensure that there is enough land available within the Urban Growth Boundary to meet the need for industrial and/or commercial development. If there is not enough, identify areas outside the boundary that may be appropriate to annex. The selection of these areas will be based on market factors, protection of environmentally sensitive areas, compatibility with adjoining and nearby uses, public facilities and infrastructure, proximity to expressways and transit, site requirements of specific types of industries, and the desires of the property owners.

Analysis: Metro has determined that the proposed plan provides an adequate amount of Title 4 employment land within the UGB. Reflecting changes in employment needs and demands between the Metro 2002 Urban Growth Report (UGR) –Employment, and the 2009 UGR - Employment, Metro's 2009 assessment found there is adequate capacity inside the current UGB to accommodate the next 20 years of general employment and general industrial job growth even at the high end of the employment forecast range. The subsequently adopted change to the Title 4 Employment and Industrial Areas map conformed the map to the updated information about employment needs in the 2009 UGR (Employment). This change also responded to the identification of a need for residential capacity in the 2009 UGR (Residential) by increasing the residential capacity of the Beavercreek planning area by 36 dwelling units above the level expected at the time the Metro Council added the areas to the UGB. Metro adopted the revised Title 4 map with passage of Ordinance 10-1244B, Exhibit D, on December 6, 2010. According to this map, which is consistent with the hybrid plan, the 151 gross acres on the revised map will supply approximately 121 net acres of employment land.

The City finds this criterion is satisfied.

Policy 2.6.2

Ensure that land zoned or planned for industrial use is used for industrial purposes, and that exceptions are allowed only where some other use supports industrial development. New non-industrial uses should especially be restricted in already developed, active industrial sites.

Analysis: The zoning that will be applied to the employment lands within the UGB following annexation of lands will restrict non-industrial uses and ensure that land is preserved for industrial use. Existing CI-Campus Industrial zoned land within the BRCP area list permitted, conditional and non-permitted uses to support industrial land supply. It is anticipated that zoning similar to the CI zone district will be applied to annexed properties that currently do not have city zoning.

The City finds this criterion is satisfied.

Policy 2.6.3

Protect the city's supply of undeveloped and underdeveloped land zoned for industrial uses by limiting non-industrial community uses, such as schools, parks, and churches on such properties and by limiting larger commercial uses within those areas.

Analysis: As stated above, the zoning of the property in the North Employment Campus will be the same as or similar to the current CI – Campus Industrial zone. Clackamas Community College and Oregon City School District do not anticipate the need for additional land within the BRCP area. Religious land uses are not listed as a permitted use in the CI zone, but could be permitted as conditional uses on mixed-use lands in the southern part of the BRCP area. Commercial uses within the northern employment campus would be limited to some upper limit, similar to the CI zone, which restricts retail sales and services to no more than ten percent of the net developable portion of all contiguous industrial lands. Taken together, these requirements will protect the city's supply of undeveloped and underdeveloped land zoned for industrial uses.

The City finds this criterion is satisfied.

Policy 2.6.4

Protect existing and planned undeveloped and underdeveloped industrial lands from incompatible land uses, and minimize deterrents to desired industrial development.

Policy 2.6.5

Ensure that land-use patterns create opportunities for citizens to live closer to their workplace.

Analysis: An important focus of the BRCP is to create a live-work balance by providing employment opportunities in a mixed use community, with strong multi-modal transportation connections both within the BRCP area and externally to the existing commercial, employment and education centers nearby such as Berry Hill Shopping Center, Clackamas Community College and Oregon City High School. Additionally, live-work units and home occupations with cottage industries are supported by the mixed use approach. The proposed land use mix, combined with the improved transportation network, will guide the future development of the area in a manner that supports this policy.

The City finds this criterion is satisfied.

Policy 2.6.6

Identify industrial uses that could partner with Clackamas Community College as training centers and future employers of students graduating from CCC.

Analysis: Adoption of the BRCP is the first step towards attaining this policy. The plan includes policies for strong programmatic connections to Oregon City High School and Clackamas Community College. The City is already working with the State and the County to develop enterprise zones within the CI-zoned lands within and adjacent to the BRCP area. The enterprise zones encompass industrial areas along Beavercreek Road, the Red Soils area and north of Highway 213 - an area approximately 1.2 square miles. The City partnered with Metro and Clackamas County on the Strategically Significant Employment Lands Project to study these lands and determine their readiness for development and marketability. One of the criteria for

qualifying projects within the enterprise areas is to partner with local job training providers such as Clackamas Community College.

The City finds this criterion is satisfied.

Policy 2.6.7

Establish priorities to ensure that adequate public facilities are available to support the desired industrial development.

Analysis: Please see findings for compliance with Statewide Planning Goal 11 – Public Facilities and Services in Section B below.

Policy 2.6.8

Require lands east of Clackamas Community College that are designated as Future Urban Holding to be the subject of concept plans, which if approved as an amendment to the Comprehensive Plan, would guide zoning designations. The majority of these lands should be designated in a manner that encourages family-wage jobs in order to generate new jobs and move towards meeting the city's employment goals.

Analysis: Adoption of the BRCP will achieve this policy. The final draft hybrid plan was analyzed by the firm ECONorthwest, indicating the potential for substantial job creation within the concept plan area. The ECONorthwest findings were further confirmed by Metro in its 2009 Urban Growth Report (Employment) that "there is adequate capacity inside the current UGB to accommodate the next 20 years of general employment and general industrial job growth even at the high end of the employment forecast range." Ord. 1244B, Attachment 3, p.3. The North Employment Campus is to provide for the needed family wage employment that strengthens and diversifies the economy and will be compliant with Metro's Title 4 regulations. The NEC allows a mix of clean industries, offices serving industrial needs, light industrial uses, research and development and large corporate headquarters. The uses permitted are intended to improve the region's economic climate, promote sustainable and traded sector businesses, and protect the supply of site for employment by limiting incompatible uses. Also, portions of the BRCP area designated enterprise zones incentivize development (See http://www.orcity.org/economicdevelopment/enterprise-zone). To be enrolled in the taxabatement program, businesses should pay employees at least 150% of the State minimum wage or \$13.65 per hour for 2014 (benefits can be used to reach this pay level). Other requirements apply as well.

The City finds this criterion is satisfied.

B. Compliance with Statewide Planning Goals

Compliance with the Statewide Planning Goals is a specific requirement for changes to the Comprehensive Plan or Comprehensive Plan map. For the BRCP to be approved by DLCD it must comply with statewide planning goals. The analysis below is provided for the Planning Commission and the public to understand how the proposed update complies with Statewide Planning Goals.

Goal 1 Citizen Involvement

To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

Analysis: A brief summary of the public involvement program for the CAC/TAC and the general public was provided above. In accordance with this goal, the public involvement program involved affected Neighborhood Associations and groups, utilized community education measures to enhance participation (open houses, focus groups, design workshop, website, open access to planners at City Hall, timely provision of draft material mailed to the CAC/TAC in advance of meetings and on the web, mailings), and provided timely and accurate information to individuals, groups, communities and neighborhoods. After the CAC/TAC recommended a draft plan language, the Planning Commission and City Commission held a number of work sessions and public hearings where public testimony was considered. At all times the draft plan was available for review by the public. This open process encouraged participation by any interested citizen and all evidence submitted into the written record was considered. Finally, planning staff met with several advisory groups and the Hamlet of Beavercreek, and held two work sessions in October – November 2015 to update people on the re-adoption process (See Page 4 for details).

The City finds this Goal is satisfied.

Goal 2 Land Use Planning

To establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions.

Analysis: The Draft Concept Plan includes identification of facts, issues, and problems in the "Background" discussion for each element. Updated and market relevant documentation in the technical report provided the basis for the Land Use, Parks, Transportation, Water, Stormwater, Sanitary Sewer and Natural Resources elements, helping assure the proper factual basis for decisions in updating the maps, goals, policies and implementation measures. Inventories, such as for economic development, employment and natural resources, have been provided in the technical appendices to the BRCP. Based on this information, the Commission finds that this plan amendment is coordinated, as defined by state law. It has been reviewed and coordinated with the plans of other governmental units. It contains adequate implementation measures to ensure that upon taking effect (when the implementing zoning is subsequently adopted) sufficient means will carry out the BRCP. Although Goal 2 also implements periodic review, the amendments are not triggered as a result of periodic review. Finally, after a number of public hearings where alternative courts of action were considered, the Commission finds that the proposed plan amendments are consistent with public policy taking into account social, economic, energy and environmental needs.

The City finds this Goal is satisfied.

Goal 3 Agricultural Lands and Goal 4 Forest Lands

Analysis: By definition, Oregon City does not have rural resource lands such as for agricultural or forest use within its city limits or UGB and therefore those goals are not applicable.

The City finds these Goals are not applicable.

Goal 5 Open Spaces, Scenic and Historic Areas, and Natural Resources

To protect natural resources and conserve scenic and historic areas and open spaces.

Analysis: Goal 5 resources are addressed in detail in the Natural Resource Inventory which was part of the existing conditions analysis required by Metro Title 11. A detailed review of the Goal 5 resources within the study area, including wetlands, streams, riparian area, wildlife habitat and other resources was conducted. The inventory consisted of two parts:

- 1) An examination of existing resource information for the plan area; and
- 2) A field study to verify the location and evaluate resource habitat quality.

The first phase of the inventory included review of existing documents, such as Metro Goal 5 Inventory Maps, National Wetland Inventory maps, Natural Resource Conservation Service Soils Survey of Clackamas County, Stream Net fisheries data and other sources. Phase two consisted of a field verification of the BRCP area by a team of biologists. The team visited each of the previously mapped natural resource areas to confirm the location, size and quality. The natural areas determined to be of high resource value were distinguished from natural areas of lesser resource value and the lower quality natural areas were given a designation of enhancement potential in order to identity both the highest quality natural resource and provide a determination of the feasibility of enhancement.

The Natural Resources Inventory that was conducted as part of the existing conditions analysis for the BRCP consisted of examination of existing resource information for the area and a field study. This inventory is already part of the record. The inventory identified and summarized 19 natural areas within the BRCP area and were assigned values for their condition and enhancement potential. Of those 19 areas, the majority were consistent with Metro's Goal 5 mapping. The city's initial GIS analysis of the NROD areas for the entire UGB was done in 2008. The Natural Resource Overlay District was adopted in 2008 and replaced the old Water Resources Overlay District with a combined overlay district, which regulates both Metro Title 13 habitat and Metro Title 3 water resources. In particular Trimble Creek is an identified Goal 5 resource that runs from south to north through the site crossing Loder Road. The concept plan envisions this protected resource being combined within a linear park feature.

The BRCP will protect Goal 5 natural resource areas by guiding the designation of Natural Resource Overlay District areas and the restriction of development in those areas pursuant to OCMC 17.49. The code requires that further on-site analysis be conducted to determine the current extent of the protected resources which initially was done with the concept plan. More detailed, site specific delineations of the resources and the required associated vegetated corridors is required prior to development, along with impact analysis and mitigation for impacts. These existing restrictions will adequately protect natural resource areas and to the extent necessary serve as a natural resource protection plan.

The Beavercreek Road Open Space Framework plan provides a network of green spaces that are intended to provide a system of connected parks, opens spaces and natural areas, provide access to nature, preserve existing natural resources and provide green spaces near the system of trails and pedestrian connections. The power line corridors comprise approximately 52 acres of land north of Loder Road and have been utilized to provide publicly accessible opens space, trails and links to the broader open space network. The standard of 16-acres per 1,000 population was amended to a standard of 6 to 10 acres per 1,000 population as discussed at the Planning Commission. The extent and location of the park is conceptual, flexible and the costs associated with acquisition and development may need to be determined through more detailed Master Planning processes, similar to the Glen Oak Road park site and the Hazel Grove parks site master planning that was conducted in 2014. Existing parks SDCs do not reflect the cost of providing parks in this area, and they may need to be updated to account for the amount of parks acreage envisioned in the concept plan but they may be updated or lands could be obtained by private developers as development occurs. A park is proposed to extend through the central and southern areas of the BRCP. The location and linearity of the park was first indicated by Metro's Goal 5 mapping. This open space feature is intended as a continuous green space that links the districts and neighborhoods south of Loder Road.

The code will allow flexibility in the width, shape and acreage of the open space, provided there remains a clearly identifiable and continuous open space. The buildable lands identified 292 acres of Tier A or 'unconstrained' lands, 28 acres of Tier B or "Low Impact Development Allowed with Review" and 131 acres of Tier C or "Constrained". The Low Impact area was later evaluated and recommended for conservation under an Environmentally Sensitive and Resource Area designation on the BRCP. New development will be required to comply with the City's Natural Resources Overlay District in compliance with this goal.

The Parks and Recreation Advisory Committee (PRAC) met on October 22, 2015 to hear staff's presentation on the re-adoption process. The PRAC voted unanimously to supports the parks, open space and recreation elements of the Beavercreek Concept Plan.

Concept Plan goals and policies for preserving open space and tree cover, protecting scenic views, preserving and conserving natural resources and water quality have been provided.

The City finds this Goal is satisfied.

Goal 6 Air, Water and Land Resources Quality

To maintain and improve the quality of the air, water and land resources of the state.

Analysis: Existing Comprehensive Plan policies that apply to the concept plan require development practices to comply with regional, state, and federal standards for air and water quality, to protect water quality from erosion and sediment, to minimize the effects of noise, and to protect mineral resources.

These goals and policies are implemented through the City's grading and erosion control ordinances, water quality resource protection regulations, development standards, and nuisance laws. DEQ regulates air quality but Oregon City's TSP recognizes the link between air quality

and transportation (through vehicle emissions) and works to reduce impacts from single-occupancy vehicles. The TSP and Capital Improvements Fund will be updated to reflect transportation improvements recommended in the BRCP.

The City finds this Goal is satisfied.

Goal 7 Areas Subject to Natural Disasters and Hazards

To protect life and property from natural disasters and hazards.

Analysis: The Commission finds that the area does contain steep slopes. The east ridge of the concept plan area was identified as an area of steeper slopes that could be at risk for landslides and slumping. In order to address this, the BRCP calls for establishing a protected open space area along the west side of Thimble Creek and designating the area between the edge of that open space and the 490-foot elevation to the west, along the east ridge, as a conservation area within which a number of restrictions will development apply, including protecting a minimum of 50% of the conservation area, and building height and impact restrictions. The plan also requires a "window" of at least 700 feet of continuous area along the ridge to be publicly accessible. Any development in this area will also be subject to the City's existing geologic hazard overlay review requirements.

According to the City Commission meeting minutes of September 3, 2008, the approximate elevation of 490 feet (MSL) is important in the southern half of the concept plan area relative to gravity sewer service. Existing storm water discharge points below the 490 foot level in this area may also need to be improved with future development to assure that storm water quality and quantity control standards are met. Roadways and development constructed above 490 feet will most likely allow for gravity sewer service. If land uses requiring sanitary sewer service (or roadways with sewer underneath) are located lower than 490 feet, individual pump stations and pressurized services may be required.

As a practical matter land uses such as homes and habitable structures could not practicably meet the standards of the city's Geological Hazard Overlay District and Natural Resources Overlay District, which restricts development within known landslide areas and steep slopes, and within 50 to 200 feet of streams and stream tributaries and wetlands. Low impact recreational uses, such as trails, foot bridges and related uses, as well as storm water discharge facilities, may be permitted within the Natural Resources Overlay District (OCMC 17.49) and Geologic Overlay District (OCMC 17.44), subject to these specific code review criteria as well as Public Works engineering standards.

The City's Natural Resources Overlay District and Geologic Hazards Overlay District are already mapped to the extent of the Urban Growth Boundary in this area and would be in effect upon annexation.

No other natural disaster or hazard areas have been identified and the City finds there are none.

The City finds this Goal is satisfied.

Goal 8 Recreational Needs

To satisfy the recreational needs of the citizens of the state and visitors, and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.

Analysis: The concept plan provides for an interconnected series of trails, parks and open spaces areas throughout the study area to implement this Goal. Specific plan policies related to this Goal include amending the parks and recreation, open space and trail master plans to be consistent with the concept plan, implementation of a hierarchy of connections (roads and trails of various types), create two scenic view points that are small public parks along the East Ridge, open space, and extensive trail systems that provide pedestrian and bicycle connectivity throughout the site and to adjoining trial systems. Additionally the concept plan recognizes the opportunity for acquisition and/or dedication of sensitive areas for open space and habitat by private landowners.

The City finds this Goal is satisfied.

Goal 9 Economic Development

To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.

Analysis: As part of the concept plan process, Oregon City worked with a consultant to inventory and evaluate the local and regional market conditions within and adjacent to the concept planning area. This report details patterns in the community, the profile of local employment, the supply of industrial, commercial and office land, and potential for industrial and commercial development within the area. Metro's employment land needs analysis reports that about 9,300 net acres of industrial land is needed between 2002 and 2022, of which, approximately 6,300 net acres must be vacant and that the region has a shortage of large and small industrial lots. The EcoNorthwest market analysis (LUBA record pp. 1781) identified the advantages and disadvantages of industrial development within the study area and concluded that under the right conditions it is not unreasonable to expect 150 acres of industrial and business park development to build out on the site over a 20-year period.

Metro's adoption of Ord. 1244B updated the EcoNorthwest analysis, concluding that the proposed plan provides an adequate amount of Title 4 employment land within the UGB, through 2029. Reflecting changes in employment needs and demands between the Metro 2002 Urban Growth Report (UGR) –Employment, and the 2009 UGR - Employment, Metro's 2009 assessment found there is adequate capacity inside the current UGB to accommodate the next 20 years of general employment and general industrial job growth even at the high end of the employment forecast range. The subsequently adopted change to the Title 4 Employment and Industrial Areas map conformed the map to the updated information about employment needs in the 2009 UGR (Employment). According to this map, which is consistent with the hybrid plan, the 151 gross acres on the revised map will supply approximately 121 net acres of employment land.

A key issue for the committee was how much employment, what type and where. The Oregon City Comprehensive Plan requires that a majority of the lands be designated in a manner that encourages family-wage jobs in order to generate new jobs and move towards meeting the City's employment goals.

Metro brought 245 gross acres in the UGB in 2002 and an additional 63 acres were added in 2004. The remaining acreage was in the UGB and/or Oregon City limits prior to 2002. These areas (308 gross acres) are designated as the Industrial Design Type on Metro's 2040 Growth Concept Map. Given the expected net acreage once non-buildable areas such as power lines, natural areas, were removed from the buildable lands inventory, Metro intended 120 net acres of the concept plan area would be used for employment uses. Metro noted that it was important to fulfill the original intent for providing industrial lands and that there was flexibility for the local process to evaluate creative ways to meet the intent. See Metro's vacant lands methodology. This approach was blessed by David Bragdon, Metro Council President, in a letter dated May 14, 2007 as well as Metro planner Ray Valone in a letter dated March 19, 2008.

The CAC created several alternatives and finally chose a hybrid the included about 127 net acres of North Employment Campus (NEC), which is consistent with Metro's intent and similar to Oregon City's existing Campus Industrial designation, about 29 acres of Mixed Employment Village and Main Street, which allows a variety of uses in a village-oriented transit hub and mixed use neighborhoods to the south that also provide jobs tailored to the neighborhood setting.

The North Employment Campus is to provide for the needed family wage employment that strengthens and diversifies the economy and will be compliant with Metro's Title 4 regulations. The NEC allows a mix of clean industries, offices serving industrial needs, light industrial uses, research and development and large corporate headquarters. The uses permitted are intended to improve the region's economic climate, promote sustainable and traded sector businesses, and protect the supply of site for employment by limiting incompatible uses.

The concept plan provides land for an identified need within the region and state, and provides for a mix of other uses that will contribute to the economic welfare of the city, state and the citizens.

The City finds this Goal is satisfied.

Goal 10 Housing

To provide for the housing needs of citizens of the state.

Analysis: The concept plan recommends and provides for a mix of residential areas that allow and/or require different densities and housing types, including low, medium and high densities, single-family homes on a range of lot sizes, townhouses, duplexes, multi-family units and mixed commercial/residential uses. The West Mixed Use Neighborhood will be a walkable, transit-oriented neighborhood with an overall average or residential uses not to exceed 22 dwelling units per acre. The East Mixed Use Neighborhood will be a walkable and tree lined neighborhood

with a variety of housing types that will not exceed densities permitted in the R-5 zone (8.7 units per acre).

The concept plan provides for housing affordable to a range of incomes and will utilize sustainable building designs and green development practices. As noted above, the concept plan provides or allows for a range of housing types and densities, including those that are most likely to be affordable to households or families with lower incomes, including single-family homes on small lots, townhouses, duplexes and multi-family units. The plan also identifies strategies for distributing less expensive housing units among different areas rather than concentrating them all in one place, specifically calling for a variety of densities within the East Mixed Use Neighborhood that move from higher densities to lower densities from north to south across the site.

The adoption of Ordinance 1244B also responded to the identification of a need for residential capacity in the 2009 UGR (Residential) by increasing the residential capacity of the Beavercreek planning area by 36 dwelling units above the level expected at the time the Metro Council added the areas to the UGB.

The City finds this Goal is satisfied.

Goal 11 Public Facilities and Services

To plan and develop a timely, orderly, and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

Analysis: This goal applies to urban areas within the city limits of Oregon City and to urbanizable areas within the city's UGB. "Urban Facilities and Services" means appropriate types and levels of, at a minimum, the following: police protection; sanitary sewer facilities; storm drainage facilities; water, planning, zoning and subdivision control; health services; recreation facilities and services; energy and communication services; solid waste; and community governmental services.

Since the BRCP was first adopted, the City has updated a number of its utility master plans. As will be discussed in greater detail below, each of these plans included providing service to BRCP properties at the uses and densities authorized by the BRCP. These plans establish utility services necessary to serve the proposed BRCP area and provide for future utility services without compromising existing customer service. Upon adoption, these various master plans were incorporated as part of the City's Comprehensive Plan and as a result, control future utility extensions throughout the City.

Sanitary Sewer Infrastructure Planning

The BRCP plans for a sanitary sewer system that primarily consists of a gravity sewer collection system with a trunk sewer in Beavercreek Road, a network of trunk sewers within the BRCP area, and a sanitary sewer lift station for a section of the northern half of the concept plan area. The BRCP estimated the total cost of \$4.4 million for capital improvements within the study area and an additional \$2.3 million of programmed capital improvement projects needed to extend the

existing sanitary sewer collection system to the concept plan area. The cost estimates were based on year 2003 dollars.

In October 2014, the City adopted an update to the Oregon City Sanitary Sewer Master Plan (SSMP), an ancillary document to the City's adopted Comprehensive Plan consistent with federal requirements, state statutes, and the Statewide Planning Goals. The SSMP identifies build out capacity concerns, recommends future capital improvements, and develops a capital improvement program (CIP) to meet future needs.

The SSMP also identifies and recommends in more detail the future capital improvements and provides updated estimated costs to serve the BRCP area with respect to sanitary sewer service. Table 5-9, from the SSMP Section 5.2.3.4, identifies the recommended improvements and provides the estimated costs.

Table 5-9. Beavercreek Road Concept Area, Estimated Improvement Costs					
	Description of improven	nent		Estimated cost of improvements, dollars ^a	
Gravity sewer extensions ^b					
8-inch diameter sewers,	14,356 LF			5,050,000	
10-inch diameter sewers	s, 4,317 LF			1,610,000	
12-inch diameter sewers	4,230,000				
15-inch diameter sewers	1,930,000				
Gravity sewer extension	12,820,000				
Pumping stations and FMs					
Pumping station number	Pumping station capacity, gpm	FM, diameter, inches	FM, length, LF		
BR-1	272	4	2,080	1,390,000	
BR-2	1,370,000				
Pumping station and FM subt	2,760,000				
Total				15,580,000	

^a Estimated costs include a 50 percent allowance for construction contingencies, engineering, and overhead. Costs are rounded to the nearest \$10,000. Costs assume an average depth of 10 feet using cost condition 2. See Appendix C for unit cost tables.

The primary potential funding sources that may be expected to fund the future sanitary sewer facilities listed in Table 5-9 to serve BRCP, include:

- 1. System Development Charges (SDCs) Developers pay these charges up front to the City based on the proposed impact of the new development on the existing infrastructure.
- 2. Developer funded improvements –Developers are required to construct an appropriate level of public utility improvements within their proposed development and along all street frontages adjacent to their property, including off-site improvements as may be needed to serve the development.
- 3. Reimbursement District: A developer may finance and construct a public improvement that has the capacity to serve more than their development. The reimbursement district provides developers with a mechanism to be reimbursed by other property owners that benefit from the use of the constructed public improvement.

^b Pipes sizes shown are based on an assumed minimum slope. Actual slope may permit smaller size pipes. For example, the modeling did not predict the need to upsize the existing City sewer downstream of MH 11144.

The future sanitary sewer facilities recommended to serve BRCP developments shall be paid for in a way that does not financially burden or adversely affect existing public facilities and services in other parts of the City.

In 2014, the City issued a Type II Land Use Decision with conditions for improvements to serve the Beavercreek Road Apartment-Live-Work development (File SP 14-01). SP 14-01 was not subject to the current 2014 SSMP but the conditions attached to the land use approval require the applicant to pay for a component of the future Beavercreek Road trunk line and connect to the trunk line when it is available.

In summary, the 2014 SSMP documents and SP 14-01 approval consistently support sustainable development that will not financially burden existing rate payers or adversely affect the existing sanitary sewer system.

Water Infrastructure Planning

The BRCP plans for a water distribution system that primarily consists of a "backbone" network of water supply pipelines, two pressure zones with two-thirds of the BRCP area being served from the existing water main in Beavercreek Road, being the lower pressure zone, and the remaining one-third of BRCP area being served from future water facilities that include a booster pump station and reservoir, being the higher pressure zone. BRCP estimated the total cost of \$5.4 million for the "backbone" network capital improvements within the study area, and an additional \$6.9 million of programmed capital improvement projects needed to extend the existing water distribution system to the concept plan area. The cost estimates were based on year 2003 dollars.

In January 2012, the City adopted an update to the Oregon City Water Distribution System Master Plan (WMP), an ancillary document to the City's adopted Comprehensive Plan consistent with federal requirements, state statutes, and the Statewide Planning Goals. The WMP analyzes future water demands and develops a capital improvement program (CIP) to meet these future needs.

The WMP also recommends in more detail the future capital improvements and provides updated estimated costs based on year 2009 dollars for specific improvements, including the water storage reservoir, transmission and distribution pipelines to serve the BRCP area. The future reservoir is recommended to serve both the future BRCP higher pressure zone and the existing Fairway Downs pressure zone that currently has no water storage facilities and with this improvement will be enhanced by increasing the reliability and improving water service.

The WMP includes updated estimated costs for future water facilities recommended to increase the storage capacity of the higher pressure zone, provide a transmission main from the future reservoir to BRCP distribution system, and expand the "backbone" network of water pipelines within the BRCP area. Specifically the WMP project numbers F-CIP-4, F-CIP-5, and F-CIP-14, include the two million gallon reservoir and transmission pipeline with an estimated total cost of \$5.7 million, and various "backbone" network pipelines within the BRCP area with an estimated total cost of \$2.6 million.

The primary potential funding sources that may be expected to fund the future water facilities, include:

- 1. System Development Charges (SDCs) Developers pay these charges up front to the City based on the proposed impact of the new development on the existing infrastructure.
- 2. Developer funded improvements –Developers are required to construct an appropriate level of public utility improvements within their proposed development and along all street frontages adjacent to their property, including off-site improvements as may be needed to serve the development.
- 3. Reimbursement District: A developer may finance and construct a public improvement that has the capacity to serve more than their development. The reimbursement district provides developers with a mechanism to be reimbursed by other property owners that benefit from the use of the constructed public improvement.

The future water facilities recommended to serve future BRCP developments shall be paid for in a way that does not financially burden or adversely affect existing public facilities and services in other parts of the City.

In 2014, the City issued a Type II Land Use Decision with conditions for improvements to serve the Beavercreek Road Apartment-Live-Work development (File SP 14-01). SP 14-01 was subject to conditions to construct water facility improvements that included a waterline extension in Beavercreek Road, and this improvement is identified in the WMP as part of the future distribution system for the higher pressure zone.

In summary, the 2012 WMP documents and SP 14-01 approval consistently support sustainable development that will not financially burden existing rate payers or adversely affect the existing sanitary sewer system.

Stormwater Management Infrastructure Planning

The BRCP plans for a stormwater management system that primarily consists of low-impact development (LID) practices that mimic natural hydrologic processes and minimize impacts to existing natural resources. A three tier stormwater management system has been created that is focused on managing stormwater in a naturalistic manner at three separate scales: site, street and neighborhood/regional. Tier 1 being site specific stormwater management facilities utilizing on-site best management practices (BMPs), Tier 2 green street stormwater management facilities such as vegetated swales and rain gardens adjacent to streets, and Tier 3 regional stormwater management facilities such as regional detention ponds. BRCP estimated the total cost between \$15 million to \$23 million for stormwater management improvements to serve the concept plan area.

In August 2015, the City adopted Public Works stormwater design standards, to be incorporated as part of the City's drainage master plan. The new design standards are consistent with federal and state regulations for water quality and quantity control, and provide BMPs for LID that mimics natural hydrologic processes and minimize impacts to existing natural resources. BRCP embraces the application of LID and these new standards will guarantee compliance.

The primary potential funding sources that may be expected to fund the future stormwater management facilities, include:

1. System Development Charges (SDCs) - Developers pay these charges up front to the City based on the proposed impact of the new development on the existing infrastructure.

- 2. Developer funded improvements –Developers are required to construct an appropriate level of public utility improvements within their proposed development and along all street frontages adjacent to their property, including off-site improvements as may be needed to serve the development.
- 3. Reimbursement District: A developer may finance and construct a public improvement that has the capacity to serve more than their development. The reimbursement district provides developers with a mechanism to be reimbursed by other property owners that benefit from the use of the constructed public improvement.

The stormwater management facilities' strategy to serve BRCP developments shall be paid for in a way that does not financially burden or adversely affect existing public facilities and services in other parts of the City.

In 2014, the City issued a Type II Land Use Decision with conditions for stormwater improvements to serve the Beavercreek Road Apartment-Live-Work development (SP 14-01). Although this site plan and design review application was submitted prior to adoption of the City adopted Public Works stormwater design standards, SP 14-01 was subject to conditions to construct storm facility improvements using an approved LID method prior to discharge to the public system consistent with the low impact development standards contemplated in the BRCP.

In summary, the 2015 stormwater design documents and development approval consistently support sustainable development that will not financially burden existing rate payers or adversely affect the existing sanitary sewer system.

The City finds this Goal is satisfied.

Police and Fire Protection Planning

Oregon City Police Department (OCPD) has indicated their ability to serve the concept plan area. The concept plan area is already within Clackamas Fire District #1 (CFD#1). Clackamas Fire District #1 has indicated their ability to serve the concept plan area.

Letters from OCPD and CFD#1 are attached.

Solid Waste Planning

The city regulates solid waste management to pursuant to ORS 459.200 and City Code 8.20 and the city has authority and obligation to franchise the provisions of service and solid waste management within the city. The franchise to provide solid waste service within the city limits of the city is granted to Oregon City Garbage Co., Inc.

Additionally, the city has an adopted set of Refuse and Recycling Standards for Non Single-Family or Duplex Uses. The purpose of these requirements is to promote:

A. Efficient, safe and convenient location of refuse and recycling areas.

- B. Efficient, safe and convenient on-site maneuvering of collection vehicles, equipment and personnel for servicing solid waste and recycling areas; and
- C. Compliance with the Regional Solid Waste Management Plan, OCMC Chapter 8.20 Solid Waste Collection and Disposal, and the Oregon Revised Statutes (ORS) Chapter 459.

Compliance with these standards may be demonstrated without having to go through a formal land use (site plan and design review) process, provided the application meets the standards

The City finds this Goal is satisfied.

Goal 12 Transportation

To provide and encourage a safe, convenient, and economic transportation system.

Analysis: The original analysis of the Beavercreek Concept Plan area focused on addressing the transportation needs using a horizon year of 2027. The analysis of transportation needs for the City and the concept plan area were updated during the development of the Transportation System Plan (TSP) and its adoption in August 2013. The TSP uses a planning horizon of 2035. The TSP and its analysis supersede that undertaken for the concept plan; the TSP is based on newer information relating to population and employment and uses new mobility standards consistent with Metro's Regional Transportation Plan. The TSP also uses updated policies to meet the travel needs of the residents and employees in the City. These include an increased emphasis on non-single occupancy automobile use, increased emphasis on multi-modal solutions and multi-modal transportation facilities.

As described in the TSP, Oregon City is currently home to over 13,000 households and accounts for over 14,500 jobs. Between 2013 and 2035, household growth is expected to increase nearly 2.4 percent a year, slightly outpacing the rate of employment growth over the same period (2.3 percent). The City is expected to be home to over 23,000 jobs and almost 21,000 households by 2035, a 58 and 61 percent increase respectively from 2010. With more people and more jobs in Oregon City, the transportation network will face increased demands.

The transportation impacts of the proposed residential development and employment in the Beavercreek concept plan area analyzed during the development of the Beavercreek Concept Plan and were described in the May 9, 2007 Kittelson & Associates transportation memorandum "Future Conditions Analysis" and in August 12, 2008 Kittelson & Associates transportation memorandum "Updated Future Traffic Conditions Analysis." These memoranda included an analysis of 2027 transportation needs and identified transportation improvements to satisfy the transportation demands in the south part of Oregon City.

Development of the Beavercreek concept plan area was also accounted for in the transportation forecasts and analysis undertaken for the TSP. Unlike the 2007 analysis by Kittelson & Associates, the analysis undertaken for the TSP was for the entire city. The planning horizon year for the TSP was 2035, rather than 2027 as used for the Beavercreek Concept Plan. Forecasts of future travel for the TSP were conducted using Metro's regional travel demand model. Key inputs to the model include population and employment by area. Assumptions for TSP included

substantial residential development and employment throughout Oregon City, including the Beavercreek concept plan area.

Solutions for the transportation network identified in the concept plan (e.g. Concept Plan, Figure 14 – Circulation Framework) mirror the network specified in the TSP (e.g. TSP, Figure 17 – Planned Street Extensions). Furthermore, the TSP emphasizes the multi-modal aspects of the street system within the concept plan area by identifying this network in TSP Figure 19 – Walking Solutions; TSP Figure 20 – Biking Solutions; and Figure 21 – Shared Walking and Biking Solutions.

Beyond the general street network cited in the figures referenced in the paragraph above, the TSP provides an additional level of specificity by identifying individual projects in "Table 2: Likely to be Funded Transportation System." The following table is an extracted portion of "Table 2: Likely to be Funded Transportation System" that lists the TSP projects within or adjacent to the concept plan area.

Extracted from TSP Table 2: Likely to Be Funded Transportation System

Project	Project	Project Extent	Project Elements	Priority
# ^	Description	,		
D47	Meyers Road	Beavercreek Road to	Extend Meyers Road from Beavercreek Road to the	Mediu
	East extension	the Meadow Lane	Meadow Lane Extension as an Industrial Minor	m-term
		Extension	Arterial. Between the Holly Lane and Meadow Lane	
			extensions, add a sidewalk and bike lane to the south	
			side of the street, with a shared-use path to be added	
			on north side per project S19. Modify the existing	
			traffic signal at Beavercreek Road	
D54	Clairmont Drive	Beavercreek Road to	Extend Clairmont Drive from Beavercreek Road to	Long-
20.	extension	Holly Lane South	the Holly Lane South extension as an Industrial	term
	CACCHOIOI	Extension	Collector. Add a sidewalk and bike lane to the south	CCIIII
		LACTISION	side of the street, with a shared-use path to be added	
D55	Glen Oak Road	Beavercreek Road to	on north side per project S17. Extend Glen Oak Road from Beavercreek Road to	Long
D33				Long-
	extension	the Meadow Lane	the Meadow Lane Extension as a Residential	term
		Extension	Collector. Install a roundabout at Beavercreek Road	
DEC	/TC! 1 1 XX//	D 1 D 1	(per project D39)	т
D56	Timbersky Way	Beavercreek Road to	Extend Timbersky Way from Beavercreek Road to	Long-
	extension	the Meadow Lane	the Meadow Lane Extension as a Residential	term
		Extension	Collector. Add a sidewalk and bike lane to the south	
			side of the street, with a shared-use path to be added	
			on north side per project S20.	
D57	Holly Lane	Maple Lane Road to	Extend Holly Lane from Maple Lane Road to Thayer	Mediu
	South extension	Thayer Road	Road as a Residential Collector. Add a sidewalk and	m-term
	*		bike lane to the west side of the street, with a shared-	
			use path to be added on east side per project S14.	
			Install a roundabout at Maple Lane Road (per project	
			D37).	
D58	Holly Lane	Thayer Road to	Extend Holly Lane from Thayer Road to the Meyers	Mediu
	South extension	Meyers Road	Road extension as an Industrial Collector. Add a	m-term
	*		sidewalk and bike lane to the west side of the street,	
			with a shared-use path to be added on east side per	
			project S15.	
D59	Holly Lane	Meyers Road to the	Extend Holly Lane from the Meyers Road extension	Long-
	South extension	Meadow Lane	to the Meadow Lane Extension as a Mixed-Use	term
	*	Extension	Collector. Add a sidewalk and bike lane to the west	
			side of the street, with a shared-use path to be added	
			on east side per project S16.	
D60	Meadow Lane	Meadow Lane to	Extend Meadow Lane to the Meyers Road Extension	Long-
	extension **	Meyers Road	as a Mixed-Use Collector. Between Old Acres Lane	term
		,	and the Glen Oak Road extension, add a sidewalk and	
			bike lane to the west side of the street, with a shared-	
			use path to be added on east side per project S21.	
D61	Meadow Lane	Meyers Road to	Extend Meadow Lane from the Meyers Road	Mediu
	extension **	UGB (north of	Extension to the UGB (north of Loder Road) as an	m-term
	5	Loder Road)	Industrial Collector	
D81	Beavercreek	Clairmont Drive	Improve to Industrial Major Arterial cross-section	Mediu
D 01	Road Upgrade	(CCC Entrance) to	Improve to industrial major medial cross-section	m-term
	Road Opgrade	Meyers Road		111-101111
D82	Beavercreek	Meyers Road to	Improve to Residential Major Arterial cross-section	Long-
102	Road Upgrade	UGB	Improve to residential major Arterial cross-section	_
	Moad Opgrade	COD		term

^{*}Note: Holly Lane extension is referred to as the Center Parkway in the BRCP.

** Note: Meadow Lane Extension is referred to as the Ridge Parkway in the BRCP.

The Loder Road improvements identified in the BRCP are listed on the "Not Likely to be Funded list in the TSP as Project #D85, *Loder Road Upgrade*, *Beavercreek Road to UGB*. It is expected that new development would fund the entire cost of this improvement.

Alternative modes of transportation are also key strategies to meeting the transportation needs of the City, its residents and employees. The TSP sets a non-single occupancy vehicle mode share target to help meet transportation demand management (TDM) goals, specifically reducing reliance on the single occupancy vehicle. As specified in the TSP, Oregon City's non-SOV mode shares (outside of the Oregon City Regional Center) are expected to be above the TSP objective of 40 to 45 percent with an estimated non-SOV mode share of 47 percent in 2005 and 48 percent in 2035. The non-SOV mode share in the Oregon City Regional Center is expected to remain steady through 2035, at around 42 percent, slightly below the TSP objective of 45 to 50 percent.

The combination of policies and investments related to walking, biking and transit are expected to help the City work towards tripling the walking, biking and transit mode share between 2010 and 2035.

The TSP also recognizes the limitations brought about by the limited availability of funding. Despite the investments to the transportation system, the TSP predicts operating conditions at a few intersections (including the OR 99E/I-205 Northbound, OR 99E/I-205 Southbound, OR 213/Beavercreek Road, and I-205/OR 213 intersections) will be over the operating standard by 2035. For purposes of evaluating the impact of proposed development that is permitted, either conditionally, outright, or through detailed development master plan approval, the OR 99E/I-205 SB Ramps, OR 99E/I-205 NB Ramps, OR 213/ Beavercreek Road, and I-205/OR 213 intersections shall be exempt from meeting the state mobility targets until solutions (beyond those included in the TSP) or alternative mobility targets are explored for the intersections.

The temporary exemption from the mobility standards for the three intersections identified in the preceding paragraph (and in the OCMC) applies only to development that is permitted, either conditionally, outright, or through detailed development master plan approval. OCMC 12.04.205(D). For the Beavercreek concept area, no development will be allowed that produces a greater traffic impact than permitted under existing zoning until alternative mobility targets are adopted. In other words, no significant development beyond what is allowed under current zoning will be permitted until alternative mobility targets are adopted.

Development that has occurred in the south part of Oregon City since the development of the Beavercreek Concept Plan has been consistent with the TSP and OCMC 12.04.205(D). For example, the approval for the Oregon City School District to construct a transportation and maintenance facility adjacent to Meyers Road and High School Avenue is allowable under the current zoning and the traffic impacts of the facility are similar to a typical medium industrial land use as assumed in the TSP. Another example of a recent development is the Beavercreek Road Apartments-Live-Work development on the east side of Beavercreek Road near Meyers Road. This development was also approved under applicable zoning and is consistent with the assumptions of residential and employment increases specified in both the Beavercreek Concept Plan and the TSP.

Adoption of the BRCP is subject to Oregon's Transportation Planning Rule (OAR 660-012-0060). To meet the requirements of this regulation, needed improvements and funding

mechanisms were identified that will mitigate impacts of development. The improvements needed to mitigate for the development in the Beavercreek concept plan area were identified in the Concept Plan. Improvements needed for entire Oregon City planning area are identified in the TSP. The TSP shows that the mobility standards prescribed by the TSP will be met except as noted above.

In addition to identifying projects needed to mitigate for the transportation impacts of development, the TSP (Section H) includes a discussion of current transportation funding sources and other potential sources. The existing sources identified in the TSP include the Street Fund, Street System Development Charge (SDC) Fund and Transportation Utility Fee Fund. Potential sources discussed in the TSP include general city revenues, local fuel tax, urban renewal districts, local improvement districts, and debt financing. The proposed transportation infrastructure improvements, financing and funding estimates, identified in the concept plan and as supplemented by the Transportation System Plan provide an adequate basis to demonstrate compliance with the Transportation Planning Rule.

Implementation strategies and financing tools for the needed transportation improvements have been identified at the TSP level and will be further refined during Capital Improvement Plan updates.

The City finds this Goal is satisfied.

Goal 13 Energy Conservation

To conserve energy.

Analysis: One of the adopted goals of the concept plan is that the area will be a model of sustainable design, development practices, planning and innovative thinking. The plan assumes that sustainable practices will be a combination of private initiatives (LEED certification), public requirements (green streets) and public-private partnerships. The Commission recommends that the City use incentives, education and policy support as much as possible for promoting sustainability in the study area. Some initiatives will require mandates, but at the end of the day, it is up to the private sector to invest in sustainable development. The Beavercreek Road site's legacy as a model of sustainable design will depend on the built projects that are successful in the marketplace and help generate the type of reputation that the community desires and deserves. The concept plan identifies sustainability design strategies that address energy efficiency, water conservation, compact development, mixed use, solar orientation, green streets/infrastructure, alternative transportation options, pedestrian and cyclist system, use of the natural systems and minimizing impervious surfaces.

The City finds this Goal is satisfied.

Goal 14 Urbanization

To provide for an orderly and efficient transition from rural to urban land use.

Analysis: This goal essentially defines the purpose of the concept plan. Oregon City's Urban Growth Boundary was expanded in 2002 and 2004 through Metro's regional review process to include more industrial land. This was the result of a demonstrated need for additional land to accommodate the deficiency in available, vacant industrial lands. The revised element of the updated plan calls for implementing Metro's "concept plan" requirements under Title 11 of the Functional Plan that will result in subarea planning of new areas added to the UGB. The concept plan establishes policies to convert rural to urban land within the UGB while monitoring the supply of land to ensure its adequacy to accommodate growth. Oregon City coordinates with Clackamas County through an intergovernmental agreement that guides land uses and extension of public services in the unincorporated UGB. In addition, the transportation, parks, trails, water, and sewer master plans address orderly extension of services to accommodate growth.

The City finds this Goal is satisfied.

C. Compliance with Metro Title 4.

The findings below are intended to show compliance with the current Metro-adopted Employment and Industrial Areas Map. The northern portion of the concept plan area, known as the North Employment Campus (NEC) in the concept plan, is considered an "Industrial area" on the Metro Title 4 map, as opposed to a "Regionally significant industrial area" such as the area along the OR 212 / 224 Corridor in Clackamas County, or an "Employment area", such as existing zoned land within the city of Clackamas Community College and the commercially and industrially zoned lands adjacent to it between Beavercreek Road and OR 213. Therefore, findings for compliance with Metro Title 4 are specifically provided for section 3.07.430 Protection of Industrial Areas.

TITLE 4: INDUSTRIAL AND OTHER EMPLOYMENT AREAS

3.07.410 Purpose and Intent

The Regional Framework Plan calls for a strong regional economy. To improve the economy, Title 4 seeks to provide and protect a supply of sites for employment by limiting the types and scale of non-industrial uses in Regionally Significant Industrial Areas (RSIAs), Industrial and Employment Areas. Title 4 also seeks to provide the benefits of "clustering" to those industries that operate more productively and efficiently in proximity to one another than in dispersed locations. Title 4 further seeks to protect the capacity and efficiency of the region's transportation system for the movement of goods and services and to encourage the location of other types of employment in Centers, Corridors, Main Streets and Station Communities. The Metro Council will evaluate the effectiveness of Title 4 in achieving these purposes as part of its periodic analysis of the capacity of the urban growth boundary.

Analysis: The Commission notes that a key issue for the CAC/TAC was determining how much employment land was needed, what type and where. The Oregon City Comprehensive Plan requires that a majority of the lands be designated in a manner that encourages family-wage jobs in order to generate new jobs and move towards meeting the City's employment goals. The EcoNorthwest market analysis identified the advantages and disadvantages of industrial development within the study area and concluded that under the right conditions it is not

unreasonable to expect 150 acres of industrial and business park development to build out on the site over a 20-year period.

Metro brought 245 gross acres in the UGB in 2002 and 2004 to fulfill regional industrial employment needs. These areas (308 gross acres including those already within the UGB) are designated as the Industrial Design Type on Metro's 2040 Growth Concept Map. As noted above, Metro estimated 120 net acres of the concept plan area would be used for employment uses and indicated that it was important to fulfill the original intent for providing industrial lands and that there was flexibility for the local process to evaluate creative ways to meet the intent.

Metro's adoption of Ord. 1244B updated the EcoNorthwest analysis, concluding that the proposed plan provides an adequate amount of Title 4 employment land within the UGB, through 2029. Reflecting changes in employment needs and demands between the Metro 2002 Urban Growth Report (UGR) –Employment, and the 2009 UGR - Employment, Metro's 2009 assessment found there is adequate capacity inside the current UGB to accommodate the next 20 years of general employment and general industrial job growth even at the high end of the employment forecast range. The subsequently adopted change to the Title 4 Employment and Industrial Areas map conformed the map to the updated information about employment needs in the 2009 UGR (Employment). According to this map, which is consistent with the hybrid plan, the 151 gross acres on the revised map will supply approximately 121 net acres of employment land.

The CAC created several alternatives and finally chose a hybrid within the industrial designated area that included about 127 net acres of North Employment Campus, which is consistent with Metro's intent and similar to Oregon City's existing Campus Industrial designation, and about 29 acres of Mixed Employment Village and Main Street, which allows a variety of uses in a village-oriented transit hub and mixed use neighborhoods to the south that also provide jobs tailored to the neighborhood setting.

The North Employment Campus is to provide for the needed family wage employment that strengthens and diversifies the economy and will be compliant with Metro's Title 4 regulations. The NEC allows a mix of clean industries, offices serving industrial needs, light industrial uses, research and development and large corporate headquarters. The uses permitted are intended to improve the region's economic climate, promote sustainable and traded sector businesses, and protect the supply of site for employment by limiting incompatible uses.

Proposed policy 1.3 identifies the need to support the attraction of family wage jobs and connections with Clackamas Community College within the North Employment Campus, Policy 1.4 identifies the need to promote job creation, mixed use and transit oriented development within the Mixed Employment Village and Main Street, and recommends the adoption of minimum density requirements, limitations on stand-alone residential and other standards that implement the policy. Goal 3 – Green Jobs, includes policies recommending coordination with other local, county and state economic development agencies to recruit green industries and promote green development practices.

The concept plan provides land for an identified need within the region and state, and provides for a mix of other uses that will contribute to the economic welfare of the city, state and the citizens.

The City finds this requirement is satisfied.

3.07.430 Protection of Industrial Areas

- A. Cities and counties shall review their land use regulations and revise them, if necessary, to include measures to limit new buildings for retail commercial uses—such as stores and restaurants—and retail and professional services that cater to daily customers—such as financial, insurance, real estate, legal, medical and dental offices—in order to ensure that they serve primarily the needs of workers in the area. One such measure shall be that new buildings for stores, branches, agencies or other outlets for these retail uses and services shall not occupy more than 5,000 square feet of sales or service area in a single outlet, or multiple outlets that occupy more than 20,000 square feet of sales or service area in a single building or in multiple buildings that are part of the same development project, with the following exceptions:
- 1. Within the boundaries of a public use airport subject to a facilities master plan, customary airport uses, uses that are accessory to the travel-related and freight movement activities of airports, hospitality uses, and retail uses appropriate to serve the needs of the traveling public; and
- 2. Training facilities whose primary purpose is to provide training to meet industrial needs.

Analysis: Please also see findings under city comprehensive plan Policy 2.6.3. The zoning of the property in the North Employment Campus will be the same as or similar to the current CI – Campus Industrial zone. Any commercial uses within the northern employment campus would be limited to some upper limit, similar to the CI zone, which limits the square footage for retail and commercial office use in accordance with the Metro requirement:

- L. Retail sales and services, including eating establishments for employees (i.e. a cafe or sandwich shop), located in a single building or in multiple buildings that are part of the same development shall be limited to a maximum of twenty thousand square feet or five percent of the building square footage, whichever is less, and the retail sales and services shall not occupy more than ten percent of the net developable portion of all contiguous industrial lands;
- M. Financial, insurance, real estate, or other professional offices, as an accessory use to a permitted use, located in the same building as the permitted use and limited to ten percent of the total floor area of the development. Financial institutions shall primarily serve the needs of businesses and employees within the development, and drive-through features are prohibited;

Taken together, these requirements will protect the city's supply of undeveloped and underdeveloped land zoned for industrial uses.

B. Cities and counties shall review their land use regulations and revise them, if necessary, to include measures to limit new buildings for the uses described in subsection A to ensure that they do not interfere with the efficient movement of freight along Main Roadway Routes and Roadway Connectors shown on the Regional Freight Network Map in the RTP. Such measures may include, but are not limited to, restrictions on access to freight routes and connectors, siting limitations and traffic thresholds. This subsection does not require cities and counties to include such measures to limit new other buildings or uses.

Analysis: RTP freight routes were analyzed with the adoption of the TSP in 2014. Within the concept plan area, Beavercreek Road, Loder Road, Meyers Road extension and Ridge Parkway extension are indicated as local truck routes. Beavercreek Road is designated as a Roadway Connector on the RTP. The planned street network for the area is designed to limit new connections to Beavercreek Road, preserve the roadway capacity, and provide a secondary collector street network to serve the buildout of the area. As new development is reviewed for compliance with the TSP and the city's street standards, the form and design of the land uses abutting these roads will also be reviewed.

The City finds this requirement is satisfied.

C. No city or county shall amend its land use regulations that apply to lands shown as Industrial Area on the Employment and Industrial Areas Map to authorize uses described in subsection A of this section that were not authorized prior to July 1, 2004.

Analysis: No such authorization will occur with adoption of the BRCP, and none is anticipated.

- D. Cities and counties may allow division of lots or parcels into smaller lots or parcels as follows:
- 1. Lots or parcels smaller than 50 acres may be divided into any number of smaller lots or parcels.
- 2. Lots or parcels 50 acres or larger may be divided into smaller lots and parcels pursuant to a master plan approved by the city or county so long as the resulting division yields at least one lot or parcel of at least 50 acres in size.
- 3. Lots or parcels 50 acres or larger, including those created pursuant to paragraph (2) of this subsection, may be divided into any number of smaller lots or parcels pursuant to a master plan approved by the city or county so long as at least 40 percent of the area of the lot or parcel has been developed with industrial uses or uses accessory to industrial use, and no portion has been developed, or is proposed to be developed with uses described in subsection A of this section.
- 4. Notwithstanding paragraphs 2 and 3 of this subsection, any lot or parcel may be divided into smaller lots or parcels or made subject to rights-of-way for the following purposes:
- a. To provide public facilities and services;
- b. To separate a portion of a lot or parcel in order to protect a natural resource, to provide a public amenity, or to implement a remediation plan for a site identified by the Oregon Department of Environmental Quality pursuant to ORS 465.225;

To separate a portion of a lot or parcel containing a nonconforming use from the remainder of the lot or parcel in order to render the remainder more practical for a permitted use; or

d. To allow the creation of a lot solely for financing purposes when the created lot is part of a master planned development.

Analysis: No land division is proposed with the adoption of the BRCP. Land division for any parcels larger than 50 acres within the North Employment Campus would typically occur through a master plan process to assure compliance with this requirement. There is only one such parcel on the north side of Loder Road and it is physically bisected by Trimble Creek, a Goal 5 resource area.

The City finds this requirement is satisfied.

E. Notwithstanding subsection B of this section, a city or county may allow the lawful use of any building, structure or land at the time of enactment of an ordinance adopted pursuant to this section to continue and to expand to add up to 20 percent more floorspace and 10 percent more land area.

Analysis: Compliance with this requirement would be considered if development is proposed within the Industrial area portion of the BRCP following adoption.

D. Compliance with Metro Title 11.

The plan is required to show compliance with the current version of Metro Title 11.

3.07.1105 Purpose and Intent

The Regional Framework Plan calls for long-range planning to ensure that areas brought into the UGB are urbanized efficiently and become or contribute to mixed-use, walkable, transit-friendly communities. It is the purpose of Title 11 to guide such long-range planning for urban reserves and areas added to the UGB. It is also the purpose of Title 11 to provide interim protection for areas added to the UGB until city or county amendments to land use regulations to allow urbanization become applicable to the areas.

Analysis: The adoption of the BRCP achieves the purpose and intent of Metro Title 11. Detailed findings are provided below.

3.07.1120 Planning for Areas Added to the UGB

A. The county or city responsible for comprehensive planning of an area, as specified by the intergovernmental agreement adopted pursuant to section 3.07.1110C(7) or the ordinance that added the area to the UGB, shall adopt comprehensive plan provisions and land use regulations for the area to address the requirements of subsection C by the date specified by the ordinance or by section 3.07.1455B(4) of this chapter.

Analysis: The Intergovernmental Agreement with Metro to complete the concept plan for Beavercreek Road was signed by Metro Council in 2007. The City fulfilled all of the designated Milestones specified in the IGA and was fully reimbursed by Metro for the planning work following the City Commission's initial adoption of the concept plan in September 2008. The City's decision was appealed to the Land Use Board of Appeals (LUBA). LUBA remanded the Concept Plan, finding that the plan was not consistent with the Metro 2040 Growth Concept Map. Oregon City and Metro staff worked to amend the 2040 Growth Concept Map and address the reason for remand, which was adopted by the Metro Commission early in 2011. The City requested a 3-year extension of the compliance deadline which was granted by Metro in May, 2011. Due to further legal challenges to the Metro UGB, re-adoption of the plan by the City could not practicably occur until 2015.

Once the City Commission has adopted the revised findings and all appeal timelines have expired, the City will prepare a scope of work to prepare and adopt the implementation measures (zoning and development code amendments) for the Beavercreek Road Concept Plan. It is expected that the preparation and adoption process for the implementation measures will be included in the 2016 Community Development Department work plan and budget.

The City finds this requirement is satisfied.

B. If the concept plan developed for the area pursuant to section 3.07.1110 assigns planning responsibility to more than one city or county, the responsible local governments shall provide for concurrent consideration and adoption of proposed comprehensive plan provisions unless the ordinance adding the area to the UGB provides otherwise.

Analysis: Oregon City is solely responsible for adoption of the Beavercreek Road Concept Plan.

The City finds this requirement is satisfied.

C. Comprehensive plan provisions for the area shall include:

1. Specific plan designation boundaries derived from and generally consistent with the boundaries of design type designations assigned by the Metro Council in the ordinance adding the area to the UGB:

Analysis: The revised Industrial and Other Employment Areas map adopted by Metro in 2010 by Ordinance 10-1244B, Exhibit D is consistent with the North Employment Campus (NEC) plan area on the BRCP. The remaining plan areas – the Mixed Employment Village, Main Street, and West and East Mixed Use Neighborhoods, are consistent with the Metro Outer Neighborhoods design type designation.

The City finds this requirement is satisfied.

2. Provision for annexation to a city and to any necessary service districts prior to, or simultaneously with, application of city land use regulations intended to comply with this subsection;

Analysis: The City's Comprehensive Plan and Code establishes a framework of policies and implementing ordinances before annexation can take place and urban-level development can occur.

Applications for annexation, whether initiated by the City or by individuals, are based on specific criteria contained in Chapter 14 of the City of Oregon City Municipal Code.

Annexation to the City of Oregon City is required as a condition of extension of city services properties within the Urban Growth Boundary, including sewer, water, and stormwater utilities.

As a general policy the city does not extend services to properties outside the city limit. In situations where the timing of extension of a particular city service may not be practicable until a greater level of urbanization occurs, such as sewer connections farther than 300' from city sewer, exceptions may be made in accordance with law or based on intergovernmental agreements.

Concept plans are an important tool that identifies where and when areas might be considered for annexation in order to control the expansion of the city limits and services to help avoid conflicts and provide predictability for residents and developers. Other considerations are consistency with the provisions of the Comprehensive Plan and the City's public facility plans, with any plans and agreements of urban service providers, and with regional annexation criteria.

3. Provisions that ensure zoned capacity for the number and types of housing units, if any, specified by the Metro Council pursuant to section 3.07.1455B(2) of this chapter;

Analysis: The concept plan recommends and provides for a mix of residential areas that allow and/or require different densities and housing types, including low, medium and high densities, single-family homes on a range of lot sizes, townhouses, duplexes, multi-family units and mixed commercial/residential uses. Accessory dwelling units are allowed in all single-family residential zones, per the Oregon City Municipal Code, subject to special development and occupancy standards. Manufactured homes are permitted in any zone where single-family detached housing units are permitted. Proposed policy 1.6 indicates that within the West and East Mixed Use Neighborhoods, a variety of housing types will be required and that lot size averaging and other techniques that help create housing variety while maintaining overall average density should be allowed. Requiring a mix of housing types and requiring a minimum and maximum density, rather than a minimum and maximum lot size, will allow a wide variety of housing units to be created, meeting the intent of this section.

The West Mixed Use Neighborhood will be a walkable, transit-oriented neighborhood with an overall average or residential uses not to exceed 22 dwelling units per acre. The East Mixed Use Neighborhood will be a walkable and tree lined neighborhood with a variety of housing types that will not exceed densities permitted in the R-5 zone (8.7 units per acre). Based on the proposed densities, the BRCP has an estimated capacity of approximately 1,000 dwellings, which is approximately 10.3 dwellings per net developable residential-designated acre. These residential densities do not apply to lands designated for industrial and employment use where residential uses are not permitted.

The City finds this requirement is satisfied.

4. Provision for affordable housing consistent with Title 7 of this chapter if the comprehensive plan authorizes housing in any part of the area.

Analysis: According to the 2000 census, the median household income in Oregon City was \$45,531. The 2013 median household income (2010 inflation adjusted) was \$60,223. Affordable housing is typically defined as housing that does not cost more than 30% of a household's income. In addition, very low income households are typically defined as those earning less than 30% of median household income; low-income households as those earning less than 50% of median household income; and moderate income households are those making between 50% and 80% of median income. Typically, the types of housing most affordable to people with low and moderate incomes are single-family homes on small lots, attached single-family homes, duplexes and multi-family housing, and accessory dwelling units. These types of housing types are expected to account for 390 to 480 units, providing affordable housing opportunities within the concept plan area. As stated above, requiring a variety of housing types will create opportunities for affordable housing within the proposed neighborhoods.

5. Provision for the amount of land and improvements needed, if any, for public school facilities sufficient to serve the area added to the UGB in coordination with affected school districts. This requirement includes consideration of any school facility plan prepared in accordance with ORS 195.110;

Analysis: The concept plan has not identified any new school sites within the study area. The Oregon City School District High School is located directly across Beavercreek Road from the study area and the district owns a vacant parcel of land directly south of the study area that could be used as a future school facility. The Oregon City School District provided a representative that was a member of the Citizen Advisory Committee. No need for additional lands identified as a result of the implementation of the concept plan was identified.

Oregon City School District owns property adjacent to the Beavercreek Road Concept Plan and believes this is probably adequate for the near term. The District has some current capacity at the elementary school K-5 level and high school 9-12 level. The District is near capacity at the middle school 6-8 level.

According to the School District, even with existing school property adjacent to the Beavercreek Road Concept Plan, public financing support will be required to develop the additional capacity in the future. The District is embarking on a long-range facilities planning process to study existing and future capital needs.

The City finds this requirement is satisfied.

6. Provision for the amount of land and improvements needed, if any, for public park facilities sufficient to serve the area added to the UGB in coordination with affected park providers.

Analysis: The Beavercreek Road Open Space Framework plan provides a network of green spaces that are intended to provide a system of connected parks, opens spaces and natural areas, provide access to nature, preserve existing natural resources and provide green spaces near the system of trails and pedestrian connections. The power line corridors comprise approximately 52 acres of land north of Loder Road and have been utilized to provide publicly accessible opens space, trails and links to the broader open space network. The City's Parks and Recreation Master Plan requires between 6 and 10 acres of parkland per 1,000 population. The extent and location of the park is conceptual, flexible and the costs associated with acquisition and development may need to be determined through more detailed Master Planning processes, similar to the Glen Oak Road park site and the Hazel Grove parks site master planning that was conducted in 2014. Existing parks SDCs do not reflect the cost of providing parks in this area, and they may need to be updated to account for the amount of parks acreage envisioned in the concept plan. A park is proposed to extend through the central and southern areas of the BRCP. The location and linearity of the park was first indicated by Metro's Goal 5 mapping. This open space feature is intended as a continuous green space that links the districts and neighborhoods south of Loder Road.

7. A conceptual street plan that identifies internal street connections and connections to adjacent urban areas to improve local access and improve the integrity of the regional street system. For areas that allow residential or mixed-use development, the plan shall meet the standards for street connections in the Regional Transportation Functional Plan;

Analysis: See also findings under Goal 12 earlier in this report. The BRCP provides for a mixed use community that provides viable options for internal trip making (i.e. many daily needs provided on-site), transit use, maximized walking and biking, and re-routed trips within the Oregon City area. Beavercreek Road will be improved as a green boulevard that will be a 5-lane arterial section to Clairmont, then a 3-lane arterial from Clairmont to the UGB. The internal street system will provide logical, but limited access to Beavercreek Road, by connecting to existing streets on the west side of Beavercreek Road and requiring that an internal street/alley system be utilized, eliminating driveway cuts on Beavercreek Road and maximizing its available capacity. The plan identifies an internal north-south connection from Old Acres Lane to Thayer Road that will reduce the need to access Beavercreek Road for daily trips within the area and an extensive pedestrian and bicycle circulation system connecting the residential, commercial and industrial areas together and extends to existing and proposed transportation systems adjacent to the study area. The plan identifies appropriate green street options to be implemented, and expanded on, as development occurs, including: vegetated swales, planter islands, curb extensions, and porous pavement.

Goal 6 of the BRCP recommends providing multi-modal transportation links connected within the site as well as to the surrounding areas and includes policies recommending that land use reviews support bus service by ensuring a mix of land uses, densities and design options that support public transportation and other alternative transportation methods, ensure that local connectivity and off-street pedestrian routes link together in a highly connected pedestrian system that is safe, direct, convenient and attractive and improve pedestrian and bicycle safety along Beavercreek Road. The concept plan process has identified and prepared the construction cost estimates for the planned transportation improvements and a detailed list of financing options has been created.

The City finds this requirement is satisfied.

8. Provision for the financing of local and state public facilities and services; and **Analysis**: The plan includes adequate consideration of public facilities cost estimates and financing approaches.

The plan provides a thorough explanation of the existing conditions pertaining to this analysis and provides recommendations and preliminary cost estimates for improvements that will be necessary in order for the concept plan to be carried out. Since the BRCP was initially adopted in 2008, three public facilities plans were amended to include the concept plan area. These plan updates include cost estimates which have subsequently been updated in the city's public infrastructure and transportation planning as follows:

Transportation System Plan (2013)

Sewer Master Plan (2014)

Water Master Plan (2010)

Stormwater and Erosion Control Manual and Design Standards (2015)

Parks and recreation system development charges may need to be analyzed to reflect the type of dwelling unit to be constructed and the number of employees associated with non-residential uses in the area. SDCs could be utilized to acquire open space, natural resource and natural hazard areas that are part of the larger open space framework plan. Four other primary funding sources have been identified, including: Urban Renewal/Tax Increment Financing; Local Improvement Districts; Bonds; and Developer Funded Improvements. The plan also calls for creating the Environmentally Sensitive Resource Area to protect, conserve and enhance identified natural by applying a low-density base zoning that allows property owners to cluster density outside the ESRA and transfer to more appropriate sites.

Planning, funding and cost estimates for the transportation system plan (TSP) consistent with the Regional Transportation Plan (RTP) were adopted in early 2014 and are described in more detail under section 7 above.

The City finds this requirement is satisfied.

9. A strategy for protection of the capacity and function of state highway interchanges, including existing and planned interchanges and planned improvements to interchanges.

Analysis: The Statewide Planning Goal 12 analysis provided earlier in this report discusses in detail the City's Transportation System Plan and consistency with the Metro RTP, as well as a discussion of mobility challenges for existing state highway interchanges.

The City finds this requirement is satisfied.

D. The county or city responsible for comprehensive planning of an area shall submit to Metro a determination of the residential capacity of any area zoned to allow dwelling units, using the method in section 3.07.120, within 30 days after adoption of new land use regulations for the area.

Analysis: See analysis under provision 3 above relating to zoned capacity.

The City finds this requirement is satisfied.

3.07.1130 Interim Protection of Areas Added to the UGB

Until land use regulations that comply with section 3.07.1120 become applicable to the area, the city or county responsible for planning the area added to the UGB shall not adopt or approve:

- A. A land use regulation or zoning map amendment that allows higher residential density in the area than allowed by regulations in effect at the time of addition of the area to the UGB;
- B. A land use regulation or zoning map amendment that allows commercial or industrial uses not allowed under regulations in effect at the time of addition of the area to the UGB;
- C. A land division or partition that would result in creation of a lot or parcel less than 20 acres in size, except for public facilities and services as defined in section 3.07.1010 of this chapter, or for a new public school;
- D. In an area designated by the Metro Council in the ordinance adding the area to the UGB as Regionally Significant Industrial Area:

- 1. A commercial use that is not accessory to industrial uses in the area; and
- 2. A school, a church, a park or any other institutional or community service use intended to serve people who do not work or reside in the area.

Analysis: The areas added to the UGB which are subject to this title are zoned County FU-10 which is a holding zone that prevents urbanization prior to concept plan adoption, and does not allow land uses A, B or C described above. None of the lands added to the UGB are considered RSIAs, although they are considered important to the local employment and industrial land capacity of Oregon City.

The City finds this requirement is satisfied.

VI. CONCLUSION

The City finds that Beavercreek Road Concept Plan and appendices meets the requirements of the Statewide Land Use Goals, Metro Title 11, Metro Title 4, as well as the applicable Comprehensive Plan criteria.

DAN HOLLADAY, Mayor	Date	
Attested to this day of 20015		
KATTIE RIGGS, City Recorder		



City of Oregon City

625 Center Street Oregon City, OR 97045 503-657-0891

Staff Report

File Number: PC 15-229

Agenda Date: 11/23/2015 Status: Agenda Ready

To: Planning Commission Agenda #: 2a.

From: Community Development Director Tony Konkol File Type: Planning Item

SUBJECT:

File LE-15-0003: Re-adoption of the Beavercreek Road Concept Plan.

RECOMMENDED ACTION (Motion):

Staff recommends that the Planning Commission provide approval of the Beavercreek Road Concept Plan, file LE-15-0003. Should the Planning Commission determine that additional information is required from staff, the Planning Commission should leave the public hearing open and continue the hearing to the December 14, 2015 Planning Commission date.

BACKGROUND:

Please see attached recommended findings for adoption of the Beavercreek Road Concept Plan. Additionally, please find attached the concept plan, title 4 maps, staff's latest powerpoint presentation to the City Commission, and letters from Clackamas Fire District #1, Oregon City Police Department and Oregon City School District.

This is the first evidentiary public hearing.

The Beavercreek Road Concept Plan was adopted by the City Commission in September, 2007 and was subsequently appealed to the Land Use Board of Appeals and remanded to the City in August, 2008. In December of 2010 the Metro Council adopted Ordinance 10-1244B, which reduced the amount of land designated for industrial use in the Title 4 Employment and Industrial Areas Map to conform to the City's Beavercreek Road Concept Plan, reflecting the determination that the region had sufficient employment capacity for the next 20 years. Due to various other legal challenges involving the regional UGB expansions, re-adoption of the plan was further delayed until 2015.

While the appeals process was on-going, several legislative updates to the City's public facilities plans, including sewer, stormwater, water and transportation system plans were adopted which refine much of the public facilities planning for the area within the Beavercreek Road Concept Plan. A summary of this information along with updated cost estimates for public facilities is included in the recommended findings.

The Concept Plan was created with the assistance of a 15-member Citizen Advisory Committee and 9-member Technical Advisory Committee. The recommended plan was reviewed during several public hearings before the Planning Commission and City Commission prior to final adoption in September, 2007.

File Number: PC 15-229

The City applied for an extension to complete the Title 11 planning requirements for the concept plan area, which was approved by Metro and extended to June 30, 2014. The LUBA appeal raised numerous issues, including an inconsistency between the concept plan and Metro's Title 4 map, inadequate protection of industrial lands, deficiencies in the transportation infrastructure and other service inadequacies. After reviewing the issues raised, staff recommended that the City Commission remand the concept plan to the Planning Commission and re-open the record for the limited purpose of addressing the protection of the Title 4 lands, inserting the recently implemented transportation system plan and capital improvement plan identifying transportation improvements and addressing police and fire services.

To provide public information on the proposed plan re-adoption, planning staff has held worksessions with the Planning Commission and City Commission, and presented the plan to the Transportation Advisory Committee, Natural Resources Committeem, Parks and Recreation Advisory Committee, Citizen Involvement Committeee, Caufield Neighborhood Association and the Hamlet of Beavercreek.

A copy of the draft plan, Metro Title 4 map decision, and the powerpoint presentation for the November 10, 2015 City Commission worksession are attached for reference. The project website, which includes a link to the complete LUBA appeal record, is http://www.orcity.org/planning/landusecase/le-15-0003-re-adoption-beavercreek-road-concept-plan.



Beavercreek Road Concept Plan

Envisioning a Complete and Sustainable Community

Concept Plan Report, Summary and Recommendations Final Plan August 2008







This project is partially funded by a grant from the Transportation and Growth Management (TGM) Program, a joint program of the Oregon Department of Transportation and the Oregon Department of Land Conservation and Development. This TGM grant is financed, in part, by Federal Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), local government, and State of Oregon funds. The contents of this document do not necessarily reflect views or policies of the State of Oregon.

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Lower, right – illustration by Jim Longstreth

Beavercreek Road Concept Plan

Summary and Recommendations

Final Plan - August 2008

Funding provided by:

City of Oregon City

Oregon Department of Transportation -Transportation and Growth Management Program

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Jeanne Lawson Associates

Kittelson and Associates

Otak Project No. 13599

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Planning Commission Dan Lajoie

Mike Riseling Oregon City School District

Mary Smith Transportation Advisory Committee Clackamas Community College Bill Leach Lynda Orzen Resident, Caufield Neighborhood

Resident, Caufield Neighborhood Ron Estes

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Representing Hall family Richard Mudgett/

Patty Jacobs (alt)

Development Interest, Property Owner Phil Gentemann Clackamas County, Economic Development Renate Mengelberg Beverly Thacker State of Oregon, Economic Development Oregon City Chamber of Commerce, Business Amber Holveck

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Appendix

- 1. Project Goals with Objectives, March 13, 2007
- 2. Concept Plan Alternatives
- 3. GIS Analysis Map

1. 2.

3.

4. Job and Housing Estimates

Technical Appendix (Under Separate Cover)

Design Workshop

Open House No. 2

B. Goals a		ic Involvement Plan ls and Evaluation Criteria	F. G.	Alternatives Evaluation Report Final Transportation Evaluation Infrastructure Reports 1. Water	
C.	Exist 1.	Existing Conditions, Opportunities and Constraints Reports 1. Land use			
	2. 3.	T and a second	I. J.	 Water Sewer Storm Water/Water Quality Fiscal Impact Analysis Draft Code 	
	4. 5. 6.	Market Natural resources Infrastructure			
D.	Focu	as Group Summaries			
Е.	Sum	maries of Community Events			
	1. Open House No. 1				
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I. Introduction

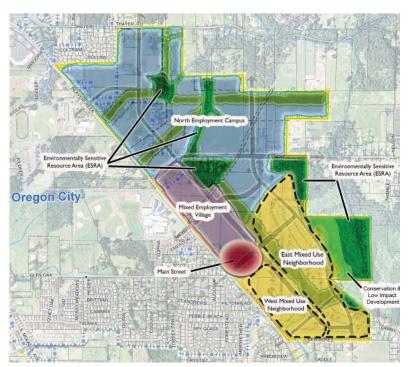
Summary

The Beavercreek Road Concept Plan is a guide to the creation of a complete and sustainable community in southeast Oregon City. Most of the 453 acre site along Beavercreek Road was added to the regional urban growth boundary by Metro in 2002 and 2004. The plan envisions a diverse mix of uses (an employment campus north of Loder Road, mixed use districts along Beavercreek Road, and two mixed use neighborhoods) all woven together by open space, trails, a network of green streets, and sustainable development practices. Transit-oriented land uses have been strategically located to increase the feasibility of transit service in the future. The plan has been carefully crafted to create a multi-use community that has synergistic relationships with Clackamas Community College, Oregon City High School, and adjacent neighborhoods.

Key features of the Concept Plan are:

- A complete mix of land uses, including:
 - A North Employment Campus for tech flex and campus industrial uses, consistent with Metro requirements for industrial and employment areas.
 - A Mixed Employment Village along Beavercreek Road, between Meyers Road and Glen Oak Road, located as a center for transitoriented densities, mixed use, 3-5 story building scale, and active street life.
 - A 10-acre Main Street area at Beavercreek Road and Glen Oak Road, located to provide local shops and services adjacent neighborhoods and Beavercreek sub-districts.

- A West Mixed Use Neighborhood along Beavercreek Road, intended for medium to high density (R-2) housing and mixed use.
- An East Mixed Use Neighborhood, intended for low density residential (R-5) and appropriate mixed use. The East Neighborhood has strong green edges and the potential for a fine grain of open space and walking routes throughout.



Proposed Land Use Sub-districts



- Policy support for employment and program connections with Clackamas Community College.
- Sustainability strategies, including:
 - o Mixed and transit supportive land uses.
 - A sustainable stormwater management plan that supports low impact development, open conveyance systems, regional detention, and adequate sizing to avoid downstream flooding.
 - Green street design for all streets, including the three lane boulevard design for Beavercreek Road.
 - A preliminary recommendation supporting LEED certification or equivalent for all commercial and multi-family buildings, with Earth Advantage or equivalent certification for single family buildings. This recommendation includes establishment of a Green Building Work Group to work collaboratively with the private sector to establish standards.
 - Open spaces and natural areas throughout the plan. North of Loder Road, these include the power line corridors, the tributary to Thimble Creek, and a mature tree grove. South of Loder Road, these include an 18-acre Central Park, the east ridge area, and two scenic view points along the east ridge.
- A trail framework that traverses all sub-districts and connects to city and regional trails.
- A street framework that provides for a logical and connected street pattern, parallel routes to Beavercreek Road, and connections at Clairmont, Meyers, Glen Oak, and the southern entrance to the site.
- A draft Beavercreek Road Zone development code to implement the plan.

Purpose of this Report and Location of Additional Information

This report is a summary of the Plan, with emphasis on describing key elements and recommendations. Many of the recommendation are based on technical reports and other information that is available in the Technical Appendix to this report.



Beavercreek Road Concept Plan Area - Existing Conditions



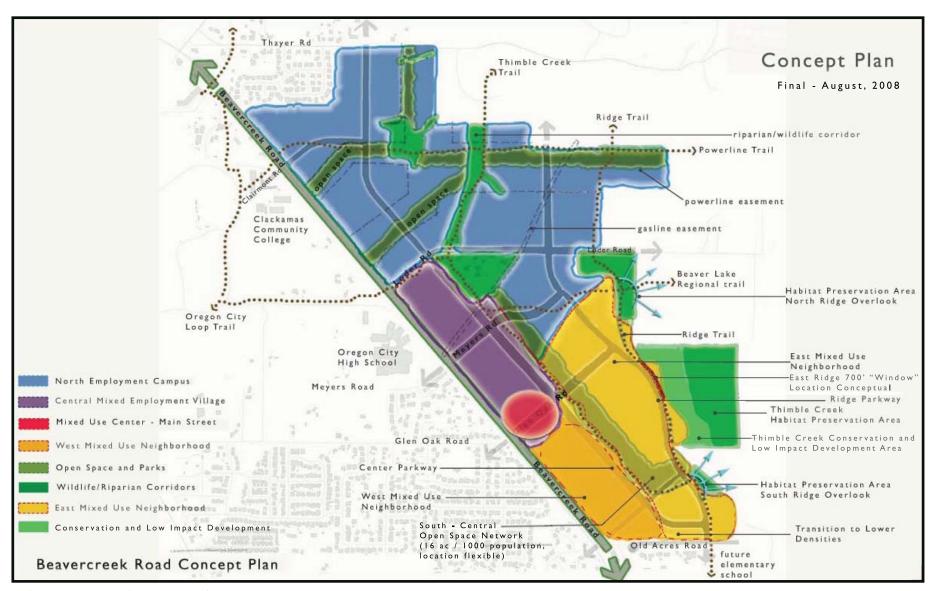


Figure 1 - Composite Concept Plan



II. Purpose and Process

The purpose of the Beavercreek Road Concept Plan is to provide a conceptual master plan to be adopted as an ancillary document to the City of Oregon City's Comprehensive Plan. As such, it provides a comprehensive and cohesive guide to future development, in three parts:

- Framework plan maps, goals and policies These elements will be adopted as part of the Oregon City Comprehensive Plan. Compliance will be required for all land use permits and development.
- Ancillary report materials The descriptive text, graphics and technical appendix of this report will be adopted as an "ancillary document" to the Comprehensive Plan, which provides "operational guidance to city departments in planning and carrying out city services" (Oregon City Comprehensive Plan, page 4). These documents include information for updating the City's utility master plans and Transportation System Plan.
- Draft development code A working draft development code was prepared as part of the Concept Plan. Once final, it will be adopted as part of the Oregon City Code. Compliance will be required for all land use permits and development. The Beavercreek Zone code relies on master planning to implement the concepts in the Plan.

The Concept Plan was developed by a 15-member Citizen Advisory Committee (CAC) and 9-member Technical Advisory Committee (TAC) (see Project Participants list at the beginning of this report). The committees met twelve times between June 2006 and July 2007.



Design Workshop Participants

In addition to the Committee meetings, additional process steps and community involvement included:

- Study area tour for CAC and TAC members
- Two public open houses
- Market focus group
- Sustainability focus group
- Employment lands coordination with Metro
- Community design workshop
- Website
- Project posters, site sign, email notice, and extensive mailing prior to each public event



The major steps in the process were:

- Inventory of base conditions, opportunities, constraints for land use, transportation, natural resources, market conditions, infrastructure and sustainability.
- Establishment of project goals.
- Extensive discussion of employment lands questions: how much, what type and where?
- Following the community workshop, preparation of three alternative concept plans (sketch level), addition of a fourth plan, prepared by a CAC member, and narrowing of the alternatives to two for further analysis.
- Evaluation of the alternatives (including transportation modeling) and preparation of a hybrid Concept Plan (framework level).
- Preparation of detailed plans for water, sewer, storm water, and transportation facilities.
- Preparation of a draft development code.
- Committee action to forward the Concept Plan package to the Planning Commission and City Commission.

For additional information please see Technical Appendix, Sections A, D, E, and F.



Design Workshop Plan



III. Vision, Goals and Principles

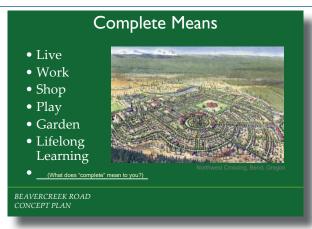
The overall vision for the Beavercreek Concept Plan is to create "A Complete and Sustainable Community". The images shown on this page were displayed throughout the process to convey the project's intent for this vision statement.

Regarding the meaning of sustainability, the vision statement is based in part on the definition of sustainability originally developed by the United Nations Brandtland Commission: "A sustainable society meets the needs of the present without sacrificing the ability of future generations to meet their own needs".

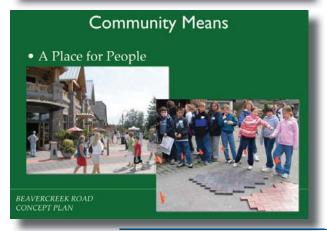
The following project goals were developed by the Citizen Advisory Committee. The Committee also added objectives to each of the goals – please see Appendix 1 for the objectives.

The Beavercreek Road Concept Plan Area will:

- Create a complete and sustainable community, in conjunction with the
 adjacent land uses, that integrates a diverse mix of uses, including housing,
 services, and public spaces that are necessary to support a thriving
 employment center;
- Be a model of sustainable design, development practices, planning, and innovative thinking;
- Attract "green" jobs that pay a living wage;
- Maximize opportunities for sustainable industries that serve markets beyond the Portland region and are compatible with the site's unique characteristics;
- Incorporate the area's natural beauty into an ecologically compatible built environment;
- Provide multi-modal transportation links (such as bus routes, trails, bike-ways, etc.) that are connected within the site as well as to the surrounding areas;









- Implement design solutions along Beavercreek Road that promote pedestrian safety, control traffic speeds and access, and accommodate projected vehicular demand;
- Promote connections and relationships with Oregon City High School and Clackamas Community College;
- Have a unique sense of place created by the mix of uses, human scale design, and commitment to sustainability; and
- Ecological Health Manage water resources on site to eliminate
 pollution to watersheds and lesson impact on municipal infrastructure
 by integrating ecological and man-made systems to maximize function,
 efficiency and health.
- The following 10 Principles of Sustainable Community Design were submitted by a CAC member, supported by the committee, and used throughout the development of the Concept Plan:
- 1. Mix Land Uses Promote a mix of land uses that support living wage jobs and a variety of services.
- 2. Housing Types Create a range of housing choices for all ages and incomes.
- 3. Walk-ability Make the Neighborhood "walkable" and make services "walk-to-able."
- 4. Transportation Provide a range of transportation options using a connected network of streets and paths.
- 5. Open Space Protect and maintain a functioning green space network for a variety of uses.
- 6. Integrate Systems Integrate ecological and man-made systems to maximize function, efficiency and health.
- 7. Watershed Health Manage water resources on site to eliminate pollution to watershed and lesson impact on municipal infrastructures.

- 8. Reuse, Recycle, Regenerate Reuse existing resources, regenerate existing development areas
- 9. Green Buildings Build compact, innovative structures that use less energy and materials
- 10. Work Together Work with community members and neighbors to design and develop.



Thimble Creek Tributary



IV. Regional and Local Context

The Beavercreek Road Concept Plan area is 453 acres of land located at the southeast edge of Oregon City and the Urban Growth Boundary (UGB). It marks a transition point between the City's current edge of urbanization and rural and resource lands to the south and east.

The majority of the site (245 acres) was added to the Metro UGB in December 2002 and an additional 63 acres were added to the UGB in 2004. The remaining site acreage was in the UGB and/or the Oregon City limits prior to 2002. The Concept Plan area carries Metro design type designations of Employment, Industrial, and Outer Neighborhood on the Region 2040 Growth Concept Map. The properties with the Outer Neighborhood designation have been in the UGB since 1980. Employment design type areas, as defined by Metro, allow various types of employment with some residential development and limited commercial uses. Industrial design type areas are set aside by Metro primarily for industrial activities with limited supporting uses.

During the update of Oregon City's Comprehensive Plan, a policy was adopted acknowledging the jobs-related importance of the site to Oregon City and the region, while also allowing some flexibility in the project area's land use. Comprehensive Plan policy 2.6.8 states:

"Require lands east of Clackamas Community College that are designated as Future Urban Holding to be the subject of concept plans, which is approved as an amendment to the Comprehensive Plan, would guide zoning designations. The majority of these lands should be designated in a manner that encourages family-wage jobs in order to generate new jobs and move towards meeting the City's employment goals."

There are relatively limited employment centers within this area of Oregon City and Clackamas County. This imbalance of jobs and housing contributes to Clackamas County's pattern of approximately 60% of the work force traveling outside of the County to work.

The site is surrounded by residential and undeveloped properties within the city limits, including the Hamlet of Beavercreek, and rural Clackamas County. The nearest commercial area is the Berry Hill Shopping Center at the intersection of Beavercreek Road and Highway 213. Clackamas County College (CCC) and Oregon City High School are across Beavercreek Road adjacent to the site. These institutional uses offer a unique opportunity to plan synergistic land uses that connect the properties, reinforce an identity for the area, and help localize trips. A Tri-Met transit hub is located on the CCC property.

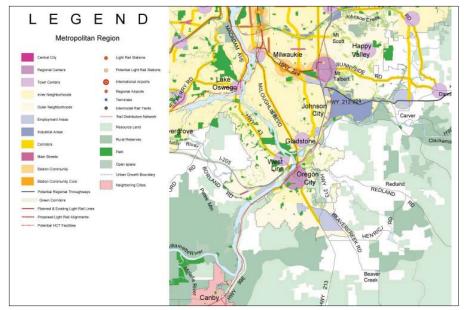


Figure 2 - Regional Context



Like all additions to the Portland Metropolitan Area Urban Growth Boundary, the Beavercreek Road area is inextricably tied to it's place in the region and its place within Oregon City. The Concept Plan responds to this context in multiple ways.

From a regional perspective, the Beavercreek Road area is currently a transition point from urban to rural use. Whether this "hard line" of transition will remain in the future cannot be established with certainty. The CAC openly acknowledged this issue in its discussions and sought to balance the needs of creating a great urban addition to Oregon City with sensitivity to adjacent areas. Examples of this balance include:

- The plan has land use and transportation connections that support future transit. This will link the Beavercreek Road area, via alternative transportations, to Clackamas Community College (CCC), the Oregon City Regional Center (downtown and adjacent areas) and the rest of the region.
- Trails and green spaces have been crafted to link into the broader regional network.
- The plan recommends lower densities and buffer treatments along Old Acres Road.
- The north south collector roads are coalesced to one route that could (if needed) be extended south of Old Acres Road.
- The recommended street framework provides for a street that parallels Beavercreek Road, connecting Thayer Road to Old Acres Road, and potentially north and south in the future. This keeps options open: if the UGB extends south, the beginning of a street network is in place. If it does not, the connection is available for rural to urban connectivity if desired.
- As with the street network described above, the East Ridge trail is extended all the way to Old Acres Road, and therefore, potentially beyond.

This will provide a connection from rural areas to the open spaces and trail network of Beavercreek Road area and the rest of the region.

From a City and local neighborhood perspective, the Beavercreek Road area offers an opportunity to establish a new complete and sustainable community within Oregon City. Specific linkages include the following:

- Oregon City needs employment land. The Beavercreek Concept Plan provides 156 net acres of it in two forms: 127 net acres of tech flex campus industrial land, 29 acres of more vertical mixed use village and main street. Additional employment will be available on the Main Street and as mixed use in the two southern neighborhoods.
- The street framework connects to all of the logical adjacent streets. This includes Thayer, Clairmont, Meyers, Glen Oak, and Old Acres Roads. This connectivity will disperse traffic to many routes, but equally important, make Beavercreek Road connected to, rather than isolated from, adjacent neighborhoods, districts and corridors.
- The plan provides for a complete community: jobs, varied housing, open space, trails, mixed use, focal points of activity, trails, and access to nature.
- The plan provides for a sustainable community, in line with the City's

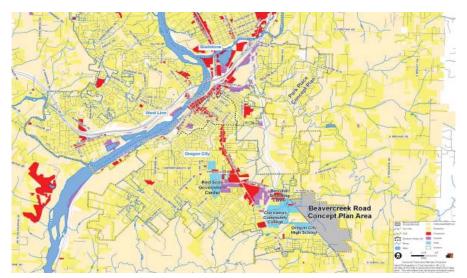


Figure 3 - Oregon City Context



Comprehensive Plan support for sustainability. This takes the form of mixed land uses, transportation options, green streets, sustainable storm water systems, and LEED or equivalent certification for buildings. Much more can certainly be done – the Concept Plan offers an initial platform to work from.

 Physical linkages have been provided to Oregon City High School and Clackamas Community College. These take the form of the planned 3-lane green street design for Beavercreek Road and the intersections and trails at Clairmont, Loder and Meyers Roads. The physical linkages are only the beginning – the City, School District and College need to work together to promote land uses on the east side of Beavercreek Road that truly create an institutional connection.

For additional information, see Existing Conditions, Opportunities and Constraints Reports, Technical Appendix C.



Figure 4 - Existing Conditions

Site Conditions and Buildable Lands

A portion of the study area (approximately 50 acres) is currently within the existing city limits and zoned Campus Industrial (CI). The study area's northern boundary is Thayer Road and the southern boundary is Old Acres Lane. Loder Road is the only existing road that runs through the project area.

Currently, the project area is largely undeveloped, which has allowed the site to retain its natural beauty. There are 448 gross acres in the project area, not including the right-of-way for Loder Road (approximately five acres). The existing land uses are primarily large-lot residential with agricultural and undeveloped rural lands occupying approximately 226 acres of the project area. The Oregon City Golf Club (OCGC) and private airport occupy the remaining 222 acres.

There are several large power line and natural gas utility easements within the project boundaries. These major utility easements crisscross the northern and central areas of the site. The utility easements comprise approximately 97 acres or 20% of the project area.

There are 51 total properties ranging in size from 0.25 acres to 63.2 acres. Many of these properties are under single ownership, resulting in only 42 unique property owner names (Source: Clackamas County Assessor). There are several existing homes and many of the properties have outbuildings such as, sheds, greenhouses, barns, etc., which result in 127 existing structures on the site (Source: Clackamas County Assessor).

A key step in the concept planning process is the development of a Buildable Lands Map. The Buildable Lands Map was the base map from which the concept plan alternatives and the final recommended plan were. "Buildable" lands, for the purpose of the Beavercreek Road Concept Plan, are defined as the gross site area minus wetlands, steep slopes, other Goal 5 resources, public utility easements, road rights-of-way, and committed properties (developed properties with an assessed improvement value



greater than \$350,000). Properties with an assessed improvement value of less than \$350,000 (based on County assessment data) are considered redevelopable over the long-term as the existing structures are converted to higher value uses. The OCGC has an improvement value over \$350,000, but has been included as buildable lands (minus the clubhouse) because the owners may wish to redevelop the property in coordination with the recommended concept plan over time. The private airport has also been included as buildable over the long-term, recognizing that the owners may choose to continue the airport's use for many years.

When land for power lines, the natural gas line, natural resources, and committed structures are removed the net draft buildable acreage is approximately 292 acres. The CAC reviewed the Preliminary Buildable Lands map and approved a three-tier system to define the buildable lands. Tier A or "Unconstrained" has approximately 292 acres, Tier B or "Low Impact Development Allowed with Review" has approximately 28 acres, and Tier C "Constrained" has approximately 131 acres. The "Low Impact" area was later further evaluated and recommended for conservation under a Environmentally Sensitive and Resource Area designation on the plan.

The Buildable Lands Map was reviewed at the July 20th and August 17th Citizen and Technical Advisory Committee (CAC/TAC) meetings, as well as at the August 24th, 2006 Open House. The draft buildable land boundaries and acreages shown in Figure 6 reflect the input received from the advisory committee members, property owners, and citizen input.

For additional information, see Existing Conditions, Opportunities and Constraints Reports, Technical Appendix C.

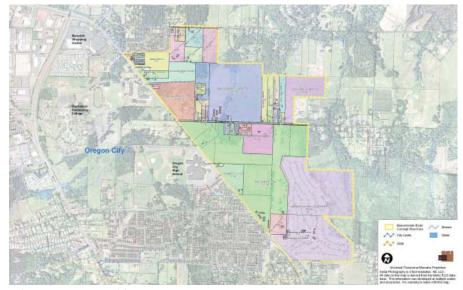


Figure 5 - Ownerships



Figure 6 - Natural Resource Inventory



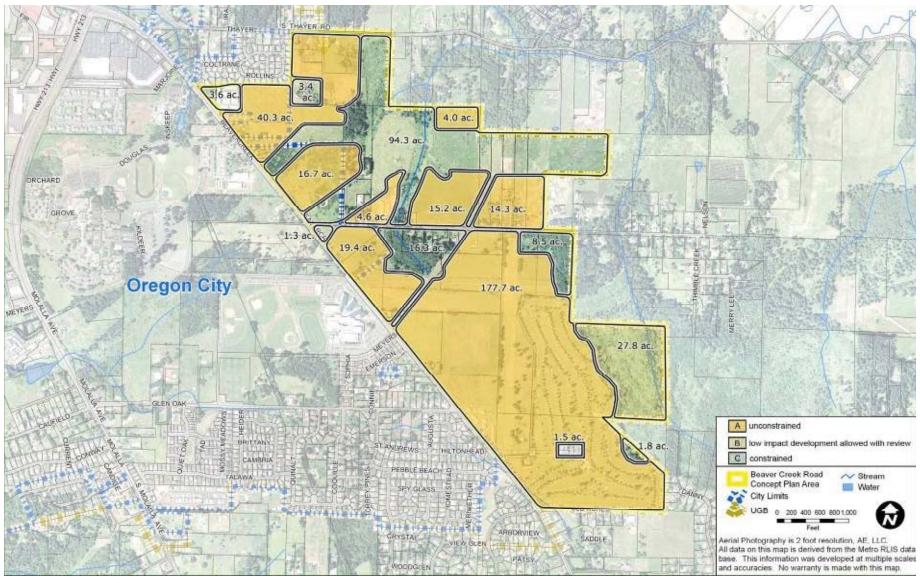


Figure 7 - Buildable Lands



Employment - A Key Issue

How much employment? What type? And where? These questions were extensively discussed during the development of the Concept Plan. Three perspectives emerged as part of the discussion:

Oregon City Perspective

Prior to initiating the Concept Plan process, the City adopted a comprehensive plan policy which emphasizes family wage employment on the site. The policy reads: "Require lands east of Clackamas Community College that are designated as Future Urban Holding to be the subject of concept plans, which is approved as an amendment to the Comprehensive Plan, [and will] guide zoning designations. The majority of these lands should be designated in a manner that encourages family-wage jobs in order to generate new jobs and move towards meeting the City's employment goals." Oregon City Comprehensive Plan, Policy 2.6.8.

Metro Perspective

Metro brought the majority of the concept plan area (245 gross acres) into the UGB in 2002 and 2004 to fulfill regional industrial employment needs. These areas (308 gross acres) are designated as the Industrial Design Type on Metro's 2040 Growth Concept Map. As part of its land need metrics reported to the region and state, Metro estimated 120 net acres of the Beavercreek Road Concept Plan's land would be used for employment uses. Metro representatives met with the Concept Plan CAC and emphasized: (1) it was important to Metro for the Concept Plan to fulfill their original intent for providing Industrial land; and, (2) that there was flexibility, from Metro's perspective, for the local process to evaluate creative ways to meet that intent.

Citizen Advisory Committee Perspective

The CAC discussed extensively the issues and options for employment lands. Many sources of information were consulted: a market analysis by ECONorthwest (See Appendix ___), a developer focus group, land inventory and expert testimony submitted by property owners, the Metro perspective cited above, and concerns of neighbors. The advice ranged from qualified optimism about long term employment growth to strong opposition based on shorter term market factors and location considerations. Some members of the CAC advocated for a jobs target (as opposed to an acreage target) to be the basis for employment planning.

At it's meeting on September 14th, 2006, the CAC developed a set of "bookends" for the project team to use while creating the plan alternatives.

- a. At least one plan alternative will be consistent with the Metro Regional Growth Concept.
- b. At least one plan alternative (may be the same as above) would be designed consistent with Policy 2.6.8.
- c. Other alternatives would have the freedom to vary from "a" and "b" above, but would also include employment.
- d. No alternative would have heavy industrial, regional warehousing or similar employment uses".

After evaluating alternatives, the CAC ultimately chose a hybrid employment strategy. The recommended Concept Plan includes: (1) about 127 net acres of land as North Employment Campus, which is consistent with Metro's intent and similar to Oregon City's Campus Industrial designation; (2) about 29 acres as Mixed Employment Village and Main Street, which allows a variety of uses in a village-oriented transit hub; and, (3) mixed use neighborhoods to the south that also provide for jobs tailored to their neighborhood setting.



V. Concept Plan Summary

The Framework Plan Approach

The Beavercreek Road Concept Plan is a framework for a new, urban community. The plan is comprised of generalized maps and policies that integrate land use, transportation, open space, and green infrastructure. The framework maps and policies are supported by detailed code and requirements for master planning and design review. The approach here is to set the broad framework and intent on the figures and text in this Plan. Detailed development plans demonstrating compliance with the Concept Plan are required in the implementing code.

The framework plan approach is intended to:

- Ensure the vision, goals and standards are requirements in all land use decisions
- Provide for flexibility in site specific design and implementation of the Plan and code
- Allow for phased development over a long period of time (20+ years)

Concept Plan Comprehensive Plan & Zoning Provides an integrated Amendments will focus on framework for: process for development · Open Space and Natural approvals. Resource Systems Comprehensive plan · Transportation Systems policies Land Use Map designations Infrastructure Master plan process and Includes analysis of and Master Plan/Detail Plan approval criteria Construction recommendations for: Uses and development/ Population design standards · Housing and Detailed plans for specific Construction of Jobs development areas. infrastructure, Provides analysis of commercial and specific site level systems residential structures, Details site specific open space systems, Vision Legislation sustainabilty measures and transportation Long-range vision intended Clear and objective standards Site-specific proposals for: improvements to guide growth and develthat development must abide by Land Use opment by identifying goals, **Building Types** policies, and principles. Design Circulation Infrastructure Implementation

The code describes many detailed requirements such as street connectivity, block configuration, pocket parks, building scale, pedestrian connections, low impact development features, tree preservation, and sustainable buildings. These design elements will be essential to the success of the area as a walkable, mixed use community. The expectation of this Plan is that the flexibility is coupled with a high standard for sustainable and pedestrian-oriented design.



Land Use Sub-Districts

Figure 8 illustrates the five land-use "subdistricts" of the concept plan area. Each has a specific focus of land use and intended relationship to its setting and the plan's transportation and open space systems. Each is briefly described below and illustrated on Figures 9 through 12.

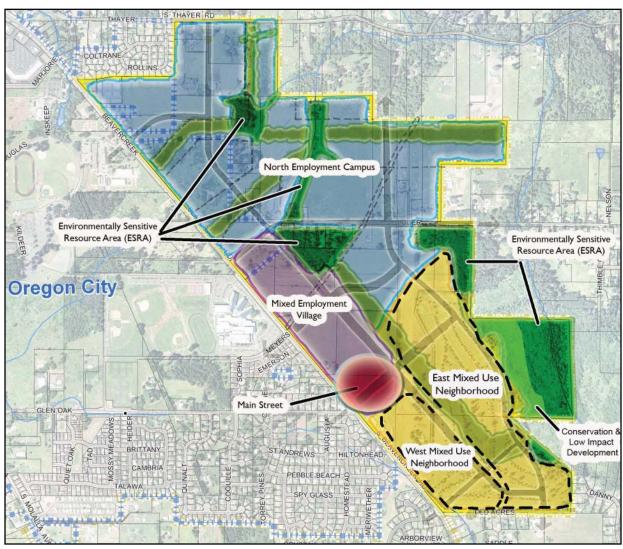


Figure 8 - Land Use Sub-districts



North Employment Campus - NEC

The purpose of the North Employment Campus is to provide for the location of family wage employment that strengthens and diversifies the economy. The NEC allows a mix of clean industries, offices serving industrial needs, light industrial uses, research and development and large corporate headquarters. The uses permitted are intended to improve the region's economic climate, promote sustainable and traded sector businesses, and protect the supply of sites for employment by limiting incompatible uses. The sub-district is intended to comply with Metro's

Title 4 regulations. Site and building design will create pedestrian-friendly areas and utilize cost effective green development practices. Business and program connections to Clackamas Community College (CCC) are encouraged to help establish a positive identity for the area and support synergistic activity between CCC and NEC properties. Businesses making sustainable products and utilizing sustainable materials and practices are encouraged to reinforce the identity of the area and promote the overall vision for the Beavercreek Road area.

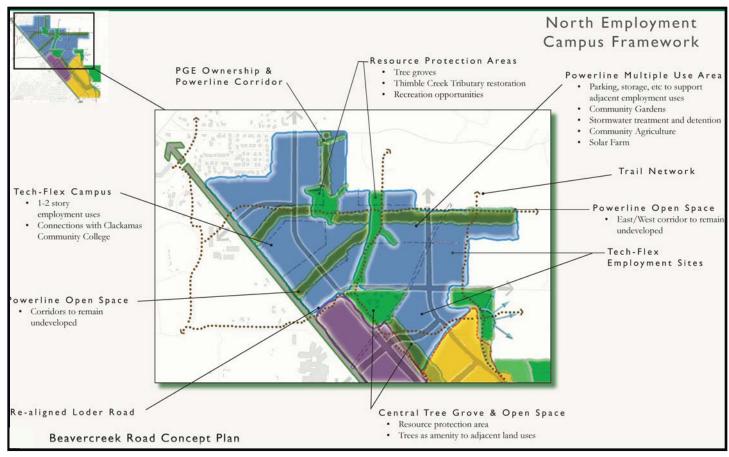


Figure 9 - North Employment Campus Framework



Mixed Employment Village – MEV

The purpose of the Mixed Employment Village is to provide employment opportunities in an urban, pedestrian friendly, and mixed use setting. The MEV is intended to be transit supportive in its use mix, density, and design so that transit remains an attractive and feasible option. The MEV allows a mix of retail, office, civic and residential uses that make up an active urban district and serve the daily needs of adjacent neighborhoods and Beavercreek Road sub-districts. Site and building design will create

pedestrian-friendly areas and utilize cost effective green development practices. Business and program connections to Clackamas Community College and Oregon City High School are encouraged. Businesses making sustainable products and utilizing sustainable materials and practices are encouraged to reinforce the identity of the area and promote the overall vision for the Beavercreek Road area.

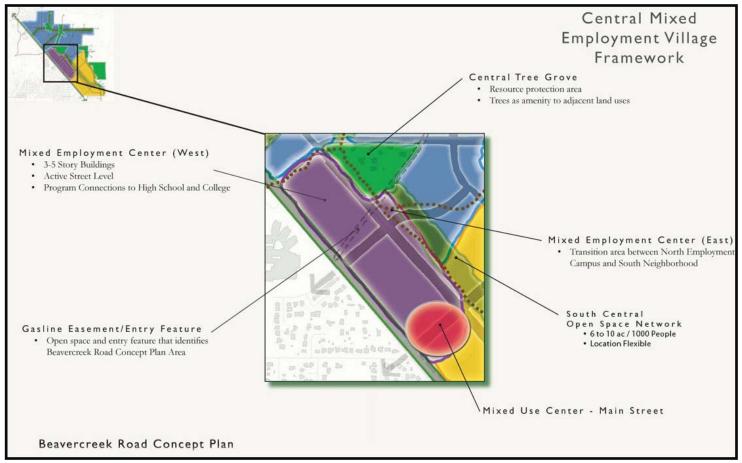


Figure 10 - Central Mixed Employment Village Framework



Main Street - MS

The purpose of this small mixed-use center is to provide a focal point of pedestrian activity. The MS allows small scale commercial, mixed use and services that serve the daily needs of the surrounding area. "Main Street" design will include buildings oriented to the street, an minimum of 2 story building scale, attractive streetscape, active ground floor uses and other elements that reinforce pedestrian oriented character and vitality of the area.

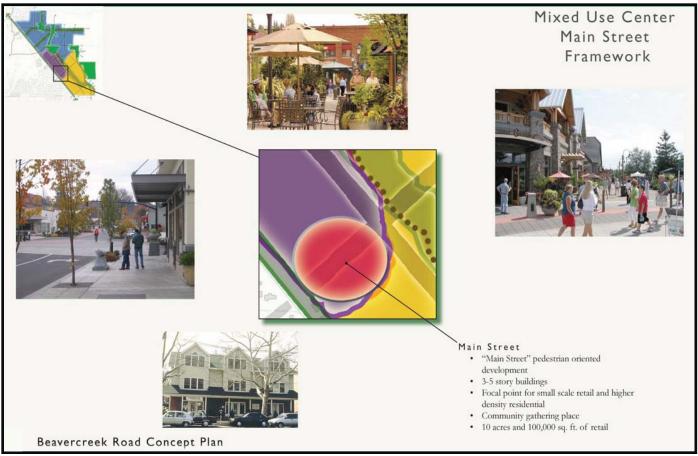


Figure 11 - Main Street Framework



West Mixed Use Neighborhood - WMU

The West Mixed Use Neighborhood will be a walkable, transit-oriented neighborhood. This area allows a transit supportive mix of housing, live/work units, mixed use buildings and limited commercial uses. A variety of housing and building forms is required, with the overall average of residential uses not exceeding 22 dwelling units per acre. The WMU area's uses, density and design will support the multi-modal transportation system and provide good access for pedestrians, bicycles, transit and vehicles. Site and building design will create a walkable area and utilize cost effective green development practices.

East Mixed Use Neighborhood - EMU

The East Mixed Use Neighborhood will be a walkable and tree-lined neighborhood with a variety of housing types. The EMU allows for a variety of housing types while maintaining a low density residential average not exceeding densities permitted in the R-5 zone. Limited non-residential uses are permitted to encourage a unique identity, sustainable community, and in-home work options. The neighborhood's design will celebrate open space, trees, and relationships to public open spaces. The central open space, ridge open space scenic viewpoints, and a linked system of open spaces and trails are key features of the EMU. Residential developments will provide housing for a range of income levels, sustainable building design, and green development practices.

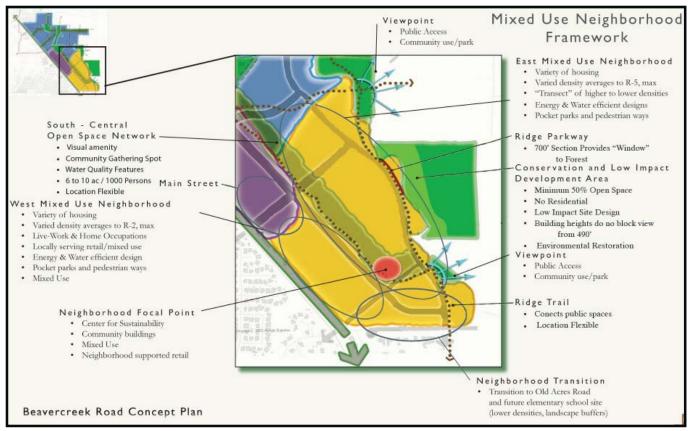


Figure 12 - West and East Mixed Use Neighborhoods



Open Space

The Open Space Framework illustrated on Figure 13 provides a network of green spaces intended to provide:

- A connected system of parks, open spaces and natural areas that link together and link to the Environmentally Sensitive Resource Areas.
- Scenic and open space amenities and community gathering places
- Access to nature
- Tree and natural area preservation
- Locations where storm water and water quality facilities can be combined with open space amenities, and opportunities to implement sustainable development and infrastructure
- Green spaces near the system of trails and pedestrian connections
- Open spaces which complement buildings and the urban, built environment

Power Line Open Spaces

The power line corridors and gas line corridor comprise 97 acres of land. The power line corridors north of Loder Road are a dominant feature. They are a dominant feature because they define open corridors and have a significant visual impact related to the towers. They also have a influence on the pattern of land use and transportation connections. In response to these conditions, the Concept Plan includes four main strategies for the use of the power line corridors:

- Provide publicly accessible open spaces. The implementing code includes a minimum 100 foot-wide open space and public access easement would be required at the time of development reviews, or, obtained through cooperative agreements with the utilities and property owners.
- Provide trails. A new east-west trail is shown on Figure 13 that follows the main east-west corridor. This corridor has outstanding views of Mt. Hood.

- Allow a broad array of uses. Ideas generated by the CAC, and permitted by the code, include: community gardens, urban agriculture, environmental science uses by CCC, storage and other "non-building" uses by adjacent industries, storm water and water quality features, plant nurseries, and solar farms.
- Link to the broader open space network. The power line corridors are linked to the open spaces and trail network in the central and southern areas of the plan.

South-Central Open Space Network

Park spaces in the central and southern areas of the plan will be important to the livability and sustainability goals for the plan. The basic concept is to assure parks are provided, provide certainty for the total park acreage, guide park planning to integrate with other elements, and provide flexibility for the design and distribution of parks.

The following provisions will apply during master planning and other land use reviews:

- Park space will be provided consistent with the City's Park and Recreation Master Plan standard of 6 to 10 acres per 1000 population.
- The required acreage may be proposed to be distributed to a multiple park spaces, consistent with proposed land uses and master plan design.
- A central park will be provided. The location and linearity of the park was first indicated by Metro's Goal 5 mapping. It was illustrated by several citizen groups during the design workshop held in October, 2006. This open space feature is intended as a connected, continuous and central green space that links the districts and neighborhoods south of Loder Road. The code provides for flexibility in its width and shape, provided there remains a clearly identifiable and continuous open space. It may be designed as a series of smaller spaces that are clearly connected by open space. It may be designed



as a series of smaller spaces that are clearly connected by open space. If buildings are incorporated as part of the central park, they must include primary uses which are open to the public. Civic buildings are encouraged adjacent to the central park. Streets may cross the park as needed. The park is an opportunity to locate and design low impact storm water facilities as an amenity for adjacent urban uses.

East Ridge

The East Ridge is a beautiful edge to the site that should be planned as a publicly accessible amenity and protected resource area. The natural resource inventory identified important resources and opportunities for habitat restoration in the riparian areas of Thimble Creek. In addition, Lidar mapping and slope analysis identified steeper slopes (greater than 15%) that are more difficult to develop than adjacent flat areas of the concept plan. The sanitary sewer analysis noted that lower areas on the east

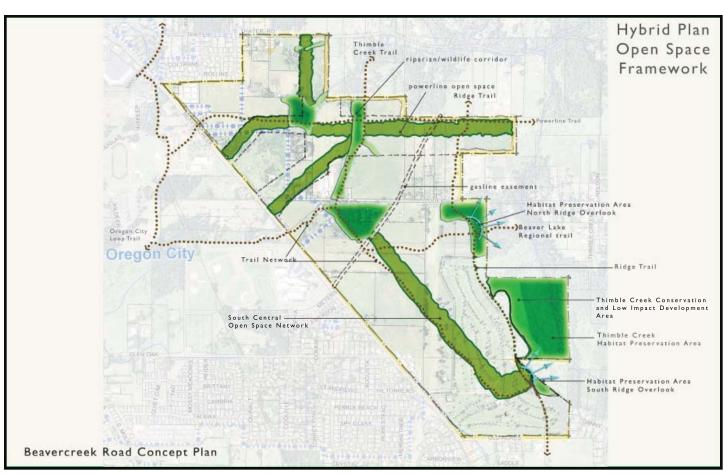
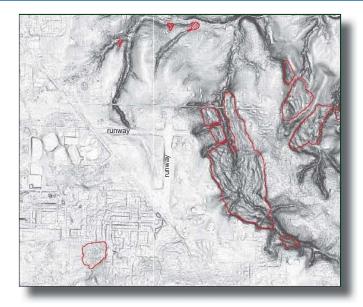


Figure 13 - Open Space Framework





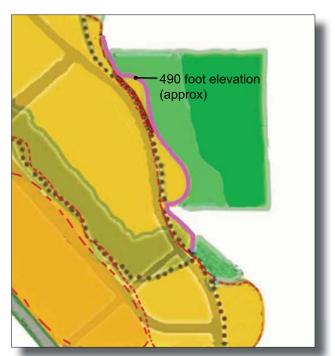


Figure 13A - East Ridge Lidar and 490 foot elevation

ridge could not be readily served with gravity systems - they would require private pump facilities. For all of these reasons, it is recommended here that an East Ridge open space and conservation area be designated.

The plan and code call for:

- Establishing the Class I and II Riparian area (per Metro mapping) plus 200 feet as a protected open space area. No development is permitted, except for very limited uses such as trails.
- Between the west edge of the above referenced protected open space area and the 490 foot elevation (MSL), establish a conservation area within which the following provisions apply:
 - a. A minimum of 50% of the conservation area must be open space. No residential uses are permitted.
 - b. All development must be low impact with respect to grading, site design, storm water management, energy management, and habitat.
 - c. Building heights must not obscure views from the 490 foot elevation of the ridge.
 - d. Open space areas must be environmentally improved and restored.
- Establishing a limit of development that demarks the clear edge of urban uses and a "window" to adjacent natural areas. In the central area of the est ridge, the "window" must be a minimum of 700 feet of continuous area and publicly accessible. The specific location of the "window" is flexible and will be establishing as part of a master plan.
- Creating two scenic view points that are small public parks, located north and south of the central area.
- Creating an East Ridge Trail the location of the trail is flexible and will be established during master planning. It will be located so as to be safe, visible, and connect the public areas along the ridge. Along the "window" area described above, it will be coordinated with the location of the adjacent East Ridge Parkway.



Transportation

In summary, the key elements of the Concept Plan transportation strategy are to:

- Plan a mixed use community that provides viable options for internal trip making (i.e. many daily needs provided on-site), transit use, maximized walking and biking, and re-routed trips within the Oregon City area.
- Improve Beavercreek Road as a green street boulevard.
- Create a framework of collector streets that serve the Beavercreek Road Concept Plan area.
- Require local street and pedestrian way connectivity.
- Require a multimodal network of facilities that connect the Beavercreek Road Concept Plan area with adjacent areas and surrounding transportation facilities.
- Provide an interconnected street system of trails and bikeways.
- Provide transit-attractive destinations.
- Provide a logical network of roadways that support the extension of transit services into the Beavercreek Road Concept Plan area.
- Use green street designs throughout the plan.
- Update the Oregon City Transportation System Plan to include the projects identified in the Beavercreek Road Concept Plan, provide necessary off-site improvements, and, assure continued compliance with Oregon's Transportation Planning Rule.

Streets

Figure 14 illustrates the street plan. Highlights of the plan include:

• Beavercreek as a green boulevard. The cross-section will be a 5 lane arterial to Clairmont, then a 3 lane arterial (green street boulevard) from Clairmont to UGB. The signalization of key intersections is illustrated on the Street Plan.

- Center Parkway as a parallel route to Beavercreek Road. This new north-south route provides the opportunity to completely avoid use of Beavercreek Road for trips between Old Acres and Thayer Road. This provides a much-needed separation of local and through trips, as well as an attractive east-side walking and biking route. Major cross-street intersections, such as Loder, Meyers and Glen Oak may be treated with roundabouts or other treatments to help manage average speeds on this street. Minor intersections are likely to be stop-controlled on the side street approaches. The alignment of Center Parkway along the central open space is intended to provide an open edge to the park. The cross-section for Center Parkway includes a multi-use path on the east side and green street swale. Center Parkway is illustrated as a three-lane facility. Depending on land uses and block configurations, it may be able to function well with a two lane section and left turn pockets at selected locations.
- Ridge Parkway as a parallel route to Center Parkway and Beavercreek Road. The section of Ridge Parkway south of the Glen Oak extension is intended as the green edge of the neighborhood. This will provide a community "window" and public walkway adjacent to the undeveloped natural areas east of the parkway. Ridge Parkway should be two lanes except where left turn pockets are needed. Major intersections south of Loder are likely to only require stop control of the side street, if configured as "tee" intersections. Mini roundabouts could serve as a suitable option, particularly if a fourth leg is added.
- Ridge Parkway. Ridge Parkway was chosen to extend as the through-connection south of the planning area to Henrici Road. Center Parkway and Ridge Parkway are both recommended for extension to the north as long-term consideration for Oregon City and Clackamas County during the update of respective Transportation System Plans. It is beyond the scope of this study to identify and determine each route and the feasibility of such extensions. Fatal flaws to one or both may be discovered during subsequent planning. Nonetheless, it is prudent at this level of study, in this area of the community, to identify opportunities to efficiently and systematically expand the transportation system to meet existing and future needs.



- Extensions of Clairmont, Meyers, Glen Oak Roads and the south entrance through to the Ridge Parkway. These connections help complete the network and tie all parts of the community to adjacent streets and neighborhoods.
- Realignment of Loder Road at its west end. Loder is recommended for reconfiguration to create a safer "T" intersection. The specific location of the intersection is conceptual and subject to more site specific planning.

The streets of the Concept Plan area are recommended to be green streets. This is an integral part of the storm water plan and overall identity and vision planned for the area. The green street cross-sections utilize a combination of designs: vegetated swales, planter islands, curb extensions, and porous pavement. Figures 15 – 19 illustrate the recommended green street cross-sections. These are intended as a starting point for more detailed design.

Trails

Figure 14 also illustrates the trail network. The City's existing Thimble Creek Trail and Metro's Beaver Lake Regional Trail have been incorporated into the plan. New trails include the Powerline Corridor Trail, multi-use path along Center Parkway, and the Ridge Trail.

Transit

The Concept Plan sets the stage for future transit, recognizing that how that service is delivered will play out over time. Specifics of transit service will depend on the actual rate and type of development built, Tri-Met resources and policies, and, consideration of local options. Three options have been identified:

- 1. A route modification is made to existing bus service to Clackamas Community College (CCC) that extends the route through CCC to Beavercreek Road via Clairmont, then south to Meyers or Glen Oak, back to HWY 213, and back onto Molalla to complete the normal route down to the Oregon City Transit Center. To date, CCC has identified Meyers Road as a future transit connection to the college.
- 2. A new local loop route that connects to the CCC transit center and serves the Beavercreek Road Concept Planning area, the High School, the residential areas between Beavercreek and HWY 213, and the residential areas west of HWY 213 (south of Warner Milne).
- 3. A new "express" route is created from the Oregon City Transit Center, up/down HWY 213 to major destinations (CCC, the Beavercreek Road Employment area, Red Soils, Hilltop Shopping Center, etc.).

It is the recommendation of this Plan that the transit-oriented (and Use mix), density, and design of the Beavercreek Road area be implemented so that transit remains a viable option over the long term. The City should work with Tri-Met, CCC, Oregon City High School, and developers within the Concept Plan area to facilitate transit.



Connectivity

The street network described above will be supplemented by a connected local street network. Consistent with the framework plan approach, connectivity is required by policy and by the standards in the code. The specific design for the local street system is flexible and subject to master plan and design review. Figure 20 illustrates different ways to organize the street and pedestrian systems. These are just three examples, and are not intended to suggest additional access to Beavercreek Road beyond what is recommended in Figure 14. The Plan supports innovative ways to configure the streets that are consistent with the goals and vision for the Beavercreek Concept Plan area.

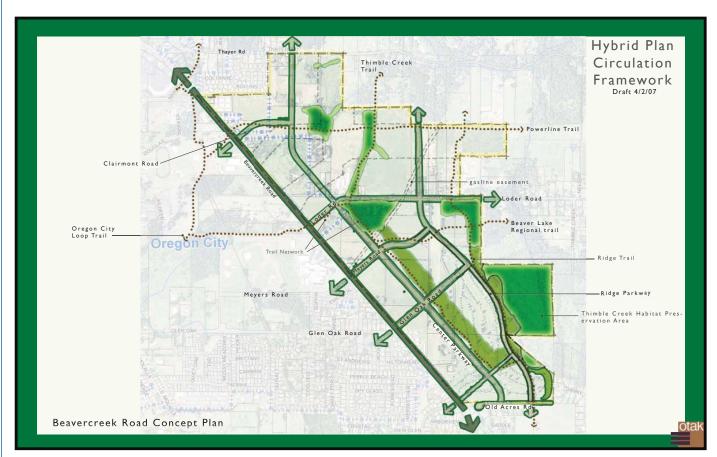


Figure 14 - Circulation Framework



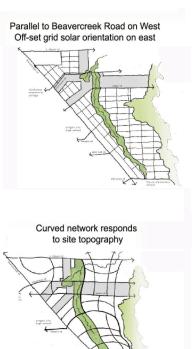


Figure 20 - Connectivity Diagrams

Conceptual only - See Figure 14 for recommended access points to Beavercreek Road.



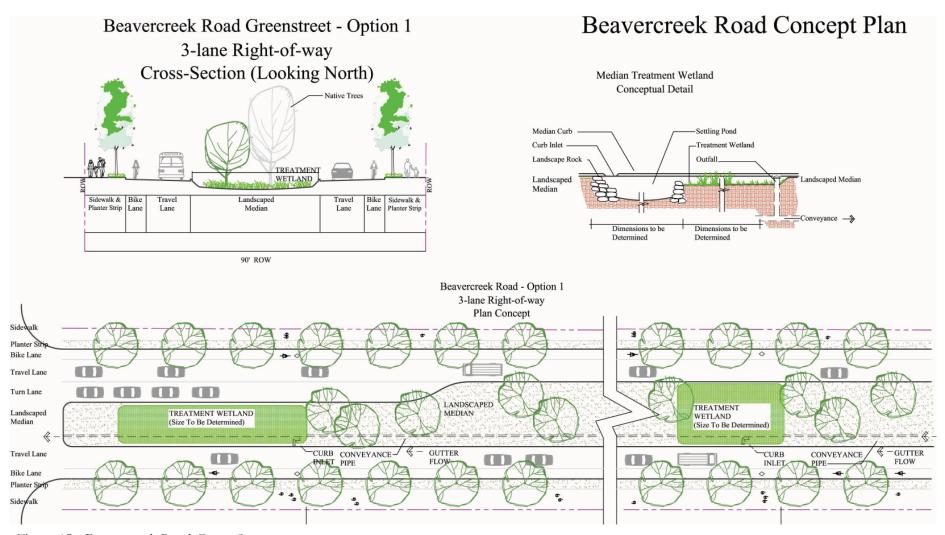


Figure 15 - Beavercreek Road Green Street



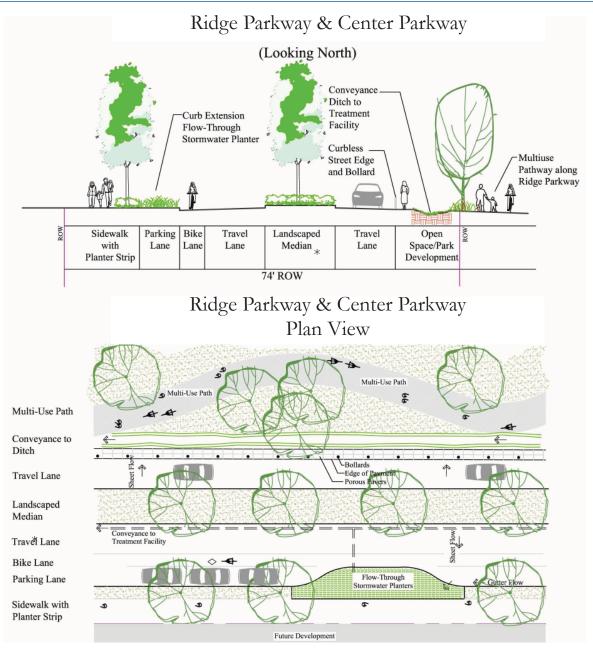


Figure 16 - Ridge Parkway and Central Parkway Green Streets

*Center median is optional for Ridge Parkway.



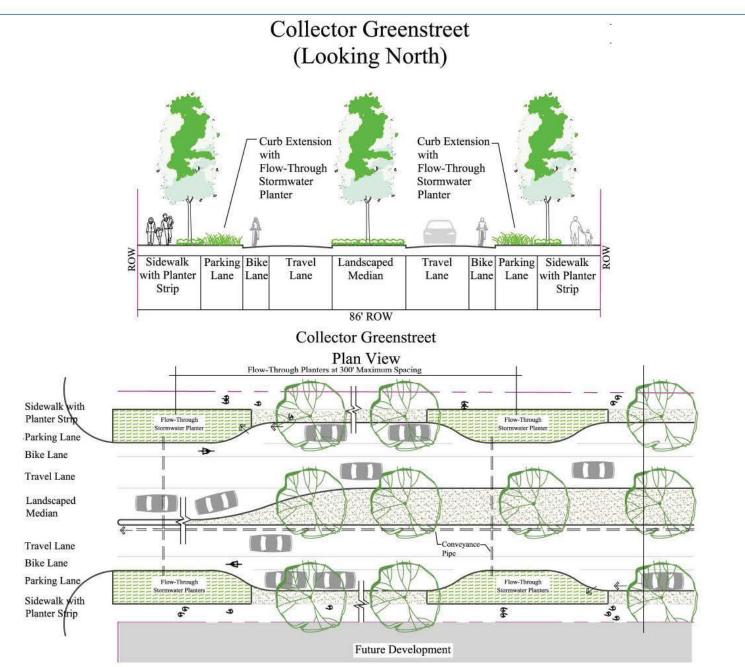
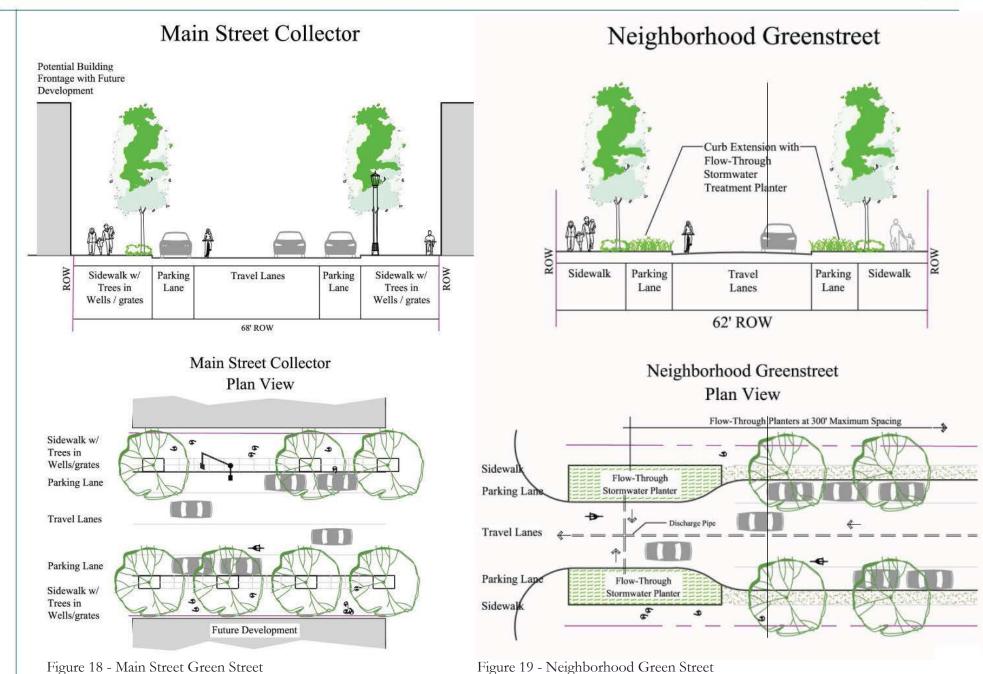


Figure 17 - Collector Green Street





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Cost Estimate

A planning-level cost estimate analysis was conducted in order to approximate the amount of funding that will be needed to construct the needed improvements to the local roadway system, with the build-out of the Beavercreek Road Concept Plan. The table below lists these improvements and their estimated costs. These generalized cost estimates include assumptions for right-of-way, design, and construction.

For additional information, please see Technical Appendix, Sections C2 and G.

Roadway Improvements	Improvement	Estimated Cost
Beavercreek Road: Marjorie Lane to Clairmont Drive	Construct 5-lane cross-section to City standards	\$6,300,000
Beavercreek Road: Clairmont Drive to Henrici Road	Construct 3-lane cross-section to City standards	\$12,300,000
Clairmont Drive: Beavercreek Road – Center Parkway	Construct new 3-lane collector to City standards and modify signal at Beavercreek Road	\$2,400,000
Loder Road: Beavercreek Road to Center Parkway	Construct 3-lane cross-section to City standards and signalize Beavercreek Road intersection	\$1,400,000
Loder Road: Center Parkway – East Site Boundary	Construct 3-lane cross-section to City standards	\$4,200,000
Meyers Road: Beavercreek Road – Ridge Parkway	Construct new 3-lane collector to City standards and modify signal at Beavercreek Road	\$3,500,000
Glean Oak Road: Beavercreek Road – Ridge Parkway	Construct new 3-lane collector to City standards and modify signal at Beavercreek Road	\$3,400,000
Center Parkway	Construct new 3-lane collector with 12' multi-use path	\$17,700,000
Ridge Parkway	Construct new 3-lane collector	\$9,800,000
Total Roadway Improvements		\$61,000,000
Intersection Only Improvements	Improvement	Estimated Cost
Beavercreek Road/Maplelane	Road Construct new WB right-turn lane	\$250,000
Beavercreek Road/ Meyers Road	Construct new NB and SB through lanes	\$5,000,000
Total Intersection Improvements		\$5,250,000
TOTAL IMPROVEMENTS		\$66,250,000

Transportation Cost Estimate





Figure 21 - Sustainable Stormwater Plan



Storm Water and Water Quality

This Beavercreek Road stormwater infrastructure plan embraces the application of low-impact development practices that mimic natural hydrologic processes and minimize impacts to existing natural resources. It outlines and describes a stormwater hierarchy focused on managing stormwater in a naturalistic manner at three separate scales: site, street, and neighborhood.

Tier 1 – Site Specific Stormwater Management Facilities (Site)

All property within the study area will have to utilize on-site best management practices (BMPs) to reduce the transport of pollutants from their site. Non-structural BMPs, such as source control (e.g. using less water) are the best at eliminating pollution. Low-impact structural BMPs such as rain gardens, vegetated swales, pervious surface treatments, etc. can be designed to treat stormwater runoff and reduce the quantity (flow and volume) by encouraging retention/infiltration. They can also provide beneficial habitat for wildlife and aesthetic enhancements to a neighborhood. These low-impact BMP's are preferred over other structural solutions such as underground tanks and filtration systems. Most of these facilities will be privately maintained.

Tier 2 – Green Street Stormwater Management Facilities (Street)

Green Streets are recommended for the entire Beavercreek Concept Plan area. The recommended green street design in Figures 15 - 19 use a combination of vegetated swales or bioretention facilities adjacent to the street with curb cuts that allow runoff to enter. Bioretention facilities confined within a container are recommended in higher density locations where space is limited or is needed for other urban design features, such as on-street parking or wide sidewalks. The majority of the site is underlain with silt loam and silty clay loam. Both soils are categorized as Hydrologic Soil Group C and have relatively slow infiltration rates.

The recommended green streets will operate as a collection and conveyance system to transport stormwater from both private property and streets to regional stormwater facilities. The conveyance facilities need to be capable of managing large storm events that exceed the capacity of the swales. For this reason, the storm water plan's conveyance system is a combination of open channels, pipes, and culverts. Open channels should be used wherever feasible to increase the opportunity for stormwater to infiltrate and reduce the need for piped conveyance.

Tier 3 – Regional Stormwater Management Facilities (Neighborhood)

Regional stormwater management facilities are recommended to manage stormwater from larger storms that pass through the Tier 1 and Tier 2 facilities. Figure 21 illustrates seven regional detention pond locations. Coordinating the use of these for multiple properties will require land owner cooperation during development reviews, and/or, City initiative in advance of development.

The regional facilities should be incorporated into the open space areas wherever possible to reduce land costs, and reduce impacts to the buildable land area. Regional stormwater facilities should be designed to blend with the other uses of the open space area, and can be designed as a water feature that offers educational or recreational opportunities. Stormwater runoff should be considered as a resource, rather than a waste stream. The collection and conveyance of stormwater runoff to regional facilities can offer an opportunity to collect the water for re-use.



Discharge Locations

Post-development stormwater runoff rates from the Beavercreek Road Concept Plan Area will need to match pre-development rates at the existing discharge locations, per City Stormwater Design Standards. Since there are several small discharge locations to Thimble Creek, flow control facilities may not be feasible at all discharge locations. In this situation, over-detention is needed at some discharge locations to compensate for the undetained areas so that flows in Thimble Creek at the downstream point of compliance meet City Stormwater Design Standards for flow control.

The stormwater infrastructure for the Beavercreek Road Concept Plan Area is estimated to cost between \$7.8 million and \$9.4 million for base construction. When construction contingencies, soft costs (engineering, permitting, construction management), and land acquisition, the total cost is estimated at \$15 to \$23 million.

Water The pr

The proposed water infrastructure plan creates a network of water supply pipelines as the "backbone" system. In addition, as individual parcels are developed, a local service network of water mains will be needed to serve individual lots.

Since there are two pressure zones in the concept plan area, there will need to be a network of pipes for each of the two zones. These systems are illustrated on Figure 22. The Fairway Downs Pressure Zone will serve the south one-third of the concept plan area. This zone receives water from

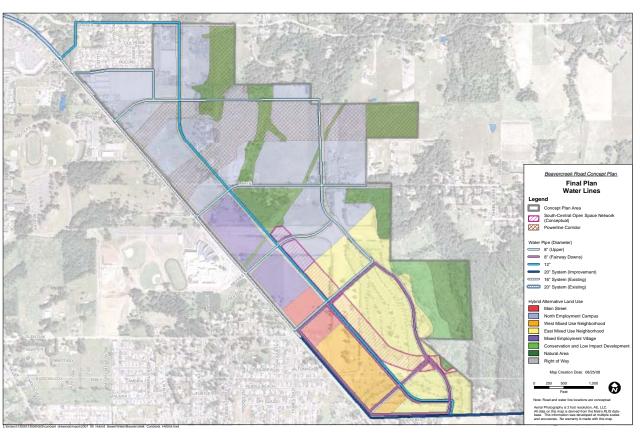


Figure 22 - Water Plan

the system reservoirs. But, because this zone is at the highest elevation in the entire water system, pressure from the reservoir system is insufficient to maintain a usable pressure to customers in this part of the system. The water pressure is increased by using a booster pump station located at the intersection of Glen Oak Road and Beavercreek Road.



In the Fairway Downs Pressure Zone, the majority of the water mains will be installed in the proposed public rights-of-way. However, a small portion of the system may need to be in strip easements along the perimeter of the zone at the far southeast corner of the concept plan area. The system layout shown is preliminary and largely dependent on future development and the final system of internal (local) streets. Additional mains may be needed or some of the water mains shown may need to be removed. For instance, if the development of the residential area located at the southeast end of the site, adjacent to Old Acres Road, includes internal streets, the water mains shown along the perimeter of the site may be deleted because service will be provided from pipes that will be installed in the internal street system.

Some of the planned streets in the Fairway Downs Pressure Zone will contain two water mains. One water main will provide direct water service to the area from the booster pump system. The other water main will carry water to the lower elevation areas in the Upper Pressure Zone.

The Upper Pressure Zone will serve the north two-thirds of the concept plan area. The "backbone" network for the Upper Pressure Zone will have water mains that are pressured from the Henrici and Boynton reservoirs. A single 12-inch water main will run parallel with Beavercreek Road through the middle of concept plan area. This water conduit will serve as the "spine" for the Upper Pressure Zone. A network of 8-inch water pipes will be located in the public rights-of-way and will provide water to the parcels that are identified for development. The system can be extended easterly on Loder Road, if needed.

The preliminary design ensures that the system is looped so that there are no dead-end pipes in the system. Along a portion of the north perimeter, approximately 1,600 feet of water pipe will be needed to complete a system loop and provide water service to adjacent lots. This pipe will share

a utility easement with a gravity sanitary sewer and a pressure sewer. There may also be stormwater facilities in this same alignment.

In the Water Master Plan, under pipeline project P-201, there is a system connection in a strip easement between Thayer Road and Beavercreek Road at the intersection with Marjorie Lane. Consideration should be given to routing this connection along Thayer Road to Maplelane Road and then onto Beavercreek Road. This will keep this proposed 12-inch main in the public street area where it can be better accessed.

The estimated total capital cost for the "backbone" network within the concept plan area will be in the area of \$5,400,000. This estimate is based the one derived for Alternative D, which for concept planning purposes, is representative of the plan and costs for the final Concept Plan. This is in addition to the \$6.9 million of programmed capital improvement projects that will extend the water system to the concept plan area. All estimates are based on year 2003 dollars. Before the SDC can be established, the estimates will need to be adjusted for the actual programmed year of construction.

For additional information, please see Technical Appendix, Sections C6 and H3.



Sanitary Sewer

The northern half of the concept area drains generally to the north and follows the natural land contours formed by the uppermost portion of Thimble Creek. The proposed sanitary sewer system in the vicinity of Loder Road will follow the north-south street rights-of-way. This part of the system will terminate at the low point of the concept plan area in a wetwell. A sanitary lift station over the wetwell will pump the wastewater uphill in a westerly direction to a point that it can be discharged into a gravity sewer that will flow west to the trunk sewer in Beavercreek Road. The lift station and pressure sewer project has been identified in the Sanitary Sewer Master Plan as projects BC-COL-5 and 6. A utility bridge that will carry the pressure pipe and gravity sewer pipe over Thimble

Creek is anticipated. A short road access to the pump station that is parallel to Thimble Creek will also be

needed.

The majority of the southern half of the concept area will have a gravity sanitary sewer system that will convey waste water to the existing 2,400-foot long trunk sewer in Beavercreek Road, which currently extends from Highway 213 to approximately 800 feet south of Marjorie Lane. This portion of the system can be built in the planned roadways and in the existing Beavercreek Road right-of-way. This portion of the system can be built in the planned roadways. A portion of the system, approximately 900 feet long, will need to be built in the current alignment of Loder Road so that the gravity sewer can be connected to the trunk sewer in Beavercreek Road. The circulation plan includes a realignment of Loder Road. Therefore, a sewer easement will need to be retained across the future parcel that now includes the current Loder Road alignment.

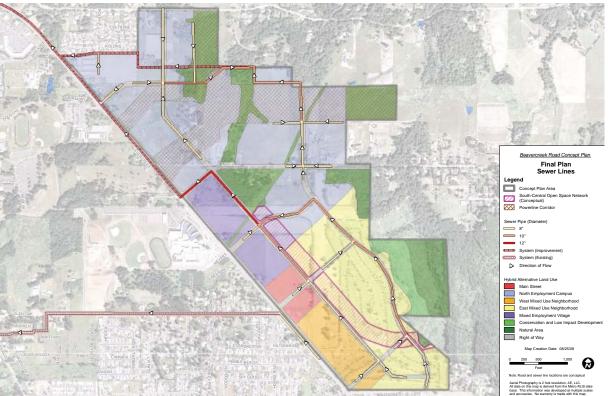


Figure 23 - Sewer Plan

The approximate elevation of 490 ft (MSL) is important in the southern half of the concept plan area relative to gravity sewer service. Roadways and development constructed above 490 ft will most likely allow for gravity sewer service. If land uses requiring sanitary sewer service (or roadways with sewer underneath) are located lower than 490 ft, individual pump stations and pressurized services may be required.



The estimated total capital cost will be in the vicinity of \$4,400,000. This estimate is based on the cost analysis for Alternative D, which is comparable. This is in addition to the \$2.3 million in sanitary sewer master plan capital costs that needed to bring the sanitary sewers to the concept plan area. These estimates are based on year 2003 dollars. The estimates will need to be adjusted for the programmed year of construction.

For additional information, please see Technical Appendix, Sections C6 and H2.

Funding strategies

For water, sewer, storm water and parks, there are five primary funding sources and strategies that can be used:

- System development charges (SDCs)— Oregon City requires developers to pay SDCs for new development. Developers pay these charges up front based on the predicted impact of the new development on the existing infrastructure and the requirements it creates for new improvements. Although the charges are paid by the developer, the developer may pass on some of these costs to buyers of newly developed property. Thus, SDCs allocate costs of development to the developer and buyers of the new homes or new commercial or industrial buildings.
- Urban renewal/tax increment financing Tax increment financing is the primary funding vehicle used within urban renewal areas (URA). The tax increment revenue is generated within a URA when a designated area is established and the normal property taxes within that area are 'frozen' (often called the frozen base). Any new taxes generated within that area through either property appreciation or new investment becomes the increment. Taxing jurisdictions continue to collect income from the frozen base but agree to release assessed value above the base to the URA. The URA then can issue bonds to pay for identified public improvements. The tax increment is used to pay off the bonds.

Oregon City has the authority to establish an URA. The Beavercreek Road Concept Plan Area would have to meet the definition of 'blight' as defined in ORS 457. It is likely to meet 'blight' standards because its existing ratios of improvement-to-land values are likely low enough to meet that standard.

• Local Improvement Districts - Local Improvement Districts (LIDs) are formed for the purpose of assessing local property owners an amount sufficient to pay for a project deemed to be of local benefit. LIDs are a specific type of special assessment district, which more broadly includes any district that is formed within an existing taxing district to assess specific property owners for some service that is not available throughout the larger district. The revenues from the LID assessments are used to pay the debt payments on a special assessment bond or a note payable issued for the capital improvements.

LID assessments increase costs for property owners. Under a LID the improvements must increase the value of the taxed properties by more than the properties are taxed. LIDs are typically used to fund improvements that primarily benefit residents and property owners within the LID.

• Bonds - Bonds provide a financing mechanism for local governments to raise millions of dollars for parks and other capital projects. The City could back a bond with revenue from a LID, the Urban Renewal Districts, or property taxes citywide. General obligation (GO) bonds issued by local governments are secured by a pledge of the issuer's power to levy real and personal property taxes. Property taxes necessary to repay GO bonds are not subject to limitation imposed by recent property tax initiatives. Oregon law requires GO bonds to be authorized by popular vote.

Bond levies are used to pay principal and interest for voter-approved bonded debt for capital improvements. Bond levies typically are approved in terms of dollars, and the tax rate is calculated as the total levy divided by the assessed value in the district.

Developer funded infrastructure – The City conditions land use approvals and permits to include required infrastructure. Beyond



the sources cited above, developers cover the remaining costs for the infrastructure required for their development.

Additional funding tools that could be investigated and implemented within the Concept Plan area include a Road District, a County Service District, Intergovernmental Agreements, an Advance Finance District, a Certificate of Participation, and a Utility Fee. There are benefits and limitations associated with each of the funding options that should be reviewed carefully before implementing.

For transportation infrastructure, the same sources as cited above are available. For larger facilities, such as Beavercreek Road, additional funds may be available. They include Metro-administered federal STP and CMAQ funding, and, regional Metro Transportation Improvement Plan funding. These sources are limited and extremely competitive. County funding via County SCSs should also be considered a potential source for Beavercreek Road. Facilities like Beavercreek Road are often funded with a combination of sources, where one source leverages the availability of another.

Sustainability

One of the adopted goals is: The Beavercreek Road Concept Plan Area will be a model of sustainable design, development practices, planning, and innovative thinking.

Throughout the development of the concept plan, sustainability has been paramount in guiding the CAC, the City, and the consultant team. The final plan assumes that sustainable practices will be a combination of private initiatives (such as LEED certified buildings), public requirements (green streets and low impact development policies), and public-private partnerships. It is recommended that City use incentives, education and policy support as much as possible for promoting sustainability at Beavercreek Road. Some initiatives will require regulation and City mandates, but caution and balance should be used. At the end of the

day, it is up to the private sector to invest in sustainable development. The Beavercreek Road's site's legacy as a model of sustainable design will depend, in large part on the built projects that are successful in the marketplace and help generate the type of reputation that the community desires and deserves.

The key to fulfilling the above-listed goal will be in the implementation. For the City's part, implementation strategies that support sustainable design will be included within the Oregon City Comprehensive Plan policies and Code provisions. They will be applied during master plan and design review permitting. Some of these strategies will be "required" while other are appropriate to "encourage." These sustainability strategies include:

- · Energy efficiency
- Water conservation
- Compact development
- Solar orientation
- Green streets/infrastructure
- Adaptive reuse of existing buildings/infrastructure
- Alternative transportation
- Pedestrian/Cyclist friendly developments
- Natural drainage systems
- Tree preservation and planting to "re-establish" a tree canopy
- Minimizing impervious surfaces
- Sustainability education (builder, residents, businesses and visitors)
- Collaboration with "local" institutional and economic partners, particularly Clackamas Community College and Oregon City High School
- Community-based sustainable programs and activities



Principles for Sustainable Community Design

The CAC discussed Principles for Sustainable Community Design that were offered by one of the members. These provide a good framework for how the Concept Plan is addressing sustainability.

Mix Land Uses - Promote a mix of land uses that support living wage jobs and a variety of services.

All of the sub-districts are, to some degree, mixed use districts. The Mixed Use Village, Main Street and West Mixed Use Neighborhood allow a rich mix of employment, housing, and services. Taken together, the entire 453 acre area will be a complete community.

Housing Types - Create a range of housing choices for all ages and incomes.

The concept plan includes housing in many forms: mixed use formats in the 3-5 story buildings, high density apartments and condominiums, livework units, townhomes, small cottage lots, and low density single family homes.

Walk-ability - Make the Neighborhood "walkable" and make services "walk-to-able."

The plan provides a street and trail framework. The code will require a high level of connectivity and maximum block sizes for most subdistricts. Services are provided throughout the plan as part of mixed use areas and a broad range of permitted uses.

Transportation - Provide a range of transportation options using a connected network of streets and paths.

The plan provides for all modes: walking, biking, driving and transit. Transit-supportive land use is specifically required in the Mixed Employment Village, Main Street and West Mixed Use Neighborhoods. The framework of connected streets and paths will be supplemented by a

further-connected system of local streets and walking routes.

Open Space - Protect and maintain a functioning green space network for a variety of uses.

Open space is distributed throughout the plan. New green spaces are connected with existing higher-value natural areas.

Integrate Systems - Integrate ecological and man-made systems to maximize function, efficiency and health.

Infrastructure systems (green storm water, multi-modal transportation) are highly integrated with the open space network and array of land uses. It will be important for the implementation of the plan to further integrate heating, cooling, irrigation and other man-made systems with the Concept Plan framework.

Ecological Health - Manage natural resources to eliminate pollution to watersheds and lesson impact on habitat and green infrastructure.

Methods to achieve this principle are identified in the Stormwater Infrastructure Report. Additionally, the code requires measures to preserve natural resources and eliminate pollution to watersheds necessary to achieve this principle.

Reuse, Recycle, Regenerate - Reuse existing resources, regenerate existing development areas.

The principle will be applied primarily at time of development and beyond.



Green Buildings - Build compact, innovative structures that use less energy and materials.

The draft code includes provisions for green buildings. This is a new area for the City to regulate, so a public-private Green Building Work Group is recommend to explore issues, build consensus, and develop specific code recommendations.

Work Together - Work with community members and neighbors to design and develop.

The development of the alternatives and the recommended plan has been a collaborative process with all project partners. The concept plan process through implementation and subsequent project area developments will continue to be a collaborative process where all stakeholders are invited to participate.

For additional information, please see Technical Appendix, Sections C3, D, and F.



Metrics

Land Use

The following table summarizes the acreages for major land uses on the Concept Plan.

Land Use Category (acres)	<u>Hybrid</u>
North Employment Campus (adjusted gross acreage)*	149
Mixed Employment Village	26
Main Street	10
West Mixed Use Neighborhood	22
East Mixed Use Neighborhood	77
Total Acres of "built" land use	284
Other Land Uses (not "built")	
Parks/Open Space/Natural Areas (Total)**	113
Major ROW+	56
Existing Uses (unbuildable)	0
Total Project Area Gross Acres	453

*Adjusted gross acreage is the sum of 50% of the employment land use shown under the powerline easement plus all other unconstrained employment land use areas. Calculations shown below:

Land Use Category (acres)	<u>Hybrid</u>	
Total North Employment Campus	175	
Unconstrained NEC	123	
Employment with powerline overlay	52	
Useable portion of powerline overlay (50%)	26	
North Employment Campus (adjusted gross		
acreage)*	149	



Housing and Employment Estimates

The Concept Plan has an estimated capacity for approximately 5000 jobs and 1000 dwellings. The following table displays the estimates and assumptions used to estimate jobs and housing. On a net acreage, these averages are 33 jobs/ net developable acre and 10.3 dwellings/ net developable acre.

	<u>Hybrid</u> Gross	<u>Hybrid</u> <u>Net</u>				Avg.	
Land Use Category	Acres	Acres*	FAR/Acre**	SF/Job**	# of Jobs***	Units/Acre	# of Units+
North Employment Campus (adjusted gross							
acreage)	149	127	0.3	450	3,678		
Mixed Employment Village	26	21	0.44	350	1,139		
Main Street****	10	8	0.44	350	219	25	100
West Mixed Use Neighborhood	22	18			15	22	387
East Mixed Use Neighborhood	77	62			21	8.7	536
Total # of Jobs					5,073		
Total # of Housing Units							1,023
Total Acres of Developed Land++	284	235					
_							

^{*}For Hybrid - Net acres equals gross acres minus 15% for local roads and easements in Employment. Mixed Employment, Mixed Use, and residential areas assume 20% for local roads and easements

^{* *}Based on Metro 2002-2022 Urban Growth Report: An Employment Land Need Analysis. Includes total on site employment (full and part time). Mixed Employment FAR and job density reflects a mix of office, tech/flex, and ground floor retail.

^{***}Number of Jobs in Employment, Mixed Employment, Mixed Use calculated by multiplying total acres by the FAR; Converting to square feet; and dividing by number of jobs/square foot. Jobs in residential areas (Work at Home Jobs) estimated at 4% (potential could be as high as 15%).

^{****} Mixed Use land use assumes 50% of acreage devoted to commercial uses and the remaining 50% devoted to vertical mixed use.

⁺Number of units calculated by multiplying total net acres of residential land use by average units per acre

⁺⁺Includes 50% of useable power line corridor (26 acres total) as part of developed land (included in Employment land area)

⁺⁺⁺Does not include powerline corridor acreage as part of developed land



VI. Goals and Policies

The following goals and policies are recommended for adoption into the Oregon City Comprehensive Plan. The goal statements are those developed by the Citizen Advisory Committee as goals for the plan.

Goal 1 Complete and Sustainable Community

Create a complete and sustainable community, in conjunction with the adjacent land uses, that integrates a diverse mix of uses, including housing, services, and public spaces that are necessary to support a thriving employment center.

Policy 1.1

Adopt new comprehensive plan and zone designations, and development code, that implement the Beavercreek Concept Plan. Require all development to be consistent with the Concept Plan and implementing code.

Policy 1.2

Establish sub-districts to implement the Concept Plan. The sub-districts are:

North Employment Campus – NEC

The purpose of the North Employment Campus is to provide for the location of family wage employment that strengthens and diversifies the economy. The NEC allows a mix of clean industries, offices serving industrial needs, light industrial uses, research and development and large corporate headquarters. The uses permitted are intended to improve the region's economic climate, promote sustainable and traded sector businesses, and protect the supply of sites for employment by limiting

incompatible uses. The sub-district is intended to comply with Metro's Title 4 regulations. Site and building design will create pedestrian-friendly areas and utilize cost effective green development practices. Business and program connections to Clackamas Community College (CCC) are encouraged to help establish a positive identity for the area and support synergistic activity between CCC and NEC properties. Businesses making sustainable products and utilizing sustainable materials and practices are encouraged to reinforce the identity of the area and promote the overall vision for the Beavercreek Road area.

Mixed Employment Village – MEV

The purpose of the Mixed Employment Village is to provide employment opportunities in an urban, pedestrian friendly, and mixed use setting. The MEV is intended to be transit supportive in its use mix, density, and design so that transit remains an attractive and feasible option. The MEV allows a mix of retail, office, civic and residential uses that make up an active urban district and serve the daily needs of adjacent neighborhoods and Beavercreek Road sub-districts. Site and building design will create pedestrian-friendly areas and utilize cost effective green development practices. Business and program connections to Clackamas Community College and Oregon City High School are encouraged. Businesses making sustainable products and utilizing sustainable materials and practices are encouraged to reinforce the identity of the area and promote the overall vision for the Beavercreek Road area.

Main Street - MS

The purpose of this small mixed-use center is to provide a focal point of pedestrian activity. The MS allows small scale commercial, mixed use and services that serve the daily needs of the surrounding area. "Main Street" design will include buildings oriented to the street, and minimum of 2 story building scale, attractive streetscape, active ground floor uses and other elements that reinforce pedestrian oriented character and vitality of the area.



West Mixed Use Neighborhood - WMU

The West Mixed Use Neighborhood will be a walkable, transit-oriented neighborhood. This area allows a transit supportive mix of housing, live/work units, mixed use buildings and limited commercial uses. A variety of housing and building forms is required, with the overall average of residential uses not exceeding 22 dwelling units per acre. The WMU area's uses, density and design will support the multi-modal transportation system and provide good access for pedestrians, bicycles, transit and vehicles. Site and building design will create a walkable area and utilize cost effective green development practices.

East Mixed Use Neighborhood - EMU

The East Mixed Use Neighborhood will be a walkable and tree-lined neighborhood with a variety of housing types. The EMU allows for a variety of housing types while maintaining a low density residential average not exceeding the densities permitted in the R-5 zone. Limited non-residential uses are permitted to encourage a unique identity, sustainable community, and in-home work options. The neighborhood's design will celebrate open space, trees, and relationships to public open spaces. The central open space, ridge open space scenic viewpoints, and a linked system of open spaces and trails are key features of the EMU. Residential developments will provide housing for a range of income levels, sustainable building design, and green development practices.

Policy 1.3

Within the Northern Employment Campus sub-district, support the attraction of family wage jobs and connections with Clackamas Community College.

Policy 1.4

Within the Mixed Employment Village and Main Street sub-districts, promote job creation, mixed use and transit oriented development. Adopt minimum densities, limitations on stand-alone residential developments, and other standards that implement this policy.

Policy 1.5

The Main Street sub-district may be located along the extension of Glen Oak Road and not exceed 10 gross acres. The specific configuration of the MS sub-district may be established as part of a master plan.

Policy 1.6

Within the West and East Mixed Use Neighborhoods, require a variety of housing types. Allow lot size averaging and other techniques that help create housing variety while maintaining overall average density.

Policy 1.7

Within the MEV, MS, WMU and EMU sub-districts, require master plans to ensure coordinated planning and excellent design for relatively large areas (e.g. 40 acres per master plan). Master plans are optional in the NEC due to the larger lot and campus industrial nature of the area.



Goal 2 Model of Sustainable Design

Be a model of sustainable design, development practices, planning, and innovative thinking.

Policy 2.1

Implement the Sustainable Storm Water plan recommended in the Concept Plan. During site specific design, encourage innovative system design and require low impact development practices that manage water at the site, street and neighborhood scales.

Policy 2.2

Storm water facilities will be designed so they are amenities and integrated into the overall community design.

Policy 2.3

Support public and private sector initiatives to promote sustainable design, development practices and programs, including but not limited to:

- Energy efficiency
- Water conservation
- Compact development
- Solar orientation
- Green streets/infrastructure
- Adaptive reuse of existing buildings/infrastructure
- Alternative transportation
- Pedestrian/Cyclist friendly developments
- Natural drainage systems
- Tree preservation and planting to "re-establish" a tree canopy
- Minimizing impervious surfaces

- Sustainability education (builder, residents, businesses and visitors)
- Collaboration with "local" institutional and economic partners, particularly Clackamas Community College and Oregon City High School
- Community based sustainable programs and activities

Policy 2.4

Work with stakeholders and the community to develop LEED or equivalent green building standards and guidelines to apply in the Concept Plan area.

Goal 3 Green Jobs

Attract "green" jobs that pay a living wage.

Policy 3.1

Coordinate with county, regional and state economic development representatives to recruit green industry to the Concept Plan area.

Policy 3.2

Promote the Concept Plan area as a place for green industry.

Policy 3.3

Work with Clackamas Community College to establish programs and education that will promote green development within the Concept Plan area.



Goal 4 Sustainable Industries

Maximize opportunities for sustainable industries that serve markets beyond the Portland region and are compatible with the site's unique characteristics.

Policy 4.1

As master plans are approved, ensure there is no net loss of land designated North Employment Campus.

Policy 4.2

Coordinate with County, regional and state economic development representatives to recruit sustainable industries that serve markets beyond the Portland region.

Goal 5 Natural Beauty

Incorporate the area's natural beauty into an ecologically compatible built environment.

Policy 5.1

Incorporate significant trees into master plans and site specific designs. Plant new trees to establish an extensive tree canopy as part of the creation of an urban community.

Policy 5.2

Provide scenic viewpoints and public access along the east ridge.

Policy 5.3

Protect views of Mt Hood and locate trails and public areas so Mt Hood can be viewed within the community

Policy 5.4

Establish open space throughout the community consistent with the Open Space Framework Plan. Allow flexibility in site specific design of open space, with no net loss of total open space area.

Policy 5.5

Protect steeply sloped and geologically sensitive areas along the east ridge from development.

Goal 6 Multi-modal Transportation

Provide multi-modal transportation links (such as bus routes, trails, bikeways, etc.) that are connected within the site as well as to the surrounding areas.

Policy 6.1

Work with Tri-Met and stakeholders to provide bus service and other alternatives to the Concept Plan area.

Policy 6.2

As land use reviews and development occur prior to extension of bus service, ensure that the mix of land uses, density and design help retain transit as an attractive and feasible option in the future.

Policy 6.3

Ensure that local street connectivity and off-street pedestrian routes link together into a highly connected pedestrian system that is safe, direct, convenient, and attractive to walking.

Policy 6.4

The "walkability" of the Concept Plan area will be one of its distinctive qualities. The density of walking routes and connectivity should mirror



the urban form – the higher the density and larger the building form, the "finer" the network of pedestrian connections.

Policy 6.5

Require trails to be provided consistent with the Concept Plan Circulation Framework.

Policy 6.6

Provide bike lanes on Beavercreek Road and all collector streets, except for Main Street. The City may consider off-street multi-use paths and similar measures in meeting this policy. Bike routes will be coordinated with the trails shown on the Circulation Framework.

Goal 7 Safety Along Beavercreek Road

Implement design solutions along Beavercreek Road that promote pedestrian safety, control traffic speeds and access, and accommodate projected vehicular demand.

Policy 7.1

Design Beavercreek Road to be a green street boulevard that maximizes pedestrian safety.

Policy 7.2

Work with the County and State to establish posted speeds that are safe for pedestrians and reinforce the pedestrian-oriented character of the area.

Policy 7.3

Control access along the east side of Beavercreek Road so that full access points are limited to the intersections shown on the Circulation Framework. Right in-Right-out access points may be considered as part of master plans or design review.

Goal 8 Oregon City High School and Clackamas Community College

Promote connections and relationships with Oregon City High School and Clackamas Community College.

Policy 8.1

Coordinate with OCHS and CCC when recruiting businesses and promoting sustainability. Within one year of adoption of the Concept Plan, the City will convene dialogue with OCHS, CCC and other relevant partners to identify target industries and economic development strategies that are compatible with the vision for the Concept Plan. Encourage curricula that are synergistic with employment and sustainability in the Concept Plan area.

Policy 8.2

Prior to application submittal, require applicants to contact OCHS and CCC to inform them and obtain early comment for master plans and design review applications.

Policy 8.3

Improving the level-of-service and investing in the Highway 213 corridor improves the freight mobility along Highway 213, which provides access to Beavercreek Road and the Concept Plan area. Protecting the corridor and intersections for freight furthers the City goal of providing living-wage employment opportunities in the educational, and research opportunities to be created with CCC and OCHS.



Goal 9 Unique Sense of Place

Have a unique sense of place created by the mix of uses, human scale design, and commitment to sustainability.

Policy 9.1

Utilize master plans and design review to ensure detailed and coordinated design. Allow flexibility in development standards and the configuration of land uses when they are consistent with the comprehensive plan, development code, and vision to create a complete and sustainable community.

Policy 9.2

Implement human scale design through building orientation, attractive streetscapes, building form/architecture that is matched to the purpose of the sub-district, location of parking, and other techniques. The design qualities of the community should mirror the urban form – the higher the density and larger the buildings, the higher the expectation for urban amenities and architectural details.

Policy 9.3

Density should generally transition from highest on the west to lowest in the eastern part of the site.

Policy 9.4

Promote compatibility with existing residential areas at the north and south end of the Concept Plan area. Transition to lower densities, setbacks, buffers and other techniques shall be used.

Goal 10 Ecological Health

Manage water resources on site to eliminate pollution to watersheds and lesson impact on municipal infrastructure by integrating ecological and man-made systems to maximize function, efficiency and health.

Policy 10.1

Utilize low impact development practices and stormwater system designs that mimic natural hydrologic processes, minimize impacts to natural resources and eliminate pollution to watersheds.

Policy 10.2

Prepare the Environmentally Sensitive Resource Area overlay to protect, conserve and enhance natural areas identified on the Concept Plan. Apply low-density base zoning that allows property owners to cluster density outside the ESRA and transfer to other sites.

Appendix

- 1. Project Goals
- 2. Concept Plan Alternatives
- 3. GIS Analysis Map
- 4. Job and Housing Estimates



To: Beavercreek Road Concept Plan Citizens

and Technical Advisory Committees

From: Tony Konkol

Date: March 13, 2007

Subject: Project Goals with Objectives

The following project goals and supplemental objectives were prepared using the *Ideas* we Like, Principles of Sustainable Development, and the Advisory Committees' long-term vision for the project area. This update reflects input by the Citizens and Technical Advisory Committees at their March 8th, 2007 meeting.

The Beavercreek Road Concept Plan Area will:

Goal

Create a **complete community**, in conjunction with the adjacent land uses, that
integrates a diverse mix of uses, including housing, services, and public spaces that are
necessary to support a thriving employment center;

Objective 1.1

Allow a variety of employment uses that may integrate and utilize the surrounding city and rural economies.

Objective 1.2

Develop plans that consider the existing rural lands and uses around the Urban Growth Boundary.

Objective 1.3

Continue to coordinate with the Oregon City School District and Clackamas Community College to identify partnerships, land needs and programs that would be beneficial to all parties and contribute to the community.

Objective 1.4

Encourage neighborhood-oriented and scaled mixed-use centers that provide goods, services, and housing for local workers and residents of all ages and incomes.

Objective 1.5

Become a model of sustainability that may be implemented throughout the City. Objective 1.6

Allow the integration of housing and employment uses where practicable.

Objective 1.7

Work with Metro to ensure that there is enough land available within the Beavercreek Road Study Area to meet the need for employment/industrial development and reduce the jobs to housing imbalance in the sub-region.

2. Be a **model of sustainable design**, development practices, planning, and innovative thinking;

Objective 2.1

Allow a variety of employment uses that may integrate and utilize the surrounding city and rural economies.

Objective 2.2

Develop plans that consider the existing rural lands and uses around the Urban Growth Boundary.

Objective 2.3

Encourage neighborhood-oriented and scaled mixed-use centers that provide goods, services and housing for local workers and residents of all ages and incomes.

Objective 2.4

Encourage environmentally responsible developments that are economically feasible, enhance livability of neighborhoods and enhance the natural environment.

Objective 2.5

Investigate development standards that offer incentives for developments that exceed energy efficiency standards and meets green development requirements and goals.

3. Attract "green" jobs that pay a living wage;

Objective 3.1

Allow a variety of employment uses that may integrate and utilize the surrounding city and rural economies.

Objective 3.2

Develop plans that consider the existing rural lands and uses around the Urban Growth Boundary.

Objective 3.3

Encourage neighborhood-oriented and scaled mixed-use centers that provide goods, services and housing for local workers and residents of all ages and incomes.

Objective 3.4

Allow the integration of housing and employment uses where practicable.

Objective 3.5

Work with Metro to ensure that there is enough land available within the Beavercreek Road Study Area to meet the need for employment/industrial development and reduce the jobs to housing imbalance in the sub-region.

Objective 3.6

Create a "brand" for the area that reflects the desire for sustainable development that will serve as the theme to attract and recruit businesses and developers as well as guide the design standards and build-out of the area.

4. Maximize opportunities for **sustainable industries that serve markets beyond the Portland region** and are compatible with the site's unique characteristics;

Objective 4.1

Create a "brand" for the area that reflects the desire for sustainable development that will serve as the theme to attract and recruit businesses and developers as well as guide the design standards and build-out of the area.

Objective 4.2

Work with Metro to ensure that there is enough land available within the Beavercreek Road Study Area to meet the need for employment/industrial development and reduce the jobs to housing imbalance in the sub-region.

Objective 4.3

Support locally based and founded employers that provide living wages jobs.

Objective 4.4

Support the development of sustainable industries that utilize green design standards and development practices.

5. Incorporate the area's **natural beauty** into an ecologically compatible built environment;

Objective 5.1

Design the adjacent land-uses to Beavercreek Road in such a manner to ensure that the pedestrian experience is not diminished through the development of fences, parking lots, backs of buildings, or other impediments to pedestrian access and circulation.

Objective 5.2

Allow a variety of employment uses that may integrate and utilize the surrounding city and rural economies.

Objective 5.3

Develop plans that consider the existing rural lands and uses around the Urban Growth Boundary.

Objective 5.4

Work with Metro to ensure that there is enough land available within the Beavercreek Road Study Area to meet the need for employment/industrial development and reduce the jobs to housing imbalance in the sub-region.

6. Provide **multi-modal transportation links** (such as bus routes, trails, bike-ways, etc.) that are connected within the site as well as to the surrounding areas;

Objective 6.1

Provide public connectivity routes for bicycles and pedestrians that encourage non-vehicular trips to employment, retail and recreational areas within the study area and to the communities beyond.

Objective 6.2

Provide an integrated street system that is designed as practicable to minimize the impacts to the environment through the use of green streets, swales and other natural stormwater systems that provide water quality and quantity control and contribute to the natural beauty of the area.

Objective 6.3

Explore local and regional transit opportunities that will increase non-single occupancy vehicle travel.

7. Implement **design solutions along Beavercreek Road** that promote pedestrian safety, control traffic speeds and access, and accommodate projected vehicular demand;

Objective 7.1

Develop and maintain a multi-modal transportation system that is safe for all users and will minimize conflict points between different modes of travel, especially across Beavercreek Road to the existing neighborhoods, Clackamas Community College, Oregon City High School and the Berry Hill Shopping Center.

Objective 7.2

Design the adjacent land-uses to Beavercreek Road in such a manner to ensure that the pedestrian experience is not diminished through the development of fences, parking lots, backs of buildings, or other impediments to pedestrian access and circulation.

8. Promote connections and relationships with **Oregon City High School and Clackamas Community College**;

Objective 8.1

Allow a variety of employment uses that may integrate and utilize the surrounding city and rural economies.

Objective 8.2

Develop plans that consider the existing rural lands and uses around the Urban Growth Boundary.

Objective 8.3

Continue to coordinate with the Oregon City School District and Clackamas Community College to identify partnerships, land needs and programs that would be beneficial to all parties and contribute to the community.

9. Have a **unique sense of place** created by the mix of uses, human scale design, and commitment to sustainability.

Objective 9.1

Provide public connectivity routes for bicycles and pedestrians that encourage non-vehicular trips to employment, retail and recreational areas within the study area and to the communities beyond.

Objective 9.2

Provide an integrated street system that is designed as practicable to minimize the impacts to the environment through the use of green streets, swales and other natural stormwater systems that provide water quality and quantity control and contribute to the natural beauty of the area.

Objective 9.3

Allow a variety of employment uses that may integrate and utilize the surrounding city and rural economies.

Objective 9.4

Develop plans that consider the existing rural lands and uses around the Urban Growth Boundary.

Objective 9.5

Encourage neighborhood-oriented and scaled mixed-use centers that provide goods, services and housing for local workers and residents of all ages and incomes.

Objective 9.6

Allow the integration of housing and employment uses where practicable.

Objective 9.7

Work with Metro to ensure that there is enough land available within the Beavercreek Road Study Area to meet the need for employment/industrial development and reduce the jobs to housing imbalance in the sub-region.

Objective 9.8

Create a "brand" for the area that reflects the desire for sustainable development that will serve as the theme to attract and recruit businesses and developers as well as guide the design standards and build-out of the area.

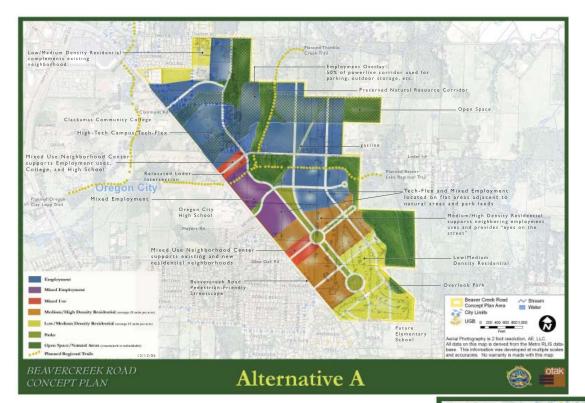
Objective 9.9

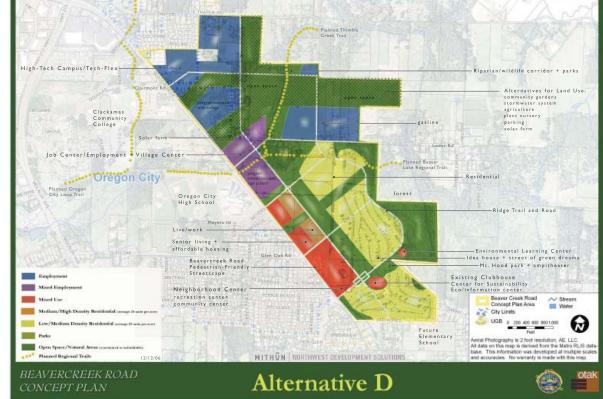
Design the adjacent land-uses to Beavercreek Road in such a manner to ensure that the pedestrian experience is not diminished through the development of fences, parking lots, backs of buildings, or other impediments to pedestrian access and circulation.

10. Ecological Health – Manage water resources on site to **eliminate pollution to** watersheds and lesson impact on municipal infrastructure by integrating ecological and man-made systems to maximize function, efficiency and health.

Objective 10.1

Provide an integrated street system that is designed as practicable to minimize the impacts to the environment through the use of green streets, swales and other natural stormwater systems that provide water quality and quantity control and contribute to the natural beauty of the area.





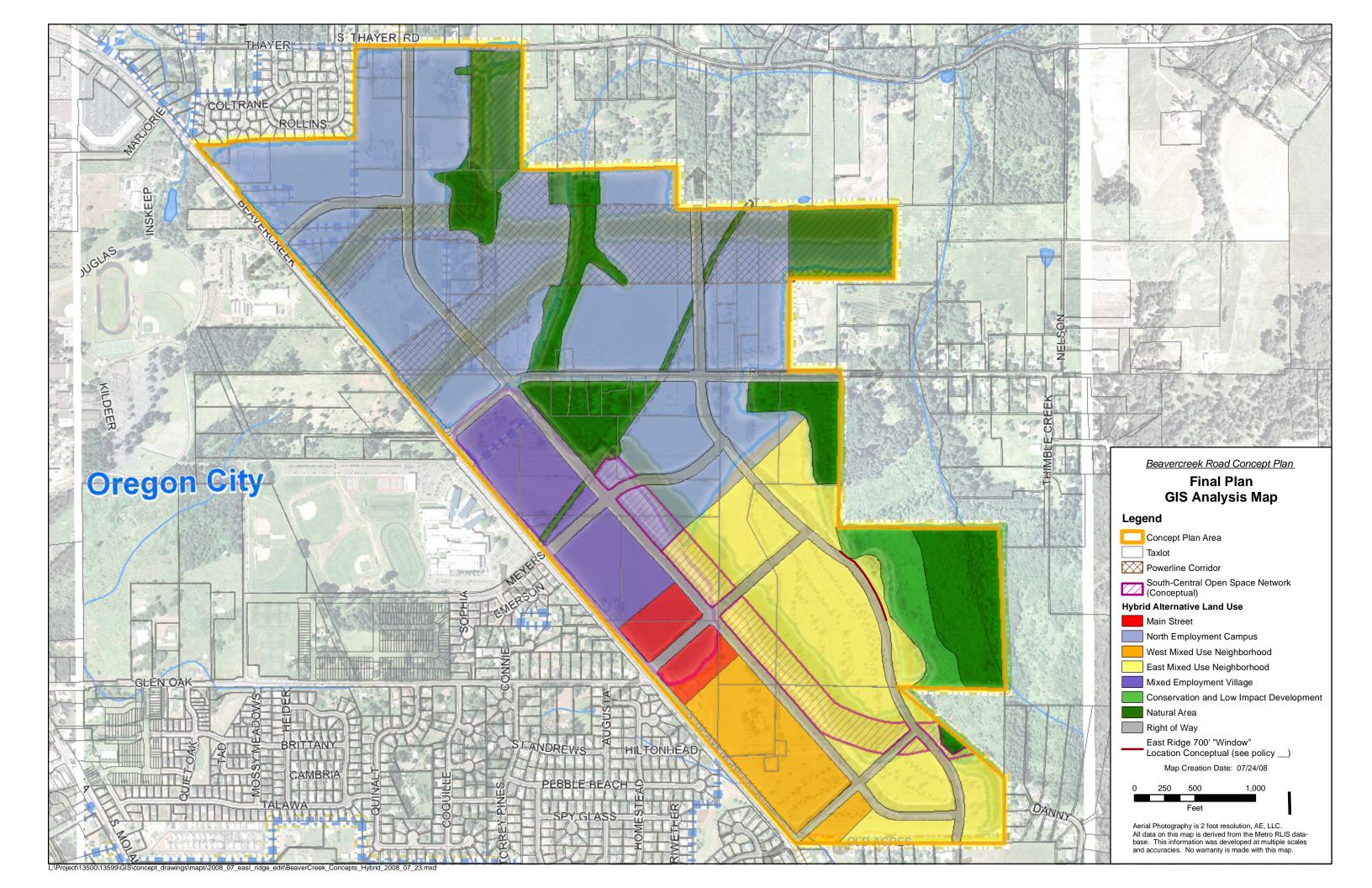


Table 2
Beavercreek Concept Plan Job & Housing Density Assumptions
Revised - 7/10/07

	Hybrid	Hybrid					
	Gross	Net				Avg.	
Land Use Category	Acres	Acres*	FAR/Acre**	SF/Job**	# of Jobs***		# of Units+
North Employment Campus (adjusted gross							
acreage)	149	127	0.3	450	3,678		
Mixed Employment Village	26	21	0.44	350	1,139		
Main Street***	10	8	0.44	350	219	25	100
West Mixed Use Neighborhood	22	18			15	22	387
East Mixed Use Neighborhood	77	62			21	8.7	536
Total # of Jobs					5,073		
Total # of Housing Units							1,023
Total Acres of Developed Land++	284	235					
	Plan A	Plan A					
	Gross	Net				Avg.	
Land Use Category	Acres	Acres*	FAR/Acre**	SF/Job**	# of Jobs***		# of Units+
Employment (adjusted gross acreage)	139	118					
Mixed Employment	24	20	0.44	350			
Mixed Use****	10	9	0.44	350	233	25	106
Medium/High Density Residential	50	43			43	25	1,063
Low/Medium Density Residential	53	45			18	10	451
Total # of Jobs					4,841		
Total # of Housing Units							1,619
Total Acres of Developed Land++	276	235					
	Plan D	Plan D					
	Gross	Net				Avg.	
Land Use Category	<u>Acres</u>	Acres*	FAR/Acre**	SF/Job**	# of Jobs***	Units/Acre	# of Units+
Employment (adjusted gross acreage)	84	71	0.3	450	2,073		
Mixed Employment	25	21	0.44	350	1,164		
Mixed Use****	29	25	0.44	350	675		308
Medium/High Density Residential	9	8			8	25	191
Low/Medium Density Residential	99	84			34	10	842
Total # of Jobs					3,953		
Total # of Housing Units							1,341
Total Acres of Developed Land+++	246	209					

^{*}For Hybrid - Net acres equals gross acres minus 15% for local roads and easements in Employment. Mixed Employment, Mixed Use, and residential areas assume 20% for local roads and easements

^{* *}Based on Metro 2002-2022 Urban Growth Report: An Employment Land Need Analysis. Includes total on site employment (full and part time). Mixed Employment FAR and job density reflects a mix of office, tech/flex, and ground floor retail.

^{***}Number of Jobs in Employment, Mixed Employment, Mixed Use calculated by multiplying total acres by the FAR; Converting to square feet; and dividing by number of jobs/square foot. Jobs in residential areas (Work at Home Jobs) estimated at 4% (potential could be as high as 15%).

^{****} Mixed Use land use assumes 50% of acreage devoted to commercial uses and the remaining 50% devoted to vertical mixed use.

⁺Number of units calculated by multiplying total net acres of residential land use by average units per acre

⁺⁺Includes 50% of useable power line corridor (26 acres total) as part of developed land (included in Employment land area)

⁺⁺⁺Does not include powerline corridor acreage as part of developed land

Table 3
Land Use Metrics/Assumptions - HYBRID
Revised - 7/10/07

Land Use Category (acres)	<u>Hybrid</u>	Alt. A	Alt. D
North Employment Campus (adjusted gross acreage)*	149	139	84
Mixed Employment Village	26	24	25
Main Street	10	10	29
West Mixed Use Neighborhood	22	50	9
East Mixed Use Neighborhood	77	53	99
Total Acres of "built" land use	284	276	246
Other Land Uses (not "built")			
Parks/Open Space/Natural Areas (Total)**	113	132	166
Major ROW+	56	36	30
Existing Uses (unbuildable)	0	7	7
Total Project Area Gross Acres	453	~450	~450

*Adjusted gross acreage is the sum of 50% of the employment land use shown under the powerline easement plus all other unconstrained employment land use areas. Calculations shown below:

Land Use Category (acres)	<u>Hybrid</u>	Alt. A	Alt. D
Total North Employment Campus	175	166	84
Unconstrained NEC	123	111	84
Employment with powerline overlay	52	55	0
Useable portion of powerline overlay (50%)	26	28	na
North Employment Campus (adjusted gross			
acreage)*	149	139	84

** Open Space/Natural areas is the sum of all "unbuildable lands" as shown on the *Buildable Lands Map* plus two areas under the powerlines. Calculations shown below.

Open Space/Natural Areas Break-Out	<u>Hybrid</u>	Alt. A	Alt. D
Open Space -Gas Overlay	3	4	4
Open Space - Unbuildable Powerlines***	48	49	0
Environmental Resources/Buildable Lands Map	61	61	61
Parks	na	12	na
Other Open Space Areas _	18	6	101
Open Space/Natural Areas (Total)	130	132	166

^{***}For Hybrid - Unbuildable Powerlines area includes 12 acres on east edge of site under powerlines plus 50% of employment area under powerlines (~26 acres) and the PGE parcel (10 acres). For Alt. A - Unbuildable Powerlines area includes 12 acres on east edge of site under powerlines and 10 acres of the PGE Parcel and 50% of powerline area (27 acres).

⁺Major ROW are approximate location & acreage (may be shown as crossing natural resource areas. Actual location and size of ROW will be addressed during development review/master planning). Includes 2 acre adjustment for GIS polygon alignment.



MEMORANDUM

TO: Oregon City Planning Commissioners

FROM: Carrie Richter, Deputy City Attorney

DATE: November 20, 2015

RE: Beavercreek Road Concept Plan Summary

A number of Planning Commissioners have asked for a quick outline of LUBA's decision and how staff is recommending that the City respond to LUBA's decision. This memorandum is intended to provide a summary of the arguments made by petitioner Graser-Lindsey, the City's response and how the findings respond to LUBA's decision.

In the LUBA case, the petitioner raised three assignments of error. The first addressed the amount of industrial lands in the plan, the second with utility and natural resource issues and the third with the process for adoption. LUBA did not reach several of the arguments, finding that the concept plan did not designate sufficient industrial lands to meet a Metro requirements. A copy of LUBA's decision is attached for your reference.

Applicable Standards

Before turning the petitioner's arguments, it is important to identify the standards that the City must meet in adopting a concept plan. The BRCP is an amendment to the City's comprehensive plan and, when the City amends its plan, it must make findings that the amendments are consistent with the statewide planning goals, Metro code requirements and the City's existing Comprehensive Plan - including any ancillary transportation and utility master plans. In addition to those requirements, when Metro amended the UGB bringing rural land into the urban area, the City was also obligated to plan those areas consistently with Metro's Urban Growth Management Functional Plan Title 11. Part of Title 11 planning requires compliance with the Regionally Significant Industrial, Industrial or Employment design types, set forth in Metro's UGMFP Title 4.

LUBA's Decision & Title 4 Industrial Lands

When LUBA reviewed the BRCP, the Metro Title 4 map identified 308 acres with an Industrial design concept and the Beavercreek Road Concept Plan designated only 121 net acres - the North Employment Campus - for industrial uses. LUBA found that the City failed to designate sufficient industrial lands to comply with the Title 4 design type requirements.

After LUBA's decision, the City Commission decided not to revise the BRCP to designate more industrial land. Instead, in 2010, as part of adopting a new regional population and employment range forecast, Metro found that the identified deficiency in industrial lands would be remedied

by including additional lands for industrial uses north of the City of Hillsboro. Metro went on to identify a shortage in residential lands that justified reducing the amount of Title 4 designated industrial lands within the City of Oregon City to 220.41 gross acres that is estimated to yield approximately 123 acres for industrial uses. As a result of Metro's Title 4 map amendment, the BRCP, as adopted in 2010, now complies with Metro's Title 4 land designations.

Transportation and Utility Plans

In addition, to the industrial land issue, the petitioner challenged the adequacy of the City's findings in the inventory of infrastructure demands. The challenges included challenges to the financing approaches for transportation, parks, police, fire and sold waste, and schools and whether serving the Beavercreek area would impact services and costs on the city as a whole.

When the BRCP was originally adopted, it was evaluated against transportation and other utility plans in place at that time, which did not contemplate development demands in the areas covered by the BRCP. As a result, the BRCP attempted to analyze those impacts in the first instance but because LUBA did not weigh in on those issues, we do not know if those findings were adequate.

Since that time, the City has adopted new transportation system, water, sewer master plans as well as new low impact development stormwater standards. These utility master plans assumed development at the levels set out in the BRCP and included updated lists of projects and costs necessary to serve the BRCP area. As a result, these master plans more fully flesh out service demand, their costs, and explain how utilities will be funded so as not to increase costs to existing City residents.

The findings for the BRCP have been revised to include consideration of these updated plans. Since the City decided to open the record to allow consideration of these new plans, it made sense to revisit the provision of parks, schools, police and fire adequacy issues as well.

Natural Resources and Landslides

The petitioner also argued that the City failed to adequately protect streams and wetlands as well as protect for natural hazards and landslides. As the draft findings provide, the City's natural resource and hazard overlay zone protections already in the City's code will be applicable to all development within the BRCP area responds to these issues.

Public Process

Finally, with regard to public process, the petitioner argued before LUBA that the hybrid BRCP put forward by the Citizen Involvement Committee (CIC) did not consider "community input [or] adequately reflect community desires." As pointed out in the findings, the CIC held multiple meetings to consider three different concept plans. The CIC voted to put forward the hybrid plan which was fully vetted by the Planning Commission and City Commission over numerous public hearings. Petitioner was given a full and fair opportunity to present oral and



written testimony during the previous proceedings and will have the same opportunity during the City's limited review of the record on remand.

Conclusion

It is important to remember that staff has not made any amendments to the Beavercreek Concept Plan document. Rather, the only revisions appear in the findings supporting the concept plan as originally drafted and with new, more current evidence addressing the Title 4 map issues, the utility and natural feature issues raised by the petitioner in the LUBA appeal.

We look forward to discussing this issue with you further during the hearing.

GSB:7394391.2

BEFORE THE CITY COMMISSION

In the Matter of)	
Adoption of the)	Findings of Fact
Beavercreek Road Concept Plan)	
ON REMAND)	
File No. LE-15-0003)	

I. INTRODUCTION

This matter comes before the City Commission (Commission) of Oregon City to approve the Beavercreek Road Concept Plan on remand.

After a review of the facts, including the Metro Ordinance 10-1244B and the City's recently adopted transportation and utility master plans, the City Commission finds that the applicable decision-making criteria are satisfied. Therefore, the City Commission APPROVES the above-referenced plan amendments. Unless otherwise provided for, these plan amendments shall take effect on Jan 1, 2017 or upon adoption of zoning regulations implementing these plan amendments, whichever comes first.

The Commission summarized the benefits of this plan in 2008 as follows:

The Beavercreek Road Concept Plan (BRCP) is a guide to the creation of a complete and sustainable community in southeast Oregon City. The concept plan includes 453-acres located along the east side of Beavercreek Road from Old Acres Lane, north to Thayer Road. The majority of the site (245 acres) was added to the UGB in December of 2002 and an additional 63 acres were added in 2004. The remaining acreage was in the UGB and/or Oregon City limits prior to 2002. During the update of the Oregon City Comprehensive Plan in 2003, Policy 2.6.8 was adopted acknowledging the jobs-related importance of the site to Oregon City and the region, while also allowing flexibility in the project area's land use. Comprehensive Plan policy 2.6.8 states:

Require lands east of Clackamas Community College that are designated as Future Urban Holding to be the subject of concept plans, which is approved as an amendment to the Comprehensive Plan, would guide zoning designations. The majority of these lands should be designated in a manner that encouraged family-wage jobs in order to generate new jobs and move towards meeting the City's employment goals.

The BRCP furthers this end by creating an area were families can work, as well as live by providing a diverse mix of uses (an employment campus north of Loder Road, mixed use districts along Beavercreek Road, and two mixed use neighborhoods) all woven together by open space, trails, a network of green streets and sustainable development practices - all attributes necessary to provide a successful family-wage employment area. Transit-oriented land uses have been strategically located to increase the feasibility of transit service in the future. The plan has been carefully crafted to create a multi-use community that has synergistic relationships with Clackamas Community College, Oregon City High School and adjacent neighborhoods.

II. FACTS

A. Concept Plan History

In September, 2008, the Oregon City Commission adopted Ordinance No. 07-1008 adopting the Beavercreek Concept Plan (BRCP) and its ancillary documents to the Oregon City Comprehensive Plan. The decision was subsequently appealed to the Land Use Board of Appeals (LUBA), LUBA No. 2008-170. Although a wide-ranging series of arguments were presented before LUBA, they largely focused on whether the BRCP was consistent with Metro Code provisions relating to the designation of significant industrial lands, whether the Metro Code and comprehensive plan policies relating to utility and facility adequacy were satisfied, and lack of adequate citizen participation in the process. In August, 2009, LUBA found that the BRCP designation of approximately 74 acres out of the total 308 acres that were designated by the Metro Code for an Industrial design type uses required remand. LUBA did not respond to any of the other arguments.

In December 2010, Metro adopted Ordinance No. 10-1244B that, in addition to expanding the urban growth boundary in portions of Washington County, it amended the Title 4 Industrial and Other Employment Areas Map to show changes to design-type designations to conform to new comprehensive plan designations by cities and to needs identified in the 2009 Urban Growth Report. See Attachment 3, Gerry Uba staff report. Metro's decision was acknowledged by the Land Conservation and Development Commission in LCDC Approval Order 12-UGB-001826. The decision was then appealed to the Oregon Court of Appeals by the same petitioner who challenged adoption of the BRCP as well as others who opposed the UGB expansion. Resolution of the case was stayed pending resolution of the case considering Metro-area urban and rural reserves entitled Barkers Five v. LCDC. In February, 2014, the court remanded LCDC's decision in the Barkers Five case. The legislature responded by enacting House Bill (HB) 4078 (2014) (Or Laws 2014, ch 92), making numerous amendments to ORS chapter 197 and validating Metro's adoption of Ordinance No. 10-1244B. In August 2014, the Oregon Court of Appeals dismissed all challenges relating to Ordinance No. 10-1244B, finding that the amendment to state law established the UGB for Clackamas County as well and therefore, all of the challenges were moot.

B. BRCP Acreage at a Glance

The following table illustrates the estimated gross and net acreage within the BRCP area for the respective land use areas in the BRCP, organized by UGB expansion date. These acreages are based on a GIS analysis of the adopted hybrid plan using polygons, and should be considered approximate.

	<u> Pre 200</u>	2 UGB	<u>2002</u>	<u>UGB</u>	<u>2004</u>	<u>UGB</u>	
BRCP Land Use	<u>Gross</u>	<u>Net</u>	<u>Gross</u>	<u>Net</u>	<u>Gross</u>	<u>Net</u>	<u>Total</u>
<u>Designations</u>	<u>Acres</u>	<u>Acres</u>	Acres	<u>Acres</u>	<u>Acres</u>	<u>Acres</u>	<u>Acres</u>
North Employment							
Campus (Industrial)	51.43	39.36	121.81	75.14			173.24
Mixed Employment							
Village	11.88	11.88	14.45	14.39			26.33
Mixed Used							
Neighborhood (East							
+ West)	49.46	46.68	21.64	21.28	30.79	30.79	101.89
Resource and Natural							
Areas (Low Imp +							
Natural)	1.04	1.04	57.29	15.18	29.17	17.66	87.50
Main Street	7.00	7.00	3.18	3.12			10.18
Wan Street	7.00	7.00	3.10	3.12			10.10
Right of Way	29.26	25.96	24.84	20.09	4.18	4.18	58.40
BRCP Total Acres	150.08	131.92	243.21	149.21	64.13	52.63	457.54
Metro Title 4							
Industrial Land	59.74	46.05	160.67	77.80			220.41

The majority of the site (approximately 245 acres) was added to the UGB in December of 2002 and an additional approximately 63 acres were added in 2004. The remaining acreage was in the UGB and/or Oregon City limits prior to 2002. The 220.41 acres of Title 4 industrial land is estimated to yield approximately 123 acres.

III. The Process and Applicable Approval Standards

The City of Oregon City proposes to re-adopt the BRCP without any amendment. New comprehensive plan map designations and development code and zone changes are not proposed at this time. These concept plan policies will not go into effect until the new zoning designations apply to specific parcels.

State law and the Oregon City Municipal Code do not specifically address the applicable procedures on remand, leaving the City Commission with considerable discretion. The City's only obligation is to address the issues on remand from LUBA. Given that LUBA did not

respond to all of the issues and that the City has implemented a number of relevant utility master plans since 2009, it makes sense to re-open the record only for the purposes raised in the arguments presented by the petitioner in the LUBA appeal. These issues can be summarized as Metro Code Title 4 requirements and public utility and service infrastructure planning requirements as discussed in greater detail below. All written and oral testimony that does not relate to these limited purposes as preserved in the LUBA case, will be rejected and not considered by the City during its review.

As for the applicable approval criteria, as a legislative decision, the fixed goal post rule, ORS 227.178(3)(a), does not apply and as a result, these findings respond to the Metro Code Title 4 and Title 11 provisions currently in place.

Adoption of the BRCP is subject to all of the applicable Statewide Planning Goals including the Transportation Planning Rule (OAR 660-012-0060). In order to meet the requirements of this regulation, needed improvements and funding mechanisms have been identified for properties within the Concept Plan area that will mitigate impacts of the amendment in a manner that avoids further degradation to the performance of the transportation facilities. The proposed transportation infrastructure improvements, financing and funding estimates, identified in the Plan, along with future amendments to the Transportation System Plan and Capital Improvement Plan provide adequate basis to limit development until compliance with the Transportation Planning Rule is shown.

Oregon City must comply with the relevant portions of Metro's Urban Growth Management Functional Plan (Functional Plan). The Functional Plan is a regional land use plan that implements the 2040 Growth Concept. The Concept Plan is required to comply with Metro's title 11 requirements regarding residential density. Findings regarding Metro Title 11 are detailed below.

IV. Public Involvement and Public Comment

The Concept Plan was developed by a 15-member Citizen Advisory Committee (CAC) and 9-member Technical Advisory Committee (TAC). The committees met twelve times between June 2006 and July 2007. There was broad support on the CAC for the hybrid plan. In addition to the committee meetings, the public involvement process included a study area tour for CAC and TAC members, two public open houses, market focus group, sustainability focus group, employment lands coordination with Metro, Community Design Workshop, a project website, project posters, informational sign, email notice and extensive mailings to property owners and interested parties prior to each meeting and public event. Notice of the public hearing for the proposal was published in the newspaper and mailed to all Oregon City property owners on June 22, 2007, in accordance with the requirements of Measure 56. The Planning Commission took public testimony at three hearings on September 24, 2007, October 22, 2007, and November 12, 2007. In addition to reviewing all of the evidence in the record, the City Commission also took public testimony at its hearings on January 16, 2008, March 5, 2008, March 19, 2008 and April 16, 2008.

For the re-adoption, planning staff held additional meetings to provide information and receive input on the plan process:

Planning Commission Work Session

09/28/2015

Citizen Involvement Committee	10/05/2015
Natural Resources Committee	10/14/2015
Transportation Advisory Committee	10/20/2015
Parks & Recreation Advisory Committee	10/22/2015
Caufield Neighborhood Association	10/27/2015
Hamlet of Beavercreek	10/28/2015
City Commission Work Session	11/10/2015
Planning Commission Hearing #1	11/23/2015
City Commission Hearing #1	12/02/2015

V. DECISION-MAKING CRITERIA:

A. Comprehensive Plan Criteria

The following considerations, goals and policies apply to amendment of the Comprehensive Plan and Concept Plans.

Comprehensive Plan Maintenance and Implementation - Regular Review and Update.

Section 2 – Land Use of the 2004 Oregon City Comprehensive Plan indicates that the regular review and updated of the Comprehensive Plan should consider the following:

- 1. Plan implementation process.
- 2. Adequacy of the Plan to guide land use actions, including an examination of trends.
- 3. Whether the Plan still reflects community needs, desires, attitudes and conditions. This shall include changing demographic patterns and economics.
- 4. Addition of updated factual information including that made available to the City of regional, state and federal governmental agencies.

B. Statewide Planning Goals

Compliance with the Statewide Planning Goals is a specific requirement for changes to the Comprehensive Plan or Comprehensive Plan map. For the BRCP to be approved by DLCD it must comply with applicable statewide planning goals. The analysis below is provided for the City and the public to understand how the proposed update complies with Statewide Planning Goals.

C. Metro Title 11.

Concept Plans are regulated by Title 11 in Metro's Urban Growth Management Functional Plan. Title 11 and Concept Plans are intended to lay a foundation for urbanization of areas added to the region's Urban Growth Boundary (UGB) in a way that reasonably provides public facilities and services, offers transportation and housing choices, supports economic development, and protects natural resources. The following land use elements of Metro's Title 11 regulations governing concept planning within Metro's jurisdiction, "3.07.1120 Urban Growth Boundary Amendment Urban Reserve Plan Requirements" which generally include the following:

- A. Annexation;
- B. Housing density;
- C. Variety of housing types;
- D. Housing affordability;
- E. Commercial/Industrial development;
- F. Transportation;
- G. Mapping;
- H. Public Facilities and Services;
- I. Schools;
- J. Urban Growth Diagram; and
- K. Plan Amendments.

IV. ANALYSIS AND FINDINGS

A. Comprehensive Plan Criteria

Comprehensive Plan Maintenance and Implementation - Regular Review and Update.

Another method of Plan maintenance and updating is a continuous technical review of the Plan by the Planning staff. This review and any subsequent recommendations for Plan updating should be presented to the Neighborhood Associations, Planning Commission and City Commission for input and discussion in the same manner as requested Plan changes. The continuous review should consider:

1. Plan implementation process;

Analysis: The main reason for amending the Comprehensive Plan is to adopt and implement the new BRCP in response to Metro Title 11 Requirements, and to guide appropriate comprehensive plan designations and zoning for the area. The concept planning process was initiated in order to ensure the appropriate mix of uses in the concept plan area, and so that public facilities and services can be planned to serve future development within the study area.

Completion of the concept plan and amendment of the Comprehensive Plan complies with the City's Comprehensive Plan Goal 14.3 - Orderly Provision of Services to Growth Areas, which provides that the City plan for public services to lands within the Urban Growth Boundary through adoption of a concept plan and related Capital Improvement Program, as amendments to the Comprehensive Plan. The BRCP and regulations are in compliance with Metro's Functional Plan and the amendments to the comprehensive plan must be adopted through DLCD's post-acknowledgement process.

The City finds this criterion is satisfied.

2. Adequacy of the Plan to guide land use actions, including an examination of trends.

Analysis: The Existing Conditions report of the Concept Plan includes detailed market, infrastructure, transportation system, natural resources, demographics and industrial lands analyses in order to determine trends to guide future land use actions. The results of this analysis need to be incorporated into the Comprehensive Plan. The plan provides a thorough explanation of the existing conditions pertaining to this analysis and provides recommendations and

preliminary cost estimates for improvements that will be necessary in order for the concept plan to be carried out. These cost estimates have subsequently been updated in the city's public infrastructure and transportation planning as follows:

Transportation System Plan (2013)

Sewer Master Plan (2014)

Water Master Plan (2010)

Stormwater and Erosion Control Manual and Design Standards (2015)

The Comprehensive Plan amendments are necessary in order for land use actions to be carried out within the concept plan area subsequent to the annexation of property. Adoption of the concept plan does not rezone property within the planning area until said property is annexed into the City and the implementing zoning regulations are in place. Comprehensive Plan map designations, relevant code amendments, and text and maps are required when these events take place. Likewise, the amendments to the ancillary documents and plans assure that the necessary improvements in the concept plan may be incorporated into the appropriate ancillary plan, as well as be included in the City's Capital Improvement Program and Transportation System Plan.

The Concept Plan provides a comprehensive and cohesive guide to future development in three parts:

- Framework plan maps, goals and policies These elements are adopted as part of the Oregon City Comprehensive Plan. Compliance with the plan is required for all land use permits and development beyond that allowed by existing land use regulation. The framework plan is comprised of generalized maps and policies that integrate land use, transportation, open space and green infrastructure. The framework maps and policies are supported by detailed code and requirements for master planning and design review. This approach sets a broad framework and intent on the figures and text in the plan that ensures that the vision, goals and standards are required in all land use decisions, provides flexibility in site specific design and implementation and allows for phased development over a longer period of time.
- 2) Ancillary report materials The descriptive text, graphics and technical appendix of this report are adopted as an "ancillary document" to the Comprehensive Plan, which provides "operational guidance to city departments in planning and carrying out city services" (Oregon City Comprehensive Plan, page 4). These documents include information for updating the City's utility master plans and Transportation System Plan.
- 3) Development code amendments Revisions to the development code are being prepared as part of the Concept Plan. Once final, it will be adopted as part of the Oregon City Municipal Code. Compliance with these amended provisions will be required for all land use permits and development.

The opportunities and constraints, market, infrastructure, natural resources and buildable lands analysis provided in the BRCP provide an adequate factual basis for determining trends within

the study area. Following adoption of the BRCP, amendments to the Zoning Code, Comprehensive Plan and Ancillary Documents will provided an adequate basis for making future land use decision and can be found in compliance with this criterion.

The City finds this criterion is satisfied.

3. Whether the Plan still reflects community needs, desires, attitudes and conditions. This shall include changing demographic patterns and economics.

Analysis: Citizen input was critical to ensure that the community's desires and attitudes would be reflected in the Concept Plan. A public involvement program was developed and conducted from June 2006 through July 2007. A 15-member Citizen Advisory Committee (CAC) and 9-member Technical Advisory Committee (TAC) developed the concept plan. The purpose of the CAC was to serve as the forum for stakeholder representatives to work with each other and act as an advisory body to the Consulting Team, City Staff, Planning Commission, and City Commission regarding the Concept Plan. The CAC comprised residents, representatives of neighborhood associations, the Hamlet of Beavercreek, local businesses, the development community, property owners within the study area, the school district, Clackamas Community College, Transportation Advisory Committee, environmental interests, and the Planning Commission.

The CAC created several alternatives and finally chose a hybrid the included about 127 net acres of North Employment Campus, which is consistent with Metro's intent and similar to Oregon City's existing Campus Industrial designation, about 29 acres of Mixed Employment Village and Main Street, which allows a variety of uses in a village-oriented transit hub and mixed use neighborhoods to the south that also provide jobs tailored to the neighborhood setting.

The TAC included representatives from Metro, Clackamas County, ODOT, Tri-Met, DLCD, and City Planning Staff. Twelve meetings were held over the 13 months and there were two open houses, a market and sustainability focus group and a design workshop that were intended to provide information to citizens and to solicit their input.

For the 2015 re-adoption process, planning staff held additional meetings to provide information and receive input on the BRCP process with the following groups:

Planning Commission Work Session	09/28/2015
Citizen Involvement Committee	10/05/2015
Natural Resources Committee	10/14/2015
Transportation Advisory Committee	10/20/2015
Parks & Recreation Advisory Committee	10/22/2015
Caufield Neighborhood Association	10/27/2015
Hamlet of Beavercreek	10/28/2015
City Commission Work Session	11/10/2015

The overall vision for the concept plan is to create "A Complete and Sustainable Community", and the CAC utilized the definition of sustainability originally developed by the United Nations Brundtland Commission:

"A sustainable society meets that needs of the present without sacrificing the ability of future generations to meet their own needs".

Based on public input, the committee created 10 Project Goals and 10 Principles of Sustainable Community Design that were used in the visioning and development of the concept plan. The Goals and Principles are on pages 7 and 8 of the Concept Plan. Utilizing these Goals and Principles, the committee created several alternative plans that were reviewed and combined into one preferred alternative plan, which is identified as the BRCP. The plan has land use and transportation connections that support future transit, trails and greenspaces have been crafted to provide direct and convenient internal pedestrian connections and link to the broader regional network, lower densities near the edges and buffer treatments have been incorporated and a street network that provides for internal circulation, minimizing impacts on Beavercreek Road and providing for future connections to the north and south have been identified.

The plan meets the needs of Oregon City for providing employment lands, which are greatly needed. The plan provides 156 net acres of employment lands in two forms: 127 net acres of tech flex campus industrial (Title 4) land and 29 acres of more vertical mixed use village and main street employment. The employment is incorporated into a sustainable, complete community that includes jobs, varied housing types, green streets, open spaces, trails, mixed uses, focal points for activity, linkages to logical streets and activity centers (Clackamas Community College and Oregon City High School) and access to nature. The concept plan is a reflection of the needs, desires, attitudes and conditions of the community and represents the vision, direction and improvements that are necessary to accommodate the changing demographics and economics of the community.

The City finds this criterion is satisfied.

4. Addition of updated factual information including that made available to the City by regional, state and federal governmental agencies.

Analysis: The proposed changes respond to needs revealed by the Buildable Lands Inventory for the concept plan and where updated and affirmed in 2010 through Metro's adoption of Ordinance No. 10-1244B. These needs are documented in the technical appendix on housing and economic development, as well as in the background discussions in each of the Comprehensive Plan elements. Participation on the TAC by representatives of Metro and the State Department of Land Conservation and Development informed the Regulatory Framework which the Concept Plan must comply with, including the primary elements: Governance, Housing, Transportation and protection of Natural Resources. For example, policies support the provision of a variety of housing types and income levels, creation of mixed use zones to encourage more employment and housing, and the designation of Metro Design Types (Industrial and Employment). Metro data and the City's own GIS data was utilized to develop a variety of maps, notably the habitat conservation areas, steep slopes areas, urban growth potential, transportation (street system, transit, functional classification, street sizing, bicycle and pedestrian needs, trails), water, stormwater and sewer system maps. Policies in the Concept Plan support Metro and DLCD requirements and factual information is reflected in the BRCP.

The City finds this criterion is satisfied.

Oregon City Comprehensive Plan Goal 2.6 - Industrial Land Development Ensure an adequate supply of land for major industrial employers with family-wage jobs.

Adoption of the BRCP will ensure an adequate land supply for major industrial employers, consistent with regional employment land goals adopted by Metro. Goal 2.6 is further implemented by the following Policies 2.6.1 through 2.6.8:

Policy 2.6.1

Work with Metro to ensure that there is enough land available within the Urban Growth Boundary to meet the need for industrial and/or commercial development. If there is not enough, identify areas outside the boundary that may be appropriate to annex. The selection of these areas will be based on market factors, protection of environmentally sensitive areas, compatibility with adjoining and nearby uses, public facilities and infrastructure, proximity to expressways and transit, site requirements of specific types of industries, and the desires of the property owners.

Analysis: Metro has determined that the proposed plan provides an adequate amount of Title 4 employment land within the UGB. Reflecting changes in employment needs and demands between the Metro 2002 Urban Growth Report (UGR) –Employment, and the 2009 UGR - Employment, Metro's 2009 assessment found there is adequate capacity inside the current UGB to accommodate the next 20 years of general employment and general industrial job growth even at the high end of the employment forecast range. The subsequently adopted change to the Title 4 Employment and Industrial Areas map conformed the map to the updated information about employment needs in the 2009 UGR (Employment). This change also responded to the identification of a need for residential capacity in the 2009 UGR (Residential) by increasing the residential capacity of the Beavercreek planning area by 36 dwelling units above the level expected at the time the Metro Council added the areas to the UGB. Metro adopted the revised Title 4 map with passage of Ordinance 10-1244B, Exhibit D, on December 6, 2010. According to this map, which is consistent with the hybrid plan, the 151 gross acres on the revised map will supply approximately 121 net acres of employment land.

The City finds this criterion is satisfied.

Policy 2.6.2

Ensure that land zoned or planned for industrial use is used for industrial purposes, and that exceptions are allowed only where some other use supports industrial development. New non-industrial uses should especially be restricted in already developed, active industrial sites.

Analysis: The zoning that will be applied to the employment lands within the UGB following annexation of lands will restrict non-industrial uses and ensure that land is preserved for industrial use. Existing CI-Campus Industrial zoned land within the BRCP area list permitted, conditional and non-permitted uses to support industrial land supply. It is anticipated that zoning similar to the CI zone district will be applied to annexed properties that currently do not have city zoning.

The City finds this criterion is satisfied.

Policy 2.6.3

Protect the city's supply of undeveloped and underdeveloped land zoned for industrial uses by limiting non-industrial community uses, such as schools, parks, and churches on such properties and by limiting larger commercial uses within those areas.

Analysis: As stated above, the zoning of the property in the North Employment Campus will be the same as or similar to the current CI – Campus Industrial zone. Clackamas Community College and Oregon City School District do not anticipate the need for additional land within the BRCP area. Religious land uses are not listed as a permitted use in the CI zone, but could be permitted as conditional uses on mixed-use lands in the southern part of the BRCP area. Commercial uses within the northern employment campus would be limited to some upper limit, similar to the CI zone, which restricts retail sales and services to no more than ten percent of the net developable portion of all contiguous industrial lands. Taken together, these requirements will protect the city's supply of undeveloped and underdeveloped land zoned for industrial uses.

The City finds this criterion is satisfied.

Policy 2.6.4

Protect existing and planned undeveloped and underdeveloped industrial lands from incompatible land uses, and minimize deterrents to desired industrial development.

Policy 2.6.5

Ensure that land-use patterns create opportunities for citizens to live closer to their workplace.

Analysis: An important focus of the BRCP is to create a live-work balance by providing employment opportunities in a mixed use community, with strong multi-modal transportation connections both within the BRCP area and externally to the existing commercial, employment and education centers nearby such as Berry Hill Shopping Center, Clackamas Community College and Oregon City High School. Additionally, live-work units and home occupations with cottage industries are supported by the mixed use approach. The proposed land use mix, combined with the improved transportation network, will guide the future development of the area in a manner that supports this policy.

The City finds this criterion is satisfied.

Policy 2.6.6

Identify industrial uses that could partner with Clackamas Community College as training centers and future employers of students graduating from CCC.

Analysis: Adoption of the BRCP is the first step towards attaining this policy. The plan includes policies for strong programmatic connections to Oregon City High School and Clackamas Community College. The City is already working with the State and the County to develop enterprise zones within the CI-zoned lands within and adjacent to the BRCP area. The enterprise zones encompass industrial areas along Beavercreek Road, the Red Soils area and north of Highway 213 - an area approximately 1.2 square miles. The City partnered with Metro and Clackamas County on the Strategically Significant Employment Lands Project to study these lands and determine their readiness for development and marketability. One of the criteria for

qualifying projects within the enterprise areas is to partner with local job training providers such as Clackamas Community College.

The City finds this criterion is satisfied.

Policy 2.6.7

Establish priorities to ensure that adequate public facilities are available to support the desired industrial development.

Analysis: Please see findings for compliance with Statewide Planning Goal 11 – Public Facilities and Services in Section B below.

Policy 2.6.8

Require lands east of Clackamas Community College that are designated as Future Urban Holding to be the subject of concept plans, which if approved as an amendment to the Comprehensive Plan, would guide zoning designations. The majority of these lands should be designated in a manner that encourages family-wage jobs in order to generate new jobs and move towards meeting the city's employment goals.

Analysis: Adoption of the BRCP will achieve this policy. The final draft hybrid plan was analyzed by the firm ECONorthwest, indicating the potential for substantial job creation within the concept plan area. The ECONorthwest findings were further confirmed by Metro in its 2009 Urban Growth Report (Employment) that "there is adequate capacity inside the current UGB to accommodate the next 20 years of general employment and general industrial job growth even at the high end of the employment forecast range." Ord. 1244B, Attachment 3, p.3. The North Employment Campus is to provide for the needed family wage employment that strengthens and diversifies the economy and will be compliant with Metro's Title 4 regulations. The NEC allows a mix of clean industries, offices serving industrial needs, light industrial uses, research and development and large corporate headquarters. The uses permitted are intended to improve the region's economic climate, promote sustainable and traded sector businesses, and protect the supply of site for employment by limiting incompatible uses. Also, portions of the BRCP area designated enterprise zones incentivize development (See http://www.orcity.org/economicdevelopment/enterprise-zone). To be enrolled in the taxabatement program, businesses should pay employees at least 150% of the State minimum wage or \$13.65 per hour for 2014 (benefits can be used to reach this pay level). Other requirements apply as well.

The City finds this criterion is satisfied.

B. Compliance with Statewide Planning Goals

Compliance with the Statewide Planning Goals is a specific requirement for changes to the Comprehensive Plan or Comprehensive Plan map. For the BRCP to be approved by DLCD it must comply with statewide planning goals. The analysis below is provided for the Planning Commission and the public to understand how the proposed update complies with Statewide Planning Goals.

Goal 1 Citizen Involvement

To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

Analysis: A brief summary of the public involvement program for the CAC/TAC and the general public was provided above. In accordance with this goal, the public involvement program involved affected Neighborhood Associations and groups, utilized community education measures to enhance participation (open houses, focus groups, design workshop, website, open access to planners at City Hall, timely provision of draft material mailed to the CAC/TAC in advance of meetings and on the web, mailings), and provided timely and accurate information to individuals, groups, communities and neighborhoods. After the CAC/TAC recommended a draft plan language, the Planning Commission and City Commission held a number of work sessions and public hearings where public testimony was considered. At all times the draft plan was available for review by the public. This open process encouraged participation by any interested citizen and all evidence submitted into the written record was considered. Finally, planning staff met with several advisory groups and the Hamlet of Beavercreek, and held two work sessions in October – November 2015 to update people on the re-adoption process (See Page 4 for details).

The City finds this Goal is satisfied.

Goal 2 Land Use Planning

To establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions.

Analysis: The Draft Concept Plan includes identification of facts, issues, and problems in the "Background" discussion for each element. Updated and market relevant documentation in the technical report provided the basis for the Land Use, Parks, Transportation, Water, Stormwater, Sanitary Sewer and Natural Resources elements, helping assure the proper factual basis for decisions in updating the maps, goals, policies and implementation measures. Inventories, such as for economic development, employment and natural resources, have been provided in the technical appendices to the BRCP. Based on this information, the Commission finds that this plan amendment is coordinated, as defined by state law. It has been reviewed and coordinated with the plans of other governmental units. It contains adequate implementation measures to ensure that upon taking effect (when the implementing zoning is subsequently adopted) sufficient means will carry out the BRCP. Although Goal 2 also implements periodic review, the amendments are not triggered as a result of periodic review. Finally, after a number of public hearings where alternative courts of action were considered, the Commission finds that the proposed plan amendments are consistent with public policy taking into account social, economic, energy and environmental needs.

The City finds this Goal is satisfied.

Goal 3 Agricultural Lands and Goal 4 Forest Lands

Analysis: By definition, Oregon City does not have rural resource lands such as for agricultural or forest use within its city limits or UGB and therefore those goals are not applicable.

The City finds these Goals are not applicable.

Goal 5 Open Spaces, Scenic and Historic Areas, and Natural Resources

To protect natural resources and conserve scenic and historic areas and open spaces.

Analysis: Goal 5 resources are addressed in detail in the Natural Resource Inventory which was part of the existing conditions analysis required by Metro Title 11. A detailed review of the Goal 5 resources within the study area, including wetlands, streams, riparian area, wildlife habitat and other resources was conducted. The inventory consisted of two parts:

- 1) An examination of existing resource information for the plan area; and
- 2) A field study to verify the location and evaluate resource habitat quality.

The first phase of the inventory included review of existing documents, such as Metro Goal 5 Inventory Maps, National Wetland Inventory maps, Natural Resource Conservation Service Soils Survey of Clackamas County, Stream Net fisheries data and other sources. Phase two consisted of a field verification of the BRCP area by a team of biologists. The team visited each of the previously mapped natural resource areas to confirm the location, size and quality. The natural areas determined to be of high resource value were distinguished from natural areas of lesser resource value and the lower quality natural areas were given a designation of enhancement potential in order to identity both the highest quality natural resource and provide a determination of the feasibility of enhancement.

The Natural Resources Inventory that was conducted as part of the existing conditions analysis for the BRCP consisted of examination of existing resource information for the area and a field study. This inventory is already part of the record. The inventory identified and summarized 19 natural areas within the BRCP area and were assigned values for their condition and enhancement potential. Of those 19 areas, the majority were consistent with Metro's Goal 5 mapping. The city's initial GIS analysis of the NROD areas for the entire UGB was done in 2008. The Natural Resource Overlay District was adopted in 2008 and replaced the old Water Resources Overlay District with a combined overlay district, which regulates both Metro Title 13 habitat and Metro Title 3 water resources. In particular Trimble Creek is an identified Goal 5 resource that runs from south to north through the site crossing Loder Road. The concept plan envisions this protected resource being combined within a linear park feature.

The BRCP will protect Goal 5 natural resource areas by guiding the designation of Natural Resource Overlay District areas and the restriction of development in those areas pursuant to OCMC 17.49. The code requires that further on-site analysis be conducted to determine the current extent of the protected resources which initially was done with the concept plan. More detailed, site specific delineations of the resources and the required associated vegetated corridors is required prior to development, along with impact analysis and mitigation for impacts. These existing restrictions will adequately protect natural resource areas and to the extent necessary serve as a natural resource protection plan.

The Beavercreek Road Open Space Framework plan provides a network of green spaces that are intended to provide a system of connected parks, opens spaces and natural areas, provide access to nature, preserve existing natural resources and provide green spaces near the system of trails and pedestrian connections. The power line corridors comprise approximately 52 acres of land north of Loder Road and have been utilized to provide publicly accessible opens space, trails and links to the broader open space network. The standard of 16-acres per 1,000 population was amended to a standard of 6 to 10 acres per 1,000 population as discussed at the Planning Commission. The extent and location of the park is conceptual, flexible and the costs associated with acquisition and development may need to be determined through more detailed Master Planning processes, similar to the Glen Oak Road park site and the Hazel Grove parks site master planning that was conducted in 2014. Existing parks SDCs do not reflect the cost of providing parks in this area, and they may need to be updated to account for the amount of parks acreage envisioned in the concept plan but they may be updated or lands could be obtained by private developers as development occurs. A park is proposed to extend through the central and southern areas of the BRCP. The location and linearity of the park was first indicated by Metro's Goal 5 mapping. This open space feature is intended as a continuous green space that links the districts and neighborhoods south of Loder Road.

The code will allow flexibility in the width, shape and acreage of the open space, provided there remains a clearly identifiable and continuous open space. The buildable lands identified 292 acres of Tier A or 'unconstrained' lands, 28 acres of Tier B or "Low Impact Development Allowed with Review" and 131 acres of Tier C or "Constrained". The Low Impact area was later evaluated and recommended for conservation under an Environmentally Sensitive and Resource Area designation on the BRCP. New development will be required to comply with the City's Natural Resources Overlay District in compliance with this goal.

The Parks and Recreation Advisory Committee (PRAC) met on October 22, 2015 to hear staff's presentation on the re-adoption process. The PRAC voted unanimously to supports the parks, open space and recreation elements of the Beavercreek Concept Plan.

Concept Plan goals and policies for preserving open space and tree cover, protecting scenic views, preserving and conserving natural resources and water quality have been provided.

The City finds this Goal is satisfied.

Goal 6 Air, Water and Land Resources Quality

To maintain and improve the quality of the air, water and land resources of the state.

Analysis: Existing Comprehensive Plan policies that apply to the concept plan require development practices to comply with regional, state, and federal standards for air and water quality, to protect water quality from erosion and sediment, to minimize the effects of noise, and to protect mineral resources.

These goals and policies are implemented through the City's grading and erosion control ordinances, water quality resource protection regulations, development standards, and nuisance laws. DEQ regulates air quality but Oregon City's TSP recognizes the link between air quality

and transportation (through vehicle emissions) and works to reduce impacts from single-occupancy vehicles. The TSP and Capital Improvements Fund will be updated to reflect transportation improvements recommended in the BRCP.

The City finds this Goal is satisfied.

Goal 7 Areas Subject to Natural Disasters and Hazards

To protect life and property from natural disasters and hazards.

Analysis: The Commission finds that the area does contain steep slopes. The east ridge of the concept plan area was identified as an area of steeper slopes that could be at risk for landslides and slumping. In order to address this, the BRCP calls for establishing a protected open space area along the west side of Thimble Creek and designating the area between the edge of that open space and the 490-foot elevation to the west, along the east ridge, as a conservation area within which a number of restrictions will development apply, including protecting a minimum of 50% of the conservation area, and building height and impact restrictions. The plan also requires a "window" of at least 700 feet of continuous area along the ridge to be publicly accessible. Any development in this area will also be subject to the City's existing geologic hazard overlay review requirements.

According to the City Commission meeting minutes of September 3, 2008, the approximate elevation of 490 feet (MSL) is important in the southern half of the concept plan area relative to gravity sewer service. Existing storm water discharge points below the 490 foot level in this area may also need to be improved with future development to assure that storm water quality and quantity control standards are met. Roadways and development constructed above 490 feet will most likely allow for gravity sewer service. If land uses requiring sanitary sewer service (or roadways with sewer underneath) are located lower than 490 feet, individual pump stations and pressurized services may be required.

As a practical matter land uses such as homes and habitable structures could not practicably meet the standards of the city's Geological Hazard Overlay District and Natural Resources Overlay District, which restricts development within known landslide areas and steep slopes, and within 50 to 200 feet of streams and stream tributaries and wetlands. Low impact recreational uses, such as trails, foot bridges and related uses, as well as storm water discharge facilities, may be permitted within the Natural Resources Overlay District (OCMC 17.49) and Geologic Overlay District (OCMC 17.44), subject to these specific code review criteria as well as Public Works engineering standards.

The City's Natural Resources Overlay District and Geologic Hazards Overlay District are already mapped to the extent of the Urban Growth Boundary in this area and would be in effect upon annexation.

No other natural disaster or hazard areas have been identified and the City finds there are none.

The City finds this Goal is satisfied.

Goal 8 Recreational Needs

To satisfy the recreational needs of the citizens of the state and visitors, and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.

Analysis: The concept plan provides for an interconnected series of trails, parks and open spaces areas throughout the study area to implement this Goal. Specific plan policies related to this Goal include amending the parks and recreation, open space and trail master plans to be consistent with the concept plan, implementation of a hierarchy of connections (roads and trails of various types), create two scenic view points that are small public parks along the East Ridge, open space, and extensive trail systems that provide pedestrian and bicycle connectivity throughout the site and to adjoining trial systems. Additionally the concept plan recognizes the opportunity for acquisition and/or dedication of sensitive areas for open space and habitat by private landowners.

The City finds this Goal is satisfied.

Goal 9 Economic Development

To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.

Analysis: As part of the concept plan process, Oregon City worked with a consultant to inventory and evaluate the local and regional market conditions within and adjacent to the concept planning area. This report details patterns in the community, the profile of local employment, the supply of industrial, commercial and office land, and potential for industrial and commercial development within the area. Metro's employment land needs analysis reports that about 9,300 net acres of industrial land is needed between 2002 and 2022, of which, approximately 6,300 net acres must be vacant and that the region has a shortage of large and small industrial lots. The EcoNorthwest market analysis (LUBA record pp. 1781) identified the advantages and disadvantages of industrial development within the study area and concluded that under the right conditions it is not unreasonable to expect 150 acres of industrial and business park development to build out on the site over a 20-year period.

Metro's adoption of Ord. 1244B updated the EcoNorthwest analysis, concluding that the proposed plan provides an adequate amount of Title 4 employment land within the UGB, through 2029. Reflecting changes in employment needs and demands between the Metro 2002 Urban Growth Report (UGR) –Employment, and the 2009 UGR - Employment, Metro's 2009 assessment found there is adequate capacity inside the current UGB to accommodate the next 20 years of general employment and general industrial job growth even at the high end of the employment forecast range. The subsequently adopted change to the Title 4 Employment and Industrial Areas map conformed the map to the updated information about employment needs in the 2009 UGR (Employment). According to this map, which is consistent with the hybrid plan, the 151 gross acres on the revised map will supply approximately 121 net acres of employment land.

A key issue for the committee was how much employment, what type and where. The Oregon City Comprehensive Plan requires that a majority of the lands be designated in a manner that encourages family-wage jobs in order to generate new jobs and move towards meeting the City's employment goals.

Metro brought 245 gross acres in the UGB in 2002 and an additional 63 acres were added in 2004. The remaining acreage was in the UGB and/or Oregon City limits prior to 2002. These areas (308 gross acres) are designated as the Industrial Design Type on Metro's 2040 Growth Concept Map. Given the expected net acreage once non-buildable areas such as power lines, natural areas, were removed from the buildable lands inventory, Metro intended 120 net acres of the concept plan area would be used for employment uses. Metro noted that it was important to fulfill the original intent for providing industrial lands and that there was flexibility for the local process to evaluate creative ways to meet the intent. See Metro's vacant lands methodology. This approach was blessed by David Bragdon, Metro Council President, in a letter dated May 14, 2007 as well as Metro planner Ray Valone in a letter dated March 19, 2008.

The CAC created several alternatives and finally chose a hybrid the included about 127 net acres of North Employment Campus (NEC), which is consistent with Metro's intent and similar to Oregon City's existing Campus Industrial designation, about 29 acres of Mixed Employment Village and Main Street, which allows a variety of uses in a village-oriented transit hub and mixed use neighborhoods to the south that also provide jobs tailored to the neighborhood setting.

The North Employment Campus is to provide for the needed family wage employment that strengthens and diversifies the economy and will be compliant with Metro's Title 4 regulations. The NEC allows a mix of clean industries, offices serving industrial needs, light industrial uses, research and development and large corporate headquarters. The uses permitted are intended to improve the region's economic climate, promote sustainable and traded sector businesses, and protect the supply of site for employment by limiting incompatible uses.

The concept plan provides land for an identified need within the region and state, and provides for a mix of other uses that will contribute to the economic welfare of the city, state and the citizens.

The City finds this Goal is satisfied.

Goal 10 Housing

To provide for the housing needs of citizens of the state.

Analysis: The concept plan recommends and provides for a mix of residential areas that allow and/or require different densities and housing types, including low, medium and high densities, single-family homes on a range of lot sizes, townhouses, duplexes, multi-family units and mixed commercial/residential uses. The West Mixed Use Neighborhood will be a walkable, transit-oriented neighborhood with an overall average or residential uses not to exceed 22 dwelling units per acre. The East Mixed Use Neighborhood will be a walkable and tree lined neighborhood

with a variety of housing types that will not exceed densities permitted in the R-5 zone (8.7 units per acre).

The concept plan provides for housing affordable to a range of incomes and will utilize sustainable building designs and green development practices. As noted above, the concept plan provides or allows for a range of housing types and densities, including those that are most likely to be affordable to households or families with lower incomes, including single-family homes on small lots, townhouses, duplexes and multi-family units. The plan also identifies strategies for distributing less expensive housing units among different areas rather than concentrating them all in one place, specifically calling for a variety of densities within the East Mixed Use Neighborhood that move from higher densities to lower densities from north to south across the site.

The adoption of Ordinance 1244B also responded to the identification of a need for residential capacity in the 2009 UGR (Residential) by increasing the residential capacity of the Beavercreek planning area by 36 dwelling units above the level expected at the time the Metro Council added the areas to the UGB.

The City finds this Goal is satisfied.

Goal 11 Public Facilities and Services

To plan and develop a timely, orderly, and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

Analysis: This goal applies to urban areas within the city limits of Oregon City and to urbanizable areas within the city's UGB. "Urban Facilities and Services" means appropriate types and levels of, at a minimum, the following: police protection; sanitary sewer facilities; storm drainage facilities; water, planning, zoning and subdivision control; health services; recreation facilities and services; energy and communication services; solid waste; and community governmental services.

Since the BRCP was first adopted, the City has updated a number of its utility master plans. As will be discussed in greater detail below, each of these plans included providing service to BRCP properties at the uses and densities authorized by the BRCP. These plans establish utility services necessary to serve the proposed BRCP area and provide for future utility services without compromising existing customer service. Upon adoption, these various master plans were incorporated as part of the City's Comprehensive Plan and as a result, control future utility extensions throughout the City.

Sanitary Sewer Infrastructure Planning

The BRCP plans for a sanitary sewer system that primarily consists of a gravity sewer collection system with a trunk sewer in Beavercreek Road, a network of trunk sewers within the BRCP area, and a sanitary sewer lift station for a section of the northern half of the concept plan area. The BRCP estimated the total cost of \$4.4 million for capital improvements within the study area and an additional \$2.3 million of programmed capital improvement projects needed to extend the

existing sanitary sewer collection system to the concept plan area. The cost estimates were based on year 2003 dollars.

In October 2014, the City adopted an update to the Oregon City Sanitary Sewer Master Plan (SSMP), an ancillary document to the City's adopted Comprehensive Plan consistent with federal requirements, state statutes, and the Statewide Planning Goals. The SSMP identifies build out capacity concerns, recommends future capital improvements, and develops a capital improvement program (CIP) to meet future needs.

The SSMP also identifies and recommends in more detail the future capital improvements and provides updated estimated costs to serve the BRCP area with respect to sanitary sewer service. Table 5-9, from the SSMP Section 5.2.3.4, identifies the recommended improvements and provides the estimated costs.

Table 5-9. Beavercreek Road Concept Area, Estimated Improvement Costs					
	Description of improven	nent		Estimated cost of improvements, dollars ^a	
Gravity sewer extensions ^b					
8-inch diameter sewers,	14,356 LF			5,050,000	
10-inch diameter sewers	s, 4,317 LF			1,610,000	
12-inch diameter sewers	4,230,000				
15-inch diameter sewers	1,930,000				
Gravity sewer extension	12,820,000				
Pumping stations and FMs					
Pumping station number	Pumping station capacity, gpm	FM, diameter, inches	FM, length, LF		
BR-1	272	4	2,080	1,390,000	
BR-2	1,370,000				
Pumping station and FM subt	2,760,000				
Total				15,580,000	

^a Estimated costs include a 50 percent allowance for construction contingencies, engineering, and overhead. Costs are rounded to the nearest \$10,000. Costs assume an average depth of 10 feet using cost condition 2. See Appendix C for unit cost tables.

The primary potential funding sources that may be expected to fund the future sanitary sewer facilities listed in Table 5-9 to serve BRCP, include:

- 1. System Development Charges (SDCs) Developers pay these charges up front to the City based on the proposed impact of the new development on the existing infrastructure.
- 2. Developer funded improvements –Developers are required to construct an appropriate level of public utility improvements within their proposed development and along all street frontages adjacent to their property, including off-site improvements as may be needed to serve the development.
- 3. Reimbursement District: A developer may finance and construct a public improvement that has the capacity to serve more than their development. The reimbursement district provides developers with a mechanism to be reimbursed by other property owners that benefit from the use of the constructed public improvement.

^b Pipes sizes shown are based on an assumed minimum slope. Actual slope may permit smaller size pipes. For example, the modeling did not predict the need to upsize the existing City sewer downstream of MH 11144.

The future sanitary sewer facilities recommended to serve BRCP developments shall be paid for in a way that does not financially burden or adversely affect existing public facilities and services in other parts of the City.

In 2014, the City issued a Type II Land Use Decision with conditions for improvements to serve the Beavercreek Road Apartment-Live-Work development (File SP 14-01). SP 14-01 was not subject to the current 2014 SSMP but the conditions attached to the land use approval require the applicant to pay for a component of the future Beavercreek Road trunk line and connect to the trunk line when it is available.

In summary, the 2014 SSMP documents and SP 14-01 approval consistently support sustainable development that will not financially burden existing rate payers or adversely affect the existing sanitary sewer system.

Water Infrastructure Planning

The BRCP plans for a water distribution system that primarily consists of a "backbone" network of water supply pipelines, two pressure zones with two-thirds of the BRCP area being served from the existing water main in Beavercreek Road, being the lower pressure zone, and the remaining one-third of BRCP area being served from future water facilities that include a booster pump station and reservoir, being the higher pressure zone. BRCP estimated the total cost of \$5.4 million for the "backbone" network capital improvements within the study area, and an additional \$6.9 million of programmed capital improvement projects needed to extend the existing water distribution system to the concept plan area. The cost estimates were based on year 2003 dollars.

In January 2012, the City adopted an update to the Oregon City Water Distribution System Master Plan (WMP), an ancillary document to the City's adopted Comprehensive Plan consistent with federal requirements, state statutes, and the Statewide Planning Goals. The WMP analyzes future water demands and develops a capital improvement program (CIP) to meet these future needs.

The WMP also recommends in more detail the future capital improvements and provides updated estimated costs based on year 2009 dollars for specific improvements, including the water storage reservoir, transmission and distribution pipelines to serve the BRCP area. The future reservoir is recommended to serve both the future BRCP higher pressure zone and the existing Fairway Downs pressure zone that currently has no water storage facilities and with this improvement will be enhanced by increasing the reliability and improving water service.

The WMP includes updated estimated costs for future water facilities recommended to increase the storage capacity of the higher pressure zone, provide a transmission main from the future reservoir to BRCP distribution system, and expand the "backbone" network of water pipelines within the BRCP area. Specifically the WMP project numbers F-CIP-4, F-CIP-5, and F-CIP-14, include the two million gallon reservoir and transmission pipeline with an estimated total cost of \$5.7 million, and various "backbone" network pipelines within the BRCP area with an estimated total cost of \$2.6 million.

The primary potential funding sources that may be expected to fund the future water facilities, include:

- 1. System Development Charges (SDCs) Developers pay these charges up front to the City based on the proposed impact of the new development on the existing infrastructure.
- 2. Developer funded improvements –Developers are required to construct an appropriate level of public utility improvements within their proposed development and along all street frontages adjacent to their property, including off-site improvements as may be needed to serve the development.
- 3. Reimbursement District: A developer may finance and construct a public improvement that has the capacity to serve more than their development. The reimbursement district provides developers with a mechanism to be reimbursed by other property owners that benefit from the use of the constructed public improvement.

The future water facilities recommended to serve future BRCP developments shall be paid for in a way that does not financially burden or adversely affect existing public facilities and services in other parts of the City.

In 2014, the City issued a Type II Land Use Decision with conditions for improvements to serve the Beavercreek Road Apartment-Live-Work development (File SP 14-01). SP 14-01 was subject to conditions to construct water facility improvements that included a waterline extension in Beavercreek Road, and this improvement is identified in the WMP as part of the future distribution system for the higher pressure zone.

In summary, the 2012 WMP documents and SP 14-01 approval consistently support sustainable development that will not financially burden existing rate payers or adversely affect the existing sanitary sewer system.

Stormwater Management Infrastructure Planning

The BRCP plans for a stormwater management system that primarily consists of low-impact development (LID) practices that mimic natural hydrologic processes and minimize impacts to existing natural resources. A three tier stormwater management system has been created that is focused on managing stormwater in a naturalistic manner at three separate scales: site, street and neighborhood/regional. Tier 1 being site specific stormwater management facilities utilizing on-site best management practices (BMPs), Tier 2 green street stormwater management facilities such as vegetated swales and rain gardens adjacent to streets, and Tier 3 regional stormwater management facilities such as regional detention ponds. BRCP estimated the total cost between \$15 million to \$23 million for stormwater management improvements to serve the concept plan area.

In August 2015, the City adopted Public Works stormwater design standards, to be incorporated as part of the City's drainage master plan. The new design standards are consistent with federal and state regulations for water quality and quantity control, and provide BMPs for LID that mimics natural hydrologic processes and minimize impacts to existing natural resources. BRCP embraces the application of LID and these new standards will guarantee compliance.

The primary potential funding sources that may be expected to fund the future stormwater management facilities, include:

1. System Development Charges (SDCs) - Developers pay these charges up front to the City based on the proposed impact of the new development on the existing infrastructure.

- 2. Developer funded improvements –Developers are required to construct an appropriate level of public utility improvements within their proposed development and along all street frontages adjacent to their property, including off-site improvements as may be needed to serve the development.
- 3. Reimbursement District: A developer may finance and construct a public improvement that has the capacity to serve more than their development. The reimbursement district provides developers with a mechanism to be reimbursed by other property owners that benefit from the use of the constructed public improvement.

The stormwater management facilities' strategy to serve BRCP developments shall be paid for in a way that does not financially burden or adversely affect existing public facilities and services in other parts of the City.

In 2014, the City issued a Type II Land Use Decision with conditions for stormwater improvements to serve the Beavercreek Road Apartment-Live-Work development (SP 14-01). Although this site plan and design review application was submitted prior to adoption of the City adopted Public Works stormwater design standards, SP 14-01 was subject to conditions to construct storm facility improvements using an approved LID method prior to discharge to the public system consistent with the low impact development standards contemplated in the BRCP.

In summary, the 2015 stormwater design documents and development approval consistently support sustainable development that will not financially burden existing rate payers or adversely affect the existing sanitary sewer system.

The City finds this Goal is satisfied.

Police and Fire Protection Planning

Oregon City Police Department (OCPD) has indicated their ability to serve the concept plan area. The concept plan area is already within Clackamas Fire District #1 (CFD#1). Clackamas Fire District #1 has indicated their ability to serve the concept plan area.

Letters from OCPD and CFD#1 are attached.

Solid Waste Planning

The city regulates solid waste management to pursuant to ORS 459.200 and City Code 8.20 and the city has authority and obligation to franchise the provisions of service and solid waste management within the city. The franchise to provide solid waste service within the city limits of the city is granted to Oregon City Garbage Co., Inc.

Additionally, the city has an adopted set of Refuse and Recycling Standards for Non Single-Family or Duplex Uses. The purpose of these requirements is to promote:

A. Efficient, safe and convenient location of refuse and recycling areas.

- B. Efficient, safe and convenient on-site maneuvering of collection vehicles, equipment and personnel for servicing solid waste and recycling areas; and
- C. Compliance with the Regional Solid Waste Management Plan, OCMC Chapter 8.20 Solid Waste Collection and Disposal, and the Oregon Revised Statutes (ORS) Chapter 459.

Compliance with these standards may be demonstrated without having to go through a formal land use (site plan and design review) process, provided the application meets the standards

The City finds this Goal is satisfied.

Goal 12 Transportation

To provide and encourage a safe, convenient, and economic transportation system.

Analysis: The original analysis of the Beavercreek Concept Plan area focused on addressing the transportation needs using a horizon year of 2027. The analysis of transportation needs for the City and the concept plan area were updated during the development of the Transportation System Plan (TSP) and its adoption in August 2013. The TSP uses a planning horizon of 2035. The TSP and its analysis supersede that undertaken for the concept plan; the TSP is based on newer information relating to population and employment and uses new mobility standards consistent with Metro's Regional Transportation Plan. The TSP also uses updated policies to meet the travel needs of the residents and employees in the City. These include an increased emphasis on non-single occupancy automobile use, increased emphasis on multi-modal solutions and multi-modal transportation facilities.

As described in the TSP, Oregon City is currently home to over 13,000 households and accounts for over 14,500 jobs. Between 2013 and 2035, household growth is expected to increase nearly 2.4 percent a year, slightly outpacing the rate of employment growth over the same period (2.3 percent). The City is expected to be home to over 23,000 jobs and almost 21,000 households by 2035, a 58 and 61 percent increase respectively from 2010. With more people and more jobs in Oregon City, the transportation network will face increased demands.

The transportation impacts of the proposed residential development and employment in the Beavercreek concept plan area analyzed during the development of the Beavercreek Concept Plan and were described in the May 9, 2007 Kittelson & Associates transportation memorandum "Future Conditions Analysis" and in August 12, 2008 Kittelson & Associates transportation memorandum "Updated Future Traffic Conditions Analysis." These memoranda included an analysis of 2027 transportation needs and identified transportation improvements to satisfy the transportation demands in the south part of Oregon City.

Development of the Beavercreek concept plan area was also accounted for in the transportation forecasts and analysis undertaken for the TSP. Unlike the 2007 analysis by Kittelson & Associates, the analysis undertaken for the TSP was for the entire city. The planning horizon year for the TSP was 2035, rather than 2027 as used for the Beavercreek Concept Plan. Forecasts of future travel for the TSP were conducted using Metro's regional travel demand model. Key inputs to the model include population and employment by area. Assumptions for TSP included

substantial residential development and employment throughout Oregon City, including the Beavercreek concept plan area.

Solutions for the transportation network identified in the concept plan (e.g. Concept Plan, Figure 14 – Circulation Framework) mirror the network specified in the TSP (e.g. TSP, Figure 17 – Planned Street Extensions). Furthermore, the TSP emphasizes the multi-modal aspects of the street system within the concept plan area by identifying this network in TSP Figure 19 – Walking Solutions; TSP Figure 20 – Biking Solutions; and Figure 21 – Shared Walking and Biking Solutions.

Beyond the general street network cited in the figures referenced in the paragraph above, the TSP provides an additional level of specificity by identifying individual projects in "Table 2: Likely to be Funded Transportation System." The following table is an extracted portion of "Table 2: Likely to be Funded Transportation System" that lists the TSP projects within or adjacent to the concept plan area.

Extracted from TSP Table 2: Likely to Be Funded Transportation System

Project	Project	Project Extent	Project Elements	Priority
# ^	Description	,		
D47	Meyers Road	Beavercreek Road to	Extend Meyers Road from Beavercreek Road to the	Mediu
	East extension	the Meadow Lane	Meadow Lane Extension as an Industrial Minor	m-term
		Extension	Arterial. Between the Holly Lane and Meadow Lane	
			extensions, add a sidewalk and bike lane to the south	
			side of the street, with a shared-use path to be added	
			on north side per project S19. Modify the existing	
			traffic signal at Beavercreek Road	
D54	Clairmont Drive	Beavercreek Road to	Extend Clairmont Drive from Beavercreek Road to	Long-
20.	extension	Holly Lane South	the Holly Lane South extension as an Industrial	term
	CACCHOIOI	Extension	Collector. Add a sidewalk and bike lane to the south	CCIIII
		LACTISION	side of the street, with a shared-use path to be added	
D55	Glen Oak Road	Beavercreek Road to	on north side per project S17. Extend Glen Oak Road from Beavercreek Road to	Long
D33				Long-
	extension	the Meadow Lane	the Meadow Lane Extension as a Residential	term
		Extension	Collector. Install a roundabout at Beavercreek Road	
DEC	/TC! 1 1 XX//	D 1 D 1	(per project D39)	т
D56	Timbersky Way	Beavercreek Road to	Extend Timbersky Way from Beavercreek Road to	Long-
	extension	the Meadow Lane	the Meadow Lane Extension as a Residential	term
		Extension	Collector. Add a sidewalk and bike lane to the south	
			side of the street, with a shared-use path to be added	
			on north side per project S20.	
D57	Holly Lane	Maple Lane Road to	Extend Holly Lane from Maple Lane Road to Thayer	Mediu
	South extension	Thayer Road	Road as a Residential Collector. Add a sidewalk and	m-term
	*		bike lane to the west side of the street, with a shared-	
			use path to be added on east side per project S14.	
			Install a roundabout at Maple Lane Road (per project	
			D37).	
D58	Holly Lane	Thayer Road to	Extend Holly Lane from Thayer Road to the Meyers	Mediu
	South extension	Meyers Road	Road extension as an Industrial Collector. Add a	m-term
	*		sidewalk and bike lane to the west side of the street,	
			with a shared-use path to be added on east side per	
			project S15.	
D59	Holly Lane	Meyers Road to the	Extend Holly Lane from the Meyers Road extension	Long-
	South extension	Meadow Lane	to the Meadow Lane Extension as a Mixed-Use	term
	*	Extension	Collector. Add a sidewalk and bike lane to the west	
			side of the street, with a shared-use path to be added	
			on east side per project S16.	
D60	Meadow Lane	Meadow Lane to	Extend Meadow Lane to the Meyers Road Extension	Long-
	extension **	Meyers Road	as a Mixed-Use Collector. Between Old Acres Lane	term
		,	and the Glen Oak Road extension, add a sidewalk and	
			bike lane to the west side of the street, with a shared-	
			use path to be added on east side per project S21.	
D61	Meadow Lane	Meyers Road to	Extend Meadow Lane from the Meyers Road	Mediu
	extension **	UGB (north of	Extension to the UGB (north of Loder Road) as an	m-term
	5	Loder Road)	Industrial Collector	
D81	Beavercreek	Clairmont Drive	Improve to Industrial Major Arterial cross-section	Mediu
D 01	Road Upgrade	(CCC Entrance) to	Improve to industrial major medial cross-section	m-term
	Road Opgrade	Meyers Road		111-101111
D82	Beavercreek	Meyers Road to	Improve to Residential Major Arterial cross-section	Long-
102	Road Upgrade	UGB	Improve to residential major Arterial cross-section	_
	Moad Opgrade	COD		term

^{*}Note: Holly Lane extension is referred to as the Center Parkway in the BRCP.

** Note: Meadow Lane Extension is referred to as the Ridge Parkway in the BRCP.

The Loder Road improvements identified in the BRCP are listed on the "Not Likely to be Funded list in the TSP as Project #D85, *Loder Road Upgrade*, *Beavercreek Road to UGB*. It is expected that new development would fund the entire cost of this improvement.

Alternative modes of transportation are also key strategies to meeting the transportation needs of the City, its residents and employees. The TSP sets a non-single occupancy vehicle mode share target to help meet transportation demand management (TDM) goals, specifically reducing reliance on the single occupancy vehicle. As specified in the TSP, Oregon City's non-SOV mode shares (outside of the Oregon City Regional Center) are expected to be above the TSP objective of 40 to 45 percent with an estimated non-SOV mode share of 47 percent in 2005 and 48 percent in 2035. The non-SOV mode share in the Oregon City Regional Center is expected to remain steady through 2035, at around 42 percent, slightly below the TSP objective of 45 to 50 percent.

The combination of policies and investments related to walking, biking and transit are expected to help the City work towards tripling the walking, biking and transit mode share between 2010 and 2035.

The TSP also recognizes the limitations brought about by the limited availability of funding. Despite the investments to the transportation system, the TSP predicts operating conditions at a few intersections (including the OR 99E/I-205 Northbound, OR 99E/I-205 Southbound, OR 213/Beavercreek Road, and I-205/OR 213 intersections) will be over the operating standard by 2035. For purposes of evaluating the impact of proposed development that is permitted, either conditionally, outright, or through detailed development master plan approval, the OR 99E/I-205 SB Ramps, OR 99E/I-205 NB Ramps, OR 213/ Beavercreek Road, and I-205/OR 213 intersections shall be exempt from meeting the state mobility targets until solutions (beyond those included in the TSP) or alternative mobility targets are explored for the intersections.

The temporary exemption from the mobility standards for the three intersections identified in the preceding paragraph (and in the OCMC) applies only to development that is permitted, either conditionally, outright, or through detailed development master plan approval. OCMC 12.04.205(D). For the Beavercreek concept area, no development will be allowed that produces a greater traffic impact than permitted under existing zoning until alternative mobility targets are adopted. In other words, no significant development beyond what is allowed under current zoning will be permitted until alternative mobility targets are adopted.

Development that has occurred in the south part of Oregon City since the development of the Beavercreek Concept Plan has been consistent with the TSP and OCMC 12.04.205(D). For example, the approval for the Oregon City School District to construct a transportation and maintenance facility adjacent to Meyers Road and High School Avenue is allowable under the current zoning and the traffic impacts of the facility are similar to a typical medium industrial land use as assumed in the TSP. Another example of a recent development is the Beavercreek Road Apartments-Live-Work development on the east side of Beavercreek Road near Meyers Road. This development was also approved under applicable zoning and is consistent with the assumptions of residential and employment increases specified in both the Beavercreek Concept Plan and the TSP.

Adoption of the BRCP is subject to Oregon's Transportation Planning Rule (OAR 660-012-0060). To meet the requirements of this regulation, needed improvements and funding

mechanisms were identified that will mitigate impacts of development. The improvements needed to mitigate for the development in the Beavercreek concept plan area were identified in the Concept Plan. Improvements needed for entire Oregon City planning area are identified in the TSP. The TSP shows that the mobility standards prescribed by the TSP will be met except as noted above.

In addition to identifying projects needed to mitigate for the transportation impacts of development, the TSP (Section H) includes a discussion of current transportation funding sources and other potential sources. The existing sources identified in the TSP include the Street Fund, Street System Development Charge (SDC) Fund and Transportation Utility Fee Fund. Potential sources discussed in the TSP include general city revenues, local fuel tax, urban renewal districts, local improvement districts, and debt financing. The proposed transportation infrastructure improvements, financing and funding estimates, identified in the concept plan and as supplemented by the Transportation System Plan provide an adequate basis to demonstrate compliance with the Transportation Planning Rule.

Implementation strategies and financing tools for the needed transportation improvements have been identified at the TSP level and will be further refined during Capital Improvement Plan updates.

The City finds this Goal is satisfied.

Goal 13 Energy Conservation

To conserve energy.

Analysis: One of the adopted goals of the concept plan is that the area will be a model of sustainable design, development practices, planning and innovative thinking. The plan assumes that sustainable practices will be a combination of private initiatives (LEED certification), public requirements (green streets) and public-private partnerships. The Commission recommends that the City use incentives, education and policy support as much as possible for promoting sustainability in the study area. Some initiatives will require mandates, but at the end of the day, it is up to the private sector to invest in sustainable development. The Beavercreek Road site's legacy as a model of sustainable design will depend on the built projects that are successful in the marketplace and help generate the type of reputation that the community desires and deserves. The concept plan identifies sustainability design strategies that address energy efficiency, water conservation, compact development, mixed use, solar orientation, green streets/infrastructure, alternative transportation options, pedestrian and cyclist system, use of the natural systems and minimizing impervious surfaces.

The City finds this Goal is satisfied.

Goal 14 Urbanization

To provide for an orderly and efficient transition from rural to urban land use.

Analysis: This goal essentially defines the purpose of the concept plan. Oregon City's Urban Growth Boundary was expanded in 2002 and 2004 through Metro's regional review process to include more industrial land. This was the result of a demonstrated need for additional land to accommodate the deficiency in available, vacant industrial lands. The revised element of the updated plan calls for implementing Metro's "concept plan" requirements under Title 11 of the Functional Plan that will result in subarea planning of new areas added to the UGB. The concept plan establishes policies to convert rural to urban land within the UGB while monitoring the supply of land to ensure its adequacy to accommodate growth. Oregon City coordinates with Clackamas County through an intergovernmental agreement that guides land uses and extension of public services in the unincorporated UGB. In addition, the transportation, parks, trails, water, and sewer master plans address orderly extension of services to accommodate growth.

The City finds this Goal is satisfied.

C. Compliance with Metro Title 4.

The findings below are intended to show compliance with the current Metro-adopted Employment and Industrial Areas Map. The northern portion of the concept plan area, known as the North Employment Campus (NEC) in the concept plan, is considered an "Industrial area" on the Metro Title 4 map, as opposed to a "Regionally significant industrial area" such as the area along the OR 212 / 224 Corridor in Clackamas County, or an "Employment area", such as existing zoned land within the city of Clackamas Community College and the commercially and industrially zoned lands adjacent to it between Beavercreek Road and OR 213. Therefore, findings for compliance with Metro Title 4 are specifically provided for section 3.07.430 Protection of Industrial Areas.

TITLE 4: INDUSTRIAL AND OTHER EMPLOYMENT AREAS

3.07.410 Purpose and Intent

The Regional Framework Plan calls for a strong regional economy. To improve the economy, Title 4 seeks to provide and protect a supply of sites for employment by limiting the types and scale of non-industrial uses in Regionally Significant Industrial Areas (RSIAs), Industrial and Employment Areas. Title 4 also seeks to provide the benefits of "clustering" to those industries that operate more productively and efficiently in proximity to one another than in dispersed locations. Title 4 further seeks to protect the capacity and efficiency of the region's transportation system for the movement of goods and services and to encourage the location of other types of employment in Centers, Corridors, Main Streets and Station Communities. The Metro Council will evaluate the effectiveness of Title 4 in achieving these purposes as part of its periodic analysis of the capacity of the urban growth boundary.

Analysis: The Commission notes that a key issue for the CAC/TAC was determining how much employment land was needed, what type and where. The Oregon City Comprehensive Plan requires that a majority of the lands be designated in a manner that encourages family-wage jobs in order to generate new jobs and move towards meeting the City's employment goals. The EcoNorthwest market analysis identified the advantages and disadvantages of industrial development within the study area and concluded that under the right conditions it is not

unreasonable to expect 150 acres of industrial and business park development to build out on the site over a 20-year period.

Metro brought 245 gross acres in the UGB in 2002 and 2004 to fulfill regional industrial employment needs. These areas (308 gross acres including those already within the UGB) are designated as the Industrial Design Type on Metro's 2040 Growth Concept Map. As noted above, Metro estimated 120 net acres of the concept plan area would be used for employment uses and indicated that it was important to fulfill the original intent for providing industrial lands and that there was flexibility for the local process to evaluate creative ways to meet the intent.

Metro's adoption of Ord. 1244B updated the EcoNorthwest analysis, concluding that the proposed plan provides an adequate amount of Title 4 employment land within the UGB, through 2029. Reflecting changes in employment needs and demands between the Metro 2002 Urban Growth Report (UGR) –Employment, and the 2009 UGR - Employment, Metro's 2009 assessment found there is adequate capacity inside the current UGB to accommodate the next 20 years of general employment and general industrial job growth even at the high end of the employment forecast range. The subsequently adopted change to the Title 4 Employment and Industrial Areas map conformed the map to the updated information about employment needs in the 2009 UGR (Employment). According to this map, which is consistent with the hybrid plan, the 151 gross acres on the revised map will supply approximately 121 net acres of employment land.

The CAC created several alternatives and finally chose a hybrid within the industrial designated area that included about 127 net acres of North Employment Campus, which is consistent with Metro's intent and similar to Oregon City's existing Campus Industrial designation, and about 29 acres of Mixed Employment Village and Main Street, which allows a variety of uses in a village-oriented transit hub and mixed use neighborhoods to the south that also provide jobs tailored to the neighborhood setting.

The North Employment Campus is to provide for the needed family wage employment that strengthens and diversifies the economy and will be compliant with Metro's Title 4 regulations. The NEC allows a mix of clean industries, offices serving industrial needs, light industrial uses, research and development and large corporate headquarters. The uses permitted are intended to improve the region's economic climate, promote sustainable and traded sector businesses, and protect the supply of site for employment by limiting incompatible uses.

Proposed policy 1.3 identifies the need to support the attraction of family wage jobs and connections with Clackamas Community College within the North Employment Campus, Policy 1.4 identifies the need to promote job creation, mixed use and transit oriented development within the Mixed Employment Village and Main Street, and recommends the adoption of minimum density requirements, limitations on stand-alone residential and other standards that implement the policy. Goal 3 – Green Jobs, includes policies recommending coordination with other local, county and state economic development agencies to recruit green industries and promote green development practices.

The concept plan provides land for an identified need within the region and state, and provides for a mix of other uses that will contribute to the economic welfare of the city, state and the citizens.

The City finds this requirement is satisfied.

3.07.430 Protection of Industrial Areas

- A. Cities and counties shall review their land use regulations and revise them, if necessary, to include measures to limit new buildings for retail commercial uses—such as stores and restaurants—and retail and professional services that cater to daily customers—such as financial, insurance, real estate, legal, medical and dental offices—in order to ensure that they serve primarily the needs of workers in the area. One such measure shall be that new buildings for stores, branches, agencies or other outlets for these retail uses and services shall not occupy more than 5,000 square feet of sales or service area in a single outlet, or multiple outlets that occupy more than 20,000 square feet of sales or service area in a single building or in multiple buildings that are part of the same development project, with the following exceptions:
- 1. Within the boundaries of a public use airport subject to a facilities master plan, customary airport uses, uses that are accessory to the travel-related and freight movement activities of airports, hospitality uses, and retail uses appropriate to serve the needs of the traveling public; and
- 2. Training facilities whose primary purpose is to provide training to meet industrial needs.

Analysis: Please also see findings under city comprehensive plan Policy 2.6.3. The zoning of the property in the North Employment Campus will be the same as or similar to the current CI – Campus Industrial zone. Any commercial uses within the northern employment campus would be limited to some upper limit, similar to the CI zone, which limits the square footage for retail and commercial office use in accordance with the Metro requirement:

- L. Retail sales and services, including eating establishments for employees (i.e. a cafe or sandwich shop), located in a single building or in multiple buildings that are part of the same development shall be limited to a maximum of twenty thousand square feet or five percent of the building square footage, whichever is less, and the retail sales and services shall not occupy more than ten percent of the net developable portion of all contiguous industrial lands;
- M. Financial, insurance, real estate, or other professional offices, as an accessory use to a permitted use, located in the same building as the permitted use and limited to ten percent of the total floor area of the development. Financial institutions shall primarily serve the needs of businesses and employees within the development, and drive-through features are prohibited;

Taken together, these requirements will protect the city's supply of undeveloped and underdeveloped land zoned for industrial uses.

B. Cities and counties shall review their land use regulations and revise them, if necessary, to include measures to limit new buildings for the uses described in subsection A to ensure that they do not interfere with the efficient movement of freight along Main Roadway Routes and Roadway Connectors shown on the Regional Freight Network Map in the RTP. Such measures may include, but are not limited to, restrictions on access to freight routes and connectors, siting limitations and traffic thresholds. This subsection does not require cities and counties to include such measures to limit new other buildings or uses.

Analysis: RTP freight routes were analyzed with the adoption of the TSP in 2014. Within the concept plan area, Beavercreek Road, Loder Road, Meyers Road extension and Ridge Parkway extension are indicated as local truck routes. Beavercreek Road is designated as a Roadway Connector on the RTP. The planned street network for the area is designed to limit new connections to Beavercreek Road, preserve the roadway capacity, and provide a secondary collector street network to serve the buildout of the area. As new development is reviewed for compliance with the TSP and the city's street standards, the form and design of the land uses abutting these roads will also be reviewed.

The City finds this requirement is satisfied.

C. No city or county shall amend its land use regulations that apply to lands shown as Industrial Area on the Employment and Industrial Areas Map to authorize uses described in subsection A of this section that were not authorized prior to July 1, 2004.

Analysis: No such authorization will occur with adoption of the BRCP, and none is anticipated.

- D. Cities and counties may allow division of lots or parcels into smaller lots or parcels as follows:
- 1. Lots or parcels smaller than 50 acres may be divided into any number of smaller lots or parcels.
- 2. Lots or parcels 50 acres or larger may be divided into smaller lots and parcels pursuant to a master plan approved by the city or county so long as the resulting division yields at least one lot or parcel of at least 50 acres in size.
- 3. Lots or parcels 50 acres or larger, including those created pursuant to paragraph (2) of this subsection, may be divided into any number of smaller lots or parcels pursuant to a master plan approved by the city or county so long as at least 40 percent of the area of the lot or parcel has been developed with industrial uses or uses accessory to industrial use, and no portion has been developed, or is proposed to be developed with uses described in subsection A of this section.
- 4. Notwithstanding paragraphs 2 and 3 of this subsection, any lot or parcel may be divided into smaller lots or parcels or made subject to rights-of-way for the following purposes:
- a. To provide public facilities and services;
- b. To separate a portion of a lot or parcel in order to protect a natural resource, to provide a public amenity, or to implement a remediation plan for a site identified by the Oregon Department of Environmental Quality pursuant to ORS 465.225;

To separate a portion of a lot or parcel containing a nonconforming use from the remainder of the lot or parcel in order to render the remainder more practical for a permitted use; or

d. To allow the creation of a lot solely for financing purposes when the created lot is part of a master planned development.

Analysis: No land division is proposed with the adoption of the BRCP. Land division for any parcels larger than 50 acres within the North Employment Campus would typically occur through a master plan process to assure compliance with this requirement. There is only one such parcel on the north side of Loder Road and it is physically bisected by Trimble Creek, a Goal 5 resource area.

The City finds this requirement is satisfied.

E. Notwithstanding subsection B of this section, a city or county may allow the lawful use of any building, structure or land at the time of enactment of an ordinance adopted pursuant to this section to continue and to expand to add up to 20 percent more floorspace and 10 percent more land area.

Analysis: Compliance with this requirement would be considered if development is proposed within the Industrial area portion of the BRCP following adoption.

D. Compliance with Metro Title 11.

The plan is required to show compliance with the current version of Metro Title 11.

3.07.1105 Purpose and Intent

The Regional Framework Plan calls for long-range planning to ensure that areas brought into the UGB are urbanized efficiently and become or contribute to mixed-use, walkable, transit-friendly communities. It is the purpose of Title 11 to guide such long-range planning for urban reserves and areas added to the UGB. It is also the purpose of Title 11 to provide interim protection for areas added to the UGB until city or county amendments to land use regulations to allow urbanization become applicable to the areas.

Analysis: The adoption of the BRCP achieves the purpose and intent of Metro Title 11. Detailed findings are provided below.

3.07.1120 Planning for Areas Added to the UGB

A. The county or city responsible for comprehensive planning of an area, as specified by the intergovernmental agreement adopted pursuant to section 3.07.1110C(7) or the ordinance that added the area to the UGB, shall adopt comprehensive plan provisions and land use regulations for the area to address the requirements of subsection C by the date specified by the ordinance or by section 3.07.1455B(4) of this chapter.

Analysis: The Intergovernmental Agreement with Metro to complete the concept plan for Beavercreek Road was signed by Metro Council in 2007. The City fulfilled all of the designated Milestones specified in the IGA and was fully reimbursed by Metro for the planning work following the City Commission's initial adoption of the concept plan in September 2008. The City's decision was appealed to the Land Use Board of Appeals (LUBA). LUBA remanded the Concept Plan, finding that the plan was not consistent with the Metro 2040 Growth Concept Map. Oregon City and Metro staff worked to amend the 2040 Growth Concept Map and address the reason for remand, which was adopted by the Metro Commission early in 2011. The City requested a 3-year extension of the compliance deadline which was granted by Metro in May, 2011. Due to further legal challenges to the Metro UGB, re-adoption of the plan by the City could not practicably occur until 2015.

Once the City Commission has adopted the revised findings and all appeal timelines have expired, the City will prepare a scope of work to prepare and adopt the implementation measures (zoning and development code amendments) for the Beavercreek Road Concept Plan. It is expected that the preparation and adoption process for the implementation measures will be included in the 2016 Community Development Department work plan and budget.

The City finds this requirement is satisfied.

B. If the concept plan developed for the area pursuant to section 3.07.1110 assigns planning responsibility to more than one city or county, the responsible local governments shall provide for concurrent consideration and adoption of proposed comprehensive plan provisions unless the ordinance adding the area to the UGB provides otherwise.

Analysis: Oregon City is solely responsible for adoption of the Beavercreek Road Concept Plan.

The City finds this requirement is satisfied.

C. Comprehensive plan provisions for the area shall include:

1. Specific plan designation boundaries derived from and generally consistent with the boundaries of design type designations assigned by the Metro Council in the ordinance adding the area to the UGB:

Analysis: The revised Industrial and Other Employment Areas map adopted by Metro in 2010 by Ordinance 10-1244B, Exhibit D is consistent with the North Employment Campus (NEC) plan area on the BRCP. The remaining plan areas – the Mixed Employment Village, Main Street, and West and East Mixed Use Neighborhoods, are consistent with the Metro Outer Neighborhoods design type designation.

The City finds this requirement is satisfied.

2. Provision for annexation to a city and to any necessary service districts prior to, or simultaneously with, application of city land use regulations intended to comply with this subsection;

Analysis: The City's Comprehensive Plan and Code establishes a framework of policies and implementing ordinances before annexation can take place and urban-level development can occur.

Applications for annexation, whether initiated by the City or by individuals, are based on specific criteria contained in Chapter 14 of the City of Oregon City Municipal Code.

Annexation to the City of Oregon City is required as a condition of extension of city services properties within the Urban Growth Boundary, including sewer, water, and stormwater utilities.

As a general policy the city does not extend services to properties outside the city limit. In situations where the timing of extension of a particular city service may not be practicable until a greater level of urbanization occurs, such as sewer connections farther than 300' from city sewer, exceptions may be made in accordance with law or based on intergovernmental agreements.

Concept plans are an important tool that identifies where and when areas might be considered for annexation in order to control the expansion of the city limits and services to help avoid conflicts and provide predictability for residents and developers. Other considerations are consistency with the provisions of the Comprehensive Plan and the City's public facility plans, with any plans and agreements of urban service providers, and with regional annexation criteria.

3. Provisions that ensure zoned capacity for the number and types of housing units, if any, specified by the Metro Council pursuant to section 3.07.1455B(2) of this chapter;

Analysis: The concept plan recommends and provides for a mix of residential areas that allow and/or require different densities and housing types, including low, medium and high densities, single-family homes on a range of lot sizes, townhouses, duplexes, multi-family units and mixed commercial/residential uses. Accessory dwelling units are allowed in all single-family residential zones, per the Oregon City Municipal Code, subject to special development and occupancy standards. Manufactured homes are permitted in any zone where single-family detached housing units are permitted. Proposed policy 1.6 indicates that within the West and East Mixed Use Neighborhoods, a variety of housing types will be required and that lot size averaging and other techniques that help create housing variety while maintaining overall average density should be allowed. Requiring a mix of housing types and requiring a minimum and maximum density, rather than a minimum and maximum lot size, will allow a wide variety of housing units to be created, meeting the intent of this section.

The West Mixed Use Neighborhood will be a walkable, transit-oriented neighborhood with an overall average or residential uses not to exceed 22 dwelling units per acre. The East Mixed Use Neighborhood will be a walkable and tree lined neighborhood with a variety of housing types that will not exceed densities permitted in the R-5 zone (8.7 units per acre). Based on the proposed densities, the BRCP has an estimated capacity of approximately 1,000 dwellings, which is approximately 10.3 dwellings per net developable residential-designated acre. These residential densities do not apply to lands designated for industrial and employment use where residential uses are not permitted.

The City finds this requirement is satisfied.

4. Provision for affordable housing consistent with Title 7 of this chapter if the comprehensive plan authorizes housing in any part of the area.

Analysis: According to the 2000 census, the median household income in Oregon City was \$45,531. The 2013 median household income (2010 inflation adjusted) was \$60,223. Affordable housing is typically defined as housing that does not cost more than 30% of a household's income. In addition, very low income households are typically defined as those earning less than 30% of median household income; low-income households as those earning less than 50% of median household income; and moderate income households are those making between 50% and 80% of median income. Typically, the types of housing most affordable to people with low and moderate incomes are single-family homes on small lots, attached single-family homes, duplexes and multi-family housing, and accessory dwelling units. These types of housing types are expected to account for 390 to 480 units, providing affordable housing opportunities within the concept plan area. As stated above, requiring a variety of housing types will create opportunities for affordable housing within the proposed neighborhoods.

5. Provision for the amount of land and improvements needed, if any, for public school facilities sufficient to serve the area added to the UGB in coordination with affected school districts. This requirement includes consideration of any school facility plan prepared in accordance with ORS 195.110;

Analysis: The concept plan has not identified any new school sites within the study area. The Oregon City School District High School is located directly across Beavercreek Road from the study area and the district owns a vacant parcel of land directly south of the study area that could be used as a future school facility. The Oregon City School District provided a representative that was a member of the Citizen Advisory Committee. No need for additional lands identified as a result of the implementation of the concept plan was identified.

Oregon City School District owns property adjacent to the Beavercreek Road Concept Plan and believes this is probably adequate for the near term. The District has some current capacity at the elementary school K-5 level and high school 9-12 level. The District is near capacity at the middle school 6-8 level.

According to the School District, even with existing school property adjacent to the Beavercreek Road Concept Plan, public financing support will be required to develop the additional capacity in the future. The District is embarking on a long-range facilities planning process to study existing and future capital needs.

The City finds this requirement is satisfied.

6. Provision for the amount of land and improvements needed, if any, for public park facilities sufficient to serve the area added to the UGB in coordination with affected park providers.

Analysis: The Beavercreek Road Open Space Framework plan provides a network of green spaces that are intended to provide a system of connected parks, opens spaces and natural areas, provide access to nature, preserve existing natural resources and provide green spaces near the system of trails and pedestrian connections. The power line corridors comprise approximately 52 acres of land north of Loder Road and have been utilized to provide publicly accessible opens space, trails and links to the broader open space network. The City's Parks and Recreation Master Plan requires between 6 and 10 acres of parkland per 1,000 population. The extent and location of the park is conceptual, flexible and the costs associated with acquisition and development may need to be determined through more detailed Master Planning processes, similar to the Glen Oak Road park site and the Hazel Grove parks site master planning that was conducted in 2014. Existing parks SDCs do not reflect the cost of providing parks in this area, and they may need to be updated to account for the amount of parks acreage envisioned in the concept plan. A park is proposed to extend through the central and southern areas of the BRCP. The location and linearity of the park was first indicated by Metro's Goal 5 mapping. This open space feature is intended as a continuous green space that links the districts and neighborhoods south of Loder Road.

7. A conceptual street plan that identifies internal street connections and connections to adjacent urban areas to improve local access and improve the integrity of the regional street system. For areas that allow residential or mixed-use development, the plan shall meet the standards for street connections in the Regional Transportation Functional Plan;

Analysis: See also findings under Goal 12 earlier in this report. The BRCP provides for a mixed use community that provides viable options for internal trip making (i.e. many daily needs provided on-site), transit use, maximized walking and biking, and re-routed trips within the Oregon City area. Beavercreek Road will be improved as a green boulevard that will be a 5-lane arterial section to Clairmont, then a 3-lane arterial from Clairmont to the UGB. The internal street system will provide logical, but limited access to Beavercreek Road, by connecting to existing streets on the west side of Beavercreek Road and requiring that an internal street/alley system be utilized, eliminating driveway cuts on Beavercreek Road and maximizing its available capacity. The plan identifies an internal north-south connection from Old Acres Lane to Thayer Road that will reduce the need to access Beavercreek Road for daily trips within the area and an extensive pedestrian and bicycle circulation system connecting the residential, commercial and industrial areas together and extends to existing and proposed transportation systems adjacent to the study area. The plan identifies appropriate green street options to be implemented, and expanded on, as development occurs, including: vegetated swales, planter islands, curb extensions, and porous pavement.

Goal 6 of the BRCP recommends providing multi-modal transportation links connected within the site as well as to the surrounding areas and includes policies recommending that land use reviews support bus service by ensuring a mix of land uses, densities and design options that support public transportation and other alternative transportation methods, ensure that local connectivity and off-street pedestrian routes link together in a highly connected pedestrian system that is safe, direct, convenient and attractive and improve pedestrian and bicycle safety along Beavercreek Road. The concept plan process has identified and prepared the construction cost estimates for the planned transportation improvements and a detailed list of financing options has been created.

The City finds this requirement is satisfied.

8. Provision for the financing of local and state public facilities and services; and **Analysis**: The plan includes adequate consideration of public facilities cost estimates and financing approaches.

The plan provides a thorough explanation of the existing conditions pertaining to this analysis and provides recommendations and preliminary cost estimates for improvements that will be necessary in order for the concept plan to be carried out. Since the BRCP was initially adopted in 2008, three public facilities plans were amended to include the concept plan area. These plan updates include cost estimates which have subsequently been updated in the city's public infrastructure and transportation planning as follows:

Transportation System Plan (2013)

Sewer Master Plan (2014)

Water Master Plan (2010)

Stormwater and Erosion Control Manual and Design Standards (2015)

Parks and recreation system development charges may need to be analyzed to reflect the type of dwelling unit to be constructed and the number of employees associated with non-residential uses in the area. SDCs could be utilized to acquire open space, natural resource and natural hazard areas that are part of the larger open space framework plan. Four other primary funding sources have been identified, including: Urban Renewal/Tax Increment Financing; Local Improvement Districts; Bonds; and Developer Funded Improvements. The plan also calls for creating the Environmentally Sensitive Resource Area to protect, conserve and enhance identified natural by applying a low-density base zoning that allows property owners to cluster density outside the ESRA and transfer to more appropriate sites.

Planning, funding and cost estimates for the transportation system plan (TSP) consistent with the Regional Transportation Plan (RTP) were adopted in early 2014 and are described in more detail under section 7 above.

The City finds this requirement is satisfied.

9. A strategy for protection of the capacity and function of state highway interchanges, including existing and planned interchanges and planned improvements to interchanges.

Analysis: The Statewide Planning Goal 12 analysis provided earlier in this report discusses in detail the City's Transportation System Plan and consistency with the Metro RTP, as well as a discussion of mobility challenges for existing state highway interchanges.

The City finds this requirement is satisfied.

D. The county or city responsible for comprehensive planning of an area shall submit to Metro a determination of the residential capacity of any area zoned to allow dwelling units, using the method in section 3.07.120, within 30 days after adoption of new land use regulations for the area.

Analysis: See analysis under provision 3 above relating to zoned capacity.

The City finds this requirement is satisfied.

3.07.1130 Interim Protection of Areas Added to the UGB

Until land use regulations that comply with section 3.07.1120 become applicable to the area, the city or county responsible for planning the area added to the UGB shall not adopt or approve:

- A. A land use regulation or zoning map amendment that allows higher residential density in the area than allowed by regulations in effect at the time of addition of the area to the UGB;
- B. A land use regulation or zoning map amendment that allows commercial or industrial uses not allowed under regulations in effect at the time of addition of the area to the UGB;
- C. A land division or partition that would result in creation of a lot or parcel less than 20 acres in size, except for public facilities and services as defined in section 3.07.1010 of this chapter, or for a new public school;
- D. In an area designated by the Metro Council in the ordinance adding the area to the UGB as Regionally Significant Industrial Area:

- 1. A commercial use that is not accessory to industrial uses in the area; and
- 2. A school, a church, a park or any other institutional or community service use intended to serve people who do not work or reside in the area.

Analysis: The areas added to the UGB which are subject to this title are zoned County FU-10 which is a holding zone that prevents urbanization prior to concept plan adoption, and does not allow land uses A, B or C described above. None of the lands added to the UGB are considered RSIAs, although they are considered important to the local employment and industrial land capacity of Oregon City.

The City finds this requirement is satisfied.

VI. CONCLUSION

The City finds that Beavercreek Road Concept Plan and appendices meets the requirements of the Statewide Land Use Goals, Metro Title 11, Metro Title 4, as well as the applicable Comprehensive Plan criteria.

DAN HOLLADAY, Mayor	Date	
Attested to this day of 20015		
KATTIE RIGGS, City Recorder		



Beavercreek Road Concept Plan

Envisioning a Complete and Sustainable Community

Concept Plan Report, Summary and Recommendations Final Plan August 2008







This project is partially funded by a grant from the Transportation and Growth Management (TGM) Program, a joint program of the Oregon Department of Transportation and the Oregon Department of Land Conservation and Development. This TGM grant is financed, in part, by Federal Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), local government, and State of Oregon funds. The contents of this document do not necessarily reflect views or policies of the State of Oregon.

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Lower, right – illustration by Jim Longstreth

Beavercreek Road Concept Plan

Summary and Recommendations

Final Plan - August 2008

Funding provided by:

City of Oregon City

Oregon Department of Transportation -Transportation and Growth Management Program

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Appendix

- 1. Project Goals with Objectives, March 13, 2007
- 2. Concept Plan Alternatives
- 3. GIS Analysis Map

1. 2.

3.

4. Job and Housing Estimates

Technical Appendix (Under Separate Cover)

Design Workshop

Open House No. 2

B. Goals a		ic Involvement Plan ls and Evaluation Criteria	F. G.	Alternatives Evaluation Report Final Transportation Evaluation Infrastructure Reports 1. Water	
C.	Exist 1.	Existing Conditions, Opportunities and Constraints Reports 1. Land use			
	2. 3.	T and a second	I. J.	 Water Sewer Storm Water/Water Quality Fiscal Impact Analysis Draft Code 	
	4. 5. 6.	Market Natural resources Infrastructure			
D.	Focu	as Group Summaries			
Е.	Sum	maries of Community Events			
	1. Open House No. 1				
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I. Introduction

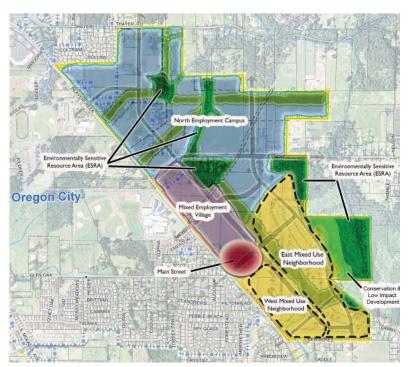
Summary

The Beavercreek Road Concept Plan is a guide to the creation of a complete and sustainable community in southeast Oregon City. Most of the 453 acre site along Beavercreek Road was added to the regional urban growth boundary by Metro in 2002 and 2004. The plan envisions a diverse mix of uses (an employment campus north of Loder Road, mixed use districts along Beavercreek Road, and two mixed use neighborhoods) all woven together by open space, trails, a network of green streets, and sustainable development practices. Transit-oriented land uses have been strategically located to increase the feasibility of transit service in the future. The plan has been carefully crafted to create a multi-use community that has synergistic relationships with Clackamas Community College, Oregon City High School, and adjacent neighborhoods.

Key features of the Concept Plan are:

- A complete mix of land uses, including:
 - A North Employment Campus for tech flex and campus industrial uses, consistent with Metro requirements for industrial and employment areas.
 - A Mixed Employment Village along Beavercreek Road, between Meyers Road and Glen Oak Road, located as a center for transitoriented densities, mixed use, 3-5 story building scale, and active street life.
 - A 10-acre Main Street area at Beavercreek Road and Glen Oak Road, located to provide local shops and services adjacent neighborhoods and Beavercreek sub-districts.

- A West Mixed Use Neighborhood along Beavercreek Road, intended for medium to high density (R-2) housing and mixed use.
- An East Mixed Use Neighborhood, intended for low density residential (R-5) and appropriate mixed use. The East Neighborhood has strong green edges and the potential for a fine grain of open space and walking routes throughout.



Proposed Land Use Sub-districts



- Policy support for employment and program connections with Clackamas Community College.
- Sustainability strategies, including:
 - o Mixed and transit supportive land uses.
 - A sustainable stormwater management plan that supports low impact development, open conveyance systems, regional detention, and adequate sizing to avoid downstream flooding.
 - Green street design for all streets, including the three lane boulevard design for Beavercreek Road.
 - A preliminary recommendation supporting LEED certification or equivalent for all commercial and multi-family buildings, with Earth Advantage or equivalent certification for single family buildings. This recommendation includes establishment of a Green Building Work Group to work collaboratively with the private sector to establish standards.
 - Open spaces and natural areas throughout the plan. North of Loder Road, these include the power line corridors, the tributary to Thimble Creek, and a mature tree grove. South of Loder Road, these include an 18-acre Central Park, the east ridge area, and two scenic view points along the east ridge.
- A trail framework that traverses all sub-districts and connects to city and regional trails.
- A street framework that provides for a logical and connected street pattern, parallel routes to Beavercreek Road, and connections at Clairmont, Meyers, Glen Oak, and the southern entrance to the site.
- A draft Beavercreek Road Zone development code to implement the plan.

Purpose of this Report and Location of Additional Information

This report is a summary of the Plan, with emphasis on describing key elements and recommendations. Many of the recommendation are based on technical reports and other information that is available in the Technical Appendix to this report.



Beavercreek Road Concept Plan Area - Existing Conditions



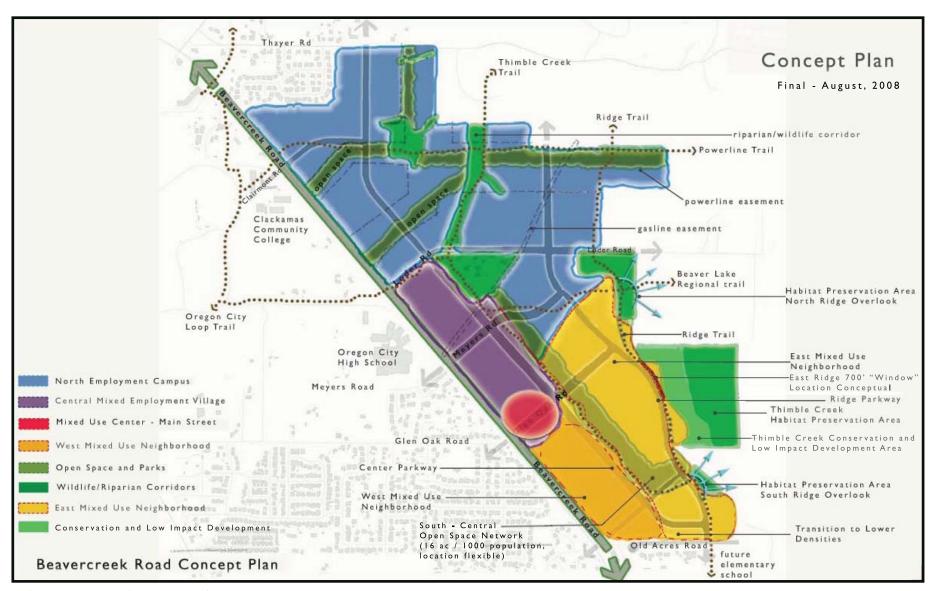


Figure 1 - Composite Concept Plan



II. Purpose and Process

The purpose of the Beavercreek Road Concept Plan is to provide a conceptual master plan to be adopted as an ancillary document to the City of Oregon City's Comprehensive Plan. As such, it provides a comprehensive and cohesive guide to future development, in three parts:

- Framework plan maps, goals and policies These elements will be adopted as part of the Oregon City Comprehensive Plan. Compliance will be required for all land use permits and development.
- Ancillary report materials The descriptive text, graphics and technical appendix of this report will be adopted as an "ancillary document" to the Comprehensive Plan, which provides "operational guidance to city departments in planning and carrying out city services" (Oregon City Comprehensive Plan, page 4). These documents include information for updating the City's utility master plans and Transportation System Plan.
- Draft development code A working draft development code was prepared as part of the Concept Plan. Once final, it will be adopted as part of the Oregon City Code. Compliance will be required for all land use permits and development. The Beavercreek Zone code relies on master planning to implement the concepts in the Plan.

The Concept Plan was developed by a 15-member Citizen Advisory Committee (CAC) and 9-member Technical Advisory Committee (TAC) (see Project Participants list at the beginning of this report). The committees met twelve times between June 2006 and July 2007.



Design Workshop Participants

In addition to the Committee meetings, additional process steps and community involvement included:

- Study area tour for CAC and TAC members
- Two public open houses
- Market focus group
- Sustainability focus group
- Employment lands coordination with Metro
- Community design workshop
- Website
- Project posters, site sign, email notice, and extensive mailing prior to each public event



The major steps in the process were:

- Inventory of base conditions, opportunities, constraints for land use, transportation, natural resources, market conditions, infrastructure and sustainability.
- Establishment of project goals.
- Extensive discussion of employment lands questions: how much, what type and where?
- Following the community workshop, preparation of three alternative concept plans (sketch level), addition of a fourth plan, prepared by a CAC member, and narrowing of the alternatives to two for further analysis.
- Evaluation of the alternatives (including transportation modeling) and preparation of a hybrid Concept Plan (framework level).
- Preparation of detailed plans for water, sewer, storm water, and transportation facilities.
- Preparation of a draft development code.
- Committee action to forward the Concept Plan package to the Planning Commission and City Commission.

For additional information please see Technical Appendix, Sections A, D, E, and F.



Design Workshop Plan



III. Vision, Goals and Principles

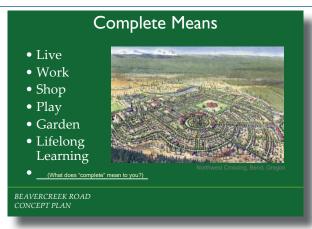
The overall vision for the Beavercreek Concept Plan is to create "A Complete and Sustainable Community". The images shown on this page were displayed throughout the process to convey the project's intent for this vision statement.

Regarding the meaning of sustainability, the vision statement is based in part on the definition of sustainability originally developed by the United Nations Brandtland Commission: "A sustainable society meets the needs of the present without sacrificing the ability of future generations to meet their own needs".

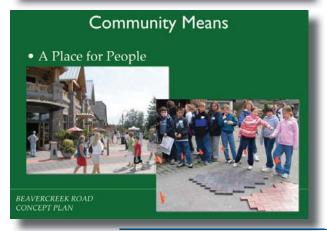
The following project goals were developed by the Citizen Advisory Committee. The Committee also added objectives to each of the goals – please see Appendix 1 for the objectives.

The Beavercreek Road Concept Plan Area will:

- Create a complete and sustainable community, in conjunction with the
 adjacent land uses, that integrates a diverse mix of uses, including housing,
 services, and public spaces that are necessary to support a thriving
 employment center;
- Be a model of sustainable design, development practices, planning, and innovative thinking;
- Attract "green" jobs that pay a living wage;
- Maximize opportunities for sustainable industries that serve markets beyond the Portland region and are compatible with the site's unique characteristics;
- Incorporate the area's natural beauty into an ecologically compatible built environment;
- Provide multi-modal transportation links (such as bus routes, trails, bike-ways, etc.) that are connected within the site as well as to the surrounding areas;









- Implement design solutions along Beavercreek Road that promote pedestrian safety, control traffic speeds and access, and accommodate projected vehicular demand;
- Promote connections and relationships with Oregon City High School and Clackamas Community College;
- Have a unique sense of place created by the mix of uses, human scale design, and commitment to sustainability; and
- Ecological Health Manage water resources on site to eliminate pollution to watersheds and lesson impact on municipal infrastructure by integrating ecological and man-made systems to maximize function, efficiency and health.
- The following 10 Principles of Sustainable Community Design were submitted by a CAC member, supported by the committee, and used throughout the development of the Concept Plan:
- 1. Mix Land Uses Promote a mix of land uses that support living wage jobs and a variety of services.
- 2. Housing Types Create a range of housing choices for all ages and incomes.
- 3. Walk-ability Make the Neighborhood "walkable" and make services "walk-to-able."
- 4. Transportation Provide a range of transportation options using a connected network of streets and paths.
- 5. Open Space Protect and maintain a functioning green space network for a variety of uses.
- 6. Integrate Systems Integrate ecological and man-made systems to maximize function, efficiency and health.
- 7. Watershed Health Manage water resources on site to eliminate pollution to watershed and lesson impact on municipal infrastructures.

- 8. Reuse, Recycle, Regenerate Reuse existing resources, regenerate existing development areas
- 9. Green Buildings Build compact, innovative structures that use less energy and materials
- 10. Work Together Work with community members and neighbors to design and develop.



Thimble Creek Tributary



IV. Regional and Local Context

The Beavercreek Road Concept Plan area is 453 acres of land located at the southeast edge of Oregon City and the Urban Growth Boundary (UGB). It marks a transition point between the City's current edge of urbanization and rural and resource lands to the south and east.

The majority of the site (245 acres) was added to the Metro UGB in December 2002 and an additional 63 acres were added to the UGB in 2004. The remaining site acreage was in the UGB and/or the Oregon City limits prior to 2002. The Concept Plan area carries Metro design type designations of Employment, Industrial, and Outer Neighborhood on the Region 2040 Growth Concept Map. The properties with the Outer Neighborhood designation have been in the UGB since 1980. Employment design type areas, as defined by Metro, allow various types of employment with some residential development and limited commercial uses. Industrial design type areas are set aside by Metro primarily for industrial activities with limited supporting uses.

During the update of Oregon City's Comprehensive Plan, a policy was adopted acknowledging the jobs-related importance of the site to Oregon City and the region, while also allowing some flexibility in the project area's land use. Comprehensive Plan policy 2.6.8 states:

"Require lands east of Clackamas Community College that are designated as Future Urban Holding to be the subject of concept plans, which is approved as an amendment to the Comprehensive Plan, would guide zoning designations. The majority of these lands should be designated in a manner that encourages family-wage jobs in order to generate new jobs and move towards meeting the City's employment goals."

There are relatively limited employment centers within this area of Oregon City and Clackamas County. This imbalance of jobs and housing contributes to Clackamas County's pattern of approximately 60% of the work force traveling outside of the County to work.

The site is surrounded by residential and undeveloped properties within the city limits, including the Hamlet of Beavercreek, and rural Clackamas County. The nearest commercial area is the Berry Hill Shopping Center at the intersection of Beavercreek Road and Highway 213. Clackamas County College (CCC) and Oregon City High School are across Beavercreek Road adjacent to the site. These institutional uses offer a unique opportunity to plan synergistic land uses that connect the properties, reinforce an identity for the area, and help localize trips. A Tri-Met transit hub is located on the CCC property.

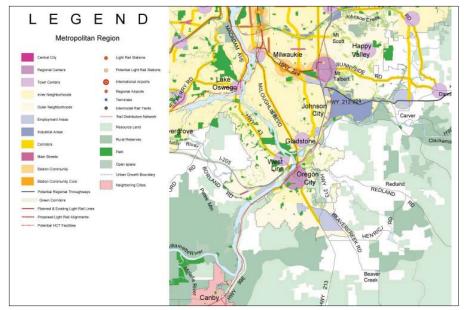


Figure 2 - Regional Context



Like all additions to the Portland Metropolitan Area Urban Growth Boundary, the Beavercreek Road area is inextricably tied to it's place in the region and its place within Oregon City. The Concept Plan responds to this context in multiple ways.

From a regional perspective, the Beavercreek Road area is currently a transition point from urban to rural use. Whether this "hard line" of transition will remain in the future cannot be established with certainty. The CAC openly acknowledged this issue in its discussions and sought to balance the needs of creating a great urban addition to Oregon City with sensitivity to adjacent areas. Examples of this balance include:

- The plan has land use and transportation connections that support future transit. This will link the Beavercreek Road area, via alternative transportations, to Clackamas Community College (CCC), the Oregon City Regional Center (downtown and adjacent areas) and the rest of the region.
- Trails and green spaces have been crafted to link into the broader regional network.
- The plan recommends lower densities and buffer treatments along Old Acres Road.
- The north south collector roads are coalesced to one route that could (if needed) be extended south of Old Acres Road.
- The recommended street framework provides for a street that parallels Beavercreek Road, connecting Thayer Road to Old Acres Road, and potentially north and south in the future. This keeps options open: if the UGB extends south, the beginning of a street network is in place. If it does not, the connection is available for rural to urban connectivity if desired.
- As with the street network described above, the East Ridge trail is extended all the way to Old Acres Road, and therefore, potentially beyond.

This will provide a connection from rural areas to the open spaces and trail network of Beavercreek Road area and the rest of the region.

From a City and local neighborhood perspective, the Beavercreek Road area offers an opportunity to establish a new complete and sustainable community within Oregon City. Specific linkages include the following:

- Oregon City needs employment land. The Beavercreek Concept Plan provides 156 net acres of it in two forms: 127 net acres of tech flex campus industrial land, 29 acres of more vertical mixed use village and main street. Additional employment will be available on the Main Street and as mixed use in the two southern neighborhoods.
- The street framework connects to all of the logical adjacent streets. This includes Thayer, Clairmont, Meyers, Glen Oak, and Old Acres Roads. This connectivity will disperse traffic to many routes, but equally important, make Beavercreek Road connected to, rather than isolated from, adjacent neighborhoods, districts and corridors.
- The plan provides for a complete community: jobs, varied housing, open space, trails, mixed use, focal points of activity, trails, and access to nature.
- The plan provides for a sustainable community, in line with the City's

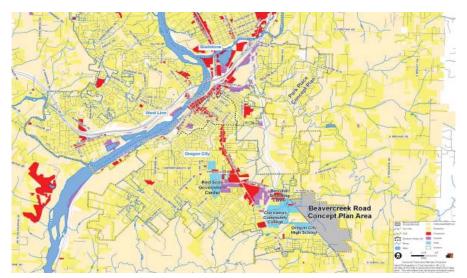


Figure 3 - Oregon City Context



Comprehensive Plan support for sustainability. This takes the form of mixed land uses, transportation options, green streets, sustainable storm water systems, and LEED or equivalent certification for buildings. Much more can certainly be done – the Concept Plan offers an initial platform to work from.

 Physical linkages have been provided to Oregon City High School and Clackamas Community College. These take the form of the planned 3-lane green street design for Beavercreek Road and the intersections and trails at Clairmont, Loder and Meyers Roads. The physical linkages are only the beginning – the City, School District and College need to work together to promote land uses on the east side of Beavercreek Road that truly create an institutional connection.

For additional information, see Existing Conditions, Opportunities and Constraints Reports, Technical Appendix C.



Figure 4 - Existing Conditions

Site Conditions and Buildable Lands

A portion of the study area (approximately 50 acres) is currently within the existing city limits and zoned Campus Industrial (CI). The study area's northern boundary is Thayer Road and the southern boundary is Old Acres Lane. Loder Road is the only existing road that runs through the project area.

Currently, the project area is largely undeveloped, which has allowed the site to retain its natural beauty. There are 448 gross acres in the project area, not including the right-of-way for Loder Road (approximately five acres). The existing land uses are primarily large-lot residential with agricultural and undeveloped rural lands occupying approximately 226 acres of the project area. The Oregon City Golf Club (OCGC) and private airport occupy the remaining 222 acres.

There are several large power line and natural gas utility easements within the project boundaries. These major utility easements crisscross the northern and central areas of the site. The utility easements comprise approximately 97 acres or 20% of the project area.

There are 51 total properties ranging in size from 0.25 acres to 63.2 acres. Many of these properties are under single ownership, resulting in only 42 unique property owner names (Source: Clackamas County Assessor). There are several existing homes and many of the properties have outbuildings such as, sheds, greenhouses, barns, etc., which result in 127 existing structures on the site (Source: Clackamas County Assessor).

A key step in the concept planning process is the development of a Buildable Lands Map. The Buildable Lands Map was the base map from which the concept plan alternatives and the final recommended plan were. "Buildable" lands, for the purpose of the Beavercreek Road Concept Plan, are defined as the gross site area minus wetlands, steep slopes, other Goal 5 resources, public utility easements, road rights-of-way, and committed properties (developed properties with an assessed improvement value



greater than \$350,000). Properties with an assessed improvement value of less than \$350,000 (based on County assessment data) are considered redevelopable over the long-term as the existing structures are converted to higher value uses. The OCGC has an improvement value over \$350,000, but has been included as buildable lands (minus the clubhouse) because the owners may wish to redevelop the property in coordination with the recommended concept plan over time. The private airport has also been included as buildable over the long-term, recognizing that the owners may choose to continue the airport's use for many years.

When land for power lines, the natural gas line, natural resources, and committed structures are removed the net draft buildable acreage is approximately 292 acres. The CAC reviewed the Preliminary Buildable Lands map and approved a three-tier system to define the buildable lands. Tier A or "Unconstrained" has approximately 292 acres, Tier B or "Low Impact Development Allowed with Review" has approximately 28 acres, and Tier C "Constrained" has approximately 131 acres. The "Low Impact" area was later further evaluated and recommended for conservation under a Environmentally Sensitive and Resource Area designation on the plan.

The Buildable Lands Map was reviewed at the July 20th and August 17th Citizen and Technical Advisory Committee (CAC/TAC) meetings, as well as at the August 24th, 2006 Open House. The draft buildable land boundaries and acreages shown in Figure 6 reflect the input received from the advisory committee members, property owners, and citizen input.

For additional information, see Existing Conditions, Opportunities and Constraints Reports, Technical Appendix C.

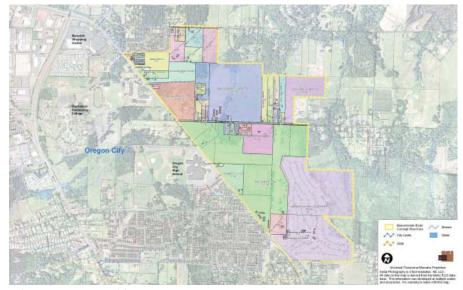


Figure 5 - Ownerships



Figure 6 - Natural Resource Inventory



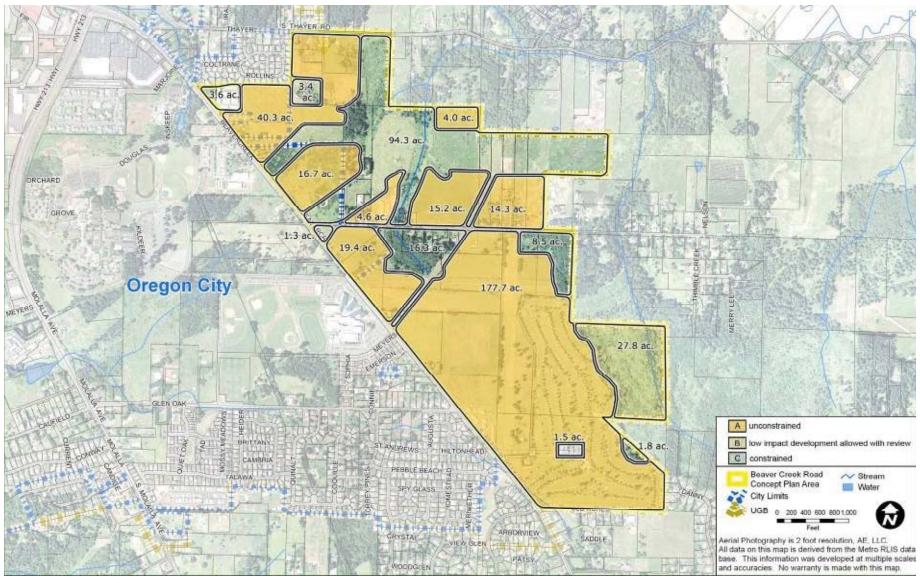


Figure 7 - Buildable Lands



Employment – A Key Issue

How much employment? What type? And where? These questions were extensively discussed during the development of the Concept Plan. Three perspectives emerged as part of the discussion:

Oregon City Perspective

Prior to initiating the Concept Plan process, the City adopted a comprehensive plan policy which emphasizes family wage employment on the site. The policy reads: "Require lands east of Clackamas Community College that are designated as Future Urban Holding to be the subject of concept plans, which is approved as an amendment to the Comprehensive Plan, [and will] guide zoning designations. The majority of these lands should be designated in a manner that encourages family-wage jobs in order to generate new jobs and move towards meeting the City's employment goals." Oregon City Comprehensive Plan, Policy 2.6.8.

Metro Perspective

Metro brought the majority of the concept plan area (245 gross acres) into the UGB in 2002 and 2004 to fulfill regional industrial employment needs. These areas (308 gross acres) are designated as the Industrial Design Type on Metro's 2040 Growth Concept Map. As part of its land need metrics reported to the region and state, Metro estimated 120 net acres of the Beavercreek Road Concept Plan's land would be used for employment uses. Metro representatives met with the Concept Plan CAC and emphasized: (1) it was important to Metro for the Concept Plan to fulfill their original intent for providing Industrial land; and, (2) that there was flexibility, from Metro's perspective, for the local process to evaluate creative ways to meet that intent.

Citizen Advisory Committee Perspective

The CAC discussed extensively the issues and options for employment lands. Many sources of information were consulted: a market analysis by ECONorthwest (See Appendix ___), a developer focus group, land inventory and expert testimony submitted by property owners, the Metro perspective cited above, and concerns of neighbors. The advice ranged from qualified optimism about long term employment growth to strong opposition based on shorter term market factors and location considerations. Some members of the CAC advocated for a jobs target (as opposed to an acreage target) to be the basis for employment planning.

At it's meeting on September 14th, 2006, the CAC developed a set of "bookends" for the project team to use while creating the plan alternatives.

- a. At least one plan alternative will be consistent with the Metro Regional Growth Concept.
- b. At least one plan alternative (may be the same as above) would be designed consistent with Policy 2.6.8.
- c. Other alternatives would have the freedom to vary from "a" and "b" above, but would also include employment.
- d. No alternative would have heavy industrial, regional warehousing or similar employment uses".

After evaluating alternatives, the CAC ultimately chose a hybrid employment strategy. The recommended Concept Plan includes: (1) about 127 net acres of land as North Employment Campus, which is consistent with Metro's intent and similar to Oregon City's Campus Industrial designation; (2) about 29 acres as Mixed Employment Village and Main Street, which allows a variety of uses in a village-oriented transit hub; and, (3) mixed use neighborhoods to the south that also provide for jobs tailored to their neighborhood setting.



V. Concept Plan Summary

The Framework Plan Approach

The Beavercreek Road Concept Plan is a framework for a new, urban community. The plan is comprised of generalized maps and policies that integrate land use, transportation, open space, and green infrastructure. The framework maps and policies are supported by detailed code and requirements for master planning and design review. The approach here is to set the broad framework and intent on the figures and text in this Plan. Detailed development plans demonstrating compliance with the Concept Plan are required in the implementing code.

The framework plan approach is intended to:

- Ensure the vision, goals and standards are requirements in all land use decisions
- Provide for flexibility in site specific design and implementation of the Plan and code
- Allow for phased development over a long period of time (20+ years)

Concept Plan Comprehensive Plan & Zoning Provides an integrated Amendments will focus on framework for: process for development · Open Space and Natural approvals. Resource Systems Comprehensive plan · Transportation Systems policies Land Use Map designations Infrastructure Master plan process and Includes analysis of and Master Plan/Detail Plan approval criteria Construction recommendations for: Uses and development/ Population design standards · Housing and Detailed plans for specific Construction of Jobs development areas. infrastructure, Provides analysis of commercial and specific site level systems residential structures, Details site specific open space systems, Vision Legislation sustainabilty measures and transportation Long-range vision intended Clear and objective standards Site-specific proposals for: improvements to guide growth and develthat development must abide by Land Use opment by identifying goals, **Building Types** policies, and principles. Design Circulation Infrastructure Implementation

The code describes many detailed requirements such as street connectivity, block configuration, pocket parks, building scale, pedestrian connections, low impact development features, tree preservation, and sustainable buildings. These design elements will be essential to the success of the area as a walkable, mixed use community. The expectation of this Plan is that the flexibility is coupled with a high standard for sustainable and pedestrian-oriented design.



Land Use Sub-Districts

Figure 8 illustrates the five land-use "subdistricts" of the concept plan area. Each has a specific focus of land use and intended relationship to its setting and the plan's transportation and open space systems. Each is briefly described below and illustrated on Figures 9 through 12.

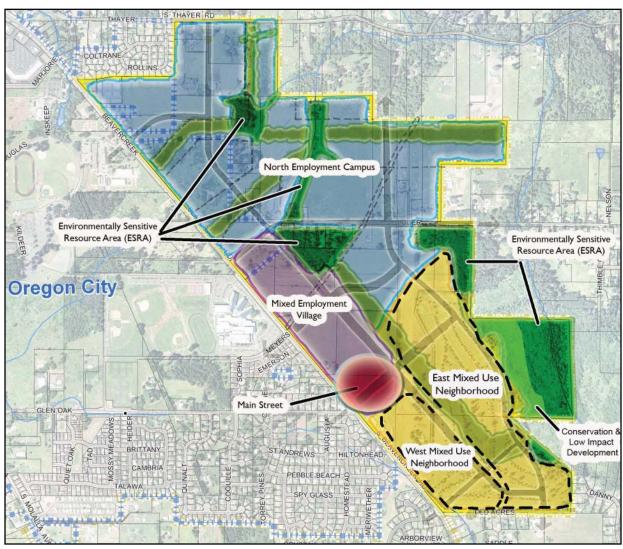


Figure 8 - Land Use Sub-districts



North Employment Campus - NEC

The purpose of the North Employment Campus is to provide for the location of family wage employment that strengthens and diversifies the economy. The NEC allows a mix of clean industries, offices serving industrial needs, light industrial uses, research and development and large corporate headquarters. The uses permitted are intended to improve the region's economic climate, promote sustainable and traded sector businesses, and protect the supply of sites for employment by limiting incompatible uses. The sub-district is intended to comply with Metro's

Title 4 regulations. Site and building design will create pedestrian-friendly areas and utilize cost effective green development practices. Business and program connections to Clackamas Community College (CCC) are encouraged to help establish a positive identity for the area and support synergistic activity between CCC and NEC properties. Businesses making sustainable products and utilizing sustainable materials and practices are encouraged to reinforce the identity of the area and promote the overall vision for the Beavercreek Road area.

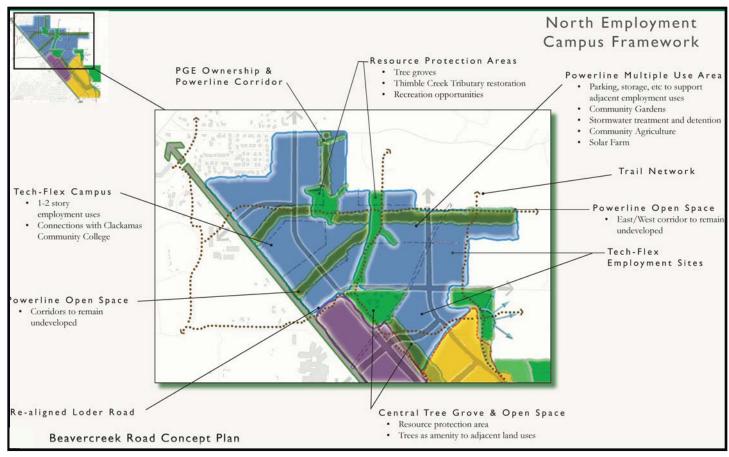


Figure 9 - North Employment Campus Framework



Mixed Employment Village – MEV

The purpose of the Mixed Employment Village is to provide employment opportunities in an urban, pedestrian friendly, and mixed use setting. The MEV is intended to be transit supportive in its use mix, density, and design so that transit remains an attractive and feasible option. The MEV allows a mix of retail, office, civic and residential uses that make up an active urban district and serve the daily needs of adjacent neighborhoods and Beavercreek Road sub-districts. Site and building design will create

pedestrian-friendly areas and utilize cost effective green development practices. Business and program connections to Clackamas Community College and Oregon City High School are encouraged. Businesses making sustainable products and utilizing sustainable materials and practices are encouraged to reinforce the identity of the area and promote the overall vision for the Beavercreek Road area.

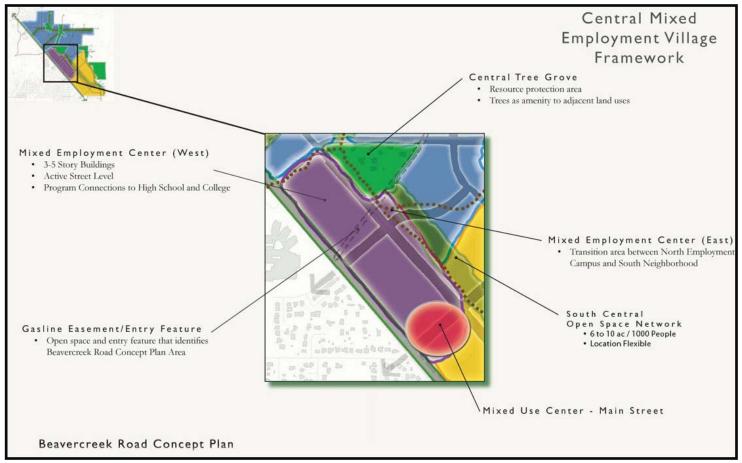


Figure 10 - Central Mixed Employment Village Framework



Main Street - MS

The purpose of this small mixed-use center is to provide a focal point of pedestrian activity. The MS allows small scale commercial, mixed use and services that serve the daily needs of the surrounding area. "Main Street" design will include buildings oriented to the street, an minimum of 2 story building scale, attractive streetscape, active ground floor uses and other elements that reinforce pedestrian oriented character and vitality of the area.

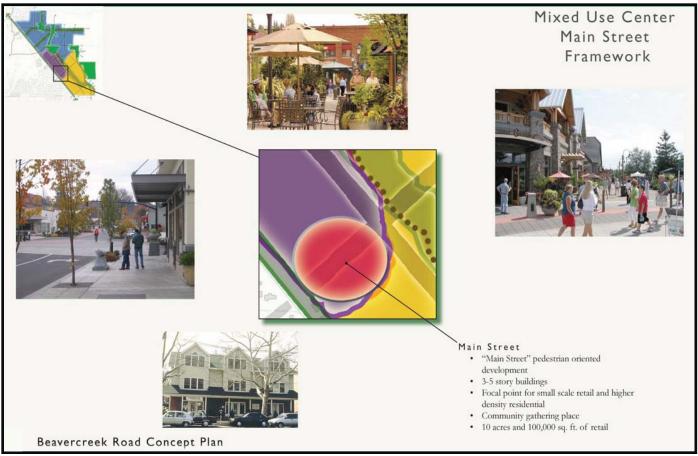


Figure 11 - Main Street Framework



West Mixed Use Neighborhood - WMU

The West Mixed Use Neighborhood will be a walkable, transit-oriented neighborhood. This area allows a transit supportive mix of housing, live/work units, mixed use buildings and limited commercial uses. A variety of housing and building forms is required, with the overall average of residential uses not exceeding 22 dwelling units per acre. The WMU area's uses, density and design will support the multi-modal transportation system and provide good access for pedestrians, bicycles, transit and vehicles. Site and building design will create a walkable area and utilize cost effective green development practices.

East Mixed Use Neighborhood - EMU

The East Mixed Use Neighborhood will be a walkable and tree-lined neighborhood with a variety of housing types. The EMU allows for a variety of housing types while maintaining a low density residential average not exceeding densities permitted in the R-5 zone. Limited non-residential uses are permitted to encourage a unique identity, sustainable community, and in-home work options. The neighborhood's design will celebrate open space, trees, and relationships to public open spaces. The central open space, ridge open space scenic viewpoints, and a linked system of open spaces and trails are key features of the EMU. Residential developments will provide housing for a range of income levels, sustainable building design, and green development practices.

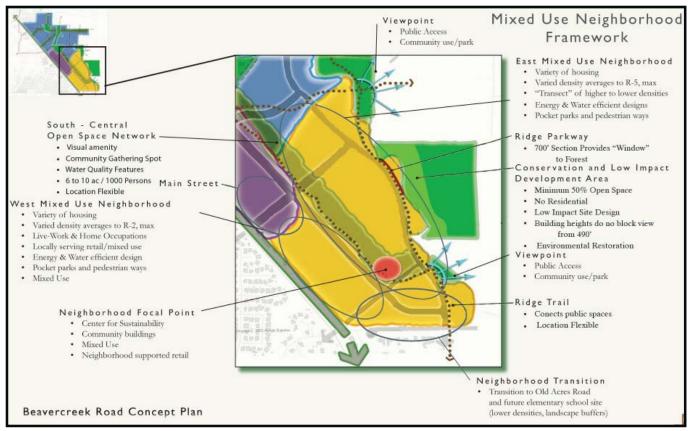


Figure 12 - West and East Mixed Use Neighborhoods



Open Space

The Open Space Framework illustrated on Figure 13 provides a network of green spaces intended to provide:

- A connected system of parks, open spaces and natural areas that link together and link to the Environmentally Sensitive Resource Areas.
- Scenic and open space amenities and community gathering places
- Access to nature
- Tree and natural area preservation
- Locations where storm water and water quality facilities can be combined with open space amenities, and opportunities to implement sustainable development and infrastructure
- Green spaces near the system of trails and pedestrian connections
- Open spaces which complement buildings and the urban, built environment

Power Line Open Spaces

The power line corridors and gas line corridor comprise 97 acres of land. The power line corridors north of Loder Road are a dominant feature. They are a dominant feature because they define open corridors and have a significant visual impact related to the towers. They also have a influence on the pattern of land use and transportation connections. In response to these conditions, the Concept Plan includes four main strategies for the use of the power line corridors:

- Provide publicly accessible open spaces. The implementing code includes a minimum 100 foot-wide open space and public access easement would be required at the time of development reviews, or, obtained through cooperative agreements with the utilities and property owners.
- Provide trails. A new east-west trail is shown on Figure 13 that follows the main east-west corridor. This corridor has outstanding views of Mt. Hood.

- Allow a broad array of uses. Ideas generated by the CAC, and permitted by the code, include: community gardens, urban agriculture, environmental science uses by CCC, storage and other "non-building" uses by adjacent industries, storm water and water quality features, plant nurseries, and solar farms.
- Link to the broader open space network. The power line corridors are linked to the open spaces and trail network in the central and southern areas of the plan.

South-Central Open Space Network

Park spaces in the central and southern areas of the plan will be important to the livability and sustainability goals for the plan. The basic concept is to assure parks are provided, provide certainty for the total park acreage, guide park planning to integrate with other elements, and provide flexibility for the design and distribution of parks.

The following provisions will apply during master planning and other land use reviews:

- Park space will be provided consistent with the City's Park and Recreation Master Plan standard of 6 to 10 acres per 1000 population.
- The required acreage may be proposed to be distributed to a multiple park spaces, consistent with proposed land uses and master plan design.
- A central park will be provided. The location and linearity of the park was first indicated by Metro's Goal 5 mapping. It was illustrated by several citizen groups during the design workshop held in October, 2006. This open space feature is intended as a connected, continuous and central green space that links the districts and neighborhoods south of Loder Road. The code provides for flexibility in its width and shape, provided there remains a clearly identifiable and continuous open space. It may be designed as a series of smaller spaces that are clearly connected by open space. It may be designed



as a series of smaller spaces that are clearly connected by open space. If buildings are incorporated as part of the central park, they must include primary uses which are open to the public. Civic buildings are encouraged adjacent to the central park. Streets may cross the park as needed. The park is an opportunity to locate and design low impact storm water facilities as an amenity for adjacent urban uses.

East Ridge

The East Ridge is a beautiful edge to the site that should be planned as a publicly accessible amenity and protected resource area. The natural resource inventory identified important resources and opportunities for habitat restoration in the riparian areas of Thimble Creek. In addition, Lidar mapping and slope analysis identified steeper slopes (greater than 15%) that are more difficult to develop than adjacent flat areas of the concept plan. The sanitary sewer analysis noted that lower areas on the east

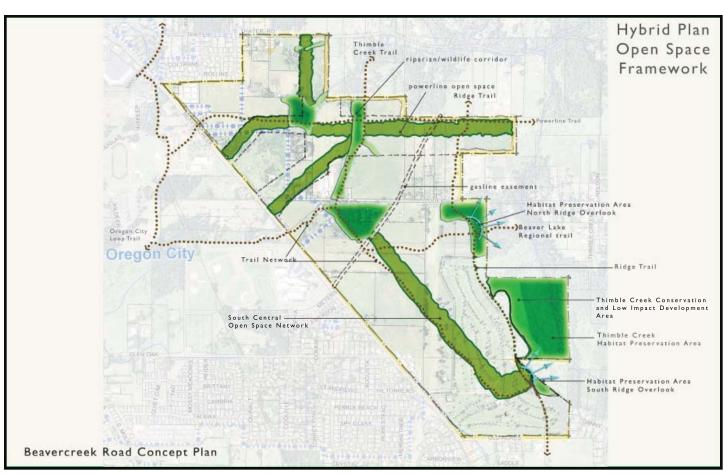
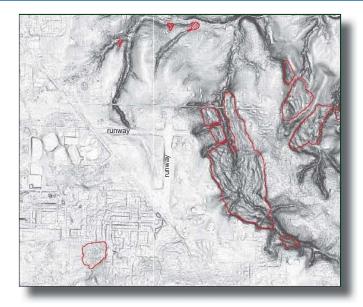


Figure 13 - Open Space Framework





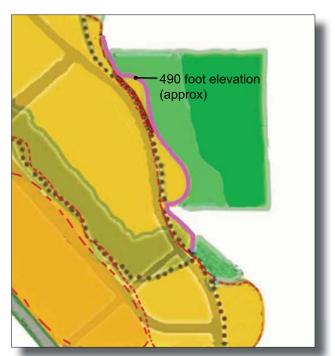


Figure 13A - East Ridge Lidar and 490 foot elevation

ridge could not be readily served with gravity systems - they would require private pump facilities. For all of these reasons, it is recommended here that an East Ridge open space and conservation area be designated.

The plan and code call for:

- Establishing the Class I and II Riparian area (per Metro mapping) plus 200 feet as a protected open space area. No development is permitted, except for very limited uses such as trails.
- Between the west edge of the above referenced protected open space area and the 490 foot elevation (MSL), establish a conservation area within which the following provisions apply:
 - a. A minimum of 50% of the conservation area must be open space. No residential uses are permitted.
 - b. All development must be low impact with respect to grading, site design, storm water management, energy management, and habitat.
 - c. Building heights must not obscure views from the 490 foot elevation of the ridge.
 - d. Open space areas must be environmentally improved and restored.
- Establishing a limit of development that demarks the clear edge of urban uses and a "window" to adjacent natural areas. In the central area of the est ridge, the "window" must be a minimum of 700 feet of continuous area and publicly accessible. The specific location of the "window" is flexible and will be establishing as part of a master plan.
- Creating two scenic view points that are small public parks, located north and south of the central area.
- Creating an East Ridge Trail the location of the trail is flexible and will be established during master planning. It will be located so as to be safe, visible, and connect the public areas along the ridge. Along the "window" area described above, it will be coordinated with the location of the adjacent East Ridge Parkway.



Transportation

In summary, the key elements of the Concept Plan transportation strategy are to:

- Plan a mixed use community that provides viable options for internal trip making (i.e. many daily needs provided on-site), transit use, maximized walking and biking, and re-routed trips within the Oregon City area.
- Improve Beavercreek Road as a green street boulevard.
- Create a framework of collector streets that serve the Beavercreek Road Concept Plan area.
- Require local street and pedestrian way connectivity.
- Require a multimodal network of facilities that connect the Beavercreek Road Concept Plan area with adjacent areas and surrounding transportation facilities.
- Provide an interconnected street system of trails and bikeways.
- Provide transit-attractive destinations.
- Provide a logical network of roadways that support the extension of transit services into the Beavercreek Road Concept Plan area.
- Use green street designs throughout the plan.
- Update the Oregon City Transportation System Plan to include the projects identified in the Beavercreek Road Concept Plan, provide necessary off-site improvements, and, assure continued compliance with Oregon's Transportation Planning Rule.

Streets

Figure 14 illustrates the street plan. Highlights of the plan include:

• Beavercreek as a green boulevard. The cross-section will be a 5 lane arterial to Clairmont, then a 3 lane arterial (green street boulevard) from Clairmont to UGB. The signalization of key intersections is illustrated on the Street Plan.

- Center Parkway as a parallel route to Beavercreek Road. This new north-south route provides the opportunity to completely avoid use of Beavercreek Road for trips between Old Acres and Thayer Road. This provides a much-needed separation of local and through trips, as well as an attractive east-side walking and biking route. Major cross-street intersections, such as Loder, Meyers and Glen Oak may be treated with roundabouts or other treatments to help manage average speeds on this street. Minor intersections are likely to be stop-controlled on the side street approaches. The alignment of Center Parkway along the central open space is intended to provide an open edge to the park. The cross-section for Center Parkway includes a multi-use path on the east side and green street swale. Center Parkway is illustrated as a three-lane facility. Depending on land uses and block configurations, it may be able to function well with a two lane section and left turn pockets at selected locations.
- Ridge Parkway as a parallel route to Center Parkway and Beavercreek Road. The section of Ridge Parkway south of the Glen Oak extension is intended as the green edge of the neighborhood. This will provide a community "window" and public walkway adjacent to the undeveloped natural areas east of the parkway. Ridge Parkway should be two lanes except where left turn pockets are needed. Major intersections south of Loder are likely to only require stop control of the side street, if configured as "tee" intersections. Mini roundabouts could serve as a suitable option, particularly if a fourth leg is added.
- Ridge Parkway. Ridge Parkway was chosen to extend as the through-connection south of the planning area to Henrici Road. Center Parkway and Ridge Parkway are both recommended for extension to the north as long-term consideration for Oregon City and Clackamas County during the update of respective Transportation System Plans. It is beyond the scope of this study to identify and determine each route and the feasibility of such extensions. Fatal flaws to one or both may be discovered during subsequent planning. Nonetheless, it is prudent at this level of study, in this area of the community, to identify opportunities to efficiently and systematically expand the transportation system to meet existing and future needs.



- Extensions of Clairmont, Meyers, Glen Oak Roads and the south entrance through to the Ridge Parkway. These connections help complete the network and tie all parts of the community to adjacent streets and neighborhoods.
- Realignment of Loder Road at its west end. Loder is recommended for reconfiguration to create a safer "T" intersection. The specific location of the intersection is conceptual and subject to more site specific planning.

The streets of the Concept Plan area are recommended to be green streets. This is an integral part of the storm water plan and overall identity and vision planned for the area. The green street cross-sections utilize a combination of designs: vegetated swales, planter islands, curb extensions, and porous pavement. Figures 15 – 19 illustrate the recommended green street cross-sections. These are intended as a starting point for more detailed design.

Trails

Figure 14 also illustrates the trail network. The City's existing Thimble Creek Trail and Metro's Beaver Lake Regional Trail have been incorporated into the plan. New trails include the Powerline Corridor Trail, multi-use path along Center Parkway, and the Ridge Trail.

Transit

The Concept Plan sets the stage for future transit, recognizing that how that service is delivered will play out over time. Specifics of transit service will depend on the actual rate and type of development built, Tri-Met resources and policies, and, consideration of local options. Three options have been identified:

- 1. A route modification is made to existing bus service to Clackamas Community College (CCC) that extends the route through CCC to Beavercreek Road via Clairmont, then south to Meyers or Glen Oak, back to HWY 213, and back onto Molalla to complete the normal route down to the Oregon City Transit Center. To date, CCC has identified Meyers Road as a future transit connection to the college.
- 2. A new local loop route that connects to the CCC transit center and serves the Beavercreek Road Concept Planning area, the High School, the residential areas between Beavercreek and HWY 213, and the residential areas west of HWY 213 (south of Warner Milne).
- 3. A new "express" route is created from the Oregon City Transit Center, up/down HWY 213 to major destinations (CCC, the Beavercreek Road Employment area, Red Soils, Hilltop Shopping Center, etc.).

It is the recommendation of this Plan that the transit-oriented (and Use mix), density, and design of the Beavercreek Road area be implemented so that transit remains a viable option over the long term. The City should work with Tri-Met, CCC, Oregon City High School, and developers within the Concept Plan area to facilitate transit.



Connectivity

The street network described above will be supplemented by a connected local street network. Consistent with the framework plan approach, connectivity is required by policy and by the standards in the code. The specific design for the local street system is flexible and subject to master plan and design review. Figure 20 illustrates different ways to organize the street and pedestrian systems. These are just three examples, and are not intended to suggest additional access to Beavercreek Road beyond what is recommended in Figure 14. The Plan supports innovative ways to configure the streets that are consistent with the goals and vision for the Beavercreek Concept Plan area.

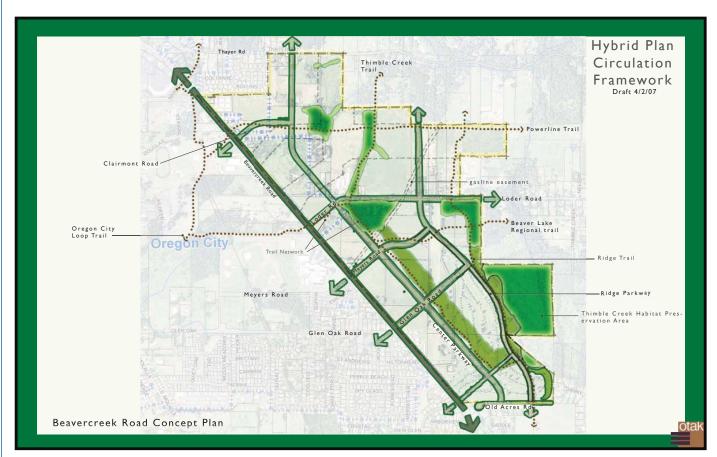


Figure 14 - Circulation Framework



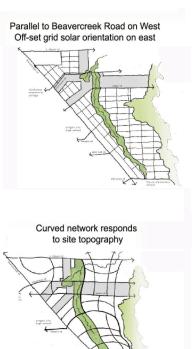


Figure 20 - Connectivity Diagrams

Conceptual only - See Figure 14 for recommended access points to Beavercreek Road.



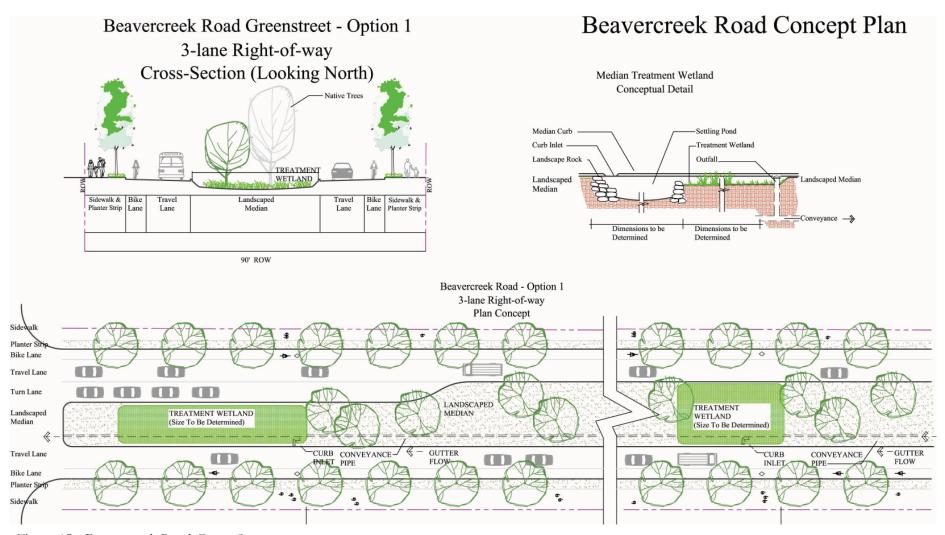


Figure 15 - Beavercreek Road Green Street



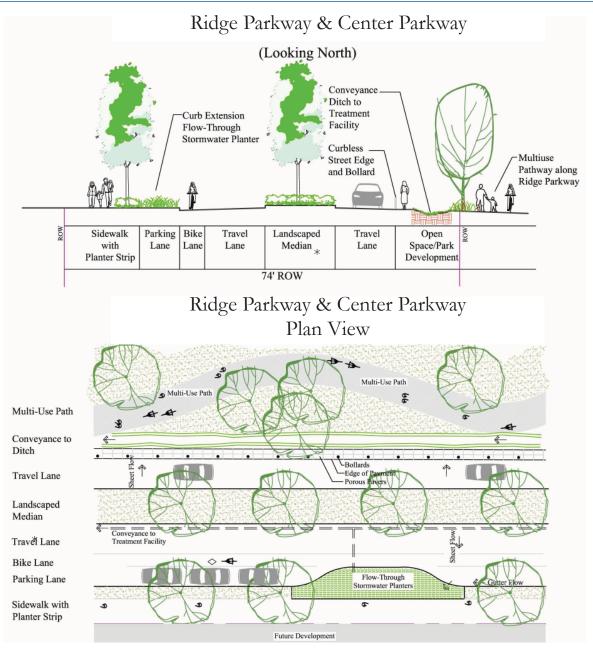


Figure 16 - Ridge Parkway and Central Parkway Green Streets

*Center median is optional for Ridge Parkway.



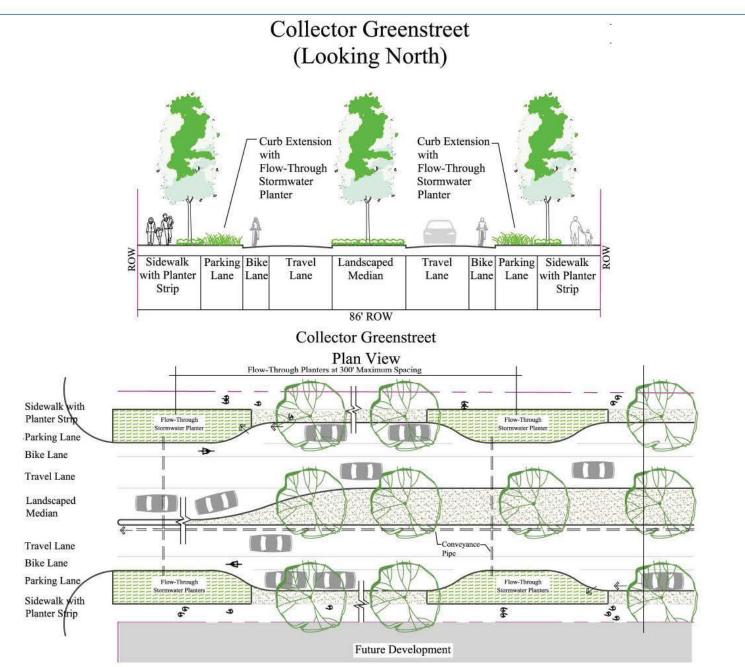
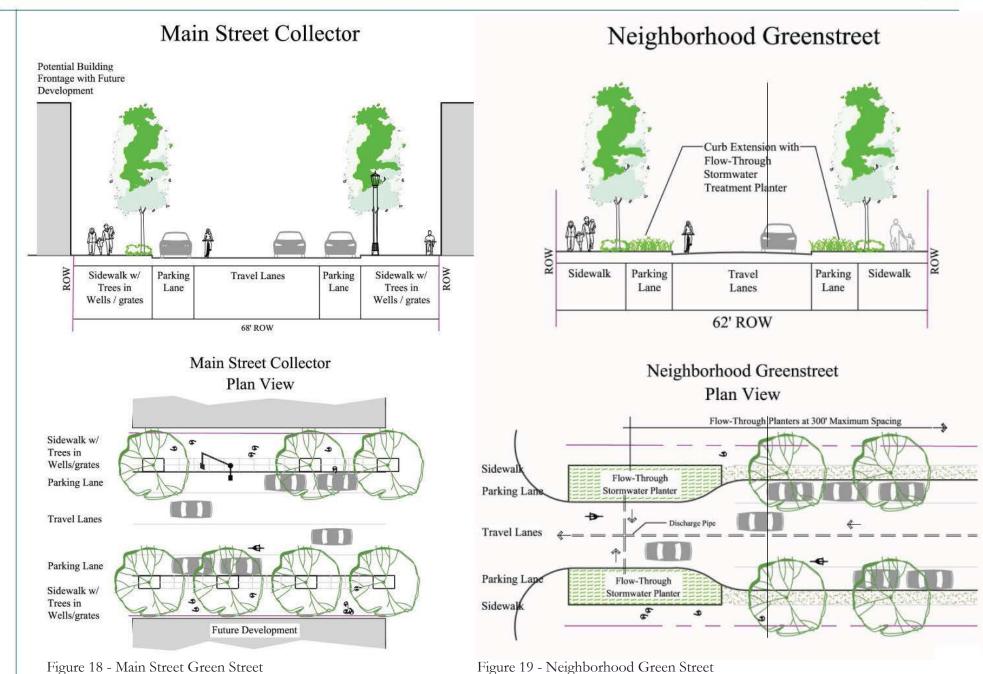


Figure 17 - Collector Green Street





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Cost Estimate

A planning-level cost estimate analysis was conducted in order to approximate the amount of funding that will be needed to construct the needed improvements to the local roadway system, with the build-out of the Beavercreek Road Concept Plan. The table below lists these improvements and their estimated costs. These generalized cost estimates include assumptions for right-of-way, design, and construction.

For additional information, please see Technical Appendix, Sections C2 and G.

Roadway Improvements	Improvement	Estimated Cost
Beavercreek Road: Marjorie Lane to Clairmont Drive	Construct 5-lane cross-section to City standards	\$6,300,000
Beavercreek Road: Clairmont Drive to Henrici Road	Construct 3-lane cross-section to City standards	\$12,300,000
Clairmont Drive: Beavercreek Road – Center Parkway	Construct new 3-lane collector to City standards and modify signal at Beavercreek Road	\$2,400,000
Loder Road: Beavercreek Road to Center Parkway	Construct 3-lane cross-section to City standards and signalize Beavercreek Road intersection	\$1,400,000
Loder Road: Center Parkway – East Site Boundary	Construct 3-lane cross-section to City standards	\$4,200,000
Meyers Road: Beavercreek Road – Ridge Parkway	Construct new 3-lane collector to City standards and modify signal at Beavercreek Road	\$3,500,000
Glean Oak Road: Beavercreek Road – Ridge Parkway	Construct new 3-lane collector to City standards and modify signal at Beavercreek Road	\$3,400,000
Center Parkway	Construct new 3-lane collector with 12' multi-use path	\$17,700,000
Ridge Parkway	Construct new 3-lane collector	\$9,800,000
Total Roadway Improvements		\$61,000,000
Intersection Only Improvements	Improvement	Estimated Cost
Beavercreek Road/Maplelane	Road Construct new WB right-turn lane	\$250,000
Beavercreek Road/ Meyers Road	Construct new NB and SB through lanes	\$5,000,000
Total Intersection Improvements		\$5,250,000
TOTAL IMPROVEMENTS		\$66,250,000

Transportation Cost Estimate





Figure 21 - Sustainable Stormwater Plan



Storm Water and Water Quality

This Beavercreek Road stormwater infrastructure plan embraces the application of low-impact development practices that mimic natural hydrologic processes and minimize impacts to existing natural resources. It outlines and describes a stormwater hierarchy focused on managing stormwater in a naturalistic manner at three separate scales: site, street, and neighborhood.

Tier 1 – Site Specific Stormwater Management Facilities (Site)

All property within the study area will have to utilize on-site best management practices (BMPs) to reduce the transport of pollutants from their site. Non-structural BMPs, such as source control (e.g. using less water) are the best at eliminating pollution. Low-impact structural BMPs such as rain gardens, vegetated swales, pervious surface treatments, etc. can be designed to treat stormwater runoff and reduce the quantity (flow and volume) by encouraging retention/infiltration. They can also provide beneficial habitat for wildlife and aesthetic enhancements to a neighborhood. These low-impact BMP's are preferred over other structural solutions such as underground tanks and filtration systems. Most of these facilities will be privately maintained.

Tier 2 – Green Street Stormwater Management Facilities (Street)

Green Streets are recommended for the entire Beavercreek Concept Plan area. The recommended green street design in Figures 15 - 19 use a combination of vegetated swales or bioretention facilities adjacent to the street with curb cuts that allow runoff to enter. Bioretention facilities confined within a container are recommended in higher density locations where space is limited or is needed for other urban design features, such as on-street parking or wide sidewalks. The majority of the site is underlain with silt loam and silty clay loam. Both soils are categorized as Hydrologic Soil Group C and have relatively slow infiltration rates.

The recommended green streets will operate as a collection and conveyance system to transport stormwater from both private property and streets to regional stormwater facilities. The conveyance facilities need to be capable of managing large storm events that exceed the capacity of the swales. For this reason, the storm water plan's conveyance system is a combination of open channels, pipes, and culverts. Open channels should be used wherever feasible to increase the opportunity for stormwater to infiltrate and reduce the need for piped conveyance.

Tier 3 – Regional Stormwater Management Facilities (Neighborhood)

Regional stormwater management facilities are recommended to manage stormwater from larger storms that pass through the Tier 1 and Tier 2 facilities. Figure 21 illustrates seven regional detention pond locations. Coordinating the use of these for multiple properties will require land owner cooperation during development reviews, and/or, City initiative in advance of development.

The regional facilities should be incorporated into the open space areas wherever possible to reduce land costs, and reduce impacts to the buildable land area. Regional stormwater facilities should be designed to blend with the other uses of the open space area, and can be designed as a water feature that offers educational or recreational opportunities. Stormwater runoff should be considered as a resource, rather than a waste stream. The collection and conveyance of stormwater runoff to regional facilities can offer an opportunity to collect the water for re-use.



Discharge Locations

Post-development stormwater runoff rates from the Beavercreek Road Concept Plan Area will need to match pre-development rates at the existing discharge locations, per City Stormwater Design Standards. Since there are several small discharge locations to Thimble Creek, flow control facilities may not be feasible at all discharge locations. In this situation, over-detention is needed at some discharge locations to compensate for the undetained areas so that flows in Thimble Creek at the downstream point of compliance meet City Stormwater Design Standards for flow control.

The stormwater infrastructure for the Beavercreek Road Concept Plan Area is estimated to cost between \$7.8 million and \$9.4 million for base construction. When construction contingencies, soft costs (engineering, permitting, construction management), and land acquisition, the total cost is estimated at \$15 to \$23 million.

Water The pr

The proposed water infrastructure plan creates a network of water supply pipelines as the "backbone" system. In addition, as individual parcels are developed, a local service network of water mains will be needed to serve individual lots.

Since there are two pressure zones in the concept plan area, there will need to be a network of pipes for each of the two zones. These systems are illustrated on Figure 22. The Fairway Downs Pressure Zone will serve the south one-third of the concept plan area. This zone receives water from

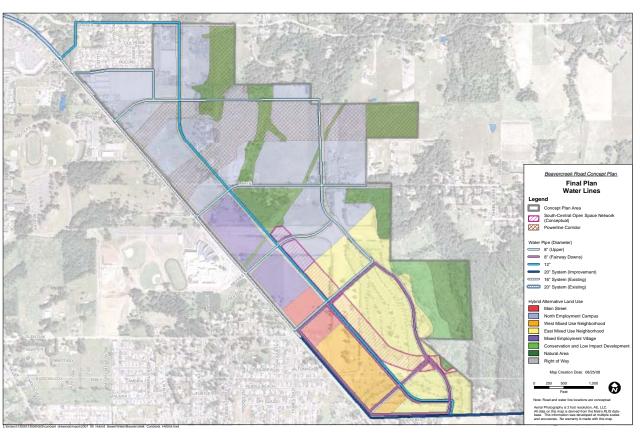


Figure 22 - Water Plan

the system reservoirs. But, because this zone is at the highest elevation in the entire water system, pressure from the reservoir system is insufficient to maintain a usable pressure to customers in this part of the system. The water pressure is increased by using a booster pump station located at the intersection of Glen Oak Road and Beavercreek Road.



In the Fairway Downs Pressure Zone, the majority of the water mains will be installed in the proposed public rights-of-way. However, a small portion of the system may need to be in strip easements along the perimeter of the zone at the far southeast corner of the concept plan area. The system layout shown is preliminary and largely dependent on future development and the final system of internal (local) streets. Additional mains may be needed or some of the water mains shown may need to be removed. For instance, if the development of the residential area located at the southeast end of the site, adjacent to Old Acres Road, includes internal streets, the water mains shown along the perimeter of the site may be deleted because service will be provided from pipes that will be installed in the internal street system.

Some of the planned streets in the Fairway Downs Pressure Zone will contain two water mains. One water main will provide direct water service to the area from the booster pump system. The other water main will carry water to the lower elevation areas in the Upper Pressure Zone.

The Upper Pressure Zone will serve the north two-thirds of the concept plan area. The "backbone" network for the Upper Pressure Zone will have water mains that are pressured from the Henrici and Boynton reservoirs. A single 12-inch water main will run parallel with Beavercreek Road through the middle of concept plan area. This water conduit will serve as the "spine" for the Upper Pressure Zone. A network of 8-inch water pipes will be located in the public rights-of-way and will provide water to the parcels that are identified for development. The system can be extended easterly on Loder Road, if needed.

The preliminary design ensures that the system is looped so that there are no dead-end pipes in the system. Along a portion of the north perimeter, approximately 1,600 feet of water pipe will be needed to complete a system loop and provide water service to adjacent lots. This pipe will share

a utility easement with a gravity sanitary sewer and a pressure sewer. There may also be stormwater facilities in this same alignment.

In the Water Master Plan, under pipeline project P-201, there is a system connection in a strip easement between Thayer Road and Beavercreek Road at the intersection with Marjorie Lane. Consideration should be given to routing this connection along Thayer Road to Maplelane Road and then onto Beavercreek Road. This will keep this proposed 12-inch main in the public street area where it can be better accessed.

The estimated total capital cost for the "backbone" network within the concept plan area will be in the area of \$5,400,000. This estimate is based the one derived for Alternative D, which for concept planning purposes, is representative of the plan and costs for the final Concept Plan. This is in addition to the \$6.9 million of programmed capital improvement projects that will extend the water system to the concept plan area. All estimates are based on year 2003 dollars. Before the SDC can be established, the estimates will need to be adjusted for the actual programmed year of construction.

For additional information, please see Technical Appendix, Sections C6 and H3.



Sanitary Sewer

The northern half of the concept area drains generally to the north and follows the natural land contours formed by the uppermost portion of Thimble Creek. The proposed sanitary sewer system in the vicinity of Loder Road will follow the north-south street rights-of-way. This part of the system will terminate at the low point of the concept plan area in a wetwell. A sanitary lift station over the wetwell will pump the wastewater uphill in a westerly direction to a point that it can be discharged into a gravity sewer that will flow west to the trunk sewer in Beavercreek Road. The lift station and pressure sewer project has been identified in the Sanitary Sewer Master Plan as projects BC-COL-5 and 6. A utility bridge that will carry the pressure pipe and gravity sewer pipe over Thimble

Creek is anticipated. A short road access to the pump station that is parallel to Thimble Creek will also be

needed.

The majority of the southern half of the concept area will have a gravity sanitary sewer system that will convey waste water to the existing 2,400-foot long trunk sewer in Beavercreek Road, which currently extends from Highway 213 to approximately 800 feet south of Marjorie Lane. This portion of the system can be built in the planned roadways and in the existing Beavercreek Road right-of-way. This portion of the system can be built in the planned roadways. A portion of the system, approximately 900 feet long, will need to be built in the current alignment of Loder Road so that the gravity sewer can be connected to the trunk sewer in Beavercreek Road. The circulation plan includes a realignment of Loder Road. Therefore, a sewer easement will need to be retained across the future parcel that now includes the current Loder Road alignment.

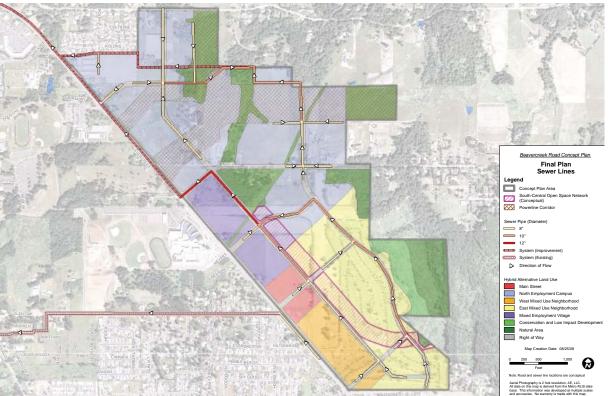


Figure 23 - Sewer Plan

The approximate elevation of 490 ft (MSL) is important in the southern half of the concept plan area relative to gravity sewer service. Roadways and development constructed above 490 ft will most likely allow for gravity sewer service. If land uses requiring sanitary sewer service (or roadways with sewer underneath) are located lower than 490 ft, individual pump stations and pressurized services may be required.



The estimated total capital cost will be in the vicinity of \$4,400,000. This estimate is based on the cost analysis for Alternative D, which is comparable. This is in addition to the \$2.3 million in sanitary sewer master plan capital costs that needed to bring the sanitary sewers to the concept plan area. These estimates are based on year 2003 dollars. The estimates will need to be adjusted for the programmed year of construction.

For additional information, please see Technical Appendix, Sections C6 and H2.

Funding strategies

For water, sewer, storm water and parks, there are five primary funding sources and strategies that can be used:

- System development charges (SDCs)— Oregon City requires developers to pay SDCs for new development. Developers pay these charges up front based on the predicted impact of the new development on the existing infrastructure and the requirements it creates for new improvements. Although the charges are paid by the developer, the developer may pass on some of these costs to buyers of newly developed property. Thus, SDCs allocate costs of development to the developer and buyers of the new homes or new commercial or industrial buildings.
- Urban renewal/tax increment financing Tax increment financing is the primary funding vehicle used within urban renewal areas (URA). The tax increment revenue is generated within a URA when a designated area is established and the normal property taxes within that area are 'frozen' (often called the frozen base). Any new taxes generated within that area through either property appreciation or new investment becomes the increment. Taxing jurisdictions continue to collect income from the frozen base but agree to release assessed value above the base to the URA. The URA then can issue bonds to pay for identified public improvements. The tax increment is used to pay off the bonds.

Oregon City has the authority to establish an URA. The Beavercreek Road Concept Plan Area would have to meet the definition of 'blight' as defined in ORS 457. It is likely to meet 'blight' standards because its existing ratios of improvement-to-land values are likely low enough to meet that standard.

• Local Improvement Districts - Local Improvement Districts (LIDs) are formed for the purpose of assessing local property owners an amount sufficient to pay for a project deemed to be of local benefit. LIDs are a specific type of special assessment district, which more broadly includes any district that is formed within an existing taxing district to assess specific property owners for some service that is not available throughout the larger district. The revenues from the LID assessments are used to pay the debt payments on a special assessment bond or a note payable issued for the capital improvements.

LID assessments increase costs for property owners. Under a LID the improvements must increase the value of the taxed properties by more than the properties are taxed. LIDs are typically used to fund improvements that primarily benefit residents and property owners within the LID.

• Bonds - Bonds provide a financing mechanism for local governments to raise millions of dollars for parks and other capital projects. The City could back a bond with revenue from a LID, the Urban Renewal Districts, or property taxes citywide. General obligation (GO) bonds issued by local governments are secured by a pledge of the issuer's power to levy real and personal property taxes. Property taxes necessary to repay GO bonds are not subject to limitation imposed by recent property tax initiatives. Oregon law requires GO bonds to be authorized by popular vote.

Bond levies are used to pay principal and interest for voter-approved bonded debt for capital improvements. Bond levies typically are approved in terms of dollars, and the tax rate is calculated as the total levy divided by the assessed value in the district.

Developer funded infrastructure – The City conditions land use approvals and permits to include required infrastructure. Beyond



the sources cited above, developers cover the remaining costs for the infrastructure required for their development.

Additional funding tools that could be investigated and implemented within the Concept Plan area include a Road District, a County Service District, Intergovernmental Agreements, an Advance Finance District, a Certificate of Participation, and a Utility Fee. There are benefits and limitations associated with each of the funding options that should be reviewed carefully before implementing.

For transportation infrastructure, the same sources as cited above are available. For larger facilities, such as Beavercreek Road, additional funds may be available. They include Metro-administered federal STP and CMAQ funding, and, regional Metro Transportation Improvement Plan funding. These sources are limited and extremely competitive. County funding via County SCSs should also be considered a potential source for Beavercreek Road. Facilities like Beavercreek Road are often funded with a combination of sources, where one source leverages the availability of another.

Sustainability

One of the adopted goals is: The Beavercreek Road Concept Plan Area will be a model of sustainable design, development practices, planning, and innovative thinking.

Throughout the development of the concept plan, sustainability has been paramount in guiding the CAC, the City, and the consultant team. The final plan assumes that sustainable practices will be a combination of private initiatives (such as LEED certified buildings), public requirements (green streets and low impact development policies), and public-private partnerships. It is recommended that City use incentives, education and policy support as much as possible for promoting sustainability at Beavercreek Road. Some initiatives will require regulation and City mandates, but caution and balance should be used. At the end of the

day, it is up to the private sector to invest in sustainable development. The Beavercreek Road's site's legacy as a model of sustainable design will depend, in large part on the built projects that are successful in the marketplace and help generate the type of reputation that the community desires and deserves.

The key to fulfilling the above-listed goal will be in the implementation. For the City's part, implementation strategies that support sustainable design will be included within the Oregon City Comprehensive Plan policies and Code provisions. They will be applied during master plan and design review permitting. Some of these strategies will be "required" while other are appropriate to "encourage." These sustainability strategies include:

- Energy efficiency
- Water conservation
- Compact development
- Solar orientation
- Green streets/infrastructure
- Adaptive reuse of existing buildings/infrastructure
- Alternative transportation
- Pedestrian/Cyclist friendly developments
- Natural drainage systems
- Tree preservation and planting to "re-establish" a tree canopy
- Minimizing impervious surfaces
- Sustainability education (builder, residents, businesses and visitors)
- Collaboration with "local" institutional and economic partners, particularly Clackamas Community College and Oregon City High School
- Community-based sustainable programs and activities



Principles for Sustainable Community Design

The CAC discussed Principles for Sustainable Community Design that were offered by one of the members. These provide a good framework for how the Concept Plan is addressing sustainability.

Mix Land Uses - Promote a mix of land uses that support living wage jobs and a variety of services.

All of the sub-districts are, to some degree, mixed use districts. The Mixed Use Village, Main Street and West Mixed Use Neighborhood allow a rich mix of employment, housing, and services. Taken together, the entire 453 acre area will be a complete community.

Housing Types - Create a range of housing choices for all ages and incomes.

The concept plan includes housing in many forms: mixed use formats in the 3-5 story buildings, high density apartments and condominiums, livework units, townhomes, small cottage lots, and low density single family homes.

Walk-ability - Make the Neighborhood "walkable" and make services "walk-to-able."

The plan provides a street and trail framework. The code will require a high level of connectivity and maximum block sizes for most subdistricts. Services are provided throughout the plan as part of mixed use areas and a broad range of permitted uses.

Transportation - Provide a range of transportation options using a connected network of streets and paths.

The plan provides for all modes: walking, biking, driving and transit. Transit-supportive land use is specifically required in the Mixed Employment Village, Main Street and West Mixed Use Neighborhoods. The framework of connected streets and paths will be supplemented by a

further-connected system of local streets and walking routes.

Open Space - Protect and maintain a functioning green space network for a variety of uses.

Open space is distributed throughout the plan. New green spaces are connected with existing higher-value natural areas.

Integrate Systems - Integrate ecological and man-made systems to maximize function, efficiency and health.

Infrastructure systems (green storm water, multi-modal transportation) are highly integrated with the open space network and array of land uses. It will be important for the implementation of the plan to further integrate heating, cooling, irrigation and other man-made systems with the Concept Plan framework.

Ecological Health - Manage natural resources to eliminate pollution to watersheds and lesson impact on habitat and green infrastructure.

Methods to achieve this principle are identified in the Stormwater Infrastructure Report. Additionally, the code requires measures to preserve natural resources and eliminate pollution to watersheds necessary to achieve this principle.

Reuse, Recycle, Regenerate - Reuse existing resources, regenerate existing development areas.

The principle will be applied primarily at time of development and beyond.



Green Buildings - Build compact, innovative structures that use less energy and materials.

The draft code includes provisions for green buildings. This is a new area for the City to regulate, so a public-private Green Building Work Group is recommend to explore issues, build consensus, and develop specific code recommendations.

Work Together - Work with community members and neighbors to design and develop.

The development of the alternatives and the recommended plan has been a collaborative process with all project partners. The concept plan process through implementation and subsequent project area developments will continue to be a collaborative process where all stakeholders are invited to participate.

For additional information, please see Technical Appendix, Sections C3, D, and F.



Metrics

Land Use

The following table summarizes the acreages for major land uses on the Concept Plan.

Land Use Category (acres)	<u>Hybrid</u>
North Employment Campus (adjusted gross acreage)*	149
Mixed Employment Village	26
Main Street	10
West Mixed Use Neighborhood	22
East Mixed Use Neighborhood	77
Total Acres of "built" land use	284
Other Land Uses (not "built")	
Parks/Open Space/Natural Areas (Total)**	113
Major ROW+	56
Existing Uses (unbuildable)	0
Total Project Area Gross Acres	453

*Adjusted gross acreage is the sum of 50% of the employment land use shown under the powerline easement plus all other unconstrained employment land use areas. Calculations shown below:

Land Use Category (acres)	<u>Hybrid</u>	
Total North Employment Campus	175	
Unconstrained NEC	123	
Employment with powerline overlay	52	
Useable portion of powerline overlay (50%)	26	
North Employment Campus (adjusted gross		
acreage)*	149	



Housing and Employment Estimates

The Concept Plan has an estimated capacity for approximately 5000 jobs and 1000 dwellings. The following table displays the estimates and assumptions used to estimate jobs and housing. On a net acreage, these averages are 33 jobs/ net developable acre and 10.3 dwellings/ net developable acre.

	<u>Hybrid</u> Gross	<u>Hybrid</u> <u>Net</u>				Avg.	
Land Use Category	Acres	Acres*	FAR/Acre**	SF/Job**	# of Jobs***	Units/Acre	# of Units+
North Employment Campus (adjusted gross							
acreage)	149	127	0.3	450	3,678		
Mixed Employment Village	26	21	0.44	350	1,139		
Main Street****	10	8	0.44	350	219	25	100
West Mixed Use Neighborhood	22	18			15	22	387
East Mixed Use Neighborhood	77	62			21	8.7	536
Total # of Jobs					5,073		
Total # of Housing Units							1,023
Total Acres of Developed Land++	284	235					
_							

^{*}For Hybrid - Net acres equals gross acres minus 15% for local roads and easements in Employment. Mixed Employment, Mixed Use, and residential areas assume 20% for local roads and easements

^{* *}Based on Metro 2002-2022 Urban Growth Report: An Employment Land Need Analysis. Includes total on site employment (full and part time). Mixed Employment FAR and job density reflects a mix of office, tech/flex, and ground floor retail.

^{***}Number of Jobs in Employment, Mixed Employment, Mixed Use calculated by multiplying total acres by the FAR; Converting to square feet; and dividing by number of jobs/square foot. Jobs in residential areas (Work at Home Jobs) estimated at 4% (potential could be as high as 15%).

^{****} Mixed Use land use assumes 50% of acreage devoted to commercial uses and the remaining 50% devoted to vertical mixed use.

⁺Number of units calculated by multiplying total net acres of residential land use by average units per acre

⁺⁺Includes 50% of useable power line corridor (26 acres total) as part of developed land (included in Employment land area)

⁺⁺⁺Does not include powerline corridor acreage as part of developed land



VI. Goals and Policies

The following goals and policies are recommended for adoption into the Oregon City Comprehensive Plan. The goal statements are those developed by the Citizen Advisory Committee as goals for the plan.

Goal 1 Complete and Sustainable Community

Create a complete and sustainable community, in conjunction with the adjacent land uses, that integrates a diverse mix of uses, including housing, services, and public spaces that are necessary to support a thriving employment center.

Policy 1.1

Adopt new comprehensive plan and zone designations, and development code, that implement the Beavercreek Concept Plan. Require all development to be consistent with the Concept Plan and implementing code.

Policy 1.2

Establish sub-districts to implement the Concept Plan. The sub-districts are:

North Employment Campus – NEC

The purpose of the North Employment Campus is to provide for the location of family wage employment that strengthens and diversifies the economy. The NEC allows a mix of clean industries, offices serving industrial needs, light industrial uses, research and development and large corporate headquarters. The uses permitted are intended to improve the region's economic climate, promote sustainable and traded sector businesses, and protect the supply of sites for employment by limiting

incompatible uses. The sub-district is intended to comply with Metro's Title 4 regulations. Site and building design will create pedestrian-friendly areas and utilize cost effective green development practices. Business and program connections to Clackamas Community College (CCC) are encouraged to help establish a positive identity for the area and support synergistic activity between CCC and NEC properties. Businesses making sustainable products and utilizing sustainable materials and practices are encouraged to reinforce the identity of the area and promote the overall vision for the Beavercreek Road area.

Mixed Employment Village – MEV

The purpose of the Mixed Employment Village is to provide employment opportunities in an urban, pedestrian friendly, and mixed use setting. The MEV is intended to be transit supportive in its use mix, density, and design so that transit remains an attractive and feasible option. The MEV allows a mix of retail, office, civic and residential uses that make up an active urban district and serve the daily needs of adjacent neighborhoods and Beavercreek Road sub-districts. Site and building design will create pedestrian-friendly areas and utilize cost effective green development practices. Business and program connections to Clackamas Community College and Oregon City High School are encouraged. Businesses making sustainable products and utilizing sustainable materials and practices are encouraged to reinforce the identity of the area and promote the overall vision for the Beavercreek Road area.

Main Street - MS

The purpose of this small mixed-use center is to provide a focal point of pedestrian activity. The MS allows small scale commercial, mixed use and services that serve the daily needs of the surrounding area. "Main Street" design will include buildings oriented to the street, and minimum of 2 story building scale, attractive streetscape, active ground floor uses and other elements that reinforce pedestrian oriented character and vitality of the area.



West Mixed Use Neighborhood - WMU

The West Mixed Use Neighborhood will be a walkable, transit-oriented neighborhood. This area allows a transit supportive mix of housing, live/work units, mixed use buildings and limited commercial uses. A variety of housing and building forms is required, with the overall average of residential uses not exceeding 22 dwelling units per acre. The WMU area's uses, density and design will support the multi-modal transportation system and provide good access for pedestrians, bicycles, transit and vehicles. Site and building design will create a walkable area and utilize cost effective green development practices.

East Mixed Use Neighborhood - EMU

The East Mixed Use Neighborhood will be a walkable and tree-lined neighborhood with a variety of housing types. The EMU allows for a variety of housing types while maintaining a low density residential average not exceeding the densities permitted in the R-5 zone. Limited non-residential uses are permitted to encourage a unique identity, sustainable community, and in-home work options. The neighborhood's design will celebrate open space, trees, and relationships to public open spaces. The central open space, ridge open space scenic viewpoints, and a linked system of open spaces and trails are key features of the EMU. Residential developments will provide housing for a range of income levels, sustainable building design, and green development practices.

Policy 1.3

Within the Northern Employment Campus sub-district, support the attraction of family wage jobs and connections with Clackamas Community College.

Policy 1.4

Within the Mixed Employment Village and Main Street sub-districts, promote job creation, mixed use and transit oriented development. Adopt minimum densities, limitations on stand-alone residential developments, and other standards that implement this policy.

Policy 1.5

The Main Street sub-district may be located along the extension of Glen Oak Road and not exceed 10 gross acres. The specific configuration of the MS sub-district may be established as part of a master plan.

Policy 1.6

Within the West and East Mixed Use Neighborhoods, require a variety of housing types. Allow lot size averaging and other techniques that help create housing variety while maintaining overall average density.

Policy 1.7

Within the MEV, MS, WMU and EMU sub-districts, require master plans to ensure coordinated planning and excellent design for relatively large areas (e.g. 40 acres per master plan). Master plans are optional in the NEC due to the larger lot and campus industrial nature of the area.



Goal 2 Model of Sustainable Design

Be a model of sustainable design, development practices, planning, and innovative thinking.

Policy 2.1

Implement the Sustainable Storm Water plan recommended in the Concept Plan. During site specific design, encourage innovative system design and require low impact development practices that manage water at the site, street and neighborhood scales.

Policy 2.2

Storm water facilities will be designed so they are amenities and integrated into the overall community design.

Policy 2.3

Support public and private sector initiatives to promote sustainable design, development practices and programs, including but not limited to:

- Energy efficiency
- Water conservation
- Compact development
- Solar orientation
- Green streets/infrastructure
- Adaptive reuse of existing buildings/infrastructure
- Alternative transportation
- Pedestrian/Cyclist friendly developments
- Natural drainage systems
- Tree preservation and planting to "re-establish" a tree canopy
- Minimizing impervious surfaces

- Sustainability education (builder, residents, businesses and visitors)
- Collaboration with "local" institutional and economic partners, particularly Clackamas Community College and Oregon City High School
- Community based sustainable programs and activities

Policy 2.4

Work with stakeholders and the community to develop LEED or equivalent green building standards and guidelines to apply in the Concept Plan area.

Goal 3 Green Jobs

Attract "green" jobs that pay a living wage.

Policy 3.1

Coordinate with county, regional and state economic development representatives to recruit green industry to the Concept Plan area.

Policy 3.2

Promote the Concept Plan area as a place for green industry.

Policy 3.3

Work with Clackamas Community College to establish programs and education that will promote green development within the Concept Plan area.



Goal 4 Sustainable Industries

Maximize opportunities for sustainable industries that serve markets beyond the Portland region and are compatible with the site's unique characteristics.

Policy 4.1

As master plans are approved, ensure there is no net loss of land designated North Employment Campus.

Policy 4.2

Coordinate with County, regional and state economic development representatives to recruit sustainable industries that serve markets beyond the Portland region.

Goal 5 Natural Beauty

Incorporate the area's natural beauty into an ecologically compatible built environment.

Policy 5.1

Incorporate significant trees into master plans and site specific designs. Plant new trees to establish an extensive tree canopy as part of the creation of an urban community.

Policy 5.2

Provide scenic viewpoints and public access along the east ridge.

Policy 5.3

Protect views of Mt Hood and locate trails and public areas so Mt Hood can be viewed within the community

Policy 5.4

Establish open space throughout the community consistent with the Open Space Framework Plan. Allow flexibility in site specific design of open space, with no net loss of total open space area.

Policy 5.5

Protect steeply sloped and geologically sensitive areas along the east ridge from development.

Goal 6 Multi-modal Transportation

Provide multi-modal transportation links (such as bus routes, trails, bikeways, etc.) that are connected within the site as well as to the surrounding areas.

Policy 6.1

Work with Tri-Met and stakeholders to provide bus service and other alternatives to the Concept Plan area.

Policy 6.2

As land use reviews and development occur prior to extension of bus service, ensure that the mix of land uses, density and design help retain transit as an attractive and feasible option in the future.

Policy 6.3

Ensure that local street connectivity and off-street pedestrian routes link together into a highly connected pedestrian system that is safe, direct, convenient, and attractive to walking.

Policy 6.4

The "walkability" of the Concept Plan area will be one of its distinctive qualities. The density of walking routes and connectivity should mirror



the urban form – the higher the density and larger the building form, the "finer" the network of pedestrian connections.

Policy 6.5

Require trails to be provided consistent with the Concept Plan Circulation Framework.

Policy 6.6

Provide bike lanes on Beavercreek Road and all collector streets, except for Main Street. The City may consider off-street multi-use paths and similar measures in meeting this policy. Bike routes will be coordinated with the trails shown on the Circulation Framework.

Goal 7 Safety Along Beavercreek Road

Implement design solutions along Beavercreek Road that promote pedestrian safety, control traffic speeds and access, and accommodate projected vehicular demand.

Policy 7.1

Design Beavercreek Road to be a green street boulevard that maximizes pedestrian safety.

Policy 7.2

Work with the County and State to establish posted speeds that are safe for pedestrians and reinforce the pedestrian-oriented character of the area.

Policy 7.3

Control access along the east side of Beavercreek Road so that full access points are limited to the intersections shown on the Circulation Framework. Right in-Right-out access points may be considered as part of master plans or design review.

Goal 8 Oregon City High School and Clackamas Community College

Promote connections and relationships with Oregon City High School and Clackamas Community College.

Policy 8.1

Coordinate with OCHS and CCC when recruiting businesses and promoting sustainability. Within one year of adoption of the Concept Plan, the City will convene dialogue with OCHS, CCC and other relevant partners to identify target industries and economic development strategies that are compatible with the vision for the Concept Plan. Encourage curricula that are synergistic with employment and sustainability in the Concept Plan area.

Policy 8.2

Prior to application submittal, require applicants to contact OCHS and CCC to inform them and obtain early comment for master plans and design review applications.

Policy 8.3

Improving the level-of-service and investing in the Highway 213 corridor improves the freight mobility along Highway 213, which provides access to Beavercreek Road and the Concept Plan area. Protecting the corridor and intersections for freight furthers the City goal of providing living-wage employment opportunities in the educational, and research opportunities to be created with CCC and OCHS.



Goal 9 Unique Sense of Place

Have a unique sense of place created by the mix of uses, human scale design, and commitment to sustainability.

Policy 9.1

Utilize master plans and design review to ensure detailed and coordinated design. Allow flexibility in development standards and the configuration of land uses when they are consistent with the comprehensive plan, development code, and vision to create a complete and sustainable community.

Policy 9.2

Implement human scale design through building orientation, attractive streetscapes, building form/architecture that is matched to the purpose of the sub-district, location of parking, and other techniques. The design qualities of the community should mirror the urban form – the higher the density and larger the buildings, the higher the expectation for urban amenities and architectural details.

Policy 9.3

Density should generally transition from highest on the west to lowest in the eastern part of the site.

Policy 9.4

Promote compatibility with existing residential areas at the north and south end of the Concept Plan area. Transition to lower densities, setbacks, buffers and other techniques shall be used.

Goal 10 Ecological Health

Manage water resources on site to eliminate pollution to watersheds and lesson impact on municipal infrastructure by integrating ecological and man-made systems to maximize function, efficiency and health.

Policy 10.1

Utilize low impact development practices and stormwater system designs that mimic natural hydrologic processes, minimize impacts to natural resources and eliminate pollution to watersheds.

Policy 10.2

Prepare the Environmentally Sensitive Resource Area overlay to protect, conserve and enhance natural areas identified on the Concept Plan. Apply low-density base zoning that allows property owners to cluster density outside the ESRA and transfer to other sites.

Appendix

- 1. Project Goals
- 2. Concept Plan Alternatives
- 3. GIS Analysis Map
- 4. Job and Housing Estimates



To: Beavercreek Road Concept Plan Citizens

and Technical Advisory Committees

From: Tony Konkol

Date: March 13, 2007

Subject: Project Goals with Objectives

The following project goals and supplemental objectives were prepared using the *Ideas* we Like, Principles of Sustainable Development, and the Advisory Committees' long-term vision for the project area. This update reflects input by the Citizens and Technical Advisory Committees at their March 8th, 2007 meeting.

The Beavercreek Road Concept Plan Area will:

Goal

Create a **complete community**, in conjunction with the adjacent land uses, that
integrates a diverse mix of uses, including housing, services, and public spaces that are
necessary to support a thriving employment center;

Objective 1.1

Allow a variety of employment uses that may integrate and utilize the surrounding city and rural economies.

Objective 1.2

Develop plans that consider the existing rural lands and uses around the Urban Growth Boundary.

Objective 1.3

Continue to coordinate with the Oregon City School District and Clackamas Community College to identify partnerships, land needs and programs that would be beneficial to all parties and contribute to the community.

Objective 1.4

Encourage neighborhood-oriented and scaled mixed-use centers that provide goods, services, and housing for local workers and residents of all ages and incomes.

Objective 1.5

Become a model of sustainability that may be implemented throughout the City. Objective 1.6

Allow the integration of housing and employment uses where practicable.

Objective 1.7

Work with Metro to ensure that there is enough land available within the Beavercreek Road Study Area to meet the need for employment/industrial development and reduce the jobs to housing imbalance in the sub-region.

2. Be a **model of sustainable design**, development practices, planning, and innovative thinking;

Objective 2.1

Allow a variety of employment uses that may integrate and utilize the surrounding city and rural economies.

Objective 2.2

Develop plans that consider the existing rural lands and uses around the Urban Growth Boundary.

Objective 2.3

Encourage neighborhood-oriented and scaled mixed-use centers that provide goods, services and housing for local workers and residents of all ages and incomes.

Objective 2.4

Encourage environmentally responsible developments that are economically feasible, enhance livability of neighborhoods and enhance the natural environment.

Objective 2.5

Investigate development standards that offer incentives for developments that exceed energy efficiency standards and meets green development requirements and goals.

3. Attract "green" jobs that pay a living wage;

Objective 3.1

Allow a variety of employment uses that may integrate and utilize the surrounding city and rural economies.

Objective 3.2

Develop plans that consider the existing rural lands and uses around the Urban Growth Boundary.

Objective 3.3

Encourage neighborhood-oriented and scaled mixed-use centers that provide goods, services and housing for local workers and residents of all ages and incomes.

Objective 3.4

Allow the integration of housing and employment uses where practicable.

Objective 3.5

Work with Metro to ensure that there is enough land available within the Beavercreek Road Study Area to meet the need for employment/industrial development and reduce the jobs to housing imbalance in the sub-region.

Objective 3.6

Create a "brand" for the area that reflects the desire for sustainable development that will serve as the theme to attract and recruit businesses and developers as well as guide the design standards and build-out of the area.

4. Maximize opportunities for **sustainable industries that serve markets beyond the Portland region** and are compatible with the site's unique characteristics;

Objective 4.1

Create a "brand" for the area that reflects the desire for sustainable development that will serve as the theme to attract and recruit businesses and developers as well as guide the design standards and build-out of the area.

Objective 4.2

Work with Metro to ensure that there is enough land available within the Beavercreek Road Study Area to meet the need for employment/industrial development and reduce the jobs to housing imbalance in the sub-region.

Objective 4.3

Support locally based and founded employers that provide living wages jobs.

Objective 4.4

Support the development of sustainable industries that utilize green design standards and development practices.

5. Incorporate the area's **natural beauty** into an ecologically compatible built environment;

Objective 5.1

Design the adjacent land-uses to Beavercreek Road in such a manner to ensure that the pedestrian experience is not diminished through the development of fences, parking lots, backs of buildings, or other impediments to pedestrian access and circulation.

Objective 5.2

Allow a variety of employment uses that may integrate and utilize the surrounding city and rural economies.

Objective 5.3

Develop plans that consider the existing rural lands and uses around the Urban Growth Boundary.

Objective 5.4

Work with Metro to ensure that there is enough land available within the Beavercreek Road Study Area to meet the need for employment/industrial development and reduce the jobs to housing imbalance in the sub-region.

6. Provide **multi-modal transportation links** (such as bus routes, trails, bike-ways, etc.) that are connected within the site as well as to the surrounding areas;

Objective 6.1

Provide public connectivity routes for bicycles and pedestrians that encourage non-vehicular trips to employment, retail and recreational areas within the study area and to the communities beyond.

Objective 6.2

Provide an integrated street system that is designed as practicable to minimize the impacts to the environment through the use of green streets, swales and other natural stormwater systems that provide water quality and quantity control and contribute to the natural beauty of the area.

Objective 6.3

Explore local and regional transit opportunities that will increase non-single occupancy vehicle travel.

7. Implement **design solutions along Beavercreek Road** that promote pedestrian safety, control traffic speeds and access, and accommodate projected vehicular demand;

Objective 7.1

Develop and maintain a multi-modal transportation system that is safe for all users and will minimize conflict points between different modes of travel, especially across Beavercreek Road to the existing neighborhoods, Clackamas Community College, Oregon City High School and the Berry Hill Shopping Center.

Objective 7.2

Design the adjacent land-uses to Beavercreek Road in such a manner to ensure that the pedestrian experience is not diminished through the development of fences, parking lots, backs of buildings, or other impediments to pedestrian access and circulation.

8. Promote connections and relationships with **Oregon City High School and Clackamas Community College**;

Objective 8.1

Allow a variety of employment uses that may integrate and utilize the surrounding city and rural economies.

Objective 8.2

Develop plans that consider the existing rural lands and uses around the Urban Growth Boundary.

Objective 8.3

Continue to coordinate with the Oregon City School District and Clackamas Community College to identify partnerships, land needs and programs that would be beneficial to all parties and contribute to the community.

9. Have a **unique sense of place** created by the mix of uses, human scale design, and commitment to sustainability.

Objective 9.1

Provide public connectivity routes for bicycles and pedestrians that encourage non-vehicular trips to employment, retail and recreational areas within the study area and to the communities beyond.

Objective 9.2

Provide an integrated street system that is designed as practicable to minimize the impacts to the environment through the use of green streets, swales and other natural stormwater systems that provide water quality and quantity control and contribute to the natural beauty of the area.

Objective 9.3

Allow a variety of employment uses that may integrate and utilize the surrounding city and rural economies.

Objective 9.4

Develop plans that consider the existing rural lands and uses around the Urban Growth Boundary.

Objective 9.5

Encourage neighborhood-oriented and scaled mixed-use centers that provide goods, services and housing for local workers and residents of all ages and incomes.

Objective 9.6

Allow the integration of housing and employment uses where practicable.

Objective 9.7

Work with Metro to ensure that there is enough land available within the Beavercreek Road Study Area to meet the need for employment/industrial development and reduce the jobs to housing imbalance in the sub-region.

Objective 9.8

Create a "brand" for the area that reflects the desire for sustainable development that will serve as the theme to attract and recruit businesses and developers as well as guide the design standards and build-out of the area.

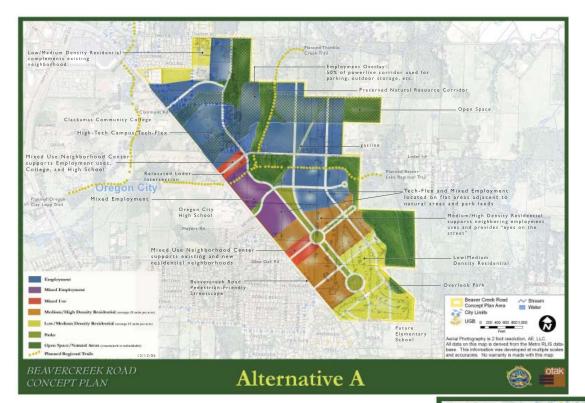
Objective 9.9

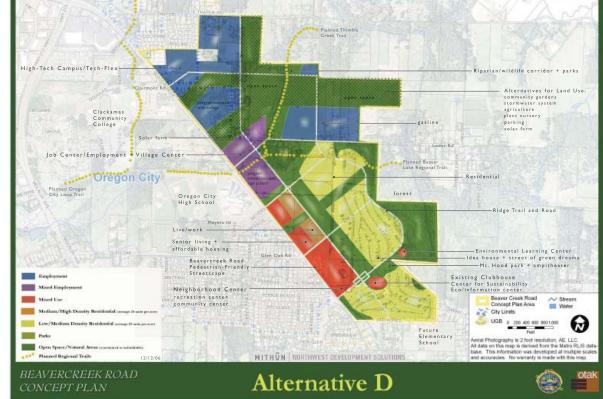
Design the adjacent land-uses to Beavercreek Road in such a manner to ensure that the pedestrian experience is not diminished through the development of fences, parking lots, backs of buildings, or other impediments to pedestrian access and circulation.

10. Ecological Health – Manage water resources on site to **eliminate pollution to** watersheds and lesson impact on municipal infrastructure by integrating ecological and man-made systems to maximize function, efficiency and health.

Objective 10.1

Provide an integrated street system that is designed as practicable to minimize the impacts to the environment through the use of green streets, swales and other natural stormwater systems that provide water quality and quantity control and contribute to the natural beauty of the area.





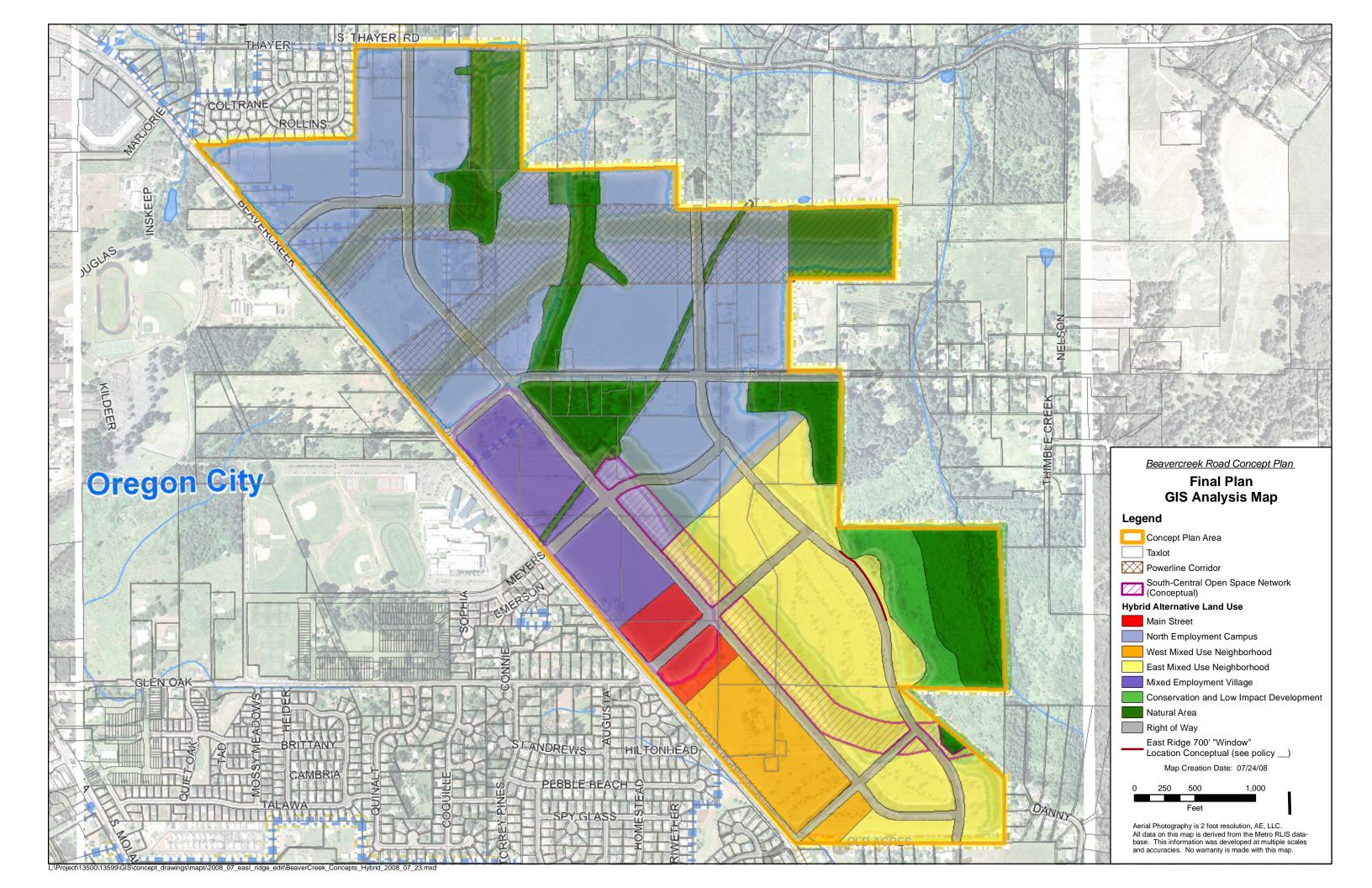


Table 2
Beavercreek Concept Plan Job & Housing Density Assumptions
Revised - 7/10/07

	Hybrid	Hybrid					
	Gross	Net				Avg.	
Land Use Category	Acres	Acres*	FAR/Acre**	SF/Job**	# of Jobs***		# of Units+
North Employment Campus (adjusted gross							
acreage)	149	127	0.3	450	3,678		
Mixed Employment Village	26	21	0.44	350	1,139		
Main Street***	10	8	0.44	350	219	25	100
West Mixed Use Neighborhood	22	18			15	22	387
East Mixed Use Neighborhood	77	62			21	8.7	536
Total # of Jobs					5,073		
Total # of Housing Units							1,023
Total Acres of Developed Land++	284	235					
	Plan A	Plan A					
	Gross	Net				Avg.	
Land Use Category	Acres	Acres*	FAR/Acre**	SF/Job**	# of Jobs***		# of Units+
Employment (adjusted gross acreage)	139	118					
Mixed Employment	24	20	0.44	350			
Mixed Use****	10	9	0.44	350	233	25	106
Medium/High Density Residential	50	43			43	25	1,063
Low/Medium Density Residential	53	45			18	10	451
Total # of Jobs					4,841		
Total # of Housing Units							1,619
Total Acres of Developed Land++	276	235					
	Plan D	Plan D					
	Gross	Net				Avg.	
Land Use Category	<u>Acres</u>	Acres*	FAR/Acre**	SF/Job**	# of Jobs***	Units/Acre	# of Units+
Employment (adjusted gross acreage)	84	71	0.3	450	2,073		
Mixed Employment	25	21	0.44	350	1,164		
Mixed Use****	29	25	0.44	350	675		308
Medium/High Density Residential	9	8			8	25	191
Low/Medium Density Residential	99	84			34	10	842
Total # of Jobs					3,953		
Total # of Housing Units							1,341
Total Acres of Developed Land+++	246	209					

^{*}For Hybrid - Net acres equals gross acres minus 15% for local roads and easements in Employment. Mixed Employment, Mixed Use, and residential areas assume 20% for local roads and easements

^{* *}Based on Metro 2002-2022 Urban Growth Report: An Employment Land Need Analysis. Includes total on site employment (full and part time). Mixed Employment FAR and job density reflects a mix of office, tech/flex, and ground floor retail.

^{***}Number of Jobs in Employment, Mixed Employment, Mixed Use calculated by multiplying total acres by the FAR; Converting to square feet; and dividing by number of jobs/square foot. Jobs in residential areas (Work at Home Jobs) estimated at 4% (potential could be as high as 15%).

^{****} Mixed Use land use assumes 50% of acreage devoted to commercial uses and the remaining 50% devoted to vertical mixed use.

⁺Number of units calculated by multiplying total net acres of residential land use by average units per acre

⁺⁺Includes 50% of useable power line corridor (26 acres total) as part of developed land (included in Employment land area)

⁺⁺⁺Does not include powerline corridor acreage as part of developed land

Table 3
Land Use Metrics/Assumptions - HYBRID
Revised - 7/10/07

Land Use Category (acres)	<u>Hybrid</u>	Alt. A	Alt. D
North Employment Campus (adjusted gross acreage)*	149	139	84
Mixed Employment Village	26	24	25
Main Street	10	10	29
West Mixed Use Neighborhood	22	50	9
East Mixed Use Neighborhood	77	53	99
Total Acres of "built" land use	284	276	246
Other Land Uses (not "built")			
Parks/Open Space/Natural Areas (Total)**	113	132	166
Major ROW+	56	36	30
Existing Uses (unbuildable)	0	7	7
Total Project Area Gross Acres	453	~450	~450

*Adjusted gross acreage is the sum of 50% of the employment land use shown under the powerline easement plus all other unconstrained employment land use areas. Calculations shown below:

Land Use Category (acres)	<u>Hybrid</u>	Alt. A	Alt. D
Total North Employment Campus	175	166	84
Unconstrained NEC	123	111	84
Employment with powerline overlay	52	55	0
Useable portion of powerline overlay (50%)	26	28	na
North Employment Campus (adjusted gross			
acreage)*	149	139	84

** Open Space/Natural areas is the sum of all "unbuildable lands" as shown on the *Buildable Lands Map* plus two areas under the powerlines. Calculations shown below.

Open Space/Natural Areas Break-Out	<u>Hybrid</u>	Alt. A	Alt. D
Open Space -Gas Overlay	3	4	4
Open Space - Unbuildable Powerlines***	48	49	0
Environmental Resources/Buildable Lands Map	61	61	61
Parks	na	12	na
Other Open Space Areas _	18	6	101
Open Space/Natural Areas (Total)	130	132	166

^{***}For Hybrid - Unbuildable Powerlines area includes 12 acres on east edge of site under powerlines plus 50% of employment area under powerlines (~26 acres) and the PGE parcel (10 acres). For Alt. A - Unbuildable Powerlines area includes 12 acres on east edge of site under powerlines and 10 acres of the PGE Parcel and 50% of powerline area (27 acres).

⁺Major ROW are approximate location & acreage (may be shown as crossing natural resource areas. Actual location and size of ROW will be addressed during development review/master planning). Includes 2 acre adjustment for GIS polygon alignment.

BEFORE THE CITY COMMISSION

In the Matter of)	
Adoption of the)	Findings of Fact
Beavercreek Road Concept Plan)	
ON REMAND)	
File No. LE-15-0003)	

I. INTRODUCTION

This matter comes before the City Commission (Commission) of Oregon City to approve the Beavercreek Road Concept Plan on remand.

After a review of the facts, including the Metro Ordinance 10-1244B and the City's recently adopted transportation and utility master plans, the City Commission finds that the applicable decision-making criteria are satisfied. Therefore, the City Commission APPROVES the above-referenced plan amendments. Unless otherwise provided for, these plan amendments shall take effect on Jan 1, 2017 or upon adoption of zoning regulations implementing these plan amendments, whichever comes first.

The Commission summarized the benefits of this plan in 2008 as follows:

The Beavercreek Road Concept Plan (BRCP) is a guide to the creation of a complete and sustainable community in southeast Oregon City. The concept plan includes 453-acres located along the east side of Beavercreek Road from Old Acres Lane, north to Thayer Road. The majority of the site (245 acres) was added to the UGB in December of 2002 and an additional 63 acres were added in 2004. The remaining acreage was in the UGB and/or Oregon City limits prior to 2002. During the update of the Oregon City Comprehensive Plan in 2003, Policy 2.6.8 was adopted acknowledging the jobs-related importance of the site to Oregon City and the region, while also allowing flexibility in the project area's land use. Comprehensive Plan policy 2.6.8 states:

Require lands east of Clackamas Community College that are designated as Future Urban Holding to be the subject of concept plans, which is approved as an amendment to the Comprehensive Plan, would guide zoning designations. The majority of these lands should be designated in a manner that encouraged family-wage jobs in order to generate new jobs and move towards meeting the City's employment goals.

The BRCP furthers this end by creating an area were families can work, as well as live by providing a diverse mix of uses (an employment campus north of Loder Road, mixed use districts along Beavercreek Road, and two mixed use neighborhoods) all woven together by open space, trails, a network of green streets and sustainable development practices - all attributes necessary to provide a successful family-wage employment area. Transit-oriented land uses have been strategically located to increase the feasibility of transit service in the future. The plan has been carefully crafted to create a multi-use community that has synergistic relationships with Clackamas Community College, Oregon City High School and adjacent neighborhoods.

II. FACTS

A. Concept Plan History

In September, 2008, the Oregon City Commission adopted Ordinance No. 07-1008 adopting the Beavercreek Concept Plan (BRCP) and its ancillary documents to the Oregon City Comprehensive Plan. The decision was subsequently appealed to the Land Use Board of Appeals (LUBA), LUBA No. 2008-170. Although a wide-ranging series of arguments were presented before LUBA, they largely focused on whether the BRCP was consistent with Metro Code provisions relating to the designation of significant industrial lands, whether the Metro Code and comprehensive plan policies relating to utility and facility adequacy were satisfied, and lack of adequate citizen participation in the process. In August, 2009, LUBA found that the BRCP designation of approximately 74 acres out of the total 308 acres that were designated by the Metro Code for an Industrial design type uses required remand. LUBA did not respond to any of the other arguments.

In December 2010, Metro adopted Ordinance No. 10-1244B that, in addition to expanding the urban growth boundary in portions of Washington County, it amended the Title 4 Industrial and Other Employment Areas Map to show changes to design-type designations to conform to new comprehensive plan designations by cities and to needs identified in the 2009 Urban Growth Report. See Attachment 3, Gerry Uba staff report. Metro's decision was acknowledged by the Land Conservation and Development Commission in LCDC Approval Order 12-UGB-001826. The decision was then appealed to the Oregon Court of Appeals by the same petitioner who challenged adoption of the BRCP as well as others who opposed the UGB expansion. Resolution of the case was stayed pending resolution of the case considering Metro-area urban and rural reserves entitled Barkers Five v. LCDC. In February, 2014, the court remanded LCDC's decision in the Barkers Five case. The legislature responded by enacting House Bill (HB) 4078 (2014) (Or Laws 2014, ch 92), making numerous amendments to ORS chapter 197 and validating Metro's adoption of Ordinance No. 10-1244B. In August 2014, the Oregon Court of Appeals dismissed all challenges relating to Ordinance No. 10-1244B, finding that the amendment to state law established the UGB for Clackamas County as well and therefore, all of the challenges were moot.

B. BRCP Acreage at a Glance

The following table illustrates the estimated gross and net acreage within the BRCP area for the respective land use areas in the BRCP, organized by UGB expansion date. These acreages are based on a GIS analysis of the adopted hybrid plan using polygons, and should be considered approximate.

	<u> Pre 200</u>	2 UGB	<u>2002</u>	<u>UGB</u>	<u>2004</u>	<u>UGB</u>	
BRCP Land Use	<u>Gross</u>	<u>Net</u>	<u>Gross</u>	<u>Net</u>	<u>Gross</u>	<u>Net</u>	<u>Total</u>
<u>Designations</u>	<u>Acres</u>	<u>Acres</u>	Acres	<u>Acres</u>	<u>Acres</u>	<u>Acres</u>	<u>Acres</u>
North Employment							
Campus (Industrial)	51.43	39.36	121.81	75.14			173.24
Mixed Employment							
Village	11.88	11.88	14.45	14.39			26.33
Mixed Used							
Neighborhood (East							
+ West)	49.46	46.68	21.64	21.28	30.79	30.79	101.89
Resource and Natural							
Areas (Low Imp +							
Natural)	1.04	1.04	57.29	15.18	29.17	17.66	87.50
Main Street	7.00	7.00	3.18	3.12			10.18
Wan Street	7.00	7.00	3.10	3.12			10.10
Right of Way	29.26	25.96	24.84	20.09	4.18	4.18	58.40
BRCP Total Acres	150.08	131.92	243.21	149.21	64.13	52.63	457.54
Metro Title 4							
Industrial Land	59.74	46.05	160.67	77.80			220.41

The majority of the site (approximately 245 acres) was added to the UGB in December of 2002 and an additional approximately 63 acres were added in 2004. The remaining acreage was in the UGB and/or Oregon City limits prior to 2002. The 220.41 acres of Title 4 industrial land is estimated to yield approximately 123 acres.

III. The Process and Applicable Approval Standards

The City of Oregon City proposes to re-adopt the BRCP without any amendment. New comprehensive plan map designations and development code and zone changes are not proposed at this time. These concept plan policies will not go into effect until the new zoning designations apply to specific parcels.

State law and the Oregon City Municipal Code do not specifically address the applicable procedures on remand, leaving the City Commission with considerable discretion. The City's only obligation is to address the issues on remand from LUBA. Given that LUBA did not

respond to all of the issues and that the City has implemented a number of relevant utility master plans since 2009, it makes sense to re-open the record only for the purposes raised in the arguments presented by the petitioner in the LUBA appeal. These issues can be summarized as Metro Code Title 4 requirements and public utility and service infrastructure planning requirements as discussed in greater detail below. All written and oral testimony that does not relate to these limited purposes as preserved in the LUBA case, will be rejected and not considered by the City during its review.

As for the applicable approval criteria, as a legislative decision, the fixed goal post rule, ORS 227.178(3)(a), does not apply and as a result, these findings respond to the Metro Code Title 4 and Title 11 provisions currently in place.

Adoption of the BRCP is subject to all of the applicable Statewide Planning Goals including the Transportation Planning Rule (OAR 660-012-0060). In order to meet the requirements of this regulation, needed improvements and funding mechanisms have been identified for properties within the Concept Plan area that will mitigate impacts of the amendment in a manner that avoids further degradation to the performance of the transportation facilities. The proposed transportation infrastructure improvements, financing and funding estimates, identified in the Plan, along with future amendments to the Transportation System Plan and Capital Improvement Plan provide adequate basis to limit development until compliance with the Transportation Planning Rule is shown.

Oregon City must comply with the relevant portions of Metro's Urban Growth Management Functional Plan (Functional Plan). The Functional Plan is a regional land use plan that implements the 2040 Growth Concept. The Concept Plan is required to comply with Metro's title 11 requirements regarding residential density. Findings regarding Metro Title 11 are detailed below.

IV. Public Involvement and Public Comment

The Concept Plan was developed by a 15-member Citizen Advisory Committee (CAC) and 9-member Technical Advisory Committee (TAC). The committees met twelve times between June 2006 and July 2007. There was broad support on the CAC for the hybrid plan. In addition to the committee meetings, the public involvement process included a study area tour for CAC and TAC members, two public open houses, market focus group, sustainability focus group, employment lands coordination with Metro, Community Design Workshop, a project website, project posters, informational sign, email notice and extensive mailings to property owners and interested parties prior to each meeting and public event. Notice of the public hearing for the proposal was published in the newspaper and mailed to all Oregon City property owners on June 22, 2007, in accordance with the requirements of Measure 56. The Planning Commission took public testimony at three hearings on September 24, 2007, October 22, 2007, and November 12, 2007. In addition to reviewing all of the evidence in the record, the City Commission also took public testimony at its hearings on January 16, 2008, March 5, 2008, March 19, 2008 and April 16, 2008.

For the re-adoption, planning staff held additional meetings to provide information and receive input on the plan process:

Planning Commission Work Session

09/28/2015

Citizen Involvement Committee	10/05/2015
Natural Resources Committee	10/14/2015
Transportation Advisory Committee	10/20/2015
Parks & Recreation Advisory Committee	10/22/2015
Caufield Neighborhood Association	10/27/2015
Hamlet of Beavercreek	10/28/2015
City Commission Work Session	11/10/2015
Planning Commission Hearing #1	11/23/2015
City Commission Hearing #1	12/02/2015

V. DECISION-MAKING CRITERIA:

A. Comprehensive Plan Criteria

The following considerations, goals and policies apply to amendment of the Comprehensive Plan and Concept Plans.

Comprehensive Plan Maintenance and Implementation - Regular Review and Update.

Section 2 – Land Use of the 2004 Oregon City Comprehensive Plan indicates that the regular review and updated of the Comprehensive Plan should consider the following:

- 1. Plan implementation process.
- 2. Adequacy of the Plan to guide land use actions, including an examination of trends.
- 3. Whether the Plan still reflects community needs, desires, attitudes and conditions. This shall include changing demographic patterns and economics.
- 4. Addition of updated factual information including that made available to the City of regional, state and federal governmental agencies.

B. Statewide Planning Goals

Compliance with the Statewide Planning Goals is a specific requirement for changes to the Comprehensive Plan or Comprehensive Plan map. For the BRCP to be approved by DLCD it must comply with applicable statewide planning goals. The analysis below is provided for the City and the public to understand how the proposed update complies with Statewide Planning Goals.

C. Metro Title 11.

Concept Plans are regulated by Title 11 in Metro's Urban Growth Management Functional Plan. Title 11 and Concept Plans are intended to lay a foundation for urbanization of areas added to the region's Urban Growth Boundary (UGB) in a way that reasonably provides public facilities and services, offers transportation and housing choices, supports economic development, and protects natural resources. The following land use elements of Metro's Title 11 regulations governing concept planning within Metro's jurisdiction, "3.07.1120 Urban Growth Boundary Amendment Urban Reserve Plan Requirements" which generally include the following:

- A. Annexation;
- B. Housing density;
- C. Variety of housing types;
- D. Housing affordability;
- E. Commercial/Industrial development;
- F. Transportation;
- G. Mapping;
- H. Public Facilities and Services;
- I. Schools;
- J. Urban Growth Diagram; and
- K. Plan Amendments.

IV. ANALYSIS AND FINDINGS

A. Comprehensive Plan Criteria

Comprehensive Plan Maintenance and Implementation - Regular Review and Update.

Another method of Plan maintenance and updating is a continuous technical review of the Plan by the Planning staff. This review and any subsequent recommendations for Plan updating should be presented to the Neighborhood Associations, Planning Commission and City Commission for input and discussion in the same manner as requested Plan changes. The continuous review should consider:

1. Plan implementation process;

Analysis: The main reason for amending the Comprehensive Plan is to adopt and implement the new BRCP in response to Metro Title 11 Requirements, and to guide appropriate comprehensive plan designations and zoning for the area. The concept planning process was initiated in order to ensure the appropriate mix of uses in the concept plan area, and so that public facilities and services can be planned to serve future development within the study area.

Completion of the concept plan and amendment of the Comprehensive Plan complies with the City's Comprehensive Plan Goal 14.3 - Orderly Provision of Services to Growth Areas, which provides that the City plan for public services to lands within the Urban Growth Boundary through adoption of a concept plan and related Capital Improvement Program, as amendments to the Comprehensive Plan. The BRCP and regulations are in compliance with Metro's Functional Plan and the amendments to the comprehensive plan must be adopted through DLCD's post-acknowledgement process.

The City finds this criterion is satisfied.

2. Adequacy of the Plan to guide land use actions, including an examination of trends.

Analysis: The Existing Conditions report of the Concept Plan includes detailed market, infrastructure, transportation system, natural resources, demographics and industrial lands analyses in order to determine trends to guide future land use actions. The results of this analysis need to be incorporated into the Comprehensive Plan. The plan provides a thorough explanation of the existing conditions pertaining to this analysis and provides recommendations and

preliminary cost estimates for improvements that will be necessary in order for the concept plan to be carried out. These cost estimates have subsequently been updated in the city's public infrastructure and transportation planning as follows:

Transportation System Plan (2013)

Sewer Master Plan (2014)

Water Master Plan (2010)

Stormwater and Erosion Control Manual and Design Standards (2015)

The Comprehensive Plan amendments are necessary in order for land use actions to be carried out within the concept plan area subsequent to the annexation of property. Adoption of the concept plan does not rezone property within the planning area until said property is annexed into the City and the implementing zoning regulations are in place. Comprehensive Plan map designations, relevant code amendments, and text and maps are required when these events take place. Likewise, the amendments to the ancillary documents and plans assure that the necessary improvements in the concept plan may be incorporated into the appropriate ancillary plan, as well as be included in the City's Capital Improvement Program and Transportation System Plan.

The Concept Plan provides a comprehensive and cohesive guide to future development in three parts:

- Framework plan maps, goals and policies These elements are adopted as part of the Oregon City Comprehensive Plan. Compliance with the plan is required for all land use permits and development beyond that allowed by existing land use regulation. The framework plan is comprised of generalized maps and policies that integrate land use, transportation, open space and green infrastructure. The framework maps and policies are supported by detailed code and requirements for master planning and design review. This approach sets a broad framework and intent on the figures and text in the plan that ensures that the vision, goals and standards are required in all land use decisions, provides flexibility in site specific design and implementation and allows for phased development over a longer period of time.
- 2) Ancillary report materials The descriptive text, graphics and technical appendix of this report are adopted as an "ancillary document" to the Comprehensive Plan, which provides "operational guidance to city departments in planning and carrying out city services" (Oregon City Comprehensive Plan, page 4). These documents include information for updating the City's utility master plans and Transportation System Plan.
- 3) Development code amendments Revisions to the development code are being prepared as part of the Concept Plan. Once final, it will be adopted as part of the Oregon City Municipal Code. Compliance with these amended provisions will be required for all land use permits and development.

The opportunities and constraints, market, infrastructure, natural resources and buildable lands analysis provided in the BRCP provide an adequate factual basis for determining trends within

the study area. Following adoption of the BRCP, amendments to the Zoning Code, Comprehensive Plan and Ancillary Documents will provided an adequate basis for making future land use decision and can be found in compliance with this criterion.

The City finds this criterion is satisfied.

3. Whether the Plan still reflects community needs, desires, attitudes and conditions. This shall include changing demographic patterns and economics.

Analysis: Citizen input was critical to ensure that the community's desires and attitudes would be reflected in the Concept Plan. A public involvement program was developed and conducted from June 2006 through July 2007. A 15-member Citizen Advisory Committee (CAC) and 9-member Technical Advisory Committee (TAC) developed the concept plan. The purpose of the CAC was to serve as the forum for stakeholder representatives to work with each other and act as an advisory body to the Consulting Team, City Staff, Planning Commission, and City Commission regarding the Concept Plan. The CAC comprised residents, representatives of neighborhood associations, the Hamlet of Beavercreek, local businesses, the development community, property owners within the study area, the school district, Clackamas Community College, Transportation Advisory Committee, environmental interests, and the Planning Commission.

The CAC created several alternatives and finally chose a hybrid the included about 127 net acres of North Employment Campus, which is consistent with Metro's intent and similar to Oregon City's existing Campus Industrial designation, about 29 acres of Mixed Employment Village and Main Street, which allows a variety of uses in a village-oriented transit hub and mixed use neighborhoods to the south that also provide jobs tailored to the neighborhood setting.

The TAC included representatives from Metro, Clackamas County, ODOT, Tri-Met, DLCD, and City Planning Staff. Twelve meetings were held over the 13 months and there were two open houses, a market and sustainability focus group and a design workshop that were intended to provide information to citizens and to solicit their input.

For the 2015 re-adoption process, planning staff held additional meetings to provide information and receive input on the BRCP process with the following groups:

Planning Commission Work Session	09/28/2015
Citizen Involvement Committee	10/05/2015
Natural Resources Committee	10/14/2015
Transportation Advisory Committee	10/20/2015
Parks & Recreation Advisory Committee	10/22/2015
Caufield Neighborhood Association	10/27/2015
Hamlet of Beavercreek	10/28/2015
City Commission Work Session	11/10/2015

The overall vision for the concept plan is to create "A Complete and Sustainable Community", and the CAC utilized the definition of sustainability originally developed by the United Nations Brundtland Commission:

"A sustainable society meets that needs of the present without sacrificing the ability of future generations to meet their own needs".

Based on public input, the committee created 10 Project Goals and 10 Principles of Sustainable Community Design that were used in the visioning and development of the concept plan. The Goals and Principles are on pages 7 and 8 of the Concept Plan. Utilizing these Goals and Principles, the committee created several alternative plans that were reviewed and combined into one preferred alternative plan, which is identified as the BRCP. The plan has land use and transportation connections that support future transit, trails and greenspaces have been crafted to provide direct and convenient internal pedestrian connections and link to the broader regional network, lower densities near the edges and buffer treatments have been incorporated and a street network that provides for internal circulation, minimizing impacts on Beavercreek Road and providing for future connections to the north and south have been identified.

The plan meets the needs of Oregon City for providing employment lands, which are greatly needed. The plan provides 156 net acres of employment lands in two forms: 127 net acres of tech flex campus industrial (Title 4) land and 29 acres of more vertical mixed use village and main street employment. The employment is incorporated into a sustainable, complete community that includes jobs, varied housing types, green streets, open spaces, trails, mixed uses, focal points for activity, linkages to logical streets and activity centers (Clackamas Community College and Oregon City High School) and access to nature. The concept plan is a reflection of the needs, desires, attitudes and conditions of the community and represents the vision, direction and improvements that are necessary to accommodate the changing demographics and economics of the community.

The City finds this criterion is satisfied.

4. Addition of updated factual information including that made available to the City by regional, state and federal governmental agencies.

Analysis: The proposed changes respond to needs revealed by the Buildable Lands Inventory for the concept plan and where updated and affirmed in 2010 through Metro's adoption of Ordinance No. 10-1244B. These needs are documented in the technical appendix on housing and economic development, as well as in the background discussions in each of the Comprehensive Plan elements. Participation on the TAC by representatives of Metro and the State Department of Land Conservation and Development informed the Regulatory Framework which the Concept Plan must comply with, including the primary elements: Governance, Housing, Transportation and protection of Natural Resources. For example, policies support the provision of a variety of housing types and income levels, creation of mixed use zones to encourage more employment and housing, and the designation of Metro Design Types (Industrial and Employment). Metro data and the City's own GIS data was utilized to develop a variety of maps, notably the habitat conservation areas, steep slopes areas, urban growth potential, transportation (street system, transit, functional classification, street sizing, bicycle and pedestrian needs, trails), water, stormwater and sewer system maps. Policies in the Concept Plan support Metro and DLCD requirements and factual information is reflected in the BRCP.

The City finds this criterion is satisfied.

Oregon City Comprehensive Plan Goal 2.6 - Industrial Land Development Ensure an adequate supply of land for major industrial employers with family-wage jobs.

Adoption of the BRCP will ensure an adequate land supply for major industrial employers, consistent with regional employment land goals adopted by Metro. Goal 2.6 is further implemented by the following Policies 2.6.1 through 2.6.8:

Policy 2.6.1

Work with Metro to ensure that there is enough land available within the Urban Growth Boundary to meet the need for industrial and/or commercial development. If there is not enough, identify areas outside the boundary that may be appropriate to annex. The selection of these areas will be based on market factors, protection of environmentally sensitive areas, compatibility with adjoining and nearby uses, public facilities and infrastructure, proximity to expressways and transit, site requirements of specific types of industries, and the desires of the property owners.

Analysis: Metro has determined that the proposed plan provides an adequate amount of Title 4 employment land within the UGB. Reflecting changes in employment needs and demands between the Metro 2002 Urban Growth Report (UGR) –Employment, and the 2009 UGR - Employment, Metro's 2009 assessment found there is adequate capacity inside the current UGB to accommodate the next 20 years of general employment and general industrial job growth even at the high end of the employment forecast range. The subsequently adopted change to the Title 4 Employment and Industrial Areas map conformed the map to the updated information about employment needs in the 2009 UGR (Employment). This change also responded to the identification of a need for residential capacity in the 2009 UGR (Residential) by increasing the residential capacity of the Beavercreek planning area by 36 dwelling units above the level expected at the time the Metro Council added the areas to the UGB. Metro adopted the revised Title 4 map with passage of Ordinance 10-1244B, Exhibit D, on December 6, 2010. According to this map, which is consistent with the hybrid plan, the 151 gross acres on the revised map will supply approximately 121 net acres of employment land.

The City finds this criterion is satisfied.

Policy 2.6.2

Ensure that land zoned or planned for industrial use is used for industrial purposes, and that exceptions are allowed only where some other use supports industrial development. New non-industrial uses should especially be restricted in already developed, active industrial sites.

Analysis: The zoning that will be applied to the employment lands within the UGB following annexation of lands will restrict non-industrial uses and ensure that land is preserved for industrial use. Existing CI-Campus Industrial zoned land within the BRCP area list permitted, conditional and non-permitted uses to support industrial land supply. It is anticipated that zoning similar to the CI zone district will be applied to annexed properties that currently do not have city zoning.

The City finds this criterion is satisfied.

Policy 2.6.3

Protect the city's supply of undeveloped and underdeveloped land zoned for industrial uses by limiting non-industrial community uses, such as schools, parks, and churches on such properties and by limiting larger commercial uses within those areas.

Analysis: As stated above, the zoning of the property in the North Employment Campus will be the same as or similar to the current CI – Campus Industrial zone. Clackamas Community College and Oregon City School District do not anticipate the need for additional land within the BRCP area. Religious land uses are not listed as a permitted use in the CI zone, but could be permitted as conditional uses on mixed-use lands in the southern part of the BRCP area. Commercial uses within the northern employment campus would be limited to some upper limit, similar to the CI zone, which restricts retail sales and services to no more than ten percent of the net developable portion of all contiguous industrial lands. Taken together, these requirements will protect the city's supply of undeveloped and underdeveloped land zoned for industrial uses.

The City finds this criterion is satisfied.

Policy 2.6.4

Protect existing and planned undeveloped and underdeveloped industrial lands from incompatible land uses, and minimize deterrents to desired industrial development.

Policy 2.6.5

Ensure that land-use patterns create opportunities for citizens to live closer to their workplace.

Analysis: An important focus of the BRCP is to create a live-work balance by providing employment opportunities in a mixed use community, with strong multi-modal transportation connections both within the BRCP area and externally to the existing commercial, employment and education centers nearby such as Berry Hill Shopping Center, Clackamas Community College and Oregon City High School. Additionally, live-work units and home occupations with cottage industries are supported by the mixed use approach. The proposed land use mix, combined with the improved transportation network, will guide the future development of the area in a manner that supports this policy.

The City finds this criterion is satisfied.

Policy 2.6.6

Identify industrial uses that could partner with Clackamas Community College as training centers and future employers of students graduating from CCC.

Analysis: Adoption of the BRCP is the first step towards attaining this policy. The plan includes policies for strong programmatic connections to Oregon City High School and Clackamas Community College. The City is already working with the State and the County to develop enterprise zones within the CI-zoned lands within and adjacent to the BRCP area. The enterprise zones encompass industrial areas along Beavercreek Road, the Red Soils area and north of Highway 213 - an area approximately 1.2 square miles. The City partnered with Metro and Clackamas County on the Strategically Significant Employment Lands Project to study these lands and determine their readiness for development and marketability. One of the criteria for

qualifying projects within the enterprise areas is to partner with local job training providers such as Clackamas Community College.

The City finds this criterion is satisfied.

Policy 2.6.7

Establish priorities to ensure that adequate public facilities are available to support the desired industrial development.

Analysis: Please see findings for compliance with Statewide Planning Goal 11 – Public Facilities and Services in Section B below.

Policy 2.6.8

Require lands east of Clackamas Community College that are designated as Future Urban Holding to be the subject of concept plans, which if approved as an amendment to the Comprehensive Plan, would guide zoning designations. The majority of these lands should be designated in a manner that encourages family-wage jobs in order to generate new jobs and move towards meeting the city's employment goals.

Analysis: Adoption of the BRCP will achieve this policy. The final draft hybrid plan was analyzed by the firm ECONorthwest, indicating the potential for substantial job creation within the concept plan area. The ECONorthwest findings were further confirmed by Metro in its 2009 Urban Growth Report (Employment) that "there is adequate capacity inside the current UGB to accommodate the next 20 years of general employment and general industrial job growth even at the high end of the employment forecast range." Ord. 1244B, Attachment 3, p.3. The North Employment Campus is to provide for the needed family wage employment that strengthens and diversifies the economy and will be compliant with Metro's Title 4 regulations. The NEC allows a mix of clean industries, offices serving industrial needs, light industrial uses, research and development and large corporate headquarters. The uses permitted are intended to improve the region's economic climate, promote sustainable and traded sector businesses, and protect the supply of site for employment by limiting incompatible uses. Also, portions of the BRCP area designated enterprise zones incentivize development (See http://www.orcity.org/economicdevelopment/enterprise-zone). To be enrolled in the taxabatement program, businesses should pay employees at least 150% of the State minimum wage or \$13.65 per hour for 2014 (benefits can be used to reach this pay level). Other requirements apply as well.

The City finds this criterion is satisfied.

B. Compliance with Statewide Planning Goals

Compliance with the Statewide Planning Goals is a specific requirement for changes to the Comprehensive Plan or Comprehensive Plan map. For the BRCP to be approved by DLCD it must comply with statewide planning goals. The analysis below is provided for the Planning Commission and the public to understand how the proposed update complies with Statewide Planning Goals.

Goal 1 Citizen Involvement

To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

Analysis: A brief summary of the public involvement program for the CAC/TAC and the general public was provided above. In accordance with this goal, the public involvement program involved affected Neighborhood Associations and groups, utilized community education measures to enhance participation (open houses, focus groups, design workshop, website, open access to planners at City Hall, timely provision of draft material mailed to the CAC/TAC in advance of meetings and on the web, mailings), and provided timely and accurate information to individuals, groups, communities and neighborhoods. After the CAC/TAC recommended a draft plan language, the Planning Commission and City Commission held a number of work sessions and public hearings where public testimony was considered. At all times the draft plan was available for review by the public. This open process encouraged participation by any interested citizen and all evidence submitted into the written record was considered. Finally, planning staff met with several advisory groups and the Hamlet of Beavercreek, and held two work sessions in October – November 2015 to update people on the re-adoption process (See Page 4 for details).

The City finds this Goal is satisfied.

Goal 2 Land Use Planning

To establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions.

Analysis: The Draft Concept Plan includes identification of facts, issues, and problems in the "Background" discussion for each element. Updated and market relevant documentation in the technical report provided the basis for the Land Use, Parks, Transportation, Water, Stormwater, Sanitary Sewer and Natural Resources elements, helping assure the proper factual basis for decisions in updating the maps, goals, policies and implementation measures. Inventories, such as for economic development, employment and natural resources, have been provided in the technical appendices to the BRCP. Based on this information, the Commission finds that this plan amendment is coordinated, as defined by state law. It has been reviewed and coordinated with the plans of other governmental units. It contains adequate implementation measures to ensure that upon taking effect (when the implementing zoning is subsequently adopted) sufficient means will carry out the BRCP. Although Goal 2 also implements periodic review, the amendments are not triggered as a result of periodic review. Finally, after a number of public hearings where alternative courts of action were considered, the Commission finds that the proposed plan amendments are consistent with public policy taking into account social, economic, energy and environmental needs.

The City finds this Goal is satisfied.

Goal 3 Agricultural Lands and Goal 4 Forest Lands

Analysis: By definition, Oregon City does not have rural resource lands such as for agricultural or forest use within its city limits or UGB and therefore those goals are not applicable.

The City finds these Goals are not applicable.

Goal 5 Open Spaces, Scenic and Historic Areas, and Natural Resources

To protect natural resources and conserve scenic and historic areas and open spaces.

Analysis: Goal 5 resources are addressed in detail in the Natural Resource Inventory which was part of the existing conditions analysis required by Metro Title 11. A detailed review of the Goal 5 resources within the study area, including wetlands, streams, riparian area, wildlife habitat and other resources was conducted. The inventory consisted of two parts:

- 1) An examination of existing resource information for the plan area; and
- 2) A field study to verify the location and evaluate resource habitat quality.

The first phase of the inventory included review of existing documents, such as Metro Goal 5 Inventory Maps, National Wetland Inventory maps, Natural Resource Conservation Service Soils Survey of Clackamas County, Stream Net fisheries data and other sources. Phase two consisted of a field verification of the BRCP area by a team of biologists. The team visited each of the previously mapped natural resource areas to confirm the location, size and quality. The natural areas determined to be of high resource value were distinguished from natural areas of lesser resource value and the lower quality natural areas were given a designation of enhancement potential in order to identity both the highest quality natural resource and provide a determination of the feasibility of enhancement.

The Natural Resources Inventory that was conducted as part of the existing conditions analysis for the BRCP consisted of examination of existing resource information for the area and a field study. This inventory is already part of the record. The inventory identified and summarized 19 natural areas within the BRCP area and were assigned values for their condition and enhancement potential. Of those 19 areas, the majority were consistent with Metro's Goal 5 mapping. The city's initial GIS analysis of the NROD areas for the entire UGB was done in 2008. The Natural Resource Overlay District was adopted in 2008 and replaced the old Water Resources Overlay District with a combined overlay district, which regulates both Metro Title 13 habitat and Metro Title 3 water resources. In particular Trimble Creek is an identified Goal 5 resource that runs from south to north through the site crossing Loder Road. The concept plan envisions this protected resource being combined within a linear park feature.

The BRCP will protect Goal 5 natural resource areas by guiding the designation of Natural Resource Overlay District areas and the restriction of development in those areas pursuant to OCMC 17.49. The code requires that further on-site analysis be conducted to determine the current extent of the protected resources which initially was done with the concept plan. More detailed, site specific delineations of the resources and the required associated vegetated corridors is required prior to development, along with impact analysis and mitigation for impacts. These existing restrictions will adequately protect natural resource areas and to the extent necessary serve as a natural resource protection plan.

The Beavercreek Road Open Space Framework plan provides a network of green spaces that are intended to provide a system of connected parks, opens spaces and natural areas, provide access to nature, preserve existing natural resources and provide green spaces near the system of trails and pedestrian connections. The power line corridors comprise approximately 52 acres of land north of Loder Road and have been utilized to provide publicly accessible opens space, trails and links to the broader open space network. The standard of 16-acres per 1,000 population was amended to a standard of 6 to 10 acres per 1,000 population as discussed at the Planning Commission. The extent and location of the park is conceptual, flexible and the costs associated with acquisition and development may need to be determined through more detailed Master Planning processes, similar to the Glen Oak Road park site and the Hazel Grove parks site master planning that was conducted in 2014. Existing parks SDCs do not reflect the cost of providing parks in this area, and they may need to be updated to account for the amount of parks acreage envisioned in the concept plan but they may be updated or lands could be obtained by private developers as development occurs. A park is proposed to extend through the central and southern areas of the BRCP. The location and linearity of the park was first indicated by Metro's Goal 5 mapping. This open space feature is intended as a continuous green space that links the districts and neighborhoods south of Loder Road.

The code will allow flexibility in the width, shape and acreage of the open space, provided there remains a clearly identifiable and continuous open space. The buildable lands identified 292 acres of Tier A or 'unconstrained' lands, 28 acres of Tier B or "Low Impact Development Allowed with Review" and 131 acres of Tier C or "Constrained". The Low Impact area was later evaluated and recommended for conservation under an Environmentally Sensitive and Resource Area designation on the BRCP. New development will be required to comply with the City's Natural Resources Overlay District in compliance with this goal.

The Parks and Recreation Advisory Committee (PRAC) met on October 22, 2015 to hear staff's presentation on the re-adoption process. The PRAC voted unanimously to supports the parks, open space and recreation elements of the Beavercreek Concept Plan.

Concept Plan goals and policies for preserving open space and tree cover, protecting scenic views, preserving and conserving natural resources and water quality have been provided.

The City finds this Goal is satisfied.

Goal 6 Air, Water and Land Resources Quality

To maintain and improve the quality of the air, water and land resources of the state.

Analysis: Existing Comprehensive Plan policies that apply to the concept plan require development practices to comply with regional, state, and federal standards for air and water quality, to protect water quality from erosion and sediment, to minimize the effects of noise, and to protect mineral resources.

These goals and policies are implemented through the City's grading and erosion control ordinances, water quality resource protection regulations, development standards, and nuisance laws. DEQ regulates air quality but Oregon City's TSP recognizes the link between air quality

and transportation (through vehicle emissions) and works to reduce impacts from single-occupancy vehicles. The TSP and Capital Improvements Fund will be updated to reflect transportation improvements recommended in the BRCP.

The City finds this Goal is satisfied.

Goal 7 Areas Subject to Natural Disasters and Hazards

To protect life and property from natural disasters and hazards.

Analysis: The Commission finds that the area does contain steep slopes. The east ridge of the concept plan area was identified as an area of steeper slopes that could be at risk for landslides and slumping. In order to address this, the BRCP calls for establishing a protected open space area along the west side of Thimble Creek and designating the area between the edge of that open space and the 490-foot elevation to the west, along the east ridge, as a conservation area within which a number of restrictions will development apply, including protecting a minimum of 50% of the conservation area, and building height and impact restrictions. The plan also requires a "window" of at least 700 feet of continuous area along the ridge to be publicly accessible. Any development in this area will also be subject to the City's existing geologic hazard overlay review requirements.

According to the City Commission meeting minutes of September 3, 2008, the approximate elevation of 490 feet (MSL) is important in the southern half of the concept plan area relative to gravity sewer service. Existing storm water discharge points below the 490 foot level in this area may also need to be improved with future development to assure that storm water quality and quantity control standards are met. Roadways and development constructed above 490 feet will most likely allow for gravity sewer service. If land uses requiring sanitary sewer service (or roadways with sewer underneath) are located lower than 490 feet, individual pump stations and pressurized services may be required.

As a practical matter land uses such as homes and habitable structures could not practicably meet the standards of the city's Geological Hazard Overlay District and Natural Resources Overlay District, which restricts development within known landslide areas and steep slopes, and within 50 to 200 feet of streams and stream tributaries and wetlands. Low impact recreational uses, such as trails, foot bridges and related uses, as well as storm water discharge facilities, may be permitted within the Natural Resources Overlay District (OCMC 17.49) and Geologic Overlay District (OCMC 17.44), subject to these specific code review criteria as well as Public Works engineering standards.

The City's Natural Resources Overlay District and Geologic Hazards Overlay District are already mapped to the extent of the Urban Growth Boundary in this area and would be in effect upon annexation.

No other natural disaster or hazard areas have been identified and the City finds there are none.

The City finds this Goal is satisfied.

Goal 8 Recreational Needs

To satisfy the recreational needs of the citizens of the state and visitors, and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.

Analysis: The concept plan provides for an interconnected series of trails, parks and open spaces areas throughout the study area to implement this Goal. Specific plan policies related to this Goal include amending the parks and recreation, open space and trail master plans to be consistent with the concept plan, implementation of a hierarchy of connections (roads and trails of various types), create two scenic view points that are small public parks along the East Ridge, open space, and extensive trail systems that provide pedestrian and bicycle connectivity throughout the site and to adjoining trial systems. Additionally the concept plan recognizes the opportunity for acquisition and/or dedication of sensitive areas for open space and habitat by private landowners.

The City finds this Goal is satisfied.

Goal 9 Economic Development

To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.

Analysis: As part of the concept plan process, Oregon City worked with a consultant to inventory and evaluate the local and regional market conditions within and adjacent to the concept planning area. This report details patterns in the community, the profile of local employment, the supply of industrial, commercial and office land, and potential for industrial and commercial development within the area. Metro's employment land needs analysis reports that about 9,300 net acres of industrial land is needed between 2002 and 2022, of which, approximately 6,300 net acres must be vacant and that the region has a shortage of large and small industrial lots. The EcoNorthwest market analysis (LUBA record pp. 1781) identified the advantages and disadvantages of industrial development within the study area and concluded that under the right conditions it is not unreasonable to expect 150 acres of industrial and business park development to build out on the site over a 20-year period.

Metro's adoption of Ord. 1244B updated the EcoNorthwest analysis, concluding that the proposed plan provides an adequate amount of Title 4 employment land within the UGB, through 2029. Reflecting changes in employment needs and demands between the Metro 2002 Urban Growth Report (UGR) –Employment, and the 2009 UGR - Employment, Metro's 2009 assessment found there is adequate capacity inside the current UGB to accommodate the next 20 years of general employment and general industrial job growth even at the high end of the employment forecast range. The subsequently adopted change to the Title 4 Employment and Industrial Areas map conformed the map to the updated information about employment needs in the 2009 UGR (Employment). According to this map, which is consistent with the hybrid plan, the 151 gross acres on the revised map will supply approximately 121 net acres of employment land.

A key issue for the committee was how much employment, what type and where. The Oregon City Comprehensive Plan requires that a majority of the lands be designated in a manner that encourages family-wage jobs in order to generate new jobs and move towards meeting the City's employment goals.

Metro brought 245 gross acres in the UGB in 2002 and an additional 63 acres were added in 2004. The remaining acreage was in the UGB and/or Oregon City limits prior to 2002. These areas (308 gross acres) are designated as the Industrial Design Type on Metro's 2040 Growth Concept Map. Given the expected net acreage once non-buildable areas such as power lines, natural areas, were removed from the buildable lands inventory, Metro intended 120 net acres of the concept plan area would be used for employment uses. Metro noted that it was important to fulfill the original intent for providing industrial lands and that there was flexibility for the local process to evaluate creative ways to meet the intent. See Metro's vacant lands methodology. This approach was blessed by David Bragdon, Metro Council President, in a letter dated May 14, 2007 as well as Metro planner Ray Valone in a letter dated March 19. 2008.

The CAC created several alternatives and finally chose a hybrid the included about 127 net acres of North Employment Campus (NEC), which is consistent with Metro's intent and similar to Oregon City's existing Campus Industrial designation, about 29 acres of Mixed Employment Village and Main Street, which allows a variety of uses in a village-oriented transit hub and mixed use neighborhoods to the south that also provide jobs tailored to the neighborhood setting.

The North Employment Campus is to provide for the needed family wage employment that strengthens and diversifies the economy and will be compliant with Metro's Title 4 regulations. The NEC allows a mix of clean industries, offices serving industrial needs, light industrial uses, research and development and large corporate headquarters. The uses permitted are intended to improve the region's economic climate, promote sustainable and traded sector businesses, and protect the supply of site for employment by limiting incompatible uses.

The concept plan provides land for an identified need within the region and state, and provides for a mix of other uses that will contribute to the economic welfare of the city, state and the citizens.

The City finds this Goal is satisfied.

Goal 10 Housing

To provide for the housing needs of citizens of the state.

Analysis: The concept plan recommends and provides for a mix of residential areas that allow and/or require different densities and housing types, including low, medium and high densities, single-family homes on a range of lot sizes, townhouses, duplexes, multi-family units and mixed commercial/residential uses. The West Mixed Use Neighborhood will be a walkable, transit-oriented neighborhood with an overall average or residential uses not to exceed 22 dwelling units per acre. The East Mixed Use Neighborhood will be a walkable and tree lined neighborhood

with a variety of housing types that will not exceed densities permitted in the R-5 zone (8.7 units per acre).

The concept plan provides for housing affordable to a range of incomes and will utilize sustainable building designs and green development practices. As noted above, the concept plan provides or allows for a range of housing types and densities, including those that are most likely to be affordable to households or families with lower incomes, including single-family homes on small lots, townhouses, duplexes and multi-family units. The plan also identifies strategies for distributing less expensive housing units among different areas rather than concentrating them all in one place, specifically calling for a variety of densities within the East Mixed Use Neighborhood that move from higher densities to lower densities from north to south across the site.

The adoption of Ordinance 1244B also responded to the identification of a need for residential capacity in the 2009 UGR (Residential) by increasing the residential capacity of the Beavercreek planning area by 36 dwelling units above the level expected at the time the Metro Council added the areas to the UGB.

The City finds this Goal is satisfied.

Goal 11 Public Facilities and Services

To plan and develop a timely, orderly, and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

Analysis: This goal applies to urban areas within the city limits of Oregon City and to urbanizable areas within the city's UGB. "Urban Facilities and Services" means appropriate types and levels of, at a minimum, the following: police protection; sanitary sewer facilities; storm drainage facilities; water, planning, zoning and subdivision control; health services; recreation facilities and services; energy and communication services; solid waste; and community governmental services.

Since the BRCP was first adopted, the City has updated a number of its utility master plans. As will be discussed in greater detail below, each of these plans included providing service to BRCP properties at the uses and densities authorized by the BRCP. These plans establish utility services necessary to serve the proposed BRCP area and provide for future utility services without compromising existing customer service. Upon adoption, these various master plans were incorporated as part of the City's Comprehensive Plan and as a result, control future utility extensions throughout the City.

Sanitary Sewer Infrastructure Planning

The BRCP plans for a sanitary sewer system that primarily consists of a gravity sewer collection system with a trunk sewer in Beavercreek Road, a network of trunk sewers within the BRCP area, and a sanitary sewer lift station for a section of the northern half of the concept plan area. The BRCP estimated the total cost of \$4.4 million for capital improvements within the study area and an additional \$2.3 million of programmed capital improvement projects needed to extend the

existing sanitary sewer collection system to the concept plan area. The cost estimates were based on year 2003 dollars.

In October 2014, the City adopted an update to the Oregon City Sanitary Sewer Master Plan (SSMP), an ancillary document to the City's adopted Comprehensive Plan consistent with federal requirements, state statutes, and the Statewide Planning Goals. The SSMP identifies build out capacity concerns, recommends future capital improvements, and develops a capital improvement program (CIP) to meet future needs.

The SSMP also identifies and recommends in more detail the future capital improvements and provides updated estimated costs to serve the BRCP area with respect to sanitary sewer service. Table 5-9, from the SSMP Section 5.2.3.4, identifies the recommended improvements and provides the estimated costs.

Table 5-9. Beavercreek Road Concept Area, Estimated Improvement Costs					
	Description of improven	nent		Estimated cost of improvements, dollars ^a	
Gravity sewer extensions ^b					
8-inch diameter sewers, 14,356 LF				5,050,000	
10-inch diameter sewers	s, 4,317 LF			1,610,000	
12-inch diameter sewers	4,230,000				
15-inch diameter sewers	1,930,000				
Gravity sewer extension	12,820,000				
Pumping stations and FMs			·		
Pumping station number	Pumping station capacity, gpm	FM, diameter, inches	FM, length, LF		
BR-1	272	4	2,080	1,390,000	
BR-2	1,370,000				
Pumping station and FM subt	otal			2,760,000	
Total				15,580,000	

^a Estimated costs include a 50 percent allowance for construction contingencies, engineering, and overhead. Costs are rounded to the nearest \$10,000. Costs assume an average depth of 10 feet using cost condition 2. See Appendix C for unit cost tables.

The primary potential funding sources that may be expected to fund the future sanitary sewer facilities listed in Table 5-9 to serve BRCP, include:

- 1. System Development Charges (SDCs) Developers pay these charges up front to the City based on the proposed impact of the new development on the existing infrastructure.
- 2. Developer funded improvements –Developers are required to construct an appropriate level of public utility improvements within their proposed development and along all street frontages adjacent to their property, including off-site improvements as may be needed to serve the development.
- 3. Reimbursement District: A developer may finance and construct a public improvement that has the capacity to serve more than their development. The reimbursement district provides developers with a mechanism to be reimbursed by other property owners that benefit from the use of the constructed public improvement.

^b Pipes sizes shown are based on an assumed minimum slope. Actual slope may permit smaller size pipes. For example, the modeling did not predict the need to upsize the existing City sewer downstream of MH 11144.

The future sanitary sewer facilities recommended to serve BRCP developments shall be paid for in a way that does not financially burden or adversely affect existing public facilities and services in other parts of the City.

In 2014, the City issued a Type II Land Use Decision with conditions for improvements to serve the Beavercreek Road Apartment-Live-Work development (File SP 14-01). SP 14-01 was not subject to the current 2014 SSMP but the conditions attached to the land use approval require the applicant to pay for a component of the future Beavercreek Road trunk line and connect to the trunk line when it is available.

In summary, the 2014 SSMP documents and SP 14-01 approval consistently support sustainable development that will not financially burden existing rate payers or adversely affect the existing sanitary sewer system.

Water Infrastructure Planning

The BRCP plans for a water distribution system that primarily consists of a "backbone" network of water supply pipelines, two pressure zones with two-thirds of the BRCP area being served from the existing water main in Beavercreek Road, being the lower pressure zone, and the remaining one-third of BRCP area being served from future water facilities that include a booster pump station and reservoir, being the higher pressure zone. BRCP estimated the total cost of \$5.4 million for the "backbone" network capital improvements within the study area, and an additional \$6.9 million of programmed capital improvement projects needed to extend the existing water distribution system to the concept plan area. The cost estimates were based on year 2003 dollars.

In January 2012, the City adopted an update to the Oregon City Water Distribution System Master Plan (WMP), an ancillary document to the City's adopted Comprehensive Plan consistent with federal requirements, state statutes, and the Statewide Planning Goals. The WMP analyzes future water demands and develops a capital improvement program (CIP) to meet these future needs.

The WMP also recommends in more detail the future capital improvements and provides updated estimated costs based on year 2009 dollars for specific improvements, including the water storage reservoir, transmission and distribution pipelines to serve the BRCP area. The future reservoir is recommended to serve both the future BRCP higher pressure zone and the existing Fairway Downs pressure zone that currently has no water storage facilities and with this improvement will be enhanced by increasing the reliability and improving water service.

The WMP includes updated estimated costs for future water facilities recommended to increase the storage capacity of the higher pressure zone, provide a transmission main from the future reservoir to BRCP distribution system, and expand the "backbone" network of water pipelines within the BRCP area. Specifically the WMP project numbers F-CIP-4, F-CIP-5, and F-CIP-14, include the two million gallon reservoir and transmission pipeline with an estimated total cost of \$5.7 million, and various "backbone" network pipelines within the BRCP area with an estimated total cost of \$2.6 million.

The primary potential funding sources that may be expected to fund the future water facilities, include:

- 1. System Development Charges (SDCs) Developers pay these charges up front to the City based on the proposed impact of the new development on the existing infrastructure.
- 2. Developer funded improvements —Developers are required to construct an appropriate level of public utility improvements within their proposed development and along all street frontages adjacent to their property, including off-site improvements as may be needed to serve the development.
- 3. Reimbursement District: A developer may finance and construct a public improvement that has the capacity to serve more than their development. The reimbursement district provides developers with a mechanism to be reimbursed by other property owners that benefit from the use of the constructed public improvement.

The future water facilities recommended to serve future BRCP developments shall be paid for in a way that does not financially burden or adversely affect existing public facilities and services in other parts of the City.

In 2014, the City issued a Type II Land Use Decision with conditions for improvements to serve the Beavercreek Road Apartment-Live-Work development (File SP 14-01). SP 14-01 was subject to conditions to construct water facility improvements that included a waterline extension in Beavercreek Road, and this improvement is identified in the WMP as part of the future distribution system for the higher pressure zone.

In summary, the 2012 WMP documents and SP 14-01 approval consistently support sustainable development that will not financially burden existing rate payers or adversely affect the existing sanitary sewer system.

Stormwater Management Infrastructure Planning

The BRCP plans for a stormwater management system that primarily consists of low-impact development (LID) practices that mimic natural hydrologic processes and minimize impacts to existing natural resources. A three tier stormwater management system has been created that is focused on managing stormwater in a naturalistic manner at three separate scales: site, street and neighborhood/regional. Tier 1 being site specific stormwater management facilities utilizing on-site best management practices (BMPs), Tier 2 green street stormwater management facilities such as vegetated swales and rain gardens adjacent to streets, and Tier 3 regional stormwater management facilities such as regional detention ponds. BRCP estimated the total cost between \$15 million to \$23 million for stormwater management improvements to serve the concept plan area.

In August 2015, the City adopted Public Works stormwater design standards, to be incorporated as part of the City's drainage master plan. The new design standards are consistent with federal and state regulations for water quality and quantity control, and provide BMPs for LID that mimics natural hydrologic processes and minimize impacts to existing natural resources. BRCP embraces the application of LID and these new standards will guarantee compliance.

The primary potential funding sources that may be expected to fund the future stormwater management facilities, include:

1. System Development Charges (SDCs) - Developers pay these charges up front to the City based on the proposed impact of the new development on the existing infrastructure.

- 2. Developer funded improvements –Developers are required to construct an appropriate level of public utility improvements within their proposed development and along all street frontages adjacent to their property, including off-site improvements as may be needed to serve the development.
- 3. Reimbursement District: A developer may finance and construct a public improvement that has the capacity to serve more than their development. The reimbursement district provides developers with a mechanism to be reimbursed by other property owners that benefit from the use of the constructed public improvement.

The stormwater management facilities' strategy to serve BRCP developments shall be paid for in a way that does not financially burden or adversely affect existing public facilities and services in other parts of the City.

In 2014, the City issued a Type II Land Use Decision with conditions for stormwater improvements to serve the Beavercreek Road Apartment-Live-Work development (SP 14-01). Although this site plan and design review application was submitted prior to adoption of the City adopted Public Works stormwater design standards, SP 14-01 was subject to conditions to construct storm facility improvements using an approved LID method prior to discharge to the public system consistent with the low impact development standards contemplated in the BRCP.

In summary, the 2015 stormwater design documents and development approval consistently support sustainable development that will not financially burden existing rate payers or adversely affect the existing sanitary sewer system.

The City finds this Goal is satisfied.

Police and Fire Protection Planning

Oregon City Police Department (OCPD) has indicated their ability to serve the concept plan area. The concept plan area is already within Clackamas Fire District #1 (CFD#1). Clackamas Fire District #1 has indicated their ability to serve the concept plan area.

Letters from OCPD and CFD#1 are attached.

Solid Waste Planning

The city regulates solid waste management to pursuant to ORS 459.200 and City Code 8.20 and the city has authority and obligation to franchise the provisions of service and solid waste management within the city. The franchise to provide solid waste service within the city limits of the city is granted to Oregon City Garbage Co., Inc.

Additionally, the city has an adopted set of Refuse and Recycling Standards for Non Single-Family or Duplex Uses. The purpose of these requirements is to promote:

A. Efficient, safe and convenient location of refuse and recycling areas.

- B. Efficient, safe and convenient on-site maneuvering of collection vehicles, equipment and personnel for servicing solid waste and recycling areas; and
- C. Compliance with the Regional Solid Waste Management Plan, OCMC Chapter 8.20 Solid Waste Collection and Disposal, and the Oregon Revised Statutes (ORS) Chapter 459.

Compliance with these standards may be demonstrated without having to go through a formal land use (site plan and design review) process, provided the application meets the standards

The City finds this Goal is satisfied.

Goal 12 Transportation

To provide and encourage a safe, convenient, and economic transportation system.

Analysis: The original analysis of the Beavercreek Concept Plan area focused on addressing the transportation needs using a horizon year of 2027. The analysis of transportation needs for the City and the concept plan area were updated during the development of the Transportation System Plan (TSP) and its adoption in August 2013. The TSP uses a planning horizon of 2035. The TSP and its analysis supersede that undertaken for the concept plan; the TSP is based on newer information relating to population and employment and uses new mobility standards consistent with Metro's Regional Transportation Plan. The TSP also uses updated policies to meet the travel needs of the residents and employees in the City. These include an increased emphasis on non-single occupancy automobile use, increased emphasis on multi-modal solutions and multi-modal transportation facilities.

As described in the TSP, Oregon City is currently home to over 13,000 households and accounts for over 14,500 jobs. Between 2013 and 2035, household growth is expected to increase nearly 2.4 percent a year, slightly outpacing the rate of employment growth over the same period (2.3 percent). The City is expected to be home to over 23,000 jobs and almost 21,000 households by 2035, a 58 and 61 percent increase respectively from 2010. With more people and more jobs in Oregon City, the transportation network will face increased demands.

The transportation impacts of the proposed residential development and employment in the Beavercreek concept plan area analyzed during the development of the Beavercreek Concept Plan and were described in the May 9, 2007 Kittelson & Associates transportation memorandum "Future Conditions Analysis" and in August 12, 2008 Kittelson & Associates transportation memorandum "Updated Future Traffic Conditions Analysis." These memoranda included an analysis of 2027 transportation needs and identified transportation improvements to satisfy the transportation demands in the south part of Oregon City.

Development of the Beavercreek concept plan area was also accounted for in the transportation forecasts and analysis undertaken for the TSP. Unlike the 2007 analysis by Kittelson & Associates, the analysis undertaken for the TSP was for the entire city. The planning horizon year for the TSP was 2035, rather than 2027 as used for the Beavercreek Concept Plan. Forecasts of future travel for the TSP were conducted using Metro's regional travel demand model. Key inputs to the model include population and employment by area. Assumptions for TSP included

substantial residential development and employment throughout Oregon City, including the Beavercreek concept plan area.

Solutions for the transportation network identified in the concept plan (e.g. Concept Plan, Figure 14 – Circulation Framework) mirror the network specified in the TSP (e.g. TSP, Figure 17 – Planned Street Extensions). Furthermore, the TSP emphasizes the multi-modal aspects of the street system within the concept plan area by identifying this network in TSP Figure 19 – Walking Solutions; TSP Figure 20 – Biking Solutions; and Figure 21 – Shared Walking and Biking Solutions.

Beyond the general street network cited in the figures referenced in the paragraph above, the TSP provides an additional level of specificity by identifying individual projects in "Table 2: Likely to be Funded Transportation System." The following table is an extracted portion of "Table 2: Likely to be Funded Transportation System" that lists the TSP projects within or adjacent to the concept plan area.

Extracted from TSP Table 2: Likely to Be Funded Transportation System

Project	Project	Project Extent	Project Elements	Priority
# ^	Description	,		
D47	Meyers Road	Beavercreek Road to	Extend Meyers Road from Beavercreek Road to the	Mediu
	East extension	the Meadow Lane	Meadow Lane Extension as an Industrial Minor	m-term
		Extension	Arterial. Between the Holly Lane and Meadow Lane	
			extensions, add a sidewalk and bike lane to the south	
			side of the street, with a shared-use path to be added	
			on north side per project S19. Modify the existing	
			traffic signal at Beavercreek Road	
D54	Clairmont Drive	Beavercreek Road to	Extend Clairmont Drive from Beavercreek Road to	Long-
20.	extension	Holly Lane South	the Holly Lane South extension as an Industrial	term
	CACCHOIOI	Extension	Collector. Add a sidewalk and bike lane to the south	CCIIII
		LACTISION	side of the street, with a shared-use path to be added	
D55	Glen Oak Road	Beavercreek Road to	on north side per project S17. Extend Glen Oak Road from Beavercreek Road to	Long
D33				Long-
	extension	the Meadow Lane	the Meadow Lane Extension as a Residential	term
		Extension	Collector. Install a roundabout at Beavercreek Road	
DEC	/TC! 1 1 XX//	D 1 D 1	(per project D39)	т
D56	Timbersky Way	Beavercreek Road to	Extend Timbersky Way from Beavercreek Road to	Long-
	extension	the Meadow Lane	the Meadow Lane Extension as a Residential	term
		Extension	Collector. Add a sidewalk and bike lane to the south	
			side of the street, with a shared-use path to be added	
			on north side per project S20.	
D57	Holly Lane	Maple Lane Road to	Extend Holly Lane from Maple Lane Road to Thayer	Mediu
	South extension	Thayer Road	Road as a Residential Collector. Add a sidewalk and	m-term
	*		bike lane to the west side of the street, with a shared-	
			use path to be added on east side per project S14.	
			Install a roundabout at Maple Lane Road (per project	
			D37).	
D58	Holly Lane	Thayer Road to	Extend Holly Lane from Thayer Road to the Meyers	Mediu
	South extension	Meyers Road	Road extension as an Industrial Collector. Add a	m-term
	*		sidewalk and bike lane to the west side of the street,	
			with a shared-use path to be added on east side per	
			project S15.	
D59	Holly Lane	Meyers Road to the	Extend Holly Lane from the Meyers Road extension	Long-
	South extension	Meadow Lane	to the Meadow Lane Extension as a Mixed-Use	term
	*	Extension	Collector. Add a sidewalk and bike lane to the west	
			side of the street, with a shared-use path to be added	
			on east side per project S16.	
D60	Meadow Lane	Meadow Lane to	Extend Meadow Lane to the Meyers Road Extension	Long-
	extension **	Meyers Road	as a Mixed-Use Collector. Between Old Acres Lane	term
		,	and the Glen Oak Road extension, add a sidewalk and	
			bike lane to the west side of the street, with a shared-	
			use path to be added on east side per project S21.	
D61	Meadow Lane	Meyers Road to	Extend Meadow Lane from the Meyers Road	Mediu
	extension **	UGB (north of	Extension to the UGB (north of Loder Road) as an	m-term
	5	Loder Road)	Industrial Collector	
D81	Beavercreek	Clairmont Drive	Improve to Industrial Major Arterial cross-section	Mediu
D 01	Road Upgrade	(CCC Entrance) to	Improve to industrial major medial cross-section	m-term
	Road Opgrade	Meyers Road		111-101111
D82	Beavercreek	Meyers Road to	Improve to Residential Major Arterial cross-section	Long-
102	Road Upgrade	UGB	Improve to residential major Arterial cross-section	_
	Moad Opgrade	COD		term

^{*}Note: Holly Lane extension is referred to as the Center Parkway in the BRCP.

** Note: Meadow Lane Extension is referred to as the Ridge Parkway in the BRCP.

The Loder Road improvements identified in the BRCP are listed on the "Not Likely to be Funded list in the TSP as Project #D85, *Loder Road Upgrade*, *Beavercreek Road to UGB*. It is expected that new development would fund the entire cost of this improvement.

Alternative modes of transportation are also key strategies to meeting the transportation needs of the City, its residents and employees. The TSP sets a non-single occupancy vehicle mode share target to help meet transportation demand management (TDM) goals, specifically reducing reliance on the single occupancy vehicle. As specified in the TSP, Oregon City's non-SOV mode shares (outside of the Oregon City Regional Center) are expected to be above the TSP objective of 40 to 45 percent with an estimated non-SOV mode share of 47 percent in 2005 and 48 percent in 2035. The non-SOV mode share in the Oregon City Regional Center is expected to remain steady through 2035, at around 42 percent, slightly below the TSP objective of 45 to 50 percent.

The combination of policies and investments related to walking, biking and transit are expected to help the City work towards tripling the walking, biking and transit mode share between 2010 and 2035.

The TSP also recognizes the limitations brought about by the limited availability of funding. Despite the investments to the transportation system, the TSP predicts operating conditions at a few intersections (including the OR 99E/I-205 Northbound, OR 99E/I-205 Southbound, OR 213/Beavercreek Road, and I-205/OR 213 intersections) will be over the operating standard by 2035. For purposes of evaluating the impact of proposed development that is permitted, either conditionally, outright, or through detailed development master plan approval, the OR 99E/I-205 SB Ramps, OR 99E/I-205 NB Ramps, OR 213/ Beavercreek Road, and I-205/OR 213 intersections shall be exempt from meeting the state mobility targets until solutions (beyond those included in the TSP) or alternative mobility targets are explored for the intersections.

The temporary exemption from the mobility standards for the three intersections identified in the preceding paragraph (and in the OCMC) applies only to development that is permitted, either conditionally, outright, or through detailed development master plan approval. OCMC 12.04.205(D). For the Beavercreek concept area, no development will be allowed that produces a greater traffic impact than permitted under existing zoning until alternative mobility targets are adopted. In other words, no significant development beyond what is allowed under current zoning will be permitted until alternative mobility targets are adopted.

Development that has occurred in the south part of Oregon City since the development of the Beavercreek Concept Plan has been consistent with the TSP and OCMC 12.04.205(D). For example, the approval for the Oregon City School District to construct a transportation and maintenance facility adjacent to Meyers Road and High School Avenue is allowable under the current zoning and the traffic impacts of the facility are similar to a typical medium industrial land use as assumed in the TSP. Another example of a recent development is the Beavercreek Road Apartments-Live-Work development on the east side of Beavercreek Road near Meyers Road. This development was also approved under applicable zoning and is consistent with the assumptions of residential and employment increases specified in both the Beavercreek Concept Plan and the TSP.

Adoption of the BRCP is subject to Oregon's Transportation Planning Rule (OAR 660-012-0060). To meet the requirements of this regulation, needed improvements and funding

mechanisms were identified that will mitigate impacts of development. The improvements needed to mitigate for the development in the Beavercreek concept plan area were identified in the Concept Plan. Improvements needed for entire Oregon City planning area are identified in the TSP. The TSP shows that the mobility standards prescribed by the TSP will be met except as noted above.

In addition to identifying projects needed to mitigate for the transportation impacts of development, the TSP (Section H) includes a discussion of current transportation funding sources and other potential sources. The existing sources identified in the TSP include the Street Fund, Street System Development Charge (SDC) Fund and Transportation Utility Fee Fund. Potential sources discussed in the TSP include general city revenues, local fuel tax, urban renewal districts, local improvement districts, and debt financing. The proposed transportation infrastructure improvements, financing and funding estimates, identified in the concept plan and as supplemented by the Transportation System Plan provide an adequate basis to demonstrate compliance with the Transportation Planning Rule.

Implementation strategies and financing tools for the needed transportation improvements have been identified at the TSP level and will be further refined during Capital Improvement Plan updates.

The City finds this Goal is satisfied.

Goal 13 Energy Conservation

To conserve energy.

Analysis: One of the adopted goals of the concept plan is that the area will be a model of sustainable design, development practices, planning and innovative thinking. The plan assumes that sustainable practices will be a combination of private initiatives (LEED certification), public requirements (green streets) and public-private partnerships. The Commission recommends that the City use incentives, education and policy support as much as possible for promoting sustainability in the study area. Some initiatives will require mandates, but at the end of the day, it is up to the private sector to invest in sustainable development. The Beavercreek Road site's legacy as a model of sustainable design will depend on the built projects that are successful in the marketplace and help generate the type of reputation that the community desires and deserves. The concept plan identifies sustainability design strategies that address energy efficiency, water conservation, compact development, mixed use, solar orientation, green streets/infrastructure, alternative transportation options, pedestrian and cyclist system, use of the natural systems and minimizing impervious surfaces.

The City finds this Goal is satisfied.

Goal 14 Urbanization

To provide for an orderly and efficient transition from rural to urban land use.

Analysis: This goal essentially defines the purpose of the concept plan. Oregon City's Urban Growth Boundary was expanded in 2002 and 2004 through Metro's regional review process to include more industrial land. This was the result of a demonstrated need for additional land to accommodate the deficiency in available, vacant industrial lands. The revised element of the updated plan calls for implementing Metro's "concept plan" requirements under Title 11 of the Functional Plan that will result in subarea planning of new areas added to the UGB. The concept plan establishes policies to convert rural to urban land within the UGB while monitoring the supply of land to ensure its adequacy to accommodate growth. Oregon City coordinates with Clackamas County through an intergovernmental agreement that guides land uses and extension of public services in the unincorporated UGB. In addition, the transportation, parks, trails, water, and sewer master plans address orderly extension of services to accommodate growth.

The City finds this Goal is satisfied.

C. Compliance with Metro Title 4.

The findings below are intended to show compliance with the current Metro-adopted Employment and Industrial Areas Map. The northern portion of the concept plan area, known as the North Employment Campus (NEC) in the concept plan, is considered an "Industrial area" on the Metro Title 4 map, as opposed to a "Regionally significant industrial area" such as the area along the OR 212 / 224 Corridor in Clackamas County, or an "Employment area", such as existing zoned land within the city of Clackamas Community College and the commercially and industrially zoned lands adjacent to it between Beavercreek Road and OR 213. Therefore, findings for compliance with Metro Title 4 are specifically provided for section 3.07.430 Protection of Industrial Areas.

TITLE 4: INDUSTRIAL AND OTHER EMPLOYMENT AREAS

3.07.410 Purpose and Intent

The Regional Framework Plan calls for a strong regional economy. To improve the economy, Title 4 seeks to provide and protect a supply of sites for employment by limiting the types and scale of non-industrial uses in Regionally Significant Industrial Areas (RSIAs), Industrial and Employment Areas. Title 4 also seeks to provide the benefits of "clustering" to those industries that operate more productively and efficiently in proximity to one another than in dispersed locations. Title 4 further seeks to protect the capacity and efficiency of the region's transportation system for the movement of goods and services and to encourage the location of other types of employment in Centers, Corridors, Main Streets and Station Communities. The Metro Council will evaluate the effectiveness of Title 4 in achieving these purposes as part of its periodic analysis of the capacity of the urban growth boundary.

Analysis: The Commission notes that a key issue for the CAC/TAC was determining how much employment land was needed, what type and where. The Oregon City Comprehensive Plan requires that a majority of the lands be designated in a manner that encourages family-wage jobs in order to generate new jobs and move towards meeting the City's employment goals. The EcoNorthwest market analysis identified the advantages and disadvantages of industrial development within the study area and concluded that under the right conditions it is not

unreasonable to expect 150 acres of industrial and business park development to build out on the site over a 20-year period.

Metro brought 245 gross acres in the UGB in 2002 and 2004 to fulfill regional industrial employment needs. These areas (308 gross acres including those already within the UGB) are designated as the Industrial Design Type on Metro's 2040 Growth Concept Map. As noted above, Metro estimated 120 net acres of the concept plan area would be used for employment uses and indicated that it was important to fulfill the original intent for providing industrial lands and that there was flexibility for the local process to evaluate creative ways to meet the intent.

Metro's adoption of Ord. 1244B updated the EcoNorthwest analysis, concluding that the proposed plan provides an adequate amount of Title 4 employment land within the UGB, through 2029. Reflecting changes in employment needs and demands between the Metro 2002 Urban Growth Report (UGR) –Employment, and the 2009 UGR - Employment, Metro's 2009 assessment found there is adequate capacity inside the current UGB to accommodate the next 20 years of general employment and general industrial job growth even at the high end of the employment forecast range. The subsequently adopted change to the Title 4 Employment and Industrial Areas map conformed the map to the updated information about employment needs in the 2009 UGR (Employment). According to this map, which is consistent with the hybrid plan, the 151 gross acres on the revised map will supply approximately 121 net acres of employment land.

The CAC created several alternatives and finally chose a hybrid within the industrial designated area that included about 127 net acres of North Employment Campus, which is consistent with Metro's intent and similar to Oregon City's existing Campus Industrial designation, and about 29 acres of Mixed Employment Village and Main Street, which allows a variety of uses in a village-oriented transit hub and mixed use neighborhoods to the south that also provide jobs tailored to the neighborhood setting.

The North Employment Campus is to provide for the needed family wage employment that strengthens and diversifies the economy and will be compliant with Metro's Title 4 regulations. The NEC allows a mix of clean industries, offices serving industrial needs, light industrial uses, research and development and large corporate headquarters. The uses permitted are intended to improve the region's economic climate, promote sustainable and traded sector businesses, and protect the supply of site for employment by limiting incompatible uses.

Proposed policy 1.3 identifies the need to support the attraction of family wage jobs and connections with Clackamas Community College within the North Employment Campus, Policy 1.4 identifies the need to promote job creation, mixed use and transit oriented development within the Mixed Employment Village and Main Street, and recommends the adoption of minimum density requirements, limitations on stand-alone residential and other standards that implement the policy. Goal 3 – Green Jobs, includes policies recommending coordination with other local, county and state economic development agencies to recruit green industries and promote green development practices.

The concept plan provides land for an identified need within the region and state, and provides for a mix of other uses that will contribute to the economic welfare of the city, state and the citizens.

The City finds this requirement is satisfied.

3.07.430 Protection of Industrial Areas

A. Cities and counties shall review their land use regulations and revise them, if necessary, to include measures to limit new buildings for retail commercial uses—such as stores and restaurants—and retail and professional services that cater to daily customers—such as financial, insurance, real estate, legal, medical and dental offices—in order to ensure that they serve primarily the needs of workers in the area. One such measure shall be that new buildings for stores, branches, agencies or other outlets for these retail uses and services shall not occupy more than 5,000 square feet of sales or service area in a single outlet, or multiple outlets that occupy more than 20,000 square feet of sales or service area in a single building or in multiple buildings that are part of the same development project, with the following exceptions:

- 1. Within the boundaries of a public use airport subject to a facilities master plan, customary airport uses, uses that are accessory to the travel-related and freight movement activities of airports, hospitality uses, and retail uses appropriate to serve the needs of the traveling public; and
- 2. Training facilities whose primary purpose is to provide training to meet industrial needs.

Analysis: Please also see findings under city comprehensive plan Policy 2.6.3. The zoning of the property in the North Employment Campus will be the same as or similar to the current CI – Campus Industrial zone. Any commercial uses within the northern employment campus would be limited to some upper limit, similar to the CI zone, which limits the square footage for retail and commercial office use in accordance with the Metro requirement:

- L. Retail sales and services, including eating establishments for employees (i.e. a cafe or sandwich shop), located in a single building or in multiple buildings that are part of the same development shall be limited to a maximum of twenty thousand square feet or five percent of the building square footage, whichever is less, and the retail sales and services shall not occupy more than ten percent of the net developable portion of all contiguous industrial lands:
- M. Financial, insurance, real estate, or other professional offices, as an accessory use to a permitted use, located in the same building as the permitted use and limited to ten percent of the total floor area of the development. Financial institutions shall primarily serve the needs of businesses and employees within the development, and drive-through features are prohibited;

Taken together, these requirements will protect the city's supply of undeveloped and underdeveloped land zoned for industrial uses.

B. Cities and counties shall review their land use regulations and revise them, if necessary, to include measures to limit new buildings for the uses described in subsection A to ensure that they do not interfere with the efficient movement of freight along Main Roadway Routes and Roadway Connectors shown on the Regional Freight Network Map in the RTP. Such measures may include, but are not limited to, restrictions on access to freight routes and connectors, siting limitations and traffic thresholds. This subsection does not require cities and counties to include such measures to limit new other buildings or uses.

Analysis: RTP freight routes were analyzed with the adoption of the TSP in 2014. Within the concept plan area, Beavercreek Road, Loder Road, Meyers Road extension and Ridge Parkway extension are indicated as local truck routes. Beavercreek Road is designated as a Roadway Connector on the RTP. The planned street network for the area is designed to limit new connections to Beavercreek Road, preserve the roadway capacity, and provide a secondary collector street network to serve the buildout of the area. As new development is reviewed for compliance with the TSP and the city's street standards, the form and design of the land uses abutting these roads will also be reviewed.

The City finds this requirement is satisfied.

C. No city or county shall amend its land use regulations that apply to lands shown as Industrial Area on the Employment and Industrial Areas Map to authorize uses described in subsection A of this section that were not authorized prior to July 1, 2004.

Analysis: No such authorization will occur with adoption of the BRCP, and none is anticipated.

- D. Cities and counties may allow division of lots or parcels into smaller lots or parcels as follows:
- 1. Lots or parcels smaller than 50 acres may be divided into any number of smaller lots or parcels.
- 2. Lots or parcels 50 acres or larger may be divided into smaller lots and parcels pursuant to a master plan approved by the city or county so long as the resulting division yields at least one lot or parcel of at least 50 acres in size.
- 3. Lots or parcels 50 acres or larger, including those created pursuant to paragraph (2) of this subsection, may be divided into any number of smaller lots or parcels pursuant to a master plan approved by the city or county so long as at least 40 percent of the area of the lot or parcel has been developed with industrial uses or uses accessory to industrial use, and no portion has been developed, or is proposed to be developed with uses described in subsection A of this section.
- 4. Notwithstanding paragraphs 2 and 3 of this subsection, any lot or parcel may be divided into smaller lots or parcels or made subject to rights-of-way for the following purposes:
- a. To provide public facilities and services;
- b. To separate a portion of a lot or parcel in order to protect a natural resource, to provide a public amenity, or to implement a remediation plan for a site identified by the Oregon Department of Environmental Quality pursuant to ORS 465.225;

To separate a portion of a lot or parcel containing a nonconforming use from the remainder of the lot or parcel in order to render the remainder more practical for a permitted use; or

d. To allow the creation of a lot solely for financing purposes when the created lot is part of a master planned development.

Analysis: No land division is proposed with the adoption of the BRCP. Land division for any parcels larger than 50 acres within the North Employment Campus would typically occur through a master plan process to assure compliance with this requirement. There is only one such parcel on the north side of Loder Road and it is physically bisected by Trimble Creek, a Goal 5 resource area.

The City finds this requirement is satisfied.

E. Notwithstanding subsection B of this section, a city or county may allow the lawful use of any building, structure or land at the time of enactment of an ordinance adopted pursuant to this section to continue and to expand to add up to 20 percent more floorspace and 10 percent more land area.

Analysis: Compliance with this requirement would be considered if development is proposed within the Industrial area portion of the BRCP following adoption.

D. Compliance with Metro Title 11.

The plan is required to show compliance with the current version of Metro Title 11.

3.07.1105 Purpose and Intent

The Regional Framework Plan calls for long-range planning to ensure that areas brought into the UGB are urbanized efficiently and become or contribute to mixed-use, walkable, transit-friendly communities. It is the purpose of Title 11 to guide such long-range planning for urban reserves and areas added to the UGB. It is also the purpose of Title 11 to provide interim protection for areas added to the UGB until city or county amendments to land use regulations to allow urbanization become applicable to the areas.

Analysis: The adoption of the BRCP achieves the purpose and intent of Metro Title 11. Detailed findings are provided below.

3.07.1120 Planning for Areas Added to the UGB

A. The county or city responsible for comprehensive planning of an area, as specified by the intergovernmental agreement adopted pursuant to section 3.07.1110C(7) or the ordinance that added the area to the UGB, shall adopt comprehensive plan provisions and land use regulations for the area to address the requirements of subsection C by the date specified by the ordinance or by section 3.07.1455B(4) of this chapter.

Analysis: The Intergovernmental Agreement with Metro to complete the concept plan for Beavercreek Road was signed by Metro Council in 2007. The City fulfilled all of the designated Milestones specified in the IGA and was fully reimbursed by Metro for the planning work following the City Commission's initial adoption of the concept plan in September 2008. The City's decision was appealed to the Land Use Board of Appeals (LUBA). LUBA remanded the Concept Plan, finding that the plan was not consistent with the Metro 2040 Growth Concept Map. Oregon City and Metro staff worked to amend the 2040 Growth Concept Map and address the reason for remand, which was adopted by the Metro Commission early in 2011. The City requested a 3-year extension of the compliance deadline which was granted by Metro in May, 2011. Due to further legal challenges to the Metro UGB, re-adoption of the plan by the City could not practicably occur until 2015.

Once the City Commission has adopted the revised findings and all appeal timelines have expired, the City will prepare a scope of work to prepare and adopt the implementation measures (zoning and development code amendments) for the Beavercreek Road Concept Plan. It is expected that the preparation and adoption process for the implementation measures will be included in the 2016 Community Development Department work plan and budget.

The City finds this requirement is satisfied.

B. If the concept plan developed for the area pursuant to section 3.07.1110 assigns planning responsibility to more than one city or county, the responsible local governments shall provide for concurrent consideration and adoption of proposed comprehensive plan provisions unless the ordinance adding the area to the UGB provides otherwise.

Analysis: Oregon City is solely responsible for adoption of the Beavercreek Road Concept Plan.

The City finds this requirement is satisfied.

C. Comprehensive plan provisions for the area shall include:

1. Specific plan designation boundaries derived from and generally consistent with the boundaries of design type designations assigned by the Metro Council in the ordinance adding the area to the UGB:

Analysis: The revised Industrial and Other Employment Areas map adopted by Metro in 2010 by Ordinance 10-1244B, Exhibit D is consistent with the North Employment Campus (NEC) plan area on the BRCP. The remaining plan areas – the Mixed Employment Village, Main Street, and West and East Mixed Use Neighborhoods, are consistent with the Metro Outer Neighborhoods design type designation.

The City finds this requirement is satisfied.

2. Provision for annexation to a city and to any necessary service districts prior to, or simultaneously with, application of city land use regulations intended to comply with this subsection;

Analysis: The City's Comprehensive Plan and Code establishes a framework of policies and implementing ordinances before annexation can take place and urban-level development can occur.

Applications for annexation, whether initiated by the City or by individuals, are based on specific criteria contained in Chapter 14 of the City of Oregon City Municipal Code.

Annexation to the City of Oregon City is required as a condition of extension of city services properties within the Urban Growth Boundary, including sewer, water, and stormwater utilities.

As a general policy the city does not extend services to properties outside the city limit. In situations where the timing of extension of a particular city service may not be practicable until a greater level of urbanization occurs, such as sewer connections farther than 300' from city sewer, exceptions may be made in accordance with law or based on intergovernmental agreements.

Concept plans are an important tool that identifies where and when areas might be considered for annexation in order to control the expansion of the city limits and services to help avoid conflicts and provide predictability for residents and developers. Other considerations are consistency with the provisions of the Comprehensive Plan and the City's public facility plans, with any plans and agreements of urban service providers, and with regional annexation criteria.

3. Provisions that ensure zoned capacity for the number and types of housing units, if any, specified by the Metro Council pursuant to section 3.07.1455B(2) of this chapter;

Analysis: The concept plan recommends and provides for a mix of residential areas that allow and/or require different densities and housing types, including low, medium and high densities, single-family homes on a range of lot sizes, townhouses, duplexes, multi-family units and mixed commercial/residential uses. Accessory dwelling units are allowed in all single-family residential zones, per the Oregon City Municipal Code, subject to special development and occupancy standards. Manufactured homes are permitted in any zone where single-family detached housing units are permitted. Proposed policy 1.6 indicates that within the West and East Mixed Use Neighborhoods, a variety of housing types will be required and that lot size averaging and other techniques that help create housing variety while maintaining overall average density should be allowed. Requiring a mix of housing types and requiring a minimum and maximum density, rather than a minimum and maximum lot size, will allow a wide variety of housing units to be created, meeting the intent of this section.

The West Mixed Use Neighborhood will be a walkable, transit-oriented neighborhood with an overall average or residential uses not to exceed 22 dwelling units per acre. The East Mixed Use Neighborhood will be a walkable and tree lined neighborhood with a variety of housing types that will not exceed densities permitted in the R-5 zone (8.7 units per acre). Based on the proposed densities, the BRCP has an estimated capacity of approximately 1,000 dwellings, which is approximately 10.3 dwellings per net developable residential-designated acre. These residential densities do not apply to lands designated for industrial and employment use where residential uses are not permitted.

The City finds this requirement is satisfied.

4. Provision for affordable housing consistent with Title 7 of this chapter if the comprehensive plan authorizes housing in any part of the area.

Analysis: According to the 2000 census, the median household income in Oregon City was \$45,531. The 2013 median household income (2010 inflation adjusted) was \$60,223. Affordable housing is typically defined as housing that does not cost more than 30% of a household's income. In addition, very low income households are typically defined as those earning less than 30% of median household income; low-income households as those earning less than 50% of median household income; and moderate income households are those making between 50% and 80% of median income. Typically, the types of housing most affordable to people with low and moderate incomes are single-family homes on small lots, attached single-family homes, duplexes and multi-family housing, and accessory dwelling units. These types of housing types are expected to account for 390 to 480 units, providing affordable housing opportunities within the concept plan area. As stated above, requiring a variety of housing types will create opportunities for affordable housing within the proposed neighborhoods.

5. Provision for the amount of land and improvements needed, if any, for public school facilities sufficient to serve the area added to the UGB in coordination with affected school districts. This requirement includes consideration of any school facility plan prepared in accordance with ORS 195.110;

Analysis: The concept plan has not identified any new school sites within the study area. The Oregon City School District High School is located directly across Beavercreek Road from the study area and the district owns a vacant parcel of land directly south of the study area that could be used as a future school facility. The Oregon City School District provided a representative that was a member of the Citizen Advisory Committee. No need for additional lands identified as a result of the implementation of the concept plan was identified.

Oregon City School District owns property adjacent to the Beavercreek Road Concept Plan and believes this is probably adequate for the near term. The District has some current capacity at the elementary school K-5 level and high school 9-12 level. The District is near capacity at the middle school 6-8 level.

According to the School District, even with existing school property adjacent to the Beavercreek Road Concept Plan, public financing support will be required to develop the additional capacity in the future. The District is embarking on a long-range facilities planning process to study existing and future capital needs.

The City finds this requirement is satisfied.

6. Provision for the amount of land and improvements needed, if any, for public park facilities sufficient to serve the area added to the UGB in coordination with affected park providers.

Analysis: The Beavercreek Road Open Space Framework plan provides a network of green spaces that are intended to provide a system of connected parks, opens spaces and natural areas, provide access to nature, preserve existing natural resources and provide green spaces near the system of trails and pedestrian connections. The power line corridors comprise approximately 52 acres of land north of Loder Road and have been utilized to provide publicly accessible opens space, trails and links to the broader open space network. The City's Parks and Recreation Master Plan requires between 6 and 10 acres of parkland per 1,000 population. The extent and location of the park is conceptual, flexible and the costs associated with acquisition and development may need to be determined through more detailed Master Planning processes, similar to the Glen Oak Road park site and the Hazel Grove parks site master planning that was conducted in 2014. Existing parks SDCs do not reflect the cost of providing parks in this area, and they may need to be updated to account for the amount of parks acreage envisioned in the concept plan. A park is proposed to extend through the central and southern areas of the BRCP. The location and linearity of the park was first indicated by Metro's Goal 5 mapping. This open space feature is intended as a continuous green space that links the districts and neighborhoods south of Loder Road.

7. A conceptual street plan that identifies internal street connections and connections to adjacent urban areas to improve local access and improve the integrity of the regional street system. For areas that allow residential or mixed-use development, the plan shall meet the standards for street connections in the Regional Transportation Functional Plan;

Analysis: See also findings under Goal 12 earlier in this report. The BRCP provides for a mixed use community that provides viable options for internal trip making (i.e. many daily needs provided on-site), transit use, maximized walking and biking, and re-routed trips within the Oregon City area. Beavercreek Road will be improved as a green boulevard that will be a 5-lane arterial section to Clairmont, then a 3-lane arterial from Clairmont to the UGB. The internal street system will provide logical, but limited access to Beavercreek Road, by connecting to existing streets on the west side of Beavercreek Road and requiring that an internal street/alley system be utilized, eliminating driveway cuts on Beavercreek Road and maximizing its available capacity. The plan identifies an internal north-south connection from Old Acres Lane to Thayer Road that will reduce the need to access Beavercreek Road for daily trips within the area and an extensive pedestrian and bicycle circulation system connecting the residential, commercial and industrial areas together and extends to existing and proposed transportation systems adjacent to the study area. The plan identifies appropriate green street options to be implemented, and expanded on, as development occurs, including: vegetated swales, planter islands, curb extensions, and porous pavement.

Goal 6 of the BRCP recommends providing multi-modal transportation links connected within the site as well as to the surrounding areas and includes policies recommending that land use reviews support bus service by ensuring a mix of land uses, densities and design options that support public transportation and other alternative transportation methods, ensure that local connectivity and off-street pedestrian routes link together in a highly connected pedestrian system that is safe, direct, convenient and attractive and improve pedestrian and bicycle safety along Beavercreek Road. The concept plan process has identified and prepared the construction cost estimates for the planned transportation improvements and a detailed list of financing options has been created.

The City finds this requirement is satisfied.

8. Provision for the financing of local and state public facilities and services; and **Analysis**: The plan includes adequate consideration of public facilities cost estimates and financing approaches.

The plan provides a thorough explanation of the existing conditions pertaining to this analysis and provides recommendations and preliminary cost estimates for improvements that will be necessary in order for the concept plan to be carried out. Since the BRCP was initially adopted in 2008, three public facilities plans were amended to include the concept plan area. These plan updates include cost estimates which have subsequently been updated in the city's public infrastructure and transportation planning as follows:

Transportation System Plan (2013)

Sewer Master Plan (2014)

Water Master Plan (2010)

Stormwater and Erosion Control Manual and Design Standards (2015)

Parks and recreation system development charges may need to be analyzed to reflect the type of dwelling unit to be constructed and the number of employees associated with non-residential uses in the area. SDCs could be utilized to acquire open space, natural resource and natural hazard areas that are part of the larger open space framework plan. Four other primary funding sources have been identified, including: Urban Renewal/Tax Increment Financing; Local Improvement Districts; Bonds; and Developer Funded Improvements. The plan also calls for creating the Environmentally Sensitive Resource Area to protect, conserve and enhance identified natural by applying a low-density base zoning that allows property owners to cluster density outside the ESRA and transfer to more appropriate sites.

Planning, funding and cost estimates for the transportation system plan (TSP) consistent with the Regional Transportation Plan (RTP) were adopted in early 2014 and are described in more detail under section 7 above.

The City finds this requirement is satisfied.

9. A strategy for protection of the capacity and function of state highway interchanges, including existing and planned interchanges and planned improvements to interchanges.

Analysis: The Statewide Planning Goal 12 analysis provided earlier in this report discusses in detail the City's Transportation System Plan and consistency with the Metro RTP, as well as a discussion of mobility challenges for existing state highway interchanges.

The City finds this requirement is satisfied.

D. The county or city responsible for comprehensive planning of an area shall submit to Metro a determination of the residential capacity of any area zoned to allow dwelling units, using the method in section 3.07.120, within 30 days after adoption of new land use regulations for the area.

Analysis: See analysis under provision 3 above relating to zoned capacity.

The City finds this requirement is satisfied.

3.07.1130 Interim Protection of Areas Added to the UGB

Until land use regulations that comply with section 3.07.1120 become applicable to the area, the city or county responsible for planning the area added to the UGB shall not adopt or approve:

- A. A land use regulation or zoning map amendment that allows higher residential density in the area than allowed by regulations in effect at the time of addition of the area to the UGB;
- B. A land use regulation or zoning map amendment that allows commercial or industrial uses not allowed under regulations in effect at the time of addition of the area to the UGB;
- C. A land division or partition that would result in creation of a lot or parcel less than 20 acres in size, except for public facilities and services as defined in section 3.07.1010 of this chapter, or for a new public school;
- D. In an area designated by the Metro Council in the ordinance adding the area to the UGB as Regionally Significant Industrial Area:

- 1. A commercial use that is not accessory to industrial uses in the area; and
- 2. A school, a church, a park or any other institutional or community service use intended to serve people who do not work or reside in the area.

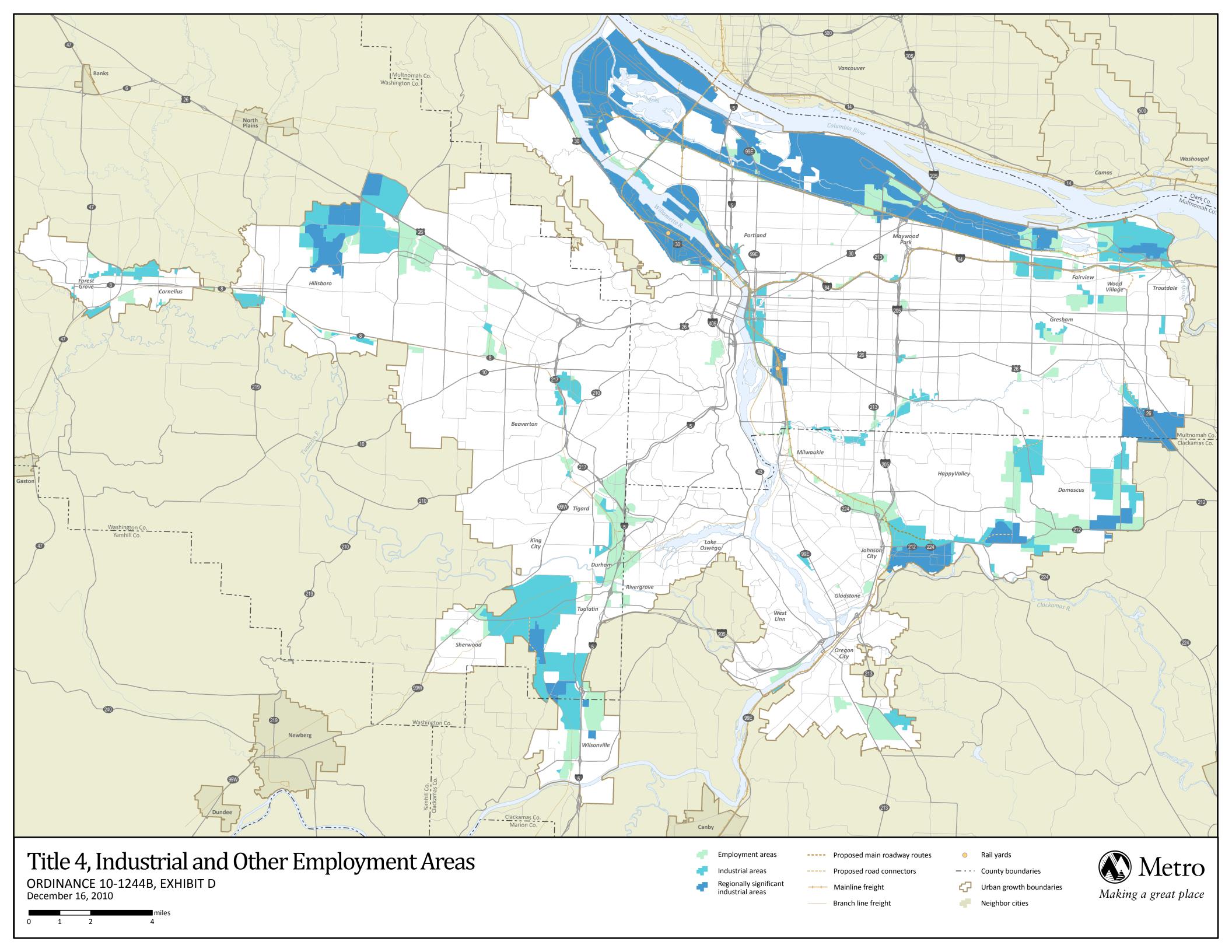
Analysis: The areas added to the UGB which are subject to this title are zoned County FU-10 which is a holding zone that prevents urbanization prior to concept plan adoption, and does not allow land uses A, B or C described above. None of the lands added to the UGB are considered RSIAs, although they are considered important to the local employment and industrial land capacity of Oregon City.

The City finds this requirement is satisfied.

VI. CONCLUSION

The City finds that Beavercreek Road Concept Plan and appendices meets the requirements of the Statewide Land Use Goals, Metro Title 11, Metro Title 4, as well as the applicable Comprehensive Plan criteria.

DAN HOLLADAY, Mayor	Date	
Attested to this day of 20015		
KATTIE RIGGS, City Recorder		





Beavercreek Road Concept Plan

Envisioning a Complete and Sustainable Community

Concept Plan Report, Summary and Recommendations







This project is partially funded by a grant from the Transportation and Growth Management (TGM) Program, a joint program of the Oregon Department of Transportation and the Oregon Department of Land Conservation and Development. This TGM grant is financed, in part, by Federal Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), local government, and State of Oregon funds. The contents of this document do not necessarily reflect views or policies of the State of Oregon.

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Lower, right – illustration by Jim Longstreth

Beavercreek Road Concept Plan

Summary and Recommendations

Final Plan - August 2008

Funding provided by:

City of Oregon City

Oregon Department of Transportation -Transportation and Growth Management Program

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Appendix

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- 1. Project Goals with Objectives, March 13, 2007
- 2. Concept Plan Alternatives
- 3. GIS Analysis Map
- 4. Job and Housing Estimates

Technical Appendix (Under Separate Cover)

Focus Group Summaries

Summaries of Community Events

Open House No. 1

Design Workshop

Open House No. 2

Α.	Pub	ic Involvement Plan	F.	Alt
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	5.	Natural resources	1. T	Dra
	6.	Infrastructure	J.	Dia

F. Alternatives Evaluation Report
G. Final Transportation Evaluation
H. Infrastructure Reports
1. Water
2. Sewer
3. Storm Water/Water Quality
I. Fiscal Impact Analysis
I. Draft Code



I. Introduction

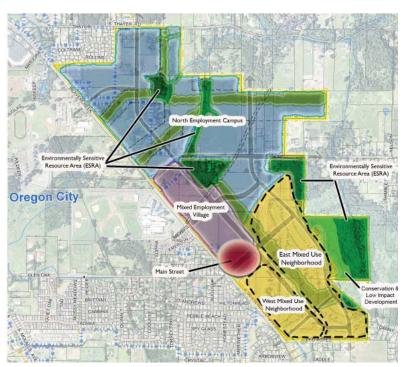
Summary

The Beavercreek Road Concept Plan is a guide to the creation of a complete and sustainable community in southeast Oregon City. Most of the 453 acre site along Beavercreek Road was added to the regional urban growth boundary by Metro in 2002 and 2004. The plan envisions a diverse mix of uses (an employment campus north of Loder Road, mixed use districts along Beavercreek Road, and two mixed use neighborhoods) all woven together by open space, trails, a network of green streets, and sustainable development practices. Transit-oriented land uses have been strategically located to increase the feasibility of transit service in the future. The plan has been carefully crafted to create a multi-use community that has synergistic relationships with Clackamas Community College, Oregon City High School, and adjacent neighborhoods.

Key features of the Concept Plan are:

- A complete mix of land uses, including:
 - A North Employment Campus for tech flex and campus industrial uses, consistent with Metro requirements for industrial and employment areas.
 - A Mixed Employment Village along Beavercreek Road, between Meyers Road and Glen Oak Road, located as a center for transitoriented densities, mixed use, 3-5 story building scale, and active street life.
 - A 10-acre Main Street area at Beavercreek Road and Glen Oak Road, located to provide local shops and services adjacent neighborhoods and Beavercreek sub-districts.

- A West Mixed Use Neighborhood along Beavercreek Road, intended for medium to high density (R-2) housing and mixed use.
- o An East Mixed Use Neighborhood, intended for low density residential (R-5) and appropriate mixed use. The East Neighborhood has strong green edges and the potential for a fine grain of open space and walking routes throughout.



Proposed Land Use Sub-districts



- Policy support for employment and program connections with Clackamas Community College.
- Sustainability strategies, including:
 - o Mixed and transit supportive land uses.
 - A sustainable stormwater management plan that supports low impact development, open conveyance systems, regional detention, and adequate sizing to avoid downstream flooding.
 - Green street design for all streets, including the three lane boulevard design for Beavercreek Road.
 - A preliminary recommendation supporting LEED certification or equivalent for all commercial and multi-family buildings, with Earth Advantage or equivalent certification for single family buildings. This recommendation includes establishment of a Green Building Work Group to work collaboratively with the private sector to establish standards.
 - Open spaces and natural areas throughout the plan. North of Loder Road, these include the power line corridors, the tributary to Thimble Creek, and a mature tree grove. South of Loder Road, these include an 18-acre Central Park, the east ridge area, and two scenic view points along the east ridge.
- A trail framework that traverses all sub-districts and connects to city and regional trails.
- A street framework that provides for a logical and connected street pattern, parallel routes to Beavercreek Road, and connections at Clairmont, Meyers, Glen Oak, and the southern entrance to the site.
- A draft Beavercreek Road Zone development code to implement the plan.

Purpose of this Report and Location of Additional Information

This report is a summary of the Plan, with emphasis on describing key elements and recommendations. Many of the recommendation are based on technical reports and other information that is available in the Technical Appendix to this report.



Beavercreek Road Concept Plan Area - Existing Conditions



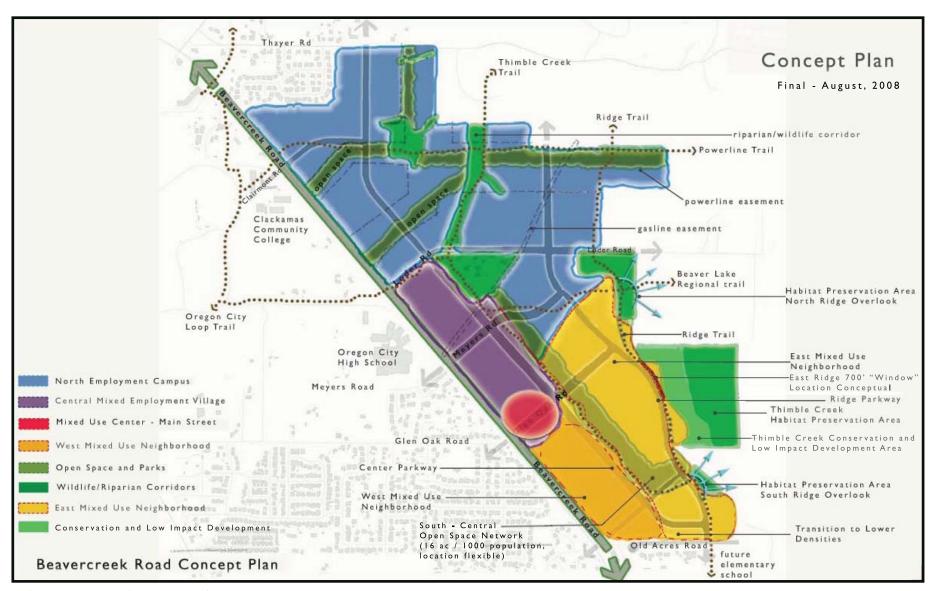


Figure 1 - Composite Concept Plan



II. Purpose and Process

The purpose of the Beavercreek Road Concept Plan is to provide a conceptual master plan to be adopted as an ancillary document to the City of Oregon City's Comprehensive Plan. As such, it provides a comprehensive and cohesive guide to future development, in three parts:

- Framework plan maps, goals and policies These elements will be adopted as part of the Oregon City Comprehensive Plan. Compliance will be required for all land use permits and development.
- Ancillary report materials The descriptive text, graphics and technical appendix of this report will be adopted as an "ancillary document" to the Comprehensive Plan, which provides "operational guidance to city departments in planning and carrying out city services" (Oregon City Comprehensive Plan, page 4). These documents include information for updating the City's utility master plans and Transportation System Plan.
- Draft development code A working draft development code was prepared as part of the Concept Plan. Once final, it will be adopted as part of the Oregon City Code. Compliance will be required for all land use permits and development. The Beavercreek Zone code relies on master planning to implement the concepts in the Plan.

The Concept Plan was developed by a 15-member Citizen Advisory Committee (CAC) and 9-member Technical Advisory Committee (TAC) (see Project Participants list at the beginning of this report). The committees met twelve times between June 2006 and July 2007.



Design Workshop Participants

In addition to the Committee meetings, additional process steps and community involvement included:

- Study area tour for CAC and TAC members
- Two public open houses
- Market focus group
- Sustainability focus group
- Employment lands coordination with Metro
- Community design workshop
- Website
- Project posters, site sign, email notice, and extensive mailing prior to each public event



The major steps in the process were:

- Inventory of base conditions, opportunities, constraints for land use, transportation, natural resources, market conditions, infrastructure and sustainability.
- Establishment of project goals.
- Extensive discussion of employment lands questions: how much, what type and where?
- Following the community workshop, preparation of three alternative concept plans (sketch level), addition of a fourth plan, prepared by a CAC member, and narrowing of the alternatives to two for further analysis.
- Evaluation of the alternatives (including transportation modeling) and preparation of a hybrid Concept Plan (framework level).
- Preparation of detailed plans for water, sewer, storm water, and transportation facilities.
- Preparation of a draft development code.
- Committee action to forward the Concept Plan package to the Planning Commission and City Commission.

For additional information please see Technical Appendix, Sections A, D, E, and F.



Design Workshop Plan



III. Vision, Goals and Principles

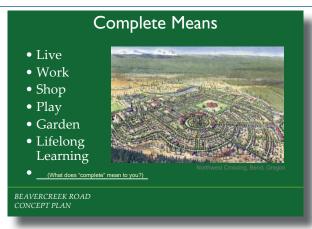
The overall vision for the Beavercreek Concept Plan is to create "A Complete and Sustainable Community". The images shown on this page were displayed throughout the process to convey the project's intent for this vision statement.

Regarding the meaning of sustainability, the vision statement is based in part on the definition of sustainability originally developed by the United Nations Brandtland Commission: "A sustainable society meets the needs of the present without sacrificing the ability of future generations to meet their own needs".

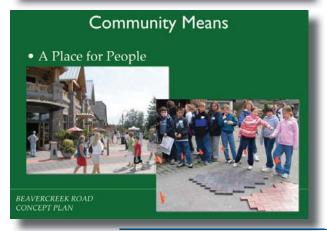
The following project goals were developed by the Citizen Advisory Committee. The Committee also added objectives to each of the goals – please see Appendix 1 for the objectives.

The Beavercreek Road Concept Plan Area will:

- Create a complete and sustainable community, in conjunction with the
 adjacent land uses, that integrates a diverse mix of uses, including housing,
 services, and public spaces that are necessary to support a thriving
 employment center;
- Be a model of sustainable design, development practices, planning, and innovative thinking;
- Attract "green" jobs that pay a living wage;
- Maximize opportunities for sustainable industries that serve markets beyond the Portland region and are compatible with the site's unique characteristics;
- Incorporate the area's natural beauty into an ecologically compatible built environment;
- Provide multi-modal transportation links (such as bus routes, trails, bike-ways, etc.) that are connected within the site as well as to the surrounding areas;









- Implement design solutions along Beavercreek Road that promote pedestrian safety, control traffic speeds and access, and accommodate projected vehicular demand;
- Promote connections and relationships with Oregon City High School and Clackamas Community College;
- Have a unique sense of place created by the mix of uses, human scale design, and commitment to sustainability; and
- Ecological Health Manage water resources on site to eliminate
 pollution to watersheds and lesson impact on municipal infrastructure
 by integrating ecological and man-made systems to maximize function,
 efficiency and health.
- The following 10 Principles of Sustainable Community Design were submitted by a CAC member, supported by the committee, and used throughout the development of the Concept Plan:
- 1. Mix Land Uses Promote a mix of land uses that support living wage jobs and a variety of services.
- 2. Housing Types Create a range of housing choices for all ages and incomes.
- 3. Walk-ability Make the Neighborhood "walkable" and make services "walk-to-able."
- 4. Transportation Provide a range of transportation options using a connected network of streets and paths.
- 5. Open Space Protect and maintain a functioning green space network for a variety of uses.
- 6. Integrate Systems Integrate ecological and man-made systems to maximize function, efficiency and health.
- 7. Watershed Health Manage water resources on site to eliminate pollution to watershed and lesson impact on municipal infrastructures.

- 8. Reuse, Recycle, Regenerate Reuse existing resources, regenerate existing development areas
- 9. Green Buildings Build compact, innovative structures that use less energy and materials
- 10. Work Together Work with community members and neighbors to design and develop.



Thimble Creek Tributary



IV. Regional and Local Context

The Beavercreek Road Concept Plan area is 453 acres of land located at the southeast edge of Oregon City and the Urban Growth Boundary (UGB). It marks a transition point between the City's current edge of urbanization and rural and resource lands to the south and east.

The majority of the site (245 acres) was added to the Metro UGB in December 2002 and an additional 63 acres were added to the UGB in 2004. The remaining site acreage was in the UGB and/or the Oregon City limits prior to 2002. The Concept Plan area carries Metro design type designations of Employment, Industrial, and Outer Neighborhood on the Region 2040 Growth Concept Map. The properties with the Outer Neighborhood designation have been in the UGB since 1980. Employment design type areas, as defined by Metro, allow various types of employment with some residential development and limited commercial uses. Industrial design type areas are set aside by Metro primarily for industrial activities with limited supporting uses.

During the update of Oregon City's Comprehensive Plan, a policy was adopted acknowledging the jobs-related importance of the site to Oregon City and the region, while also allowing some flexibility in the project area's land use. Comprehensive Plan policy 2.6.8 states:

"Require lands east of Clackamas Community College that are designated as Future Urban Holding to be the subject of concept plans, which is approved as an amendment to the Comprehensive Plan, would guide zoning designations. The majority of these lands should be designated in a manner that encourages family-wage jobs in order to generate new jobs and move towards meeting the City's employment goals."

There are relatively limited employment centers within this area of Oregon City and Clackamas County. This imbalance of jobs and housing contributes to Clackamas County's pattern of approximately 60% of the work force traveling outside of the County to work.

The site is surrounded by residential and undeveloped properties within the city limits, including the Hamlet of Beavercreek, and rural Clackamas County. The nearest commercial area is the Berry Hill Shopping Center at the intersection of Beavercreek Road and Highway 213. Clackamas County College (CCC) and Oregon City High School are across Beavercreek Road adjacent to the site. These institutional uses offer a unique opportunity to plan synergistic land uses that connect the properties, reinforce an identity for the area, and help localize trips. A Tri-Met transit hub is located on the CCC property.

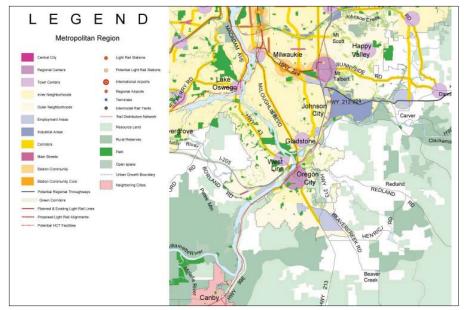


Figure 2 - Regional Context



Like all additions to the Portland Metropolitan Area Urban Growth Boundary, the Beavercreek Road area is inextricably tied to it's place in the region and its place within Oregon City. The Concept Plan responds to this context in multiple ways.

From a regional perspective, the Beavercreek Road area is currently a transition point from urban to rural use. Whether this "hard line" of transition will remain in the future cannot be established with certainty. The CAC openly acknowledged this issue in its discussions and sought to balance the needs of creating a great urban addition to Oregon City with sensitivity to adjacent areas. Examples of this balance include:

- The plan has land use and transportation connections that support future transit. This will link the Beavercreek Road area, via alternative transportations, to Clackamas Community College (CCC), the Oregon City Regional Center (downtown and adjacent areas) and the rest of the region.
- Trails and green spaces have been crafted to link into the broader regional network.
- The plan recommends lower densities and buffer treatments along Old Acres Road.
- The north south collector roads are coalesced to one route that could (if needed) be extended south of Old Acres Road.
- The recommended street framework provides for a street that parallels Beavercreek Road, connecting Thayer Road to Old Acres Road, and potentially north and south in the future. This keeps options open: if the UGB extends south, the beginning of a street network is in place. If it does not, the connection is available for rural to urban connectivity if desired.
- As with the street network described above, the East Ridge trail is extended all the way to Old Acres Road, and therefore, potentially beyond.

This will provide a connection from rural areas to the open spaces and trail network of Beavercreek Road area and the rest of the region.

From a City and local neighborhood perspective, the Beavercreek Road area offers an opportunity to establish a new complete and sustainable community within Oregon City. Specific linkages include the following:

- Oregon City needs employment land. The Beavercreek Concept Plan provides 156 net acres of it in two forms: 127 net acres of tech flex campus industrial land, 29 acres of more vertical mixed use village and main street. Additional employment will be available on the Main Street and as mixed use in the two southern neighborhoods.
- The street framework connects to all of the logical adjacent streets. This includes Thayer, Clairmont, Meyers, Glen Oak, and Old Acres Roads. This connectivity will disperse traffic to many routes, but equally important, make Beavercreek Road connected to, rather than isolated from, adjacent neighborhoods, districts and corridors.
- The plan provides for a complete community: jobs, varied housing, open space, trails, mixed use, focal points of activity, trails, and access to nature.
- The plan provides for a sustainable community, in line with the City's

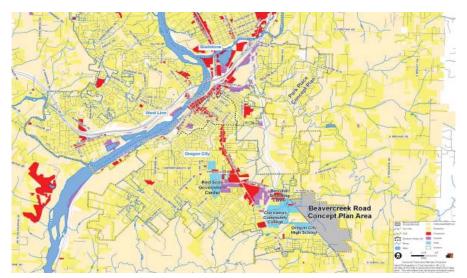


Figure 3 - Oregon City Context



Comprehensive Plan support for sustainability. This takes the form of mixed land uses, transportation options, green streets, sustainable storm water systems, and LEED or equivalent certification for buildings. Much more can certainly be done – the Concept Plan offers an initial platform to work from.

 Physical linkages have been provided to Oregon City High School and Clackamas Community College. These take the form of the planned 3-lane green street design for Beavercreek Road and the intersections and trails at Clairmont, Loder and Meyers Roads. The physical linkages are only the beginning – the City, School District and College need to work together to promote land uses on the east side of Beavercreek Road that truly create an institutional connection.

For additional information, see Existing Conditions, Opportunities and Constraints Reports, Technical Appendix C.



Figure 4 - Existing Conditions

Site Conditions and Buildable Lands

A portion of the study area (approximately 50 acres) is currently within the existing city limits and zoned Campus Industrial (CI). The study area's northern boundary is Thayer Road and the southern boundary is Old Acres Lane. Loder Road is the only existing road that runs through the project area.

Currently, the project area is largely undeveloped, which has allowed the site to retain its natural beauty. There are 448 gross acres in the project area, not including the right-of-way for Loder Road (approximately five acres). The existing land uses are primarily large-lot residential with agricultural and undeveloped rural lands occupying approximately 226 acres of the project area. The Oregon City Golf Club (OCGC) and private airport occupy the remaining 222 acres.

There are several large power line and natural gas utility easements within the project boundaries. These major utility easements crisscross the northern and central areas of the site. The utility easements comprise approximately 97 acres or 20% of the project area.

There are 51 total properties ranging in size from 0.25 acres to 63.2 acres. Many of these properties are under single ownership, resulting in only 42 unique property owner names (Source: Clackamas County Assessor). There are several existing homes and many of the properties have outbuildings such as, sheds, greenhouses, barns, etc., which result in 127 existing structures on the site (Source: Clackamas County Assessor).

A key step in the concept planning process is the development of a Buildable Lands Map. The Buildable Lands Map was the base map from which the concept plan alternatives and the final recommended plan were. "Buildable" lands, for the purpose of the Beavercreek Road Concept Plan, are defined as the gross site area minus wetlands, steep slopes, other Goal 5 resources, public utility easements, road rights-of-way, and committed properties (developed properties with an assessed improvement value



greater than \$350,000). Properties with an assessed improvement value of less than \$350,000 (based on County assessment data) are considered redevelopable over the long-term as the existing structures are converted to higher value uses. The OCGC has an improvement value over \$350,000, but has been included as buildable lands (minus the clubhouse) because the owners may wish to redevelop the property in coordination with the recommended concept plan over time. The private airport has also been included as buildable over the long-term, recognizing that the owners may choose to continue the airport's use for many years.

When land for power lines, the natural gas line, natural resources, and committed structures are removed the net draft buildable acreage is approximately 292 acres. The CAC reviewed the Preliminary Buildable Lands map and approved a three-tier system to define the buildable lands. Tier A or "Unconstrained" has approximately 292 acres, Tier B or "Low Impact Development Allowed with Review" has approximately 28 acres, and Tier C "Constrained" has approximately 131 acres. The "Low Impact" area was later further evaluated and recommended for conservation under a Environmentally Sensitive and Resource Area designation on the plan.

The Buildable Lands Map was reviewed at the July 20th and August 17th Citizen and Technical Advisory Committee (CAC/TAC) meetings, as well as at the August 24th, 2006 Open House. The draft buildable land boundaries and acreages shown in Figure 6 reflect the input received from the advisory committee members, property owners, and citizen input.

For additional information, see Existing Conditions, Opportunities and Constraints Reports, Technical Appendix C.

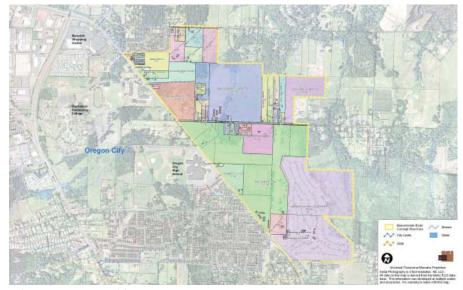


Figure 5 - Ownerships



Figure 6 - Natural Resource Inventory



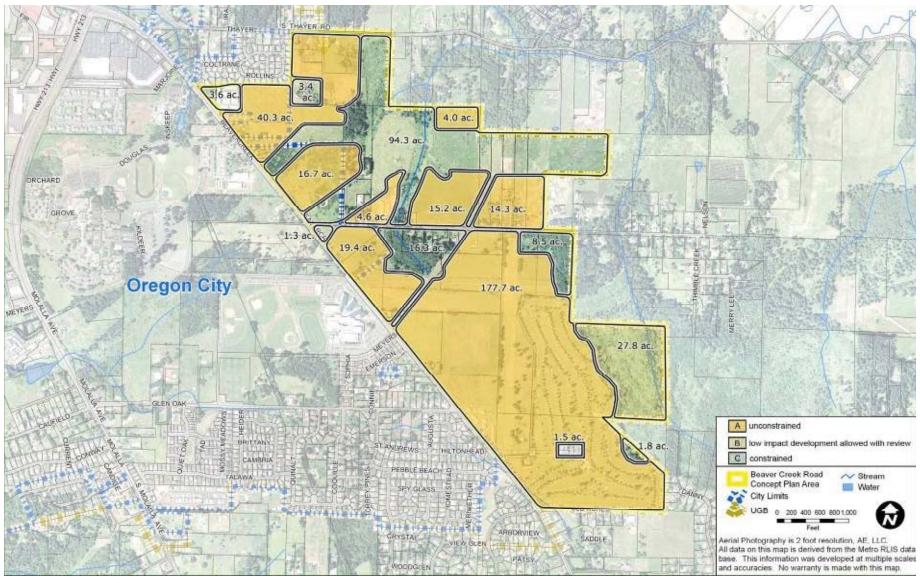


Figure 7 - Buildable Lands



Employment - A Key Issue

How much employment? What type? And where? These questions were extensively discussed during the development of the Concept Plan. Three perspectives emerged as part of the discussion:

Oregon City Perspective

Prior to initiating the Concept Plan process, the City adopted a comprehensive plan policy which emphasizes family wage employment on the site. The policy reads: "Require lands east of Clackamas Community College that are designated as Future Urban Holding to be the subject of concept plans, which is approved as an amendment to the Comprehensive Plan, [and will] guide zoning designations. The majority of these lands should be designated in a manner that encourages family-wage jobs in order to generate new jobs and move towards meeting the City's employment goals." Oregon City Comprehensive Plan, Policy 2.6.8.

Metro Perspective

Metro brought the majority of the concept plan area (245 gross acres) into the UGB in 2002 and 2004 to fulfill regional industrial employment needs. These areas (308 gross acres) are designated as the Industrial Design Type on Metro's 2040 Growth Concept Map. As part of its land need metrics reported to the region and state, Metro estimated 120 net acres of the Beavercreek Road Concept Plan's land would be used for employment uses. Metro representatives met with the Concept Plan CAC and emphasized: (1) it was important to Metro for the Concept Plan to fulfill their original intent for providing Industrial land; and, (2) that there was flexibility, from Metro's perspective, for the local process to evaluate creative ways to meet that intent.

Citizen Advisory Committee Perspective

The CAC discussed extensively the issues and options for employment lands. Many sources of information were consulted: a market analysis by ECONorthwest (See Appendix ___), a developer focus group, land inventory and expert testimony submitted by property owners, the Metro perspective cited above, and concerns of neighbors. The advice ranged from qualified optimism about long term employment growth to strong opposition based on shorter term market factors and location considerations. Some members of the CAC advocated for a jobs target (as opposed to an acreage target) to be the basis for employment planning.

At it's meeting on September 14th, 2006, the CAC developed a set of "bookends" for the project team to use while creating the plan alternatives.

- a. At least one plan alternative will be consistent with the Metro Regional Growth Concept.
- b. At least one plan alternative (may be the same as above) would be designed consistent with Policy 2.6.8.
- c. Other alternatives would have the freedom to vary from "a" and "b" above, but would also include employment.
- d. No alternative would have heavy industrial, regional warehousing or similar employment uses".

After evaluating alternatives, the CAC ultimately chose a hybrid employment strategy. The recommended Concept Plan includes: (1) about 127 net acres of land as North Employment Campus, which is consistent with Metro's intent and similar to Oregon City's Campus Industrial designation; (2) about 29 acres as Mixed Employment Village and Main Street, which allows a variety of uses in a village-oriented transit hub; and, (3) mixed use neighborhoods to the south that also provide for jobs tailored to their neighborhood setting.



V. Concept Plan Summary

The Framework Plan Approach

The Beavercreek Road Concept Plan is a framework for a new, urban community. The plan is comprised of generalized maps and policies that integrate land use, transportation, open space, and green infrastructure. The framework maps and policies are supported by detailed code and requirements for master planning and design review. The approach here is to set the broad framework and intent on the figures and text in this Plan. Detailed development plans demonstrating compliance with the Concept Plan are required in the implementing code.

The framework plan approach is intended to:

- Ensure the vision, goals and standards are requirements in all land use decisions
- Provide for flexibility in site specific design and implementation of the Plan and code
- Allow for phased development over a long period of time (20+ years)

Concept Plan Comprehensive Plan & Zoning Provides an integrated Amendments will focus on framework for: process for development · Open Space and Natural approvals. Resource Systems Comprehensive plan · Transportation Systems policies Land Use Map designations Infrastructure Master plan process and Includes analysis of and Master Plan/Detail Plan approval criteria Construction recommendations for: Uses and development/ Population design standards · Housing and Detailed plans for specific Construction of Jobs development areas. infrastructure, Provides analysis of commercial and specific site level systems residential structures, Details site specific open space systems, Vision Legislation sustainabilty measures and transportation Long-range vision intended Clear and objective standards Site-specific proposals for: improvements to guide growth and develthat development must abide by Land Use opment by identifying goals, **Building Types** policies, and principles. Design Circulation Infrastructure Implementation

The code describes many detailed requirements such as street connectivity, block configuration, pocket parks, building scale, pedestrian connections, low impact development features, tree preservation, and sustainable buildings. These design elements will be essential to the success of the area as a walkable, mixed use community. The expectation of this Plan is that the flexibility is coupled with a high standard for sustainable and pedestrian-oriented design.



Land Use Sub-Districts

Figure 8 illustrates the five land-use "subdistricts" of the concept plan area. Each has a specific focus of land use and intended relationship to its setting and the plan's transportation and open space systems. Each is briefly described below and illustrated on Figures 9 through 12.

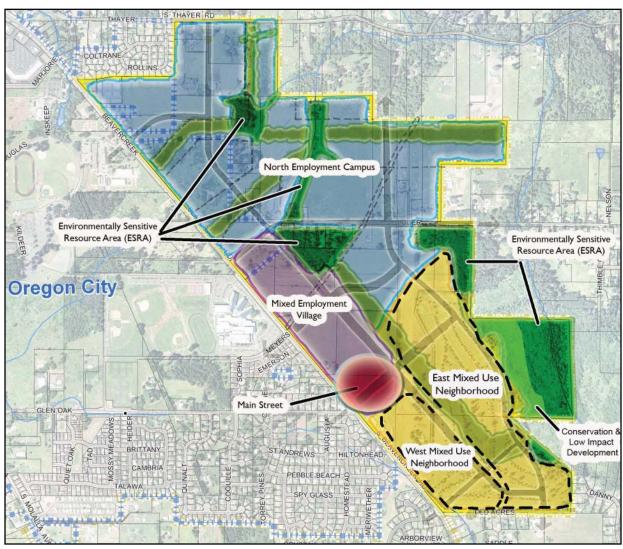


Figure 8 - Land Use Sub-districts



North Employment Campus - NEC

The purpose of the North Employment Campus is to provide for the location of family wage employment that strengthens and diversifies the economy. The NEC allows a mix of clean industries, offices serving industrial needs, light industrial uses, research and development and large corporate headquarters. The uses permitted are intended to improve the region's economic climate, promote sustainable and traded sector businesses, and protect the supply of sites for employment by limiting incompatible uses. The sub-district is intended to comply with Metro's

Title 4 regulations. Site and building design will create pedestrian-friendly areas and utilize cost effective green development practices. Business and program connections to Clackamas Community College (CCC) are encouraged to help establish a positive identity for the area and support synergistic activity between CCC and NEC properties. Businesses making sustainable products and utilizing sustainable materials and practices are encouraged to reinforce the identity of the area and promote the overall vision for the Beavercreek Road area.

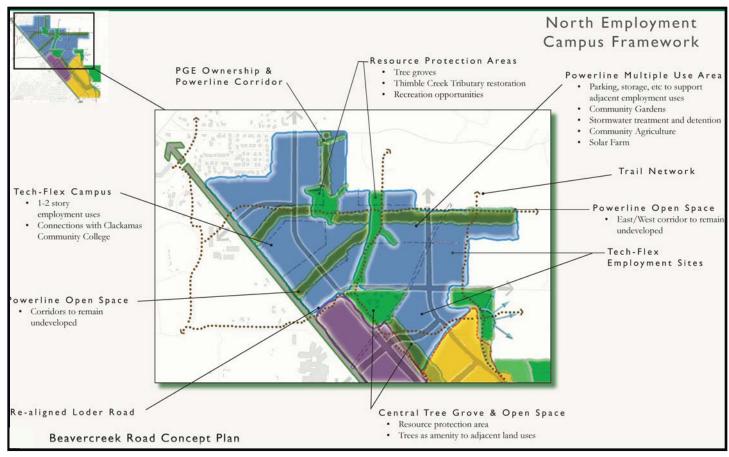


Figure 9 - North Employment Campus Framework



Mixed Employment Village – MEV

The purpose of the Mixed Employment Village is to provide employment opportunities in an urban, pedestrian friendly, and mixed use setting. The MEV is intended to be transit supportive in its use mix, density, and design so that transit remains an attractive and feasible option. The MEV allows a mix of retail, office, civic and residential uses that make up an active urban district and serve the daily needs of adjacent neighborhoods and Beavercreek Road sub-districts. Site and building design will create

pedestrian-friendly areas and utilize cost effective green development practices. Business and program connections to Clackamas Community College and Oregon City High School are encouraged. Businesses making sustainable products and utilizing sustainable materials and practices are encouraged to reinforce the identity of the area and promote the overall vision for the Beavercreek Road area.

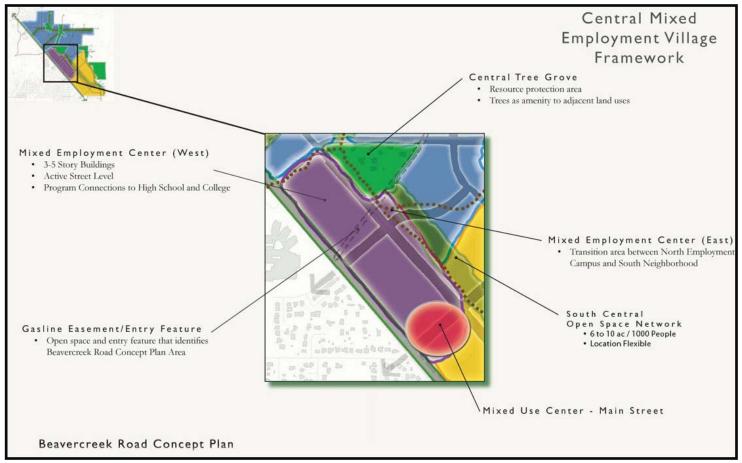


Figure 10 - Central Mixed Employment Village Framework



Main Street - MS

The purpose of this small mixed-use center is to provide a focal point of pedestrian activity. The MS allows small scale commercial, mixed use and services that serve the daily needs of the surrounding area. "Main Street" design will include buildings oriented to the street, an minimum of 2 story building scale, attractive streetscape, active ground floor uses and other elements that reinforce pedestrian oriented character and vitality of the area.

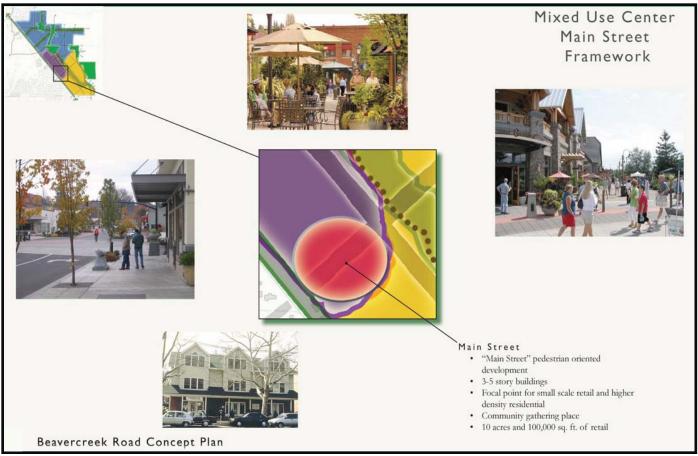


Figure 11 - Main Street Framework



West Mixed Use Neighborhood - WMU

The West Mixed Use Neighborhood will be a walkable, transit-oriented neighborhood. This area allows a transit supportive mix of housing, live/work units, mixed use buildings and limited commercial uses. A variety of housing and building forms is required, with the overall average of residential uses not exceeding 22 dwelling units per acre. The WMU area's uses, density and design will support the multi-modal transportation system and provide good access for pedestrians, bicycles, transit and vehicles. Site and building design will create a walkable area and utilize cost effective green development practices.

East Mixed Use Neighborhood - EMU

The East Mixed Use Neighborhood will be a walkable and tree-lined neighborhood with a variety of housing types. The EMU allows for a variety of housing types while maintaining a low density residential average not exceeding densities permitted in the R-5 zone. Limited non-residential uses are permitted to encourage a unique identity, sustainable community, and in-home work options. The neighborhood's design will celebrate open space, trees, and relationships to public open spaces. The central open space, ridge open space scenic viewpoints, and a linked system of open spaces and trails are key features of the EMU. Residential developments will provide housing for a range of income levels, sustainable building design, and green development practices.

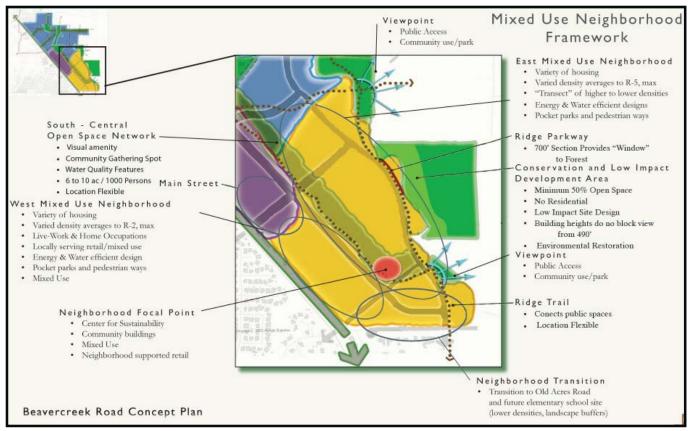


Figure 12 - West and East Mixed Use Neighborhoods



Open Space

The Open Space Framework illustrated on Figure 13 provides a network of green spaces intended to provide:

- A connected system of parks, open spaces and natural areas that link together and link to the Environmentally Sensitive Resource Areas.
- Scenic and open space amenities and community gathering places
- Access to nature
- Tree and natural area preservation
- Locations where storm water and water quality facilities can be combined with open space amenities, and opportunities to implement sustainable development and infrastructure
- Green spaces near the system of trails and pedestrian connections
- Open spaces which complement buildings and the urban, built environment

Power Line Open Spaces

The power line corridors and gas line corridor comprise 97 acres of land. The power line corridors north of Loder Road are a dominant feature. They are a dominant feature because they define open corridors and have a significant visual impact related to the towers. They also have a influence on the pattern of land use and transportation connections. In response to these conditions, the Concept Plan includes four main strategies for the use of the power line corridors:

- Provide publicly accessible open spaces. The implementing code includes a minimum 100 foot-wide open space and public access easement would be required at the time of development reviews, or, obtained through cooperative agreements with the utilities and property owners.
- Provide trails. A new east-west trail is shown on Figure 13 that follows the main east-west corridor. This corridor has outstanding views of Mt. Hood.

- Allow a broad array of uses. Ideas generated by the CAC, and permitted by the code, include: community gardens, urban agriculture, environmental science uses by CCC, storage and other "non-building" uses by adjacent industries, storm water and water quality features, plant nurseries, and solar farms.
- Link to the broader open space network. The power line corridors are linked to the open spaces and trail network in the central and southern areas of the plan.

South-Central Open Space Network

Park spaces in the central and southern areas of the plan will be important to the livability and sustainability goals for the plan. The basic concept is to assure parks are provided, provide certainty for the total park acreage, guide park planning to integrate with other elements, and provide flexibility for the design and distribution of parks.

The following provisions will apply during master planning and other land use reviews:

- Park space will be provided consistent with the City's Park and Recreation Master Plan standard of 6 to 10 acres per 1000 population.
- The required acreage may be proposed to be distributed to a multiple park spaces, consistent with proposed land uses and master plan design.
- A central park will be provided. The location and linearity of the park was first indicated by Metro's Goal 5 mapping. It was illustrated by several citizen groups during the design workshop held in October, 2006. This open space feature is intended as a connected, continuous and central green space that links the districts and neighborhoods south of Loder Road. The code provides for flexibility in its width and shape, provided there remains a clearly identifiable and continuous open space. It may be designed as a series of smaller spaces that are clearly connected by open space. It may be designed



as a series of smaller spaces that are clearly connected by open space. If buildings are incorporated as part of the central park, they must include primary uses which are open to the public. Civic buildings are encouraged adjacent to the central park. Streets may cross the park as needed. The park is an opportunity to locate and design low impact storm water facilities as an amenity for adjacent urban uses.

East Ridge

The East Ridge is a beautiful edge to the site that should be planned as a publicly accessible amenity and protected resource area. The natural resource inventory identified important resources and opportunities for habitat restoration in the riparian areas of Thimble Creek. In addition, Lidar mapping and slope analysis identified steeper slopes (greater than 15%) that are more difficult to develop than adjacent flat areas of the concept plan. The sanitary sewer analysis noted that lower areas on the east

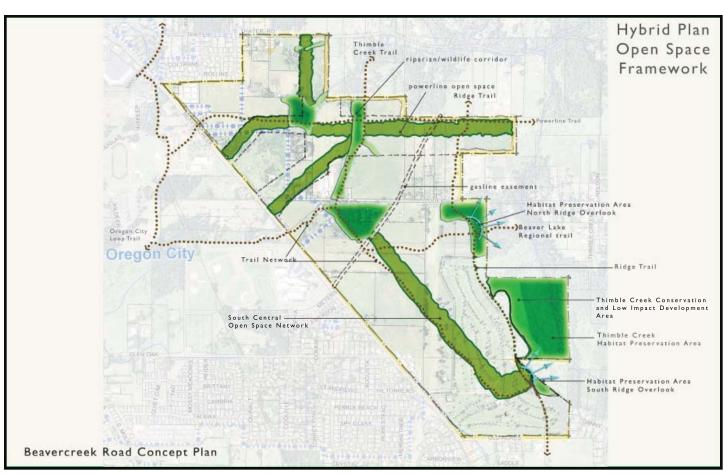
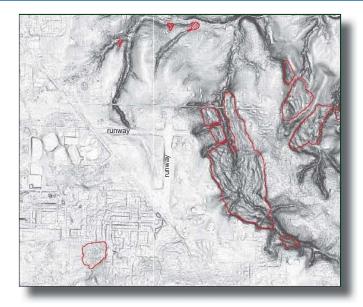


Figure 13 - Open Space Framework





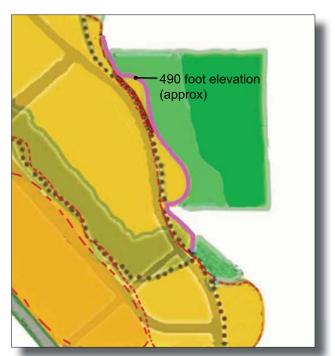


Figure 13A - East Ridge Lidar and 490 foot elevation

ridge could not be readily served with gravity systems - they would require private pump facilities. For all of these reasons, it is recommended here that an East Ridge open space and conservation area be designated.

The plan and code call for:

- Establishing the Class I and II Riparian area (per Metro mapping) plus 200 feet as a protected open space area. No development is permitted, except for very limited uses such as trails.
- Between the west edge of the above referenced protected open space area and the 490 foot elevation (MSL), establish a conservation area within which the following provisions apply:
 - a. A minimum of 50% of the conservation area must be open space. No residential uses are permitted.
 - b. All development must be low impact with respect to grading, site design, storm water management, energy management, and habitat.
 - c. Building heights must not obscure views from the 490 foot elevation of the ridge.
 - d. Open space areas must be environmentally improved and restored.
- Establishing a limit of development that demarks the clear edge of urban uses and a "window" to adjacent natural areas. In the central area of the est ridge, the "window" must be a minimum of 700 feet of continuous area and publicly accessible. The specific location of the "window" is flexible and will be establishing as part of a master plan.
- Creating two scenic view points that are small public parks, located north and south of the central area.
- Creating an East Ridge Trail the location of the trail is flexible and will be established during master planning. It will be located so as to be safe, visible, and connect the public areas along the ridge. Along the "window" area described above, it will be coordinated with the location of the adjacent East Ridge Parkway.



Transportation

In summary, the key elements of the Concept Plan transportation strategy are to:

- Plan a mixed use community that provides viable options for internal trip making (i.e. many daily needs provided on-site), transit use, maximized walking and biking, and re-routed trips within the Oregon City area.
- Improve Beavercreek Road as a green street boulevard.
- Create a framework of collector streets that serve the Beavercreek Road Concept Plan area.
- Require local street and pedestrian way connectivity.
- Require a multimodal network of facilities that connect the Beavercreek Road Concept Plan area with adjacent areas and surrounding transportation facilities.
- Provide an interconnected street system of trails and bikeways.
- Provide transit-attractive destinations.
- Provide a logical network of roadways that support the extension of transit services into the Beavercreek Road Concept Plan area.
- Use green street designs throughout the plan.
- Update the Oregon City Transportation System Plan to include the projects identified in the Beavercreek Road Concept Plan, provide necessary off-site improvements, and, assure continued compliance with Oregon's Transportation Planning Rule.

Streets

Figure 14 illustrates the street plan. Highlights of the plan include:

• Beavercreek as a green boulevard. The cross-section will be a 5 lane arterial to Clairmont, then a 3 lane arterial (green street boulevard) from Clairmont to UGB. The signalization of key intersections is illustrated on the Street Plan.

- Center Parkway as a parallel route to Beavercreek Road. This new north-south route provides the opportunity to completely avoid use of Beavercreek Road for trips between Old Acres and Thayer Road. This provides a much-needed separation of local and through trips, as well as an attractive east-side walking and biking route. Major cross-street intersections, such as Loder, Meyers and Glen Oak may be treated with roundabouts or other treatments to help manage average speeds on this street. Minor intersections are likely to be stop-controlled on the side street approaches. The alignment of Center Parkway along the central open space is intended to provide an open edge to the park. The cross-section for Center Parkway includes a multi-use path on the east side and green street swale. Center Parkway is illustrated as a three-lane facility. Depending on land uses and block configurations, it may be able to function well with a two lane section and left turn pockets at selected locations.
- Ridge Parkway as a parallel route to Center Parkway and Beavercreek Road. The section of Ridge Parkway south of the Glen Oak extension is intended as the green edge of the neighborhood. This will provide a community "window" and public walkway adjacent to the undeveloped natural areas east of the parkway. Ridge Parkway should be two lanes except where left turn pockets are needed. Major intersections south of Loder are likely to only require stop control of the side street, if configured as "tee" intersections. Mini roundabouts could serve as a suitable option, particularly if a fourth leg is added.
- Ridge Parkway. Ridge Parkway was chosen to extend as the through-connection south of the planning area to Henrici Road. Center Parkway and Ridge Parkway are both recommended for extension to the north as long-term consideration for Oregon City and Clackamas County during the update of respective Transportation System Plans. It is beyond the scope of this study to identify and determine each route and the feasibility of such extensions. Fatal flaws to one or both may be discovered during subsequent planning. Nonetheless, it is prudent at this level of study, in this area of the community, to identify opportunities to efficiently and systematically expand the transportation system to meet existing and future needs.



- Extensions of Clairmont, Meyers, Glen Oak Roads and the south entrance through to the Ridge Parkway. These connections help complete the network and tie all parts of the community to adjacent streets and neighborhoods.
- Realignment of Loder Road at its west end. Loder is recommended for reconfiguration to create a safer "T" intersection. The specific location of the intersection is conceptual and subject to more site specific planning.

The streets of the Concept Plan area are recommended to be green streets. This is an integral part of the storm water plan and overall identity and vision planned for the area. The green street cross-sections utilize a combination of designs: vegetated swales, planter islands, curb extensions, and porous pavement. Figures 15 – 19 illustrate the recommended green street cross-sections. These are intended as a starting point for more detailed design.

Trails

Figure 14 also illustrates the trail network. The City's existing Thimble Creek Trail and Metro's Beaver Lake Regional Trail have been incorporated into the plan. New trails include the Powerline Corridor Trail, multi-use path along Center Parkway, and the Ridge Trail.

Transit

The Concept Plan sets the stage for future transit, recognizing that how that service is delivered will play out over time. Specifics of transit service will depend on the actual rate and type of development built, Tri-Met resources and policies, and, consideration of local options. Three options have been identified:

- 1. A route modification is made to existing bus service to Clackamas Community College (CCC) that extends the route through CCC to Beavercreek Road via Clairmont, then south to Meyers or Glen Oak, back to HWY 213, and back onto Molalla to complete the normal route down to the Oregon City Transit Center. To date, CCC has identified Meyers Road as a future transit connection to the college.
- 2. A new local loop route that connects to the CCC transit center and serves the Beavercreek Road Concept Planning area, the High School, the residential areas between Beavercreek and HWY 213, and the residential areas west of HWY 213 (south of Warner Milne).
- 3. A new "express" route is created from the Oregon City Transit Center, up/down HWY 213 to major destinations (CCC, the Beavercreek Road Employment area, Red Soils, Hilltop Shopping Center, etc.).

It is the recommendation of this Plan that the transit-oriented (and Use mix), density, and design of the Beavercreek Road area be implemented so that transit remains a viable option over the long term. The City should work with Tri-Met, CCC, Oregon City High School, and developers within the Concept Plan area to facilitate transit.



Connectivity

The street network described above will be supplemented by a connected local street network. Consistent with the framework plan approach, connectivity is required by policy and by the standards in the code. The specific design for the local street system is flexible and subject to master plan and design review. Figure 20 illustrates different ways to organize the street and pedestrian systems. These are just three examples, and are not intended to suggest additional access to Beavercreek Road beyond what is recommended in Figure 14. The Plan supports innovative ways to configure the streets that are consistent with the goals and vision for the Beavercreek Concept Plan area.

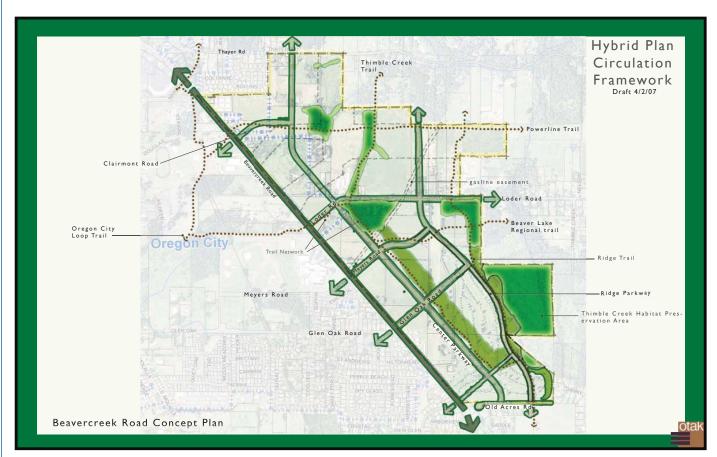


Figure 14 - Circulation Framework



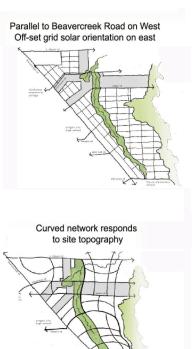


Figure 20 - Connectivity Diagrams

Conceptual only - See Figure 14 for recommended access points to Beavercreek Road.



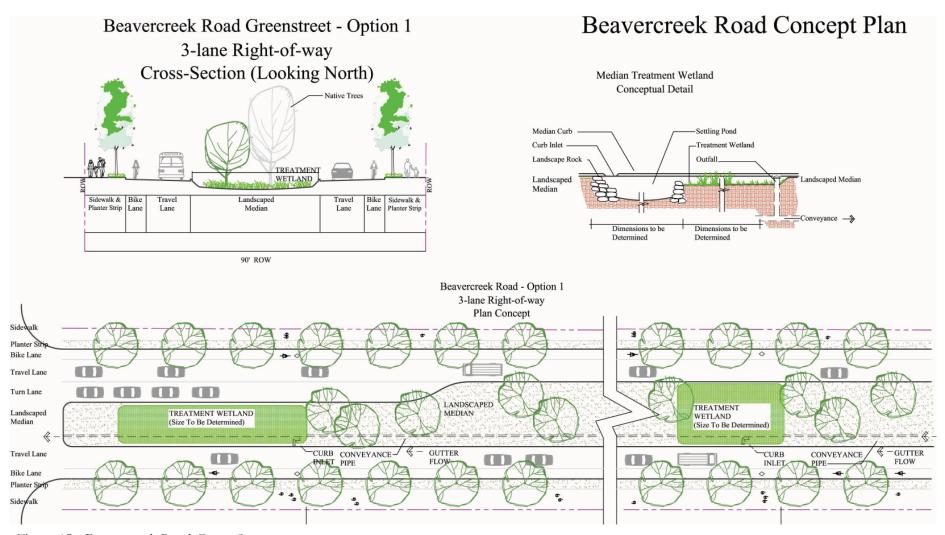


Figure 15 - Beavercreek Road Green Street



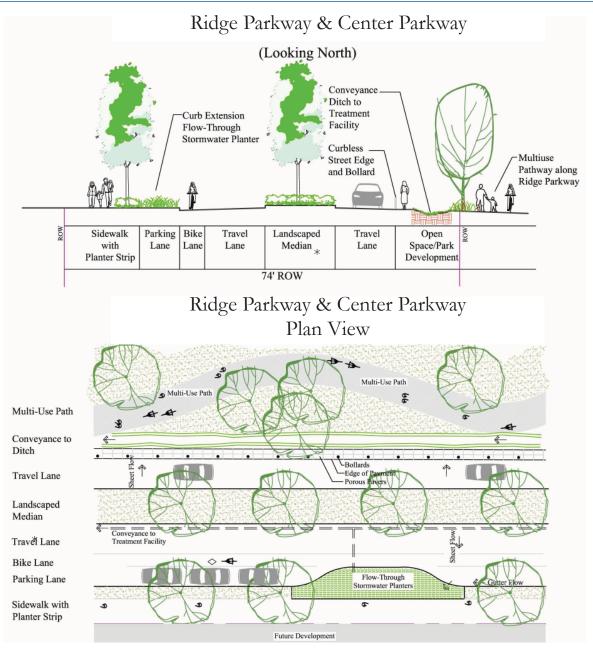


Figure 16 - Ridge Parkway and Central Parkway Green Streets

*Center median is optional for Ridge Parkway.



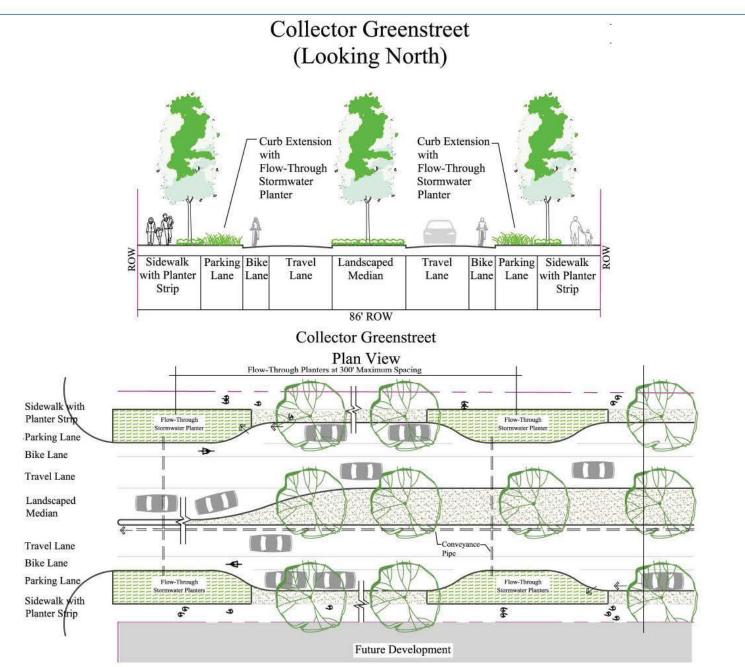
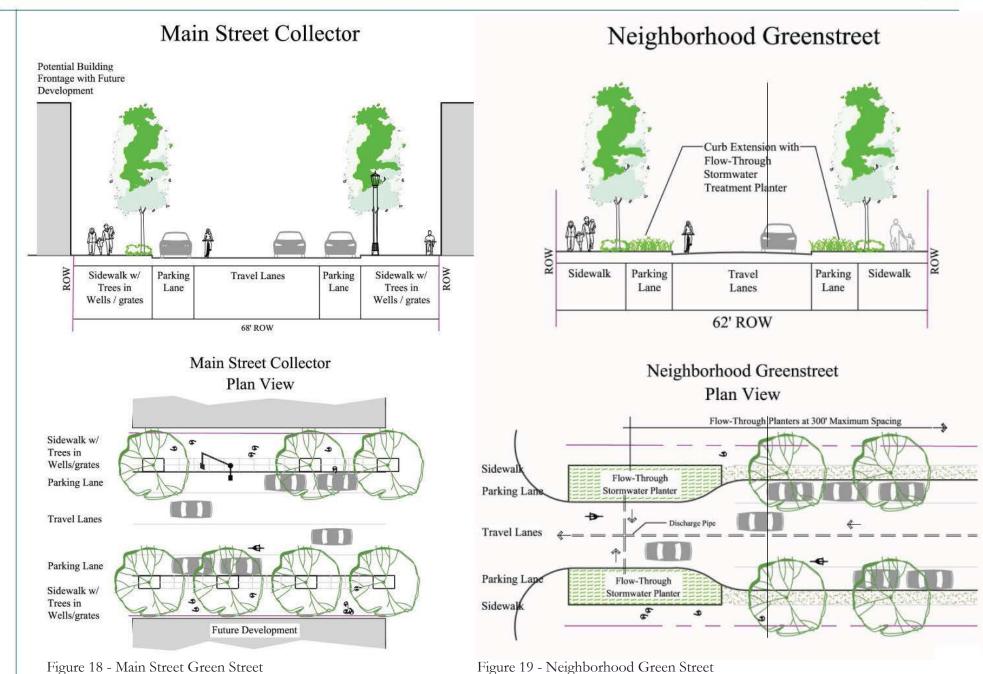


Figure 17 - Collector Green Street





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Cost Estimate

A planning-level cost estimate analysis was conducted in order to approximate the amount of funding that will be needed to construct the needed improvements to the local roadway system, with the build-out of the Beavercreek Road Concept Plan. The table below lists these improvements and their estimated costs. These generalized cost estimates include assumptions for right-of-way, design, and construction.

For additional information, please see Technical Appendix, Sections C2 and G.

Roadway Improvements	Improvement	Estimated Cost
Beavercreek Road: Marjorie Lane to Clairmont Drive	Construct 5-lane cross-section to City standards	\$6,300,000
Beavercreek Road: Clairmont Drive to Henrici Road	Construct 3-lane cross-section to City standards	\$12,300,000
Clairmont Drive: Beavercreek Road – Center Parkway	Construct new 3-lane collector to City standards and modify signal at Beavercreek Road	\$2,400,000
Loder Road: Beavercreek Road to Center Parkway	Construct 3-lane cross-section to City standards and signalize Beavercreek Road intersection	\$1,400,000
Loder Road: Center Parkway – East Site Boundary	Construct 3-lane cross-section to City standards	\$4,200,000
Meyers Road: Beavercreek Road – Ridge Parkway	Construct new 3-lane collector to City standards and modify signal at Beavercreek Road	\$3,500,000
Glean Oak Road: Beavercreek Road – Ridge Parkway	Construct new 3-lane collector to City standards and modify signal at Beavercreek Road	\$3,400,000
Center Parkway	Construct new 3-lane collector with 12' multi-use path	\$17,700,000
Ridge Parkway	Construct new 3-lane collector	\$9,800,000
Total Roadway Improvements		\$61,000,000
Intersection Only Improvements	Improvement	Estimated Cost
Beavercreek Road/Maplelane	Road Construct new WB right-turn lane	\$250,000
Beavercreek Road/ Meyers Road	Construct new NB and SB through lanes	\$5,000,000
Total Intersection Improvements		\$5,250,000
TOTAL IMPROVEMENTS		\$66,250,000

Transportation Cost Estimate





Figure 21 - Sustainable Stormwater Plan



Storm Water and Water Quality

This Beavercreek Road stormwater infrastructure plan embraces the application of low-impact development practices that mimic natural hydrologic processes and minimize impacts to existing natural resources. It outlines and describes a stormwater hierarchy focused on managing stormwater in a naturalistic manner at three separate scales: site, street, and neighborhood.

Tier 1 – Site Specific Stormwater Management Facilities (Site)

All property within the study area will have to utilize on-site best management practices (BMPs) to reduce the transport of pollutants from their site. Non-structural BMPs, such as source control (e.g. using less water) are the best at eliminating pollution. Low-impact structural BMPs such as rain gardens, vegetated swales, pervious surface treatments, etc. can be designed to treat stormwater runoff and reduce the quantity (flow and volume) by encouraging retention/infiltration. They can also provide beneficial habitat for wildlife and aesthetic enhancements to a neighborhood. These low-impact BMP's are preferred over other structural solutions such as underground tanks and filtration systems. Most of these facilities will be privately maintained.

Tier 2 – Green Street Stormwater Management Facilities (Street)

Green Streets are recommended for the entire Beavercreek Concept Plan area. The recommended green street design in Figures 15 - 19 use a combination of vegetated swales or bioretention facilities adjacent to the street with curb cuts that allow runoff to enter. Bioretention facilities confined within a container are recommended in higher density locations where space is limited or is needed for other urban design features, such as on-street parking or wide sidewalks. The majority of the site is underlain with silt loam and silty clay loam. Both soils are categorized as Hydrologic Soil Group C and have relatively slow infiltration rates.

The recommended green streets will operate as a collection and conveyance system to transport stormwater from both private property and streets to regional stormwater facilities. The conveyance facilities need to be capable of managing large storm events that exceed the capacity of the swales. For this reason, the storm water plan's conveyance system is a combination of open channels, pipes, and culverts. Open channels should be used wherever feasible to increase the opportunity for stormwater to infiltrate and reduce the need for piped conveyance.

Tier 3 – Regional Stormwater Management Facilities (Neighborhood)

Regional stormwater management facilities are recommended to manage stormwater from larger storms that pass through the Tier 1 and Tier 2 facilities. Figure 21 illustrates seven regional detention pond locations. Coordinating the use of these for multiple properties will require land owner cooperation during development reviews, and/or, City initiative in advance of development.

The regional facilities should be incorporated into the open space areas wherever possible to reduce land costs, and reduce impacts to the buildable land area. Regional stormwater facilities should be designed to blend with the other uses of the open space area, and can be designed as a water feature that offers educational or recreational opportunities. Stormwater runoff should be considered as a resource, rather than a waste stream. The collection and conveyance of stormwater runoff to regional facilities can offer an opportunity to collect the water for re-use.



Discharge Locations

Post-development stormwater runoff rates from the Beavercreek Road Concept Plan Area will need to match pre-development rates at the existing discharge locations, per City Stormwater Design Standards. Since there are several small discharge locations to Thimble Creek, flow control facilities may not be feasible at all discharge locations. In this situation, over-detention is needed at some discharge locations to compensate for the undetained areas so that flows in Thimble Creek at the downstream point of compliance meet City Stormwater Design Standards for flow control.

The stormwater infrastructure for the Beavercreek Road Concept Plan Area is estimated to cost between \$7.8 million and \$9.4 million for base construction. When construction contingencies, soft costs (engineering, permitting, construction management), and land acquisition, the total cost is estimated at \$15 to \$23 million.

Water The pr

The proposed water infrastructure plan creates a network of water supply pipelines as the "backbone" system. In addition, as individual parcels are developed, a local service network of water mains will be needed to serve individual lots.

Since there are two pressure zones in the concept plan area, there will need to be a network of pipes for each of the two zones. These systems are illustrated on Figure 22. The Fairway Downs Pressure Zone will serve the south one-third of the concept plan area. This zone receives water from

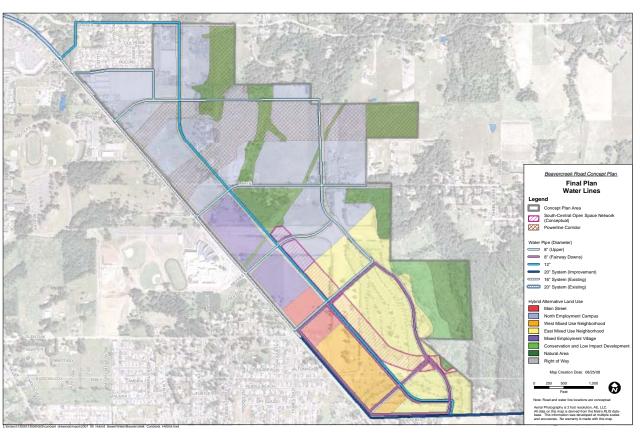


Figure 22 - Water Plan

the system reservoirs. But, because this zone is at the highest elevation in the entire water system, pressure from the reservoir system is insufficient to maintain a usable pressure to customers in this part of the system. The water pressure is increased by using a booster pump station located at the intersection of Glen Oak Road and Beavercreek Road.



In the Fairway Downs Pressure Zone, the majority of the water mains will be installed in the proposed public rights-of-way. However, a small portion of the system may need to be in strip easements along the perimeter of the zone at the far southeast corner of the concept plan area. The system layout shown is preliminary and largely dependent on future development and the final system of internal (local) streets. Additional mains may be needed or some of the water mains shown may need to be removed. For instance, if the development of the residential area located at the southeast end of the site, adjacent to Old Acres Road, includes internal streets, the water mains shown along the perimeter of the site may be deleted because service will be provided from pipes that will be installed in the internal street system.

Some of the planned streets in the Fairway Downs Pressure Zone will contain two water mains. One water main will provide direct water service to the area from the booster pump system. The other water main will carry water to the lower elevation areas in the Upper Pressure Zone.

The Upper Pressure Zone will serve the north two-thirds of the concept plan area. The "backbone" network for the Upper Pressure Zone will have water mains that are pressured from the Henrici and Boynton reservoirs. A single 12-inch water main will run parallel with Beavercreek Road through the middle of concept plan area. This water conduit will serve as the "spine" for the Upper Pressure Zone. A network of 8-inch water pipes will be located in the public rights-of-way and will provide water to the parcels that are identified for development. The system can be extended easterly on Loder Road, if needed.

The preliminary design ensures that the system is looped so that there are no dead-end pipes in the system. Along a portion of the north perimeter, approximately 1,600 feet of water pipe will be needed to complete a system loop and provide water service to adjacent lots. This pipe will share

a utility easement with a gravity sanitary sewer and a pressure sewer. There may also be stormwater facilities in this same alignment.

In the Water Master Plan, under pipeline project P-201, there is a system connection in a strip easement between Thayer Road and Beavercreek Road at the intersection with Marjorie Lane. Consideration should be given to routing this connection along Thayer Road to Maplelane Road and then onto Beavercreek Road. This will keep this proposed 12-inch main in the public street area where it can be better accessed.

The estimated total capital cost for the "backbone" network within the concept plan area will be in the area of \$5,400,000. This estimate is based the one derived for Alternative D, which for concept planning purposes, is representative of the plan and costs for the final Concept Plan. This is in addition to the \$6.9 million of programmed capital improvement projects that will extend the water system to the concept plan area. All estimates are based on year 2003 dollars. Before the SDC can be established, the estimates will need to be adjusted for the actual programmed year of construction.

For additional information, please see Technical Appendix, Sections C6 and H3.



Sanitary Sewer

The northern half of the concept area drains generally to the north and follows the natural land contours formed by the uppermost portion of Thimble Creek. The proposed sanitary sewer system in the vicinity of Loder Road will follow the north-south street rights-of-way. This part of the system will terminate at the low point of the concept plan area in a wetwell. A sanitary lift station over the wetwell will pump the wastewater uphill in a westerly direction to a point that it can be discharged into a gravity sewer that will flow west to the trunk sewer in Beavercreek Road. The lift station and pressure sewer project has been identified in the Sanitary Sewer Master Plan as projects BC-COL-5 and 6. A utility bridge that will carry the pressure pipe and gravity sewer pipe over Thimble

Creek is anticipated. A short road access to the pump station that is parallel to Thimble Creek will also be

needed.

The majority of the southern half of the concept area will have a gravity sanitary sewer system that will convey waste water to the existing 2,400-foot long trunk sewer in Beavercreek Road, which currently extends from Highway 213 to approximately 800 feet south of Marjorie Lane. This portion of the system can be built in the planned roadways and in the existing Beavercreek Road right-of-way. This portion of the system can be built in the planned roadways. A portion of the system, approximately 900 feet long, will need to be built in the current alignment of Loder Road so that the gravity sewer can be connected to the trunk sewer in Beavercreek Road. The circulation plan includes a realignment of Loder Road. Therefore, a sewer easement will need to be retained across the future parcel that now includes the current Loder Road alignment.

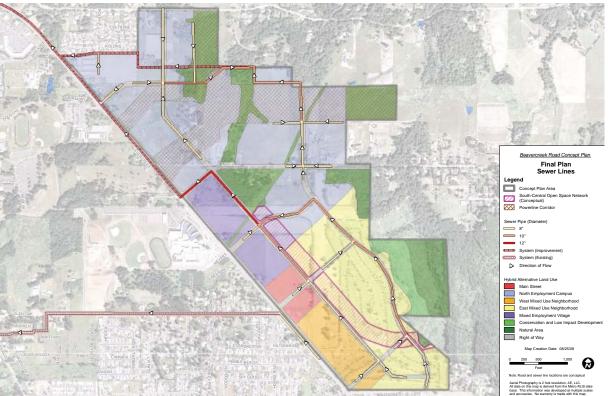


Figure 23 - Sewer Plan

The approximate elevation of 490 ft (MSL) is important in the southern half of the concept plan area relative to gravity sewer service. Roadways and development constructed above 490 ft will most likely allow for gravity sewer service. If land uses requiring sanitary sewer service (or roadways with sewer underneath) are located lower than 490 ft, individual pump stations and pressurized services may be required.



The estimated total capital cost will be in the vicinity of \$4,400,000. This estimate is based on the cost analysis for Alternative D, which is comparable. This is in addition to the \$2.3 million in sanitary sewer master plan capital costs that needed to bring the sanitary sewers to the concept plan area. These estimates are based on year 2003 dollars. The estimates will need to be adjusted for the programmed year of construction.

For additional information, please see Technical Appendix, Sections C6 and H2.

Funding strategies

For water, sewer, storm water and parks, there are five primary funding sources and strategies that can be used:

- System development charges (SDCs)— Oregon City requires developers to pay SDCs for new development. Developers pay these charges up front based on the predicted impact of the new development on the existing infrastructure and the requirements it creates for new improvements. Although the charges are paid by the developer, the developer may pass on some of these costs to buyers of newly developed property. Thus, SDCs allocate costs of development to the developer and buyers of the new homes or new commercial or industrial buildings.
- Urban renewal/tax increment financing Tax increment financing is the primary funding vehicle used within urban renewal areas (URA). The tax increment revenue is generated within a URA when a designated area is established and the normal property taxes within that area are 'frozen' (often called the frozen base). Any new taxes generated within that area through either property appreciation or new investment becomes the increment. Taxing jurisdictions continue to collect income from the frozen base but agree to release assessed value above the base to the URA. The URA then can issue bonds to pay for identified public improvements. The tax increment is used to pay off the bonds.

Oregon City has the authority to establish an URA. The Beavercreek Road Concept Plan Area would have to meet the definition of 'blight' as defined in ORS 457. It is likely to meet 'blight' standards because its existing ratios of improvement-to-land values are likely low enough to meet that standard.

• Local Improvement Districts - Local Improvement Districts (LIDs) are formed for the purpose of assessing local property owners an amount sufficient to pay for a project deemed to be of local benefit. LIDs are a specific type of special assessment district, which more broadly includes any district that is formed within an existing taxing district to assess specific property owners for some service that is not available throughout the larger district. The revenues from the LID assessments are used to pay the debt payments on a special assessment bond or a note payable issued for the capital improvements.

LID assessments increase costs for property owners. Under a LID the improvements must increase the value of the taxed properties by more than the properties are taxed. LIDs are typically used to fund improvements that primarily benefit residents and property owners within the LID.

• Bonds - Bonds provide a financing mechanism for local governments to raise millions of dollars for parks and other capital projects. The City could back a bond with revenue from a LID, the Urban Renewal Districts, or property taxes citywide. General obligation (GO) bonds issued by local governments are secured by a pledge of the issuer's power to levy real and personal property taxes. Property taxes necessary to repay GO bonds are not subject to limitation imposed by recent property tax initiatives. Oregon law requires GO bonds to be authorized by popular vote.

Bond levies are used to pay principal and interest for voter-approved bonded debt for capital improvements. Bond levies typically are approved in terms of dollars, and the tax rate is calculated as the total levy divided by the assessed value in the district.

Developer funded infrastructure – The City conditions land use approvals and permits to include required infrastructure. Beyond



the sources cited above, developers cover the remaining costs for the infrastructure required for their development.

Additional funding tools that could be investigated and implemented within the Concept Plan area include a Road District, a County Service District, Intergovernmental Agreements, an Advance Finance District, a Certificate of Participation, and a Utility Fee. There are benefits and limitations associated with each of the funding options that should be reviewed carefully before implementing.

For transportation infrastructure, the same sources as cited above are available. For larger facilities, such as Beavercreek Road, additional funds may be available. They include Metro-administered federal STP and CMAQ funding, and, regional Metro Transportation Improvement Plan funding. These sources are limited and extremely competitive. County funding via County SCSs should also be considered a potential source for Beavercreek Road. Facilities like Beavercreek Road are often funded with a combination of sources, where one source leverages the availability of another.

Sustainability

One of the adopted goals is: The Beavercreek Road Concept Plan Area will be a model of sustainable design, development practices, planning, and innovative thinking.

Throughout the development of the concept plan, sustainability has been paramount in guiding the CAC, the City, and the consultant team. The final plan assumes that sustainable practices will be a combination of private initiatives (such as LEED certified buildings), public requirements (green streets and low impact development policies), and public-private partnerships. It is recommended that City use incentives, education and policy support as much as possible for promoting sustainability at Beavercreek Road. Some initiatives will require regulation and City mandates, but caution and balance should be used. At the end of the

day, it is up to the private sector to invest in sustainable development. The Beavercreek Road's site's legacy as a model of sustainable design will depend, in large part on the built projects that are successful in the marketplace and help generate the type of reputation that the community desires and deserves.

The key to fulfilling the above-listed goal will be in the implementation. For the City's part, implementation strategies that support sustainable design will be included within the Oregon City Comprehensive Plan policies and Code provisions. They will be applied during master plan and design review permitting. Some of these strategies will be "required" while other are appropriate to "encourage." These sustainability strategies include:

- · Energy efficiency
- Water conservation
- Compact development
- Solar orientation
- Green streets/infrastructure
- Adaptive reuse of existing buildings/infrastructure
- Alternative transportation
- Pedestrian/Cyclist friendly developments
- Natural drainage systems
- Tree preservation and planting to "re-establish" a tree canopy
- Minimizing impervious surfaces
- Sustainability education (builder, residents, businesses and visitors)
- Collaboration with "local" institutional and economic partners, particularly Clackamas Community College and Oregon City High School
- Community-based sustainable programs and activities



Principles for Sustainable Community Design

The CAC discussed Principles for Sustainable Community Design that were offered by one of the members. These provide a good framework for how the Concept Plan is addressing sustainability.

Mix Land Uses - Promote a mix of land uses that support living wage jobs and a variety of services.

All of the sub-districts are, to some degree, mixed use districts. The Mixed Use Village, Main Street and West Mixed Use Neighborhood allow a rich mix of employment, housing, and services. Taken together, the entire 453 acre area will be a complete community.

Housing Types - Create a range of housing choices for all ages and incomes.

The concept plan includes housing in many forms: mixed use formats in the 3-5 story buildings, high density apartments and condominiums, livework units, townhomes, small cottage lots, and low density single family homes.

Walk-ability - Make the Neighborhood "walkable" and make services "walk-to-able."

The plan provides a street and trail framework. The code will require a high level of connectivity and maximum block sizes for most subdistricts. Services are provided throughout the plan as part of mixed use areas and a broad range of permitted uses.

Transportation - Provide a range of transportation options using a connected network of streets and paths.

The plan provides for all modes: walking, biking, driving and transit. Transit-supportive land use is specifically required in the Mixed Employment Village, Main Street and West Mixed Use Neighborhoods. The framework of connected streets and paths will be supplemented by a

further-connected system of local streets and walking routes.

Open Space - Protect and maintain a functioning green space network for a variety of uses.

Open space is distributed throughout the plan. New green spaces are connected with existing higher-value natural areas.

Integrate Systems - Integrate ecological and man-made systems to maximize function, efficiency and health.

Infrastructure systems (green storm water, multi-modal transportation) are highly integrated with the open space network and array of land uses. It will be important for the implementation of the plan to further integrate heating, cooling, irrigation and other man-made systems with the Concept Plan framework.

Ecological Health - Manage natural resources to eliminate pollution to watersheds and lesson impact on habitat and green infrastructure.

Methods to achieve this principle are identified in the Stormwater Infrastructure Report. Additionally, the code requires measures to preserve natural resources and eliminate pollution to watersheds necessary to achieve this principle.

Reuse, Recycle, Regenerate - Reuse existing resources, regenerate existing development areas.

The principle will be applied primarily at time of development and beyond.



Green Buildings - Build compact, innovative structures that use less energy and materials.

The draft code includes provisions for green buildings. This is a new area for the City to regulate, so a public-private Green Building Work Group is recommend to explore issues, build consensus, and develop specific code recommendations.

Work Together - Work with community members and neighbors to design and develop.

The development of the alternatives and the recommended plan has been a collaborative process with all project partners. The concept plan process through implementation and subsequent project area developments will continue to be a collaborative process where all stakeholders are invited to participate.

For additional information, please see Technical Appendix, Sections C3, D, and F.



Metrics

Land Use

The following table summarizes the acreages for major land uses on the Concept Plan.

Land Use Category (acres)	<u>Hybrid</u>
North Employment Campus (adjusted gross acreage)*	149
Mixed Employment Village	26
Main Street	10
West Mixed Use Neighborhood	22
East Mixed Use Neighborhood	77
Total Acres of "built" land use	284
Other Land Uses (not "built")	
Parks/Open Space/Natural Areas (Total)**	113
Major ROW+	56
Existing Uses (unbuildable)	0
Total Project Area Gross Acres	453

*Adjusted gross acreage is the sum of 50% of the employment land use shown under the powerline easement plus all other unconstrained employment land use areas. Calculations shown below:

Land Use Category (acres)	<u>Hybrid</u>	
Total North Employment Campus	175	
Unconstrained NEC	123	
Employment with powerline overlay	52	
Useable portion of powerline overlay (50%)	26	
North Employment Campus (adjusted gross		
acreage)*	149	



Housing and Employment Estimates

The Concept Plan has an estimated capacity for approximately 5000 jobs and 1000 dwellings. The following table displays the estimates and assumptions used to estimate jobs and housing. On a net acreage, these averages are 33 jobs/ net developable acre and 10.3 dwellings/ net developable acre.

	<u>Hybrid</u> Gross	<u>Hybrid</u> <u>Net</u>				Avg.	
Land Use Category	Acres	Acres*	FAR/Acre**	SF/Job**	# of Jobs***		# of Units+
North Employment Campus (adjusted gross							
acreage)	149	127	0.3	450	3,678		
Mixed Employment Village	26	21	0.44	350	1,139		
Main Street****	10	8	0.44	350	219	25	100
West Mixed Use Neighborhood	22	18			15	22	387
East Mixed Use Neighborhood	77	62			21	8.7	536
Total # of Jobs					5,073		
Total # of Housing Units							1,023
Total Acres of Developed Land++	284	235					
_			,				

^{*}For Hybrid - Net acres equals gross acres minus 15% for local roads and easements in Employment. Mixed Employment, Mixed Use, and residential areas assume 20% for local roads and easements

^{* *}Based on Metro 2002-2022 Urban Growth Report: An Employment Land Need Analysis. Includes total on site employment (full and part time). Mixed Employment FAR and job density reflects a mix of office, tech/flex, and ground floor retail.

^{***}Number of Jobs in Employment, Mixed Employment, Mixed Use calculated by multiplying total acres by the FAR; Converting to square feet; and dividing by number of jobs/square foot. Jobs in residential areas (Work at Home Jobs) estimated at 4% (potential could be as high as 15%).

^{****} Mixed Use land use assumes 50% of acreage devoted to commercial uses and the remaining 50% devoted to vertical mixed use.

⁺Number of units calculated by multiplying total net acres of residential land use by average units per acre

⁺⁺Includes 50% of useable power line corridor (26 acres total) as part of developed land (included in Employment land area)

⁺⁺⁺Does not include powerline corridor acreage as part of developed land



VI. Goals and Policies

The following goals and policies are recommended for adoption into the Oregon City Comprehensive Plan. The goal statements are those developed by the Citizen Advisory Committee as goals for the plan.

Goal 1 Complete and Sustainable Community

Create a complete and sustainable community, in conjunction with the adjacent land uses, that integrates a diverse mix of uses, including housing, services, and public spaces that are necessary to support a thriving employment center.

Policy 1.1

Adopt new comprehensive plan and zone designations, and development code, that implement the Beavercreek Concept Plan. Require all development to be consistent with the Concept Plan and implementing code.

Policy 1.2

Establish sub-districts to implement the Concept Plan. The sub-districts are:

North Employment Campus – NEC

The purpose of the North Employment Campus is to provide for the location of family wage employment that strengthens and diversifies the economy. The NEC allows a mix of clean industries, offices serving industrial needs, light industrial uses, research and development and large corporate headquarters. The uses permitted are intended to improve the region's economic climate, promote sustainable and traded sector businesses, and protect the supply of sites for employment by limiting

incompatible uses. The sub-district is intended to comply with Metro's Title 4 regulations. Site and building design will create pedestrian-friendly areas and utilize cost effective green development practices. Business and program connections to Clackamas Community College (CCC) are encouraged to help establish a positive identity for the area and support synergistic activity between CCC and NEC properties. Businesses making sustainable products and utilizing sustainable materials and practices are encouraged to reinforce the identity of the area and promote the overall vision for the Beavercreek Road area.

Mixed Employment Village – MEV

The purpose of the Mixed Employment Village is to provide employment opportunities in an urban, pedestrian friendly, and mixed use setting. The MEV is intended to be transit supportive in its use mix, density, and design so that transit remains an attractive and feasible option. The MEV allows a mix of retail, office, civic and residential uses that make up an active urban district and serve the daily needs of adjacent neighborhoods and Beavercreek Road sub-districts. Site and building design will create pedestrian-friendly areas and utilize cost effective green development practices. Business and program connections to Clackamas Community College and Oregon City High School are encouraged. Businesses making sustainable products and utilizing sustainable materials and practices are encouraged to reinforce the identity of the area and promote the overall vision for the Beavercreek Road area.

Main Street - MS

The purpose of this small mixed-use center is to provide a focal point of pedestrian activity. The MS allows small scale commercial, mixed use and services that serve the daily needs of the surrounding area. "Main Street" design will include buildings oriented to the street, and minimum of 2 story building scale, attractive streetscape, active ground floor uses and other elements that reinforce pedestrian oriented character and vitality of the area.



West Mixed Use Neighborhood - WMU

The West Mixed Use Neighborhood will be a walkable, transit-oriented neighborhood. This area allows a transit supportive mix of housing, live/work units, mixed use buildings and limited commercial uses. A variety of housing and building forms is required, with the overall average of residential uses not exceeding 22 dwelling units per acre. The WMU area's uses, density and design will support the multi-modal transportation system and provide good access for pedestrians, bicycles, transit and vehicles. Site and building design will create a walkable area and utilize cost effective green development practices.

East Mixed Use Neighborhood - EMU

The East Mixed Use Neighborhood will be a walkable and tree-lined neighborhood with a variety of housing types. The EMU allows for a variety of housing types while maintaining a low density residential average not exceeding the densities permitted in the R-5 zone. Limited non-residential uses are permitted to encourage a unique identity, sustainable community, and in-home work options. The neighborhood's design will celebrate open space, trees, and relationships to public open spaces. The central open space, ridge open space scenic viewpoints, and a linked system of open spaces and trails are key features of the EMU. Residential developments will provide housing for a range of income levels, sustainable building design, and green development practices.

Policy 1.3

Within the Northern Employment Campus sub-district, support the attraction of family wage jobs and connections with Clackamas Community College.

Policy 1.4

Within the Mixed Employment Village and Main Street sub-districts, promote job creation, mixed use and transit oriented development. Adopt minimum densities, limitations on stand-alone residential developments, and other standards that implement this policy.

Policy 1.5

The Main Street sub-district may be located along the extension of Glen Oak Road and not exceed 10 gross acres. The specific configuration of the MS sub-district may be established as part of a master plan.

Policy 1.6

Within the West and East Mixed Use Neighborhoods, require a variety of housing types. Allow lot size averaging and other techniques that help create housing variety while maintaining overall average density.

Policy 1.7

Within the MEV, MS, WMU and EMU sub-districts, require master plans to ensure coordinated planning and excellent design for relatively large areas (e.g. 40 acres per master plan). Master plans are optional in the NEC due to the larger lot and campus industrial nature of the area.



Goal 2 Model of Sustainable Design

Be a model of sustainable design, development practices, planning, and innovative thinking.

Policy 2.1

Implement the Sustainable Storm Water plan recommended in the Concept Plan. During site specific design, encourage innovative system design and require low impact development practices that manage water at the site, street and neighborhood scales.

Policy 2.2

Storm water facilities will be designed so they are amenities and integrated into the overall community design.

Policy 2.3

Support public and private sector initiatives to promote sustainable design, development practices and programs, including but not limited to:

- Energy efficiency
- Water conservation
- Compact development
- Solar orientation
- Green streets/infrastructure
- Adaptive reuse of existing buildings/infrastructure
- Alternative transportation
- Pedestrian/Cyclist friendly developments
- Natural drainage systems
- Tree preservation and planting to "re-establish" a tree canopy
- Minimizing impervious surfaces

- Sustainability education (builder, residents, businesses and visitors)
- Collaboration with "local" institutional and economic partners, particularly Clackamas Community College and Oregon City High School
- Community based sustainable programs and activities

Policy 2.4

Work with stakeholders and the community to develop LEED or equivalent green building standards and guidelines to apply in the Concept Plan area.

Goal 3 Green Jobs

Attract "green" jobs that pay a living wage.

Policy 3.1

Coordinate with county, regional and state economic development representatives to recruit green industry to the Concept Plan area.

Policy 3.2

Promote the Concept Plan area as a place for green industry.

Policy 3.3

Work with Clackamas Community College to establish programs and education that will promote green development within the Concept Plan area.



Goal 4 Sustainable Industries

Maximize opportunities for sustainable industries that serve markets beyond the Portland region and are compatible with the site's unique characteristics.

Policy 4.1

As master plans are approved, ensure there is no net loss of land designated North Employment Campus.

Policy 4.2

Coordinate with County, regional and state economic development representatives to recruit sustainable industries that serve markets beyond the Portland region.

Goal 5 Natural Beauty

Incorporate the area's natural beauty into an ecologically compatible built environment.

Policy 5.1

Incorporate significant trees into master plans and site specific designs. Plant new trees to establish an extensive tree canopy as part of the creation of an urban community.

Policy 5.2

Provide scenic viewpoints and public access along the east ridge.

Policy 5.3

Protect views of Mt Hood and locate trails and public areas so Mt Hood can be viewed within the community

Policy 5.4

Establish open space throughout the community consistent with the Open Space Framework Plan. Allow flexibility in site specific design of open space, with no net loss of total open space area.

Policy 5.5

Protect steeply sloped and geologically sensitive areas along the east ridge from development.

Goal 6 Multi-modal Transportation

Provide multi-modal transportation links (such as bus routes, trails, bikeways, etc.) that are connected within the site as well as to the surrounding areas.

Policy 6.1

Work with Tri-Met and stakeholders to provide bus service and other alternatives to the Concept Plan area.

Policy 6.2

As land use reviews and development occur prior to extension of bus service, ensure that the mix of land uses, density and design help retain transit as an attractive and feasible option in the future.

Policy 6.3

Ensure that local street connectivity and off-street pedestrian routes link together into a highly connected pedestrian system that is safe, direct, convenient, and attractive to walking.

Policy 6.4

The "walkability" of the Concept Plan area will be one of its distinctive qualities. The density of walking routes and connectivity should mirror



the urban form – the higher the density and larger the building form, the "finer" the network of pedestrian connections.

Policy 6.5

Require trails to be provided consistent with the Concept Plan Circulation Framework.

Policy 6.6

Provide bike lanes on Beavercreek Road and all collector streets, except for Main Street. The City may consider off-street multi-use paths and similar measures in meeting this policy. Bike routes will be coordinated with the trails shown on the Circulation Framework.

Goal 7 Safety Along Beavercreek Road

Implement design solutions along Beavercreek Road that promote pedestrian safety, control traffic speeds and access, and accommodate projected vehicular demand.

Policy 7.1

Design Beavercreek Road to be a green street boulevard that maximizes pedestrian safety.

Policy 7.2

Work with the County and State to establish posted speeds that are safe for pedestrians and reinforce the pedestrian-oriented character of the area.

Policy 7.3

Control access along the east side of Beavercreek Road so that full access points are limited to the intersections shown on the Circulation Framework. Right in-Right-out access points may be considered as part of master plans or design review.

Goal 8 Oregon City High School and Clackamas Community College

Promote connections and relationships with Oregon City High School and Clackamas Community College.

Policy 8.1

Coordinate with OCHS and CCC when recruiting businesses and promoting sustainability. Within one year of adoption of the Concept Plan, the City will convene dialogue with OCHS, CCC and other relevant partners to identify target industries and economic development strategies that are compatible with the vision for the Concept Plan. Encourage curricula that are synergistic with employment and sustainability in the Concept Plan area.

Policy 8.2

Prior to application submittal, require applicants to contact OCHS and CCC to inform them and obtain early comment for master plans and design review applications.

Policy 8.3

Improving the level-of-service and investing in the Highway 213 corridor improves the freight mobility along Highway 213, which provides access to Beavercreek Road and the Concept Plan area. Protecting the corridor and intersections for freight furthers the City goal of providing living-wage employment opportunities in the educational, and research opportunities to be created with CCC and OCHS.



Goal 9 Unique Sense of Place

Have a unique sense of place created by the mix of uses, human scale design, and commitment to sustainability.

Policy 9.1

Utilize master plans and design review to ensure detailed and coordinated design. Allow flexibility in development standards and the configuration of land uses when they are consistent with the comprehensive plan, development code, and vision to create a complete and sustainable community.

Policy 9.2

Implement human scale design through building orientation, attractive streetscapes, building form/architecture that is matched to the purpose of the sub-district, location of parking, and other techniques. The design qualities of the community should mirror the urban form – the higher the density and larger the buildings, the higher the expectation for urban amenities and architectural details.

Policy 9.3

Density should generally transition from highest on the west to lowest in the eastern part of the site.

Policy 9.4

Promote compatibility with existing residential areas at the north and south end of the Concept Plan area. Transition to lower densities, setbacks, buffers and other techniques shall be used.

Goal 10 Ecological Health

Manage water resources on site to eliminate pollution to watersheds and lesson impact on municipal infrastructure by integrating ecological and man-made systems to maximize function, efficiency and health.

Policy 10.1

Utilize low impact development practices and stormwater system designs that mimic natural hydrologic processes, minimize impacts to natural resources and eliminate pollution to watersheds.

Policy 10.2

Prepare the Environmentally Sensitive Resource Area overlay to protect, conserve and enhance natural areas identified on the Concept Plan. Apply low-density base zoning that allows property owners to cluster density outside the ESRA and transfer to other sites.

Appendix

- 1. Project Goals
- 2. Concept Plan Alternatives
- 3. GIS Analysis Map
- 4. Job and Housing Estimates



To: Beavercreek Road Concept Plan Citizens

and Technical Advisory Committees

From: Tony Konkol

Date: March 13, 2007

Subject: Project Goals with Objectives

The following project goals and supplemental objectives were prepared using the *Ideas* we Like, Principles of Sustainable Development, and the Advisory Committees' long-term vision for the project area. This update reflects input by the Citizens and Technical Advisory Committees at their March 8th, 2007 meeting.

The Beavercreek Road Concept Plan Area will:

Goal

Create a **complete community**, in conjunction with the adjacent land uses, that
integrates a diverse mix of uses, including housing, services, and public spaces that are
necessary to support a thriving employment center;

Objective 1.1

Allow a variety of employment uses that may integrate and utilize the surrounding city and rural economies.

Objective 1.2

Develop plans that consider the existing rural lands and uses around the Urban Growth Boundary.

Objective 1.3

Continue to coordinate with the Oregon City School District and Clackamas Community College to identify partnerships, land needs and programs that would be beneficial to all parties and contribute to the community.

Objective 1.4

Encourage neighborhood-oriented and scaled mixed-use centers that provide goods, services, and housing for local workers and residents of all ages and incomes.

Objective 1.5

Become a model of sustainability that may be implemented throughout the City. Objective 1.6

Allow the integration of housing and employment uses where practicable.

Objective 1.7

Work with Metro to ensure that there is enough land available within the Beavercreek Road Study Area to meet the need for employment/industrial development and reduce the jobs to housing imbalance in the sub-region.

2. Be a **model of sustainable design**, development practices, planning, and innovative thinking;

Objective 2.1

Allow a variety of employment uses that may integrate and utilize the surrounding city and rural economies.

Objective 2.2

Develop plans that consider the existing rural lands and uses around the Urban Growth Boundary.

Objective 2.3

Encourage neighborhood-oriented and scaled mixed-use centers that provide goods, services and housing for local workers and residents of all ages and incomes.

Objective 2.4

Encourage environmentally responsible developments that are economically feasible, enhance livability of neighborhoods and enhance the natural environment.

Objective 2.5

Investigate development standards that offer incentives for developments that exceed energy efficiency standards and meets green development requirements and goals.

3. Attract "green" jobs that pay a living wage;

Objective 3.1

Allow a variety of employment uses that may integrate and utilize the surrounding city and rural economies.

Objective 3.2

Develop plans that consider the existing rural lands and uses around the Urban Growth Boundary.

Objective 3.3

Encourage neighborhood-oriented and scaled mixed-use centers that provide goods, services and housing for local workers and residents of all ages and incomes.

Objective 3.4

Allow the integration of housing and employment uses where practicable.

Objective 3.5

Work with Metro to ensure that there is enough land available within the Beavercreek Road Study Area to meet the need for employment/industrial development and reduce the jobs to housing imbalance in the sub-region.

Objective 3.6

Create a "brand" for the area that reflects the desire for sustainable development that will serve as the theme to attract and recruit businesses and developers as well as guide the design standards and build-out of the area.

4. Maximize opportunities for **sustainable industries that serve markets beyond the Portland region** and are compatible with the site's unique characteristics;

Objective 4.1

Create a "brand" for the area that reflects the desire for sustainable development that will serve as the theme to attract and recruit businesses and developers as well as guide the design standards and build-out of the area.

Objective 4.2

Work with Metro to ensure that there is enough land available within the Beavercreek Road Study Area to meet the need for employment/industrial development and reduce the jobs to housing imbalance in the sub-region.

Objective 4.3

Support locally based and founded employers that provide living wages jobs.

Objective 4.4

Support the development of sustainable industries that utilize green design standards and development practices.

5. Incorporate the area's **natural beauty** into an ecologically compatible built environment;

Objective 5.1

Design the adjacent land-uses to Beavercreek Road in such a manner to ensure that the pedestrian experience is not diminished through the development of fences, parking lots, backs of buildings, or other impediments to pedestrian access and circulation.

Objective 5.2

Allow a variety of employment uses that may integrate and utilize the surrounding city and rural economies.

Objective 5.3

Develop plans that consider the existing rural lands and uses around the Urban Growth Boundary.

Objective 5.4

Work with Metro to ensure that there is enough land available within the Beavercreek Road Study Area to meet the need for employment/industrial development and reduce the jobs to housing imbalance in the sub-region.

6. Provide **multi-modal transportation links** (such as bus routes, trails, bike-ways, etc.) that are connected within the site as well as to the surrounding areas;

Objective 6.1

Provide public connectivity routes for bicycles and pedestrians that encourage non-vehicular trips to employment, retail and recreational areas within the study area and to the communities beyond.

Objective 6.2

Provide an integrated street system that is designed as practicable to minimize the impacts to the environment through the use of green streets, swales and other natural stormwater systems that provide water quality and quantity control and contribute to the natural beauty of the area.

Objective 6.3

Explore local and regional transit opportunities that will increase non-single occupancy vehicle travel.

7. Implement **design solutions along Beavercreek Road** that promote pedestrian safety, control traffic speeds and access, and accommodate projected vehicular demand;

Objective 7.1

Develop and maintain a multi-modal transportation system that is safe for all users and will minimize conflict points between different modes of travel, especially across Beavercreek Road to the existing neighborhoods, Clackamas Community College, Oregon City High School and the Berry Hill Shopping Center.

Objective 7.2

Design the adjacent land-uses to Beavercreek Road in such a manner to ensure that the pedestrian experience is not diminished through the development of fences, parking lots, backs of buildings, or other impediments to pedestrian access and circulation.

8. Promote connections and relationships with **Oregon City High School and Clackamas Community College**;

Objective 8.1

Allow a variety of employment uses that may integrate and utilize the surrounding city and rural economies.

Objective 8.2

Develop plans that consider the existing rural lands and uses around the Urban Growth Boundary.

Objective 8.3

Continue to coordinate with the Oregon City School District and Clackamas Community College to identify partnerships, land needs and programs that would be beneficial to all parties and contribute to the community.

9. Have a **unique sense of place** created by the mix of uses, human scale design, and commitment to sustainability.

Objective 9.1

Provide public connectivity routes for bicycles and pedestrians that encourage non-vehicular trips to employment, retail and recreational areas within the study area and to the communities beyond.

Objective 9.2

Provide an integrated street system that is designed as practicable to minimize the impacts to the environment through the use of green streets, swales and other natural stormwater systems that provide water quality and quantity control and contribute to the natural beauty of the area.

Objective 9.3

Allow a variety of employment uses that may integrate and utilize the surrounding city and rural economies.

Objective 9.4

Develop plans that consider the existing rural lands and uses around the Urban Growth Boundary.

Objective 9.5

Encourage neighborhood-oriented and scaled mixed-use centers that provide goods, services and housing for local workers and residents of all ages and incomes.

Objective 9.6

Allow the integration of housing and employment uses where practicable.

Objective 9.7

Work with Metro to ensure that there is enough land available within the Beavercreek Road Study Area to meet the need for employment/industrial development and reduce the jobs to housing imbalance in the sub-region.

Objective 9.8

Create a "brand" for the area that reflects the desire for sustainable development that will serve as the theme to attract and recruit businesses and developers as well as guide the design standards and build-out of the area.

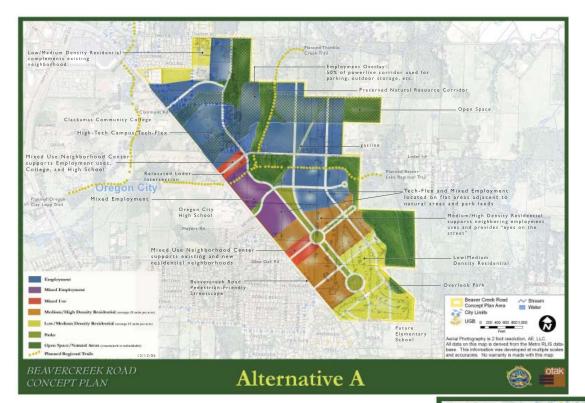
Objective 9.9

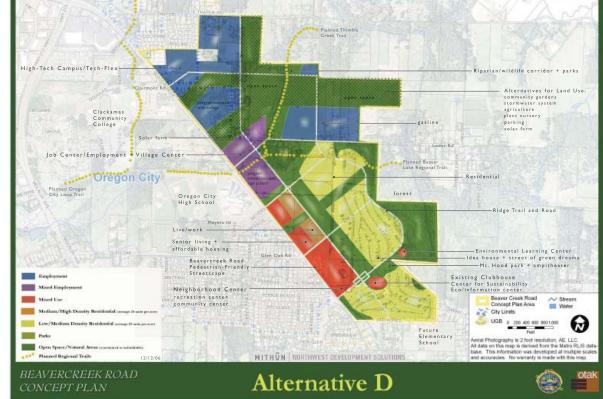
Design the adjacent land-uses to Beavercreek Road in such a manner to ensure that the pedestrian experience is not diminished through the development of fences, parking lots, backs of buildings, or other impediments to pedestrian access and circulation.

10. Ecological Health – Manage water resources on site to **eliminate pollution to** watersheds and lesson impact on municipal infrastructure by integrating ecological and man-made systems to maximize function, efficiency and health.

Objective 10.1

Provide an integrated street system that is designed as practicable to minimize the impacts to the environment through the use of green streets, swales and other natural stormwater systems that provide water quality and quantity control and contribute to the natural beauty of the area.





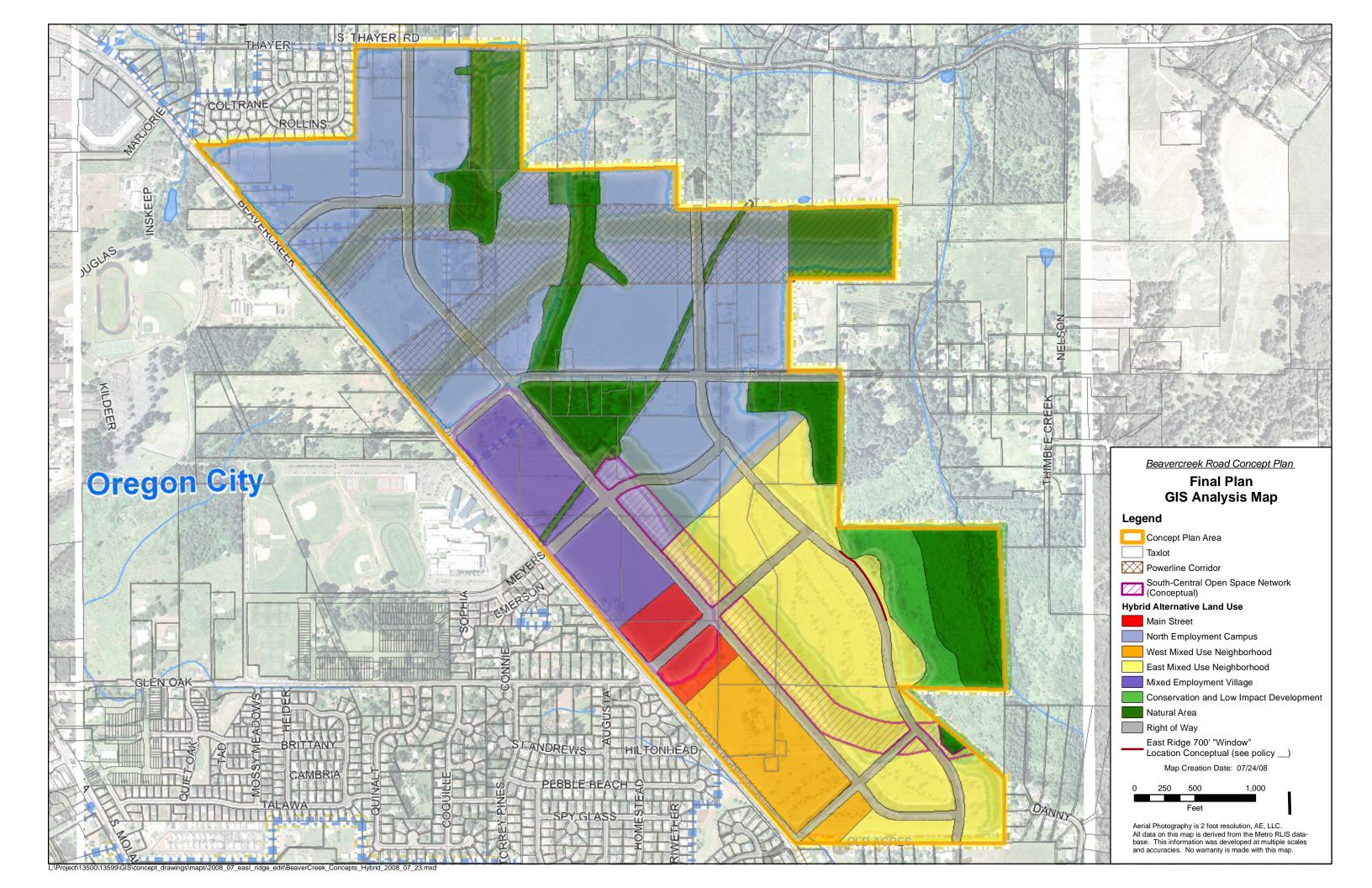


Table 2
Beavercreek Concept Plan Job & Housing Density Assumptions
Revised - 7/10/07

	Hybrid	Hybrid					
	Gross	Net				Avg.	
Land Use Category	Acres	Acres*	FAR/Acre**	SF/Job**	# of Jobs***		# of Units+
North Employment Campus (adjusted gross							
acreage)	149	127	0.3	450	3,678		
Mixed Employment Village	26	21	0.44	350	1,139		
Main Street***	10	8	0.44	350	219	25	100
West Mixed Use Neighborhood	22	18			15	22	387
East Mixed Use Neighborhood	77	62			21	8.7	536
Total # of Jobs					5,073		
Total # of Housing Units							1,023
Total Acres of Developed Land++	284	235					
	Plan A	Plan A					
	Gross	Net				Avg.	
Land Use Category	Acres	Acres*	FAR/Acre**	SF/Job**	# of Jobs***		# of Units+
Employment (adjusted gross acreage)	139	118					
Mixed Employment	24	20	0.44	350			
Mixed Use****	10	9	0.44	350	233	25	106
Medium/High Density Residential	50	43			43	25	1,063
Low/Medium Density Residential	53	45			18	10	451
Total # of Jobs					4,841		
Total # of Housing Units							1,619
Total Acres of Developed Land++	276	235					
	Plan D	Plan D					
	Gross	Net				Avg.	
Land Use Category	<u>Acres</u>	Acres*	FAR/Acre**	SF/Job**	# of Jobs***	Units/Acre	# of Units+
Employment (adjusted gross acreage)	84	71	0.3	450	2,073		
Mixed Employment	25	21	0.44	350	1,164		
Mixed Use****	29	25	0.44	350	675		308
Medium/High Density Residential	9	8			8	25	191
Low/Medium Density Residential	99	84			34	10	842
Total # of Jobs					3,953		
Total # of Housing Units							1,341
Total Acres of Developed Land+++	246	209					

^{*}For Hybrid - Net acres equals gross acres minus 15% for local roads and easements in Employment. Mixed Employment, Mixed Use, and residential areas assume 20% for local roads and easements

^{* *}Based on Metro 2002-2022 Urban Growth Report: An Employment Land Need Analysis. Includes total on site employment (full and part time). Mixed Employment FAR and job density reflects a mix of office, tech/flex, and ground floor retail.

^{***}Number of Jobs in Employment, Mixed Employment, Mixed Use calculated by multiplying total acres by the FAR; Converting to square feet; and dividing by number of jobs/square foot. Jobs in residential areas (Work at Home Jobs) estimated at 4% (potential could be as high as 15%).

^{****} Mixed Use land use assumes 50% of acreage devoted to commercial uses and the remaining 50% devoted to vertical mixed use.

⁺Number of units calculated by multiplying total net acres of residential land use by average units per acre

⁺⁺Includes 50% of useable power line corridor (26 acres total) as part of developed land (included in Employment land area)

⁺⁺⁺Does not include powerline corridor acreage as part of developed land

Table 3
Land Use Metrics/Assumptions - HYBRID
Revised - 7/10/07

Land Use Category (acres)	<u>Hybrid</u>	Alt. A	Alt. D
North Employment Campus (adjusted gross acreage)*	149	139	84
Mixed Employment Village	26	24	25
Main Street	10	10	29
West Mixed Use Neighborhood	22	50	9
East Mixed Use Neighborhood	77	53	99
Total Acres of "built" land use	284	276	246
Other Land Uses (not "built")			
Parks/Open Space/Natural Areas (Total)**	113	132	166
Major ROW+	56	36	30
Existing Uses (unbuildable)	0	7	7
Total Project Area Gross Acres	453	~450	~450

*Adjusted gross acreage is the sum of 50% of the employment land use shown under the powerline easement plus all other unconstrained employment land use areas. Calculations shown below:

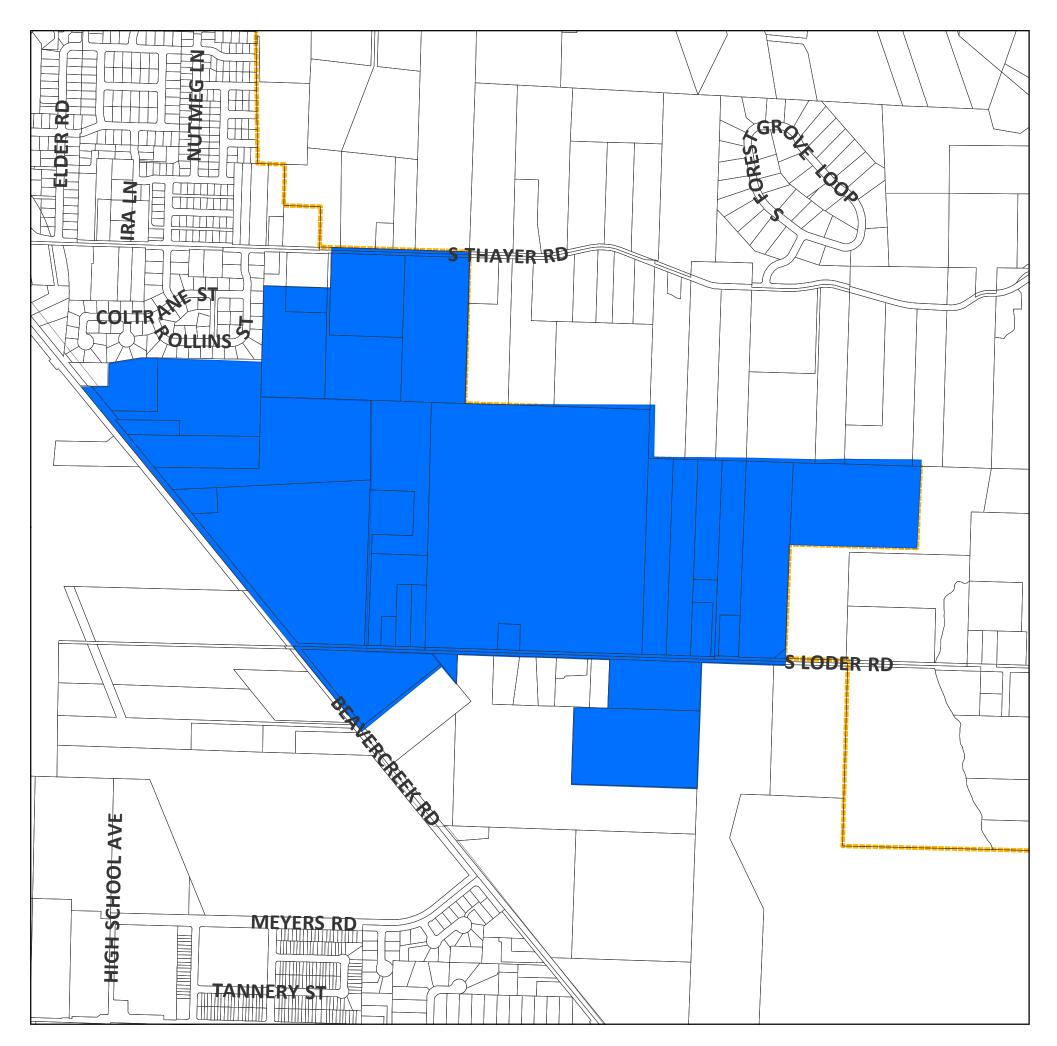
Land Use Category (acres)	<u>Hybrid</u>	Alt. A	Alt. D
Total North Employment Campus	175	166	84
Unconstrained NEC	123	111	84
Employment with powerline overlay	52	55	0
Useable portion of powerline overlay (50%)	26	28	na
North Employment Campus (adjusted gross			
acreage)*	149	139	84

** Open Space/Natural areas is the sum of all "unbuildable lands" as shown on the *Buildable Lands Map* plus two areas under the powerlines. Calculations shown below.

Open Space/Natural Areas Break-Out	<u>Hybrid</u>	Alt. A	Alt. D
Open Space -Gas Overlay	3	4	4
Open Space - Unbuildable Powerlines***	48	49	0
Environmental Resources/Buildable Lands Map	61	61	61
Parks	na	12	na
Other Open Space Areas _	18	6	101
Open Space/Natural Areas (Total)	130	132	166

^{***}For Hybrid - Unbuildable Powerlines area includes 12 acres on east edge of site under powerlines plus 50% of employment area under powerlines (~26 acres) and the PGE parcel (10 acres). For Alt. A - Unbuildable Powerlines area includes 12 acres on east edge of site under powerlines and 10 acres of the PGE Parcel and 50% of powerline area (27 acres).

⁺Major ROW are approximate location & acreage (may be shown as crossing natural resource areas. Actual location and size of ROW will be addressed during development review/master planning). Includes 2 acre adjustment for GIS polygon alignment.



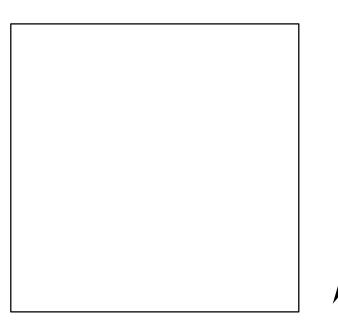


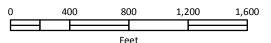
Beavercreek Road Industrial Area

Urban Growth Boundary

Title 4

Industrial land



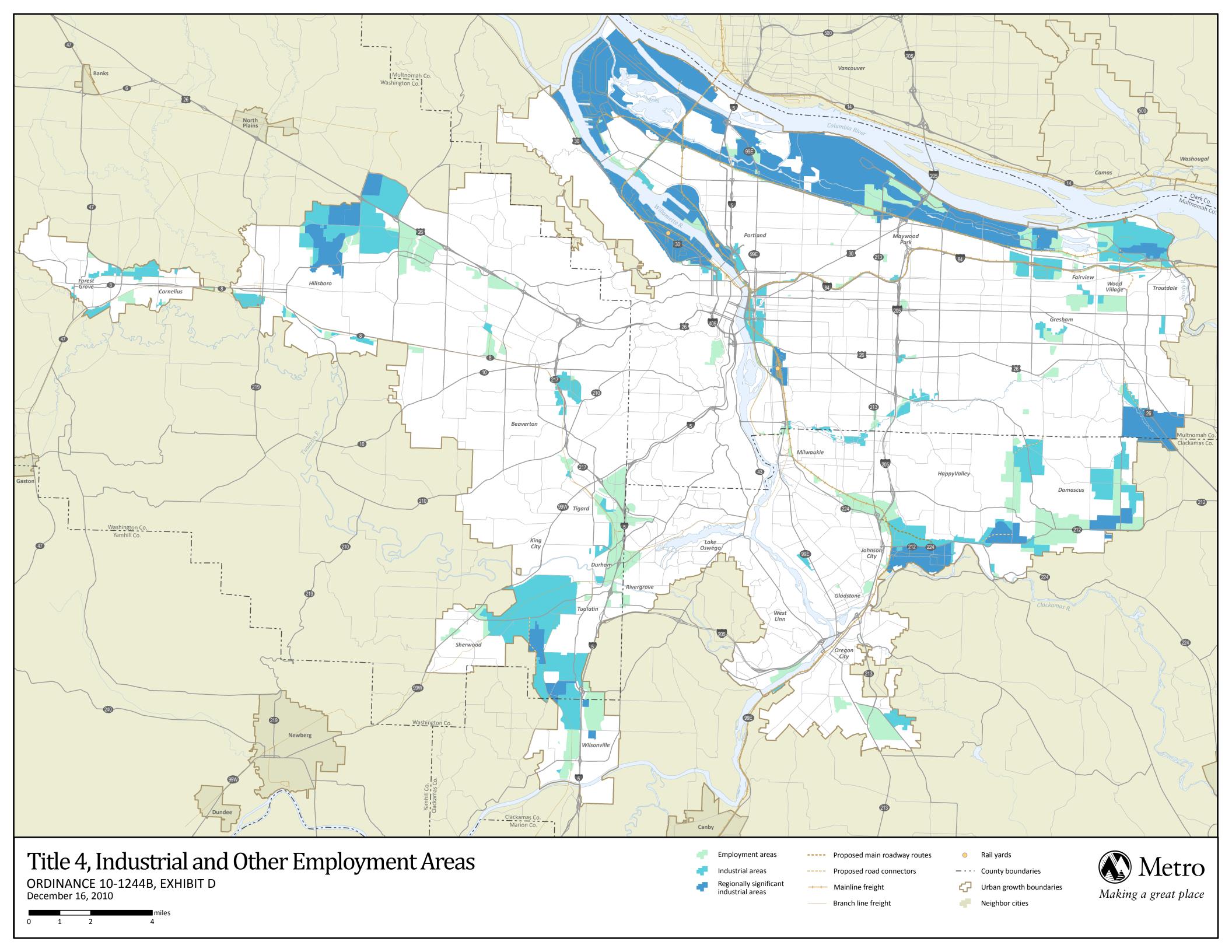


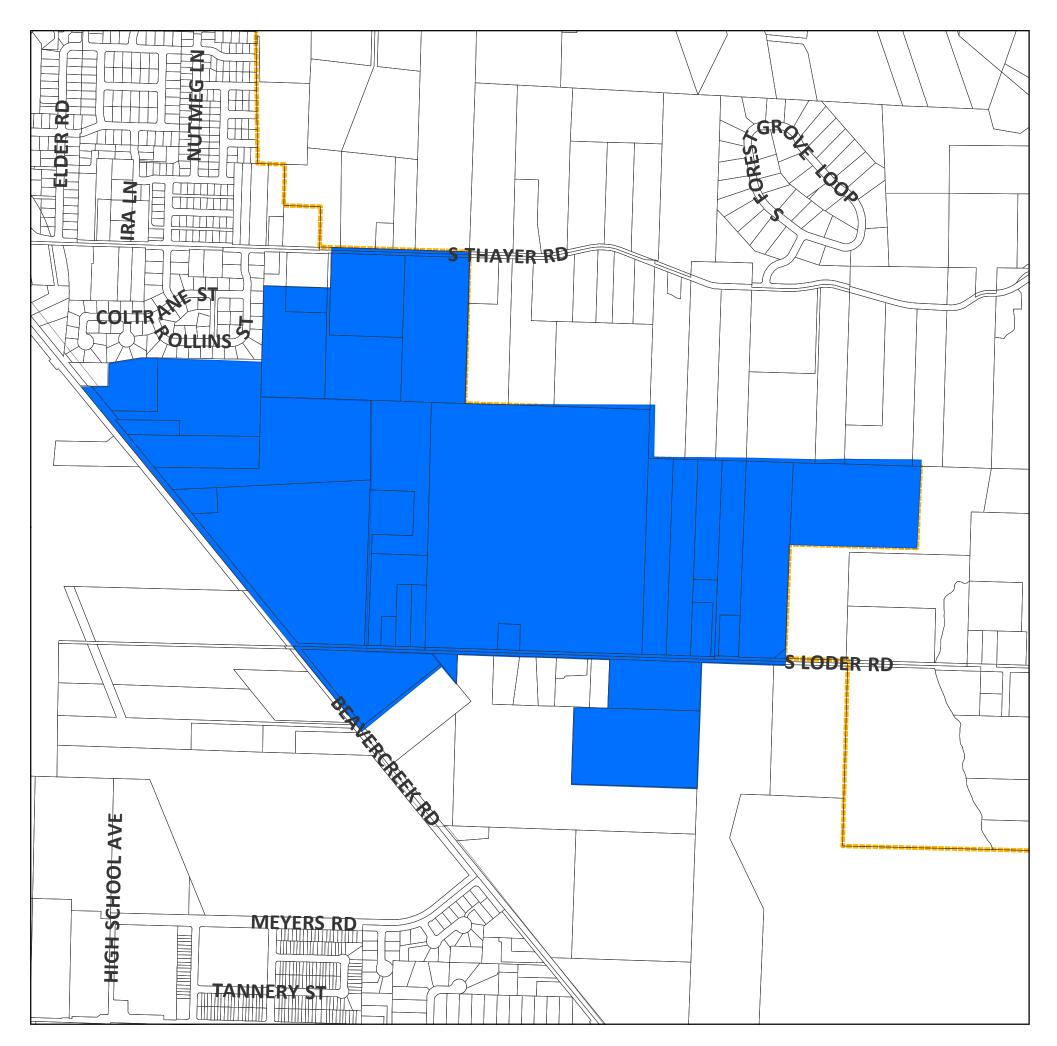
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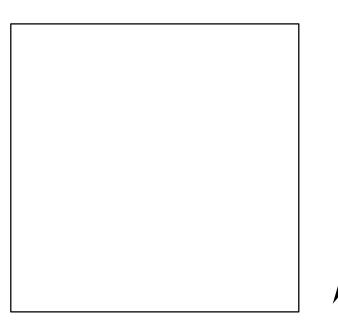


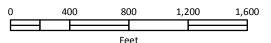
Beavercreek Road Industrial Area

Urban Growth Boundary

Title 4

Industrial land



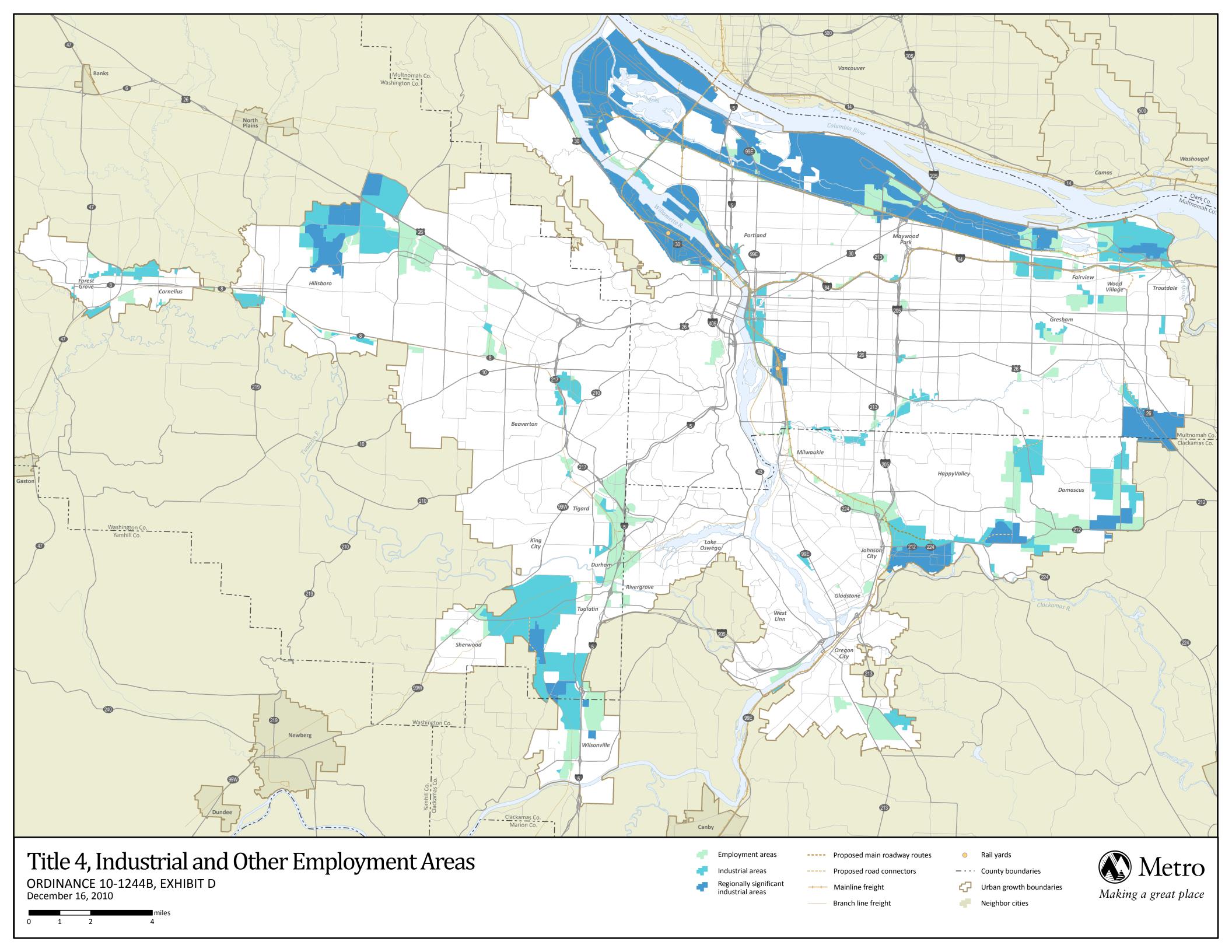


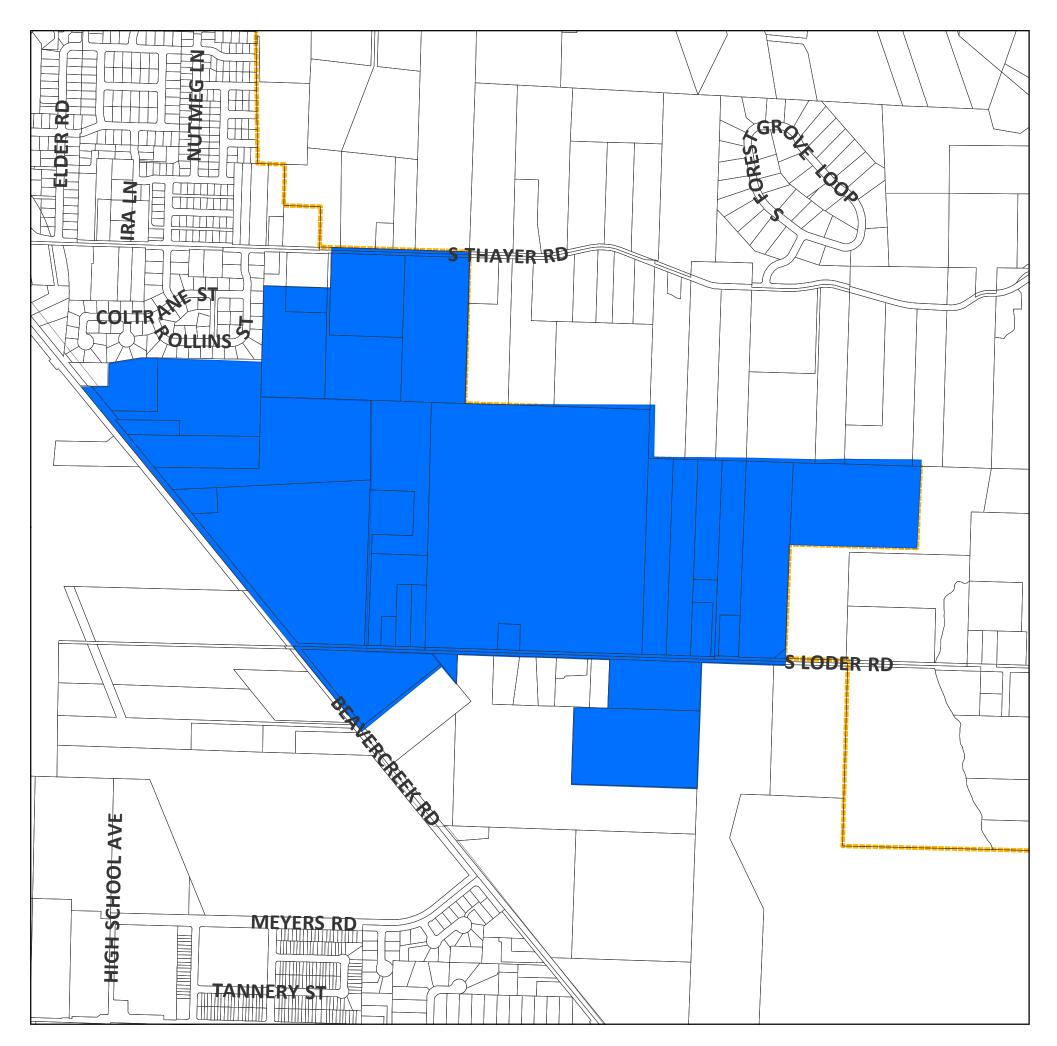
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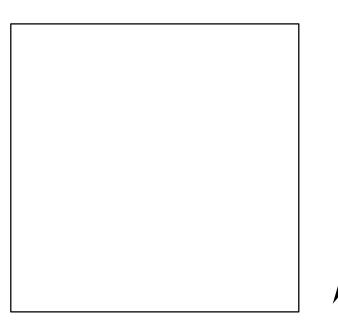


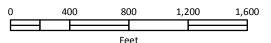
Beavercreek Road Industrial Area

Urban Growth Boundary

Title 4

Industrial land





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Clackamas Fire District #1 - Fire Prevention Division



RECEIVED

Oregon City Planning Commission:

Clackamas Fire District #1 appreciates the opportunity to comment on the Beavercreek Road Concept Plan. The Beavercreek Road Concept Plan area is within Clackamas Fire District #1 and the Fire District provides fire and ALS (advanced life support) services to all areas served including this proposed site.

The Beavercreek Road Concept Plan area is served by the Hilltop Fire Station #16, which is located at 19340 Molalla Avenue in Oregon City. Based on our Standards of Cover document our prescribed total response time to this area is approximately 8 minutes 14 seconds.

Clackamas Fire District #1 does not anticipate any problems being able to serve the concept plan area with fire and EMT services in the future as development occurs. We anticipate that as urbanization occurs, our response times will remain within acceptable industry standards. Clackamas Fire District #1 already works closely with Oregon City to review new development applications to assure continued fire and life safety.

Sincerely,

Doug Whiteley Fire Marshal



320 Warner Milne Road | Oregon City OR 97045 Ph (503) 657-4964 | Fax (503) 655-0530 | Non Emergency Police Dispatch: (503) 655-8211

November 12, 2015

Oregon City Police Department appreciates the opportunity to comment on the Beavercreek Road Concept Plan.

OCPD already provides police services to several properties within and adjacent to the concept plan area within the city limits, including Oregon City High School.

When land within the concept plan area is annexed to Oregon City, the properties will be removed from the jurisdiction of the Clackamas County Enhanced Law Enforcement District and served by OCPD.

Currently our officer force is 44, and our reserve officer force is 4, providing a ratio of 1.25 officers / per 1000 population.

OCPD does not anticipate any problems being able to patrol and serve the concept plan area with police officers as development occurs. We anticipate that as urbanization occurs, our response times will remain within acceptable industry standards.

OCPD already works closely with the Planning Division to review new development applications to assure continued public safety.

Sincerely,

Jim Band, Chief

Oregon City Police Department

Clackamas Fire District #1 - Fire Prevention Division



RECEIVED

Oregon City Planning Commission:

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Doug Whiteley Fire Marshal



Oregon City School District No. 62

Learning to be our Best

P.O. Box 2110 (1417 12TH St.), Oregon City, Oregon 97045-5010 • OCSD62.org *Larry Didway, Superintendent* • Telephone: (503) 785-8430 • FAX: (503) 657-2492

November 17, 2015

Peter Walter, Associate Planner City of Oregon City 221 Molalla Avenue, Ste. 200 Oregon City, Oregon 97045

RE: Beavercreek Road Concept Plan

Oregon City School District owns property adjacent to the Beavercreek Raod Concept Plan and believes this is probably adequate for the near term. The District has some current capacity at the elementary school K-5 level and high school 9-12 level. The District is near capacity at the middle school 6-8 level.

Even with existing school property adjacent to the Beavercreek Road Concept Plan, public financing support will be required to develop the additional capacity in the future. The District is embarking on a long-range facilities planning process to study existing and future capital needs.

Sincerely,

Larry Didway Superintendent

Oregon City School District

PO Box 2110

Oregon City, OR 97045

503-785-8000



320 Warner Milne Road | Oregon City OR 97045 Ph (503) 657-4964 | Fax (503) 655-0530 | Non Emergency Police Dispatch: (503) 655-8211

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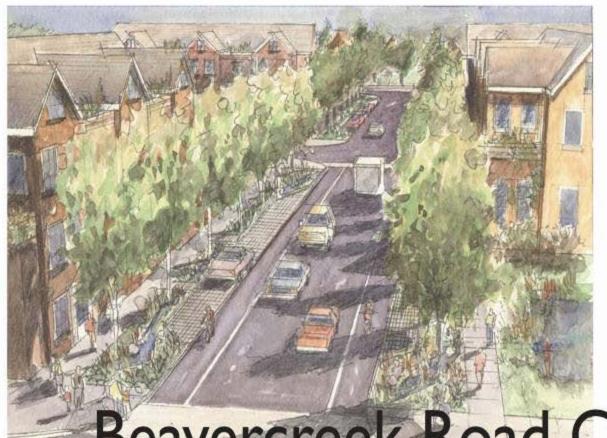
Larry Didway Superintendent

Oregon City School District

PO Box 2110

Oregon City, OR 97045

503-785-8000



Beavercreek Road Concept Plan

Envisioning a Complete and Sustainable Community

Planning Commission November 23, 2015



Limited Record

- Title 4 Industrial lands
- Transportation
 - TSP adopted August 2013
- Utilities
 - Sewer Master Plan adopted Nov 2014
 - Water Master Plan adopted Feb 2012
 - Stormwater standards adopted May 2015
- Police/ Fire Services

Overview

Re-open the record for the limited purpose of addressing the protection of the Title 4 lands, inserting the recently implemented transportation system plan and public utility plans, identifying transportation improvements and addressing police and fire services.

Concept Plan Goals

- 1. Complete and Sustainable Community
- 2. Model of Sustainable Design
- 3. Green Jobs
- 4. Sustainable Industries
- 5. Natural Beauty
- 6. Multi-Modal Transportation
- 7. Safety Along Beavercreek Road
- 8. OCHS and CCC
- 9. Unique Sense of Place
- 10. Ecological Health

Embrace the Vision, Goals and Principles

Overall Vision: "Create A Complete and Sustainable Community"

CAC Goals:

- "Be a model of sustainable design, development practices, planning and innovative thinking"
- "Incorporate the area's natural beauty into an ecologically compatible built environment"
- "Integrate Systems Integrate ecological and man-made systems to maximize function, efficiency and health"
- "Have a unique sense of place created by the mix of uses, human scale design, and commitment to sustainability"
- "Ecological Health Manage water resources on site to eliminate pollution to watersheds and lesson impact on municipal infrastructure by integrating ecological and man-made systems to maximize function, efficiency and health"

Principles and Strategies:

- "A sustainable stormwater management plan that supports low impact development, open conveyance systems, regional detention, and adequate sizing to avoid downstream flooding"
- "Open Space Protect and Maintain a functioning green space network for a variety of uses"
- "Integrate Systems Integrate ecological and man-made systems to maximize function, efficiency and health"
- "Watershed Health Manage water resources on site to eliminate pollution to watershed and lesson impact on municipal infrastructures"



BEAVERCREEK ROAD







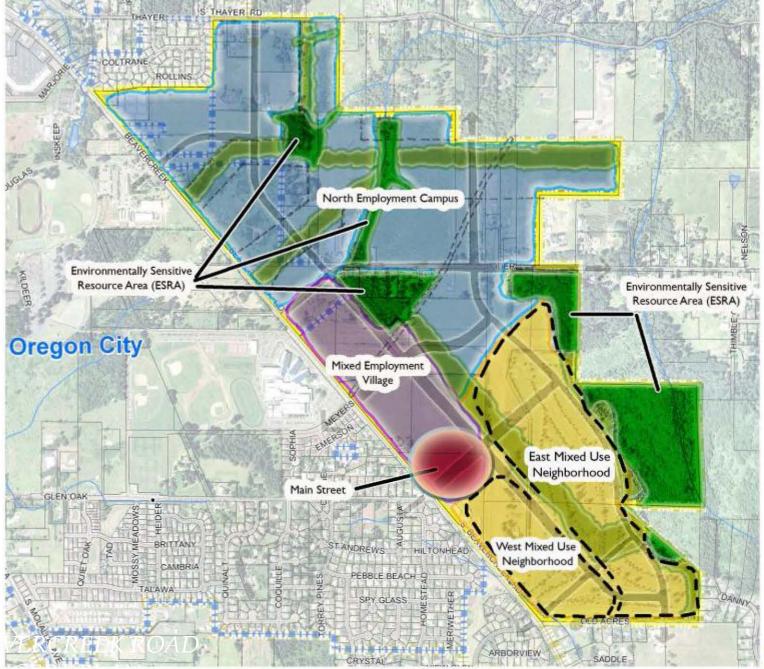






Figure 2: Beavercreek Zone Subdistricts

Metro Code – Title II Planning for New Urban Areas

2007

- Annexation;
- Housing density;
- Variety of housing types;
- Housing affordability;
- Commercial/Industrial development;
- Transportation;
- Mapping;
- Public Facilities and Services;
- Schools;
- Urban Growth Diagram; and
- Plan Amendments.

2014

- Plan Amendments
- Design Types
- Annexation
- Housing density
- Housing affordability
- Schools
- Parks
- Transportation (RTP)
- Public Facilities and Services and Financing
- Industrial Lands (Title 4)

Metro Code – Title 4 Industrial and Employment Land

3.07.410 Purpose and Intent

3.07.430 Protection of Industrial Areas

Please see letter from Metro addressing Title 4 compliance and compliance with Metro's Functional Plan

Oregon City Comprehensive Plan

- 1. Plan implementation process.
- 2. Adequacy of the Plan to guide land use actions, including an examination of trends.
- 3. Whether the Plan still reflects community needs, desires, attitudes and conditions. This shall include changing demographic patterns and economics.
- 4. Addition of updated factual information including that made available to the City of regional, state and federal governmental agencies.

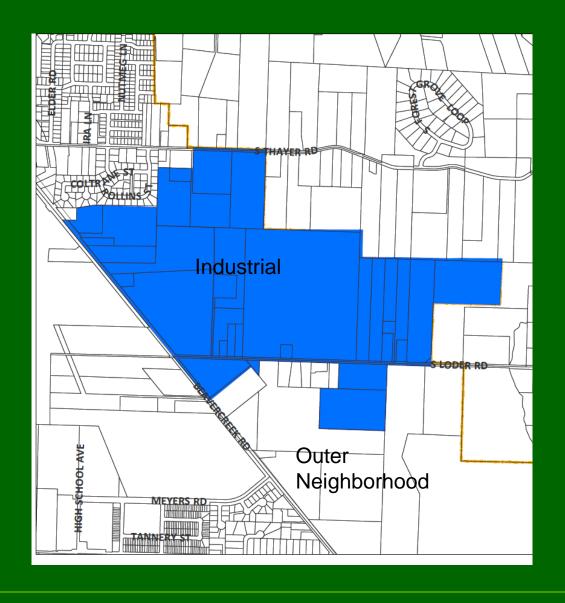
Comprehensive Plan Goal 2.6

Ensure an adequate supply of land for major industrial employers with family wage jobs.

• This Goal is implemented through Policies 2.6.1 through 2.6.8, which are addressed in the recommended findings.

Statewide Planning Goals

- Goal 1 Citizen Involvement
- Goal 2 Land Use Planning
- Goal 3 Agricultural Lands and Goal 4 Forest Lands
- Goal 5 Open Spaces, Scenic and Historic Areas, and Natural Resources
- Goal 6 Air, Water and Land Resources Quality
- Goal 7 Areas Subject to Natural Disasters and Hazards
- Goal 8 Recreational Needs
- Goal 9 Economic Development
- Goal 10 Housing
- Goal 11 Public Facilities and Services
- Goal 12 Transportation
- Goal 13 Energy Conservation
- Goal 14 Urbanization



Metro 2040 Concept Plan Design Types

Metro Ord. 10-1244B Dec. 16, 2010

151 ac. (121 net) of Industrial

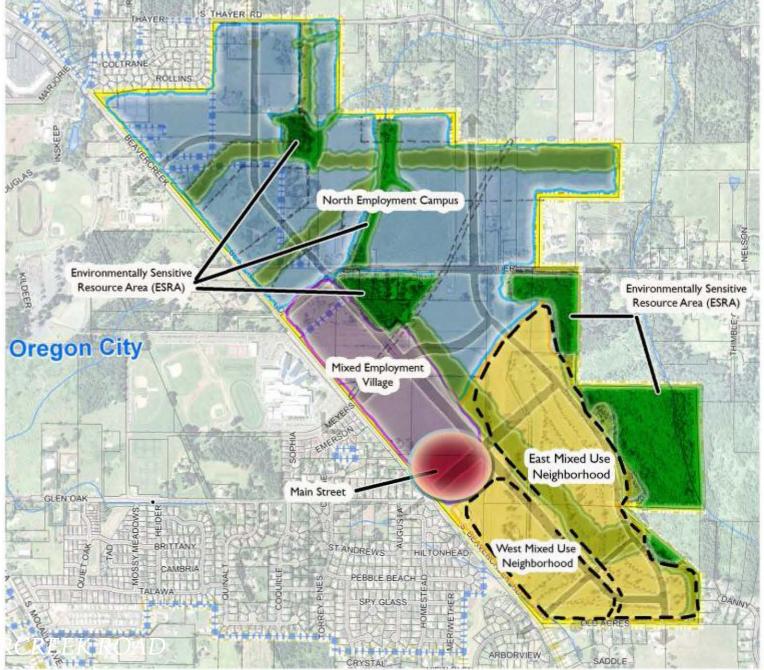


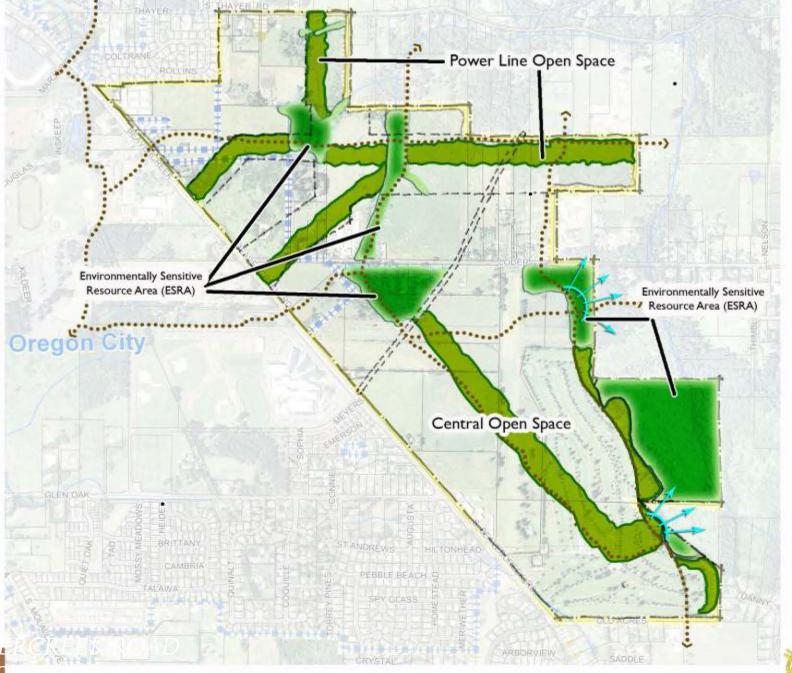


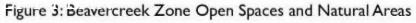


Figure 2: Beavercreek Zone Subdistricts

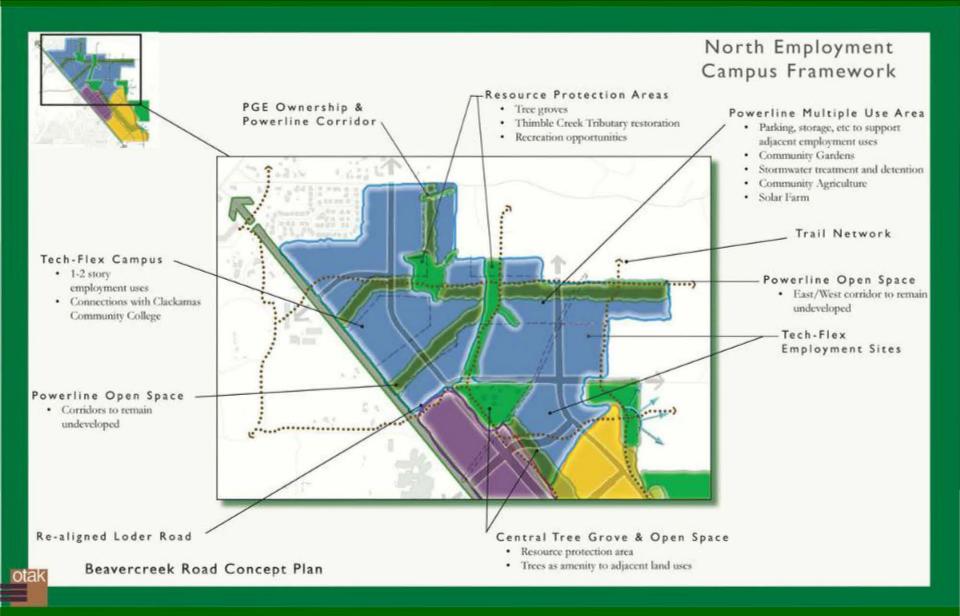
2006 – 2007 Process Summary

- 12 CAC/ TAC meetings
- Study Area Site Visit
- 2 Open Houses
- Meeting with Metro Employment Discussion
- Community Design Workshop Meeting
- Market Focus Group
- Sustainability Focus Group
- Website
- Project posters, signs, mailers
- 10 City Commission hearings
- 4 Planning Commission hearings





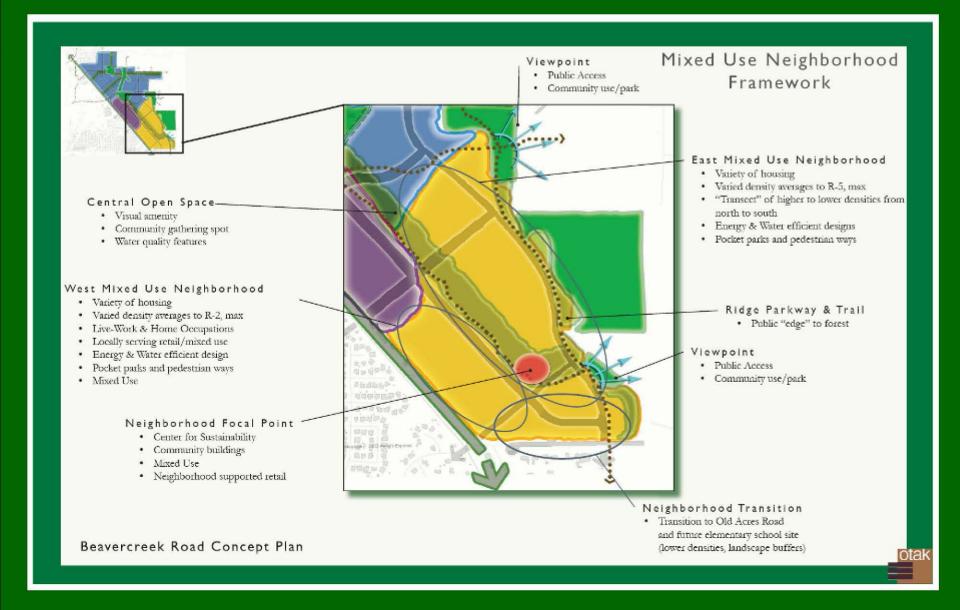






Beavercreek Road Concept Plan









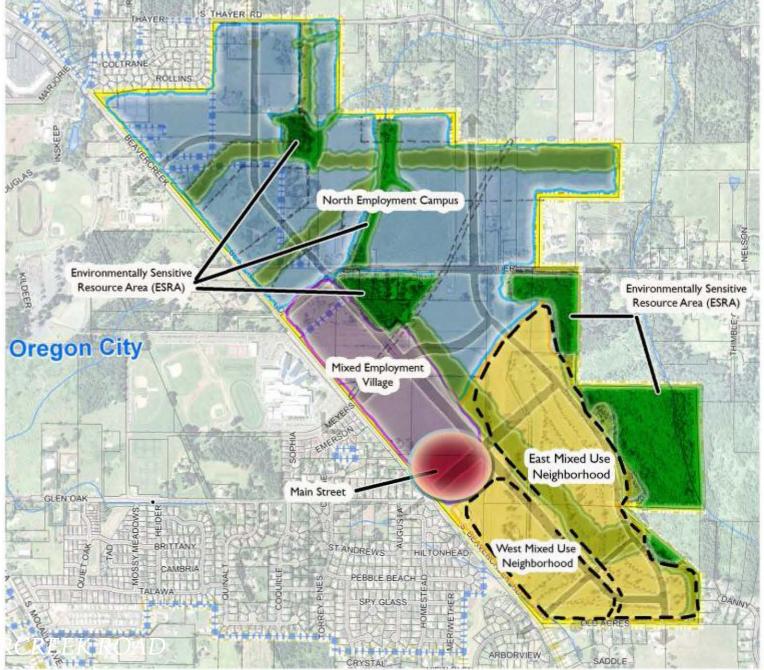






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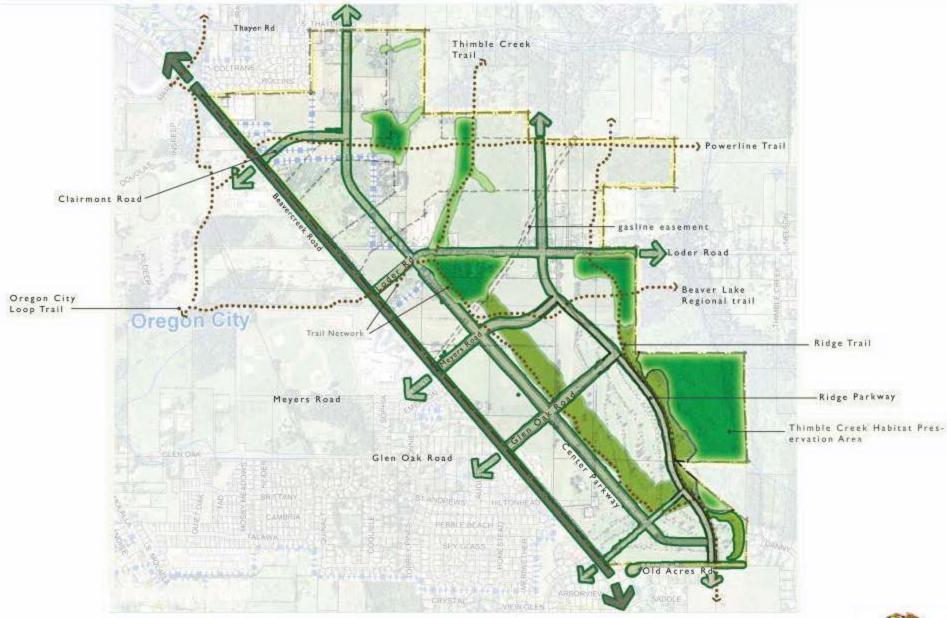






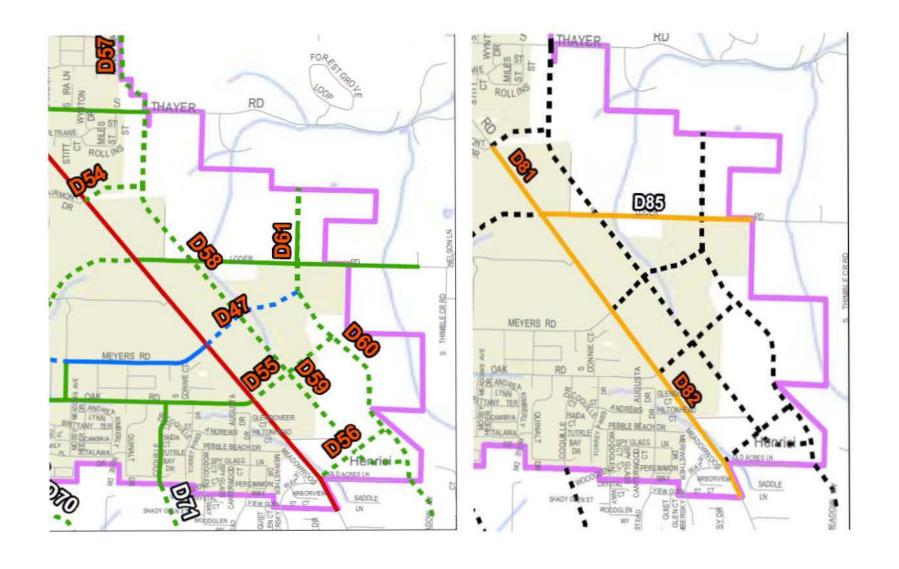


Figure 5: Beavercreek Zone Connectivity Options

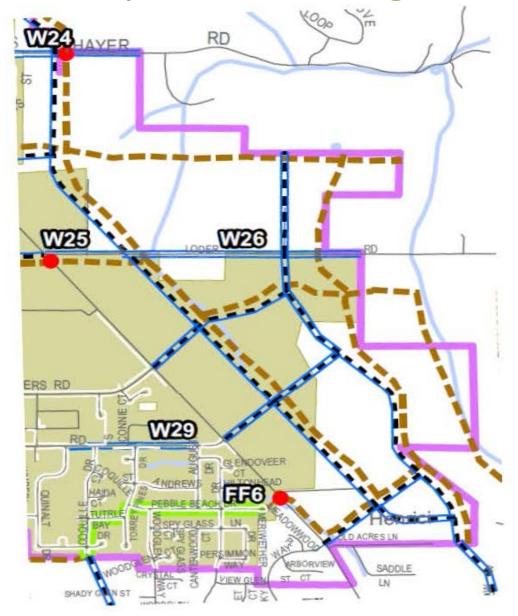
Likely to be Funded TSP Projects

Project #	Project	Project Extent	Project Elements	Priority
D47	Description Meyers Road East extension	Beavercreek Road to the Meadow Lane Extension	Extend Meyers Road from Beavercreek Road to the Meadow Lane Extension as an Industrial Minor Arterial. Between the Holly Lane and Meadow Lane extensions, add a sidewalk and bike lane to the south side of the street, with a shared-use path to be added on north side per project S19. Modify the existing traffic signal at Beavercreek Road	Medium-term
D54	Clairmont Drive extension	Beavercreek Road to Holly Lane South Extension	Extend Clairmont Drive from Beavercreek Road to the Holly Lane South extension as an Industrial Collector. Add a sidewalk and bike lane to the south side of the street, with a shared-use path to be added on north side per project S17.	Long-term
D55	Glen Oak Road extension	Beavercreek Road to the Meadow Lane Extension	Extend Glen Oak Road from Beavercreek Road to the Meadow Lane Extension as a Residential Collector. Install a roundabout at Beavercreek Road (per project D39)	Long-term
D56	Timbersky Way extension	Beavercreek Road to the Meadow Lane Extension	Extend Timbersky Way from Beavercreek Road to the Meadow Lane Extension as a Residential Collector. Add a sidewalk and bike lane to the south side of the street, with a shared-use path to be added on north side per project S20.	Long-term
D57	Holly Lane South extension	Maple Lane Road to Thayer Road	Extend Holly Lane from Maple Lane Road to Thayer Road as a Residential Collector. Add a sidewalk and bike lane to the west side of the street, with a shared-use path to be added on east side per project S14. Install a roundabout at Maple Lane Road (per project D37).	Medium-term
D58	Holly Lane South extension	Thayer Road to Meyers Road	Extend Holly Lane from Thayer Road to the Meyers Road extension as an Industrial Collector. Add a sidewalk and bike lane to the west side of the street, with a shared-use path to be added on east side per project S15.	Medium-term
D59	Holly Lane South extension	Meyers Road to the Meadow Lane Extension	Extend Holly Lane from the Meyers Road extension to the Meadow Lane Extension as a Mixed-Use Collector. Add a sidewalk and bike lane to the west side of the street, with a shared-use path to be added on east side per project S16.	Long-term
D60	Meadow Lane extension	Meadow Lane to Meyers Road	Extend Meadow Lane to the Meyers Road Extension as a Mixed-Use Collector. Between Old Acres Lane and the Glen Oak Road extension, add a sidewalk and bike lane to the west side of the street, with a shared-use path to be added on east side per project S21.	Long-term
D61	Meadow Lane extension	Meyers Road to UGB (north of Loder Road)	Extend Meadow Lane from the Meyers Road Extension to the UGB (north of Loder Road) as an Industrial Collector	Medium-term
D81	Beavercreek Road Upgrade	Clairmont Drive (CCC Entrance) to Meyers Road	Improve to Industrial Major Arterial cross-section	Medium-term
D82	Beavercreek Road Upgrade	Meyers Road to UGB	Improve to Residential Major Arterial cross-section	Long-term

TSP Street & Intersection Expansions



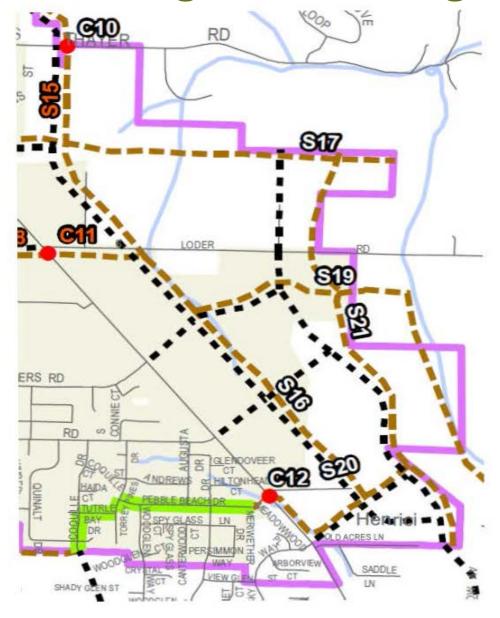
TSP Conceptual Walking Solutions



TSP Conceptual Biking Solutions

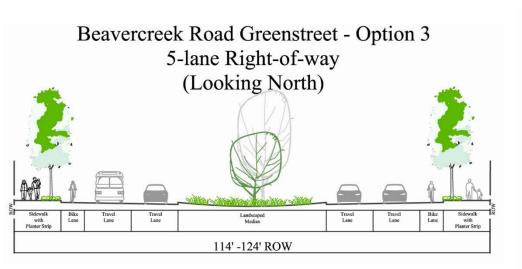


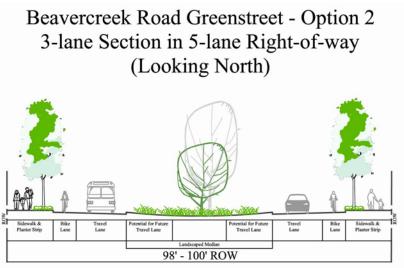
TSP Shared Biking and Walking Solutions



Beavercreek Road

• The concept plan specifies that Beavercreek Road will be improved as a green boulevard that will be a 5-lane arterial section to Clairmont, then a 3-lane arterial, with room for 5 lanes if needed, from Clairmont to the UGB. These projects on Beavercreek Road are included in TSP Table 2: Likely to Be Funded Transportation System as project D81 and D82.





Transportation System Plan / Traffic

- Transportation Projects within the concept plan area will be development-driven and funded
- The TSP expands upon the Concept Plan by including preliminary construction cost estimates & financing options
- Multi-modal transportation links will be connected within the site as well as to the surrounding areas
- Land use reviews will support bus service by ensuring a mix of land uses, densities and design options that support public transportation and other alternative transportation methods
- Ensure that local connectivity and off-street pedestrian routes link together in a highly connected pedestrian system that is safe, direct, convenient and attractive and improves pedestrian and bicycle safety along Beavercreek Road.
- Transportation Planning Rule. To meet the requirements of OAR 660-012-0060, needed improvements & funding mechanisms have been identified to mitigate impacts of development in the area and shows that the mobility standards prescribed by the TSP, except where exempted, will be met.

Transportation System Plan (TSP)

- The 2013 TSP also recognizes the limitations brought about by the limited availability of funding.
- Despite the investments to the transportation system, intersection operating conditions at a few intersections (including the OR 99E/I-205 Northbound, OR 99E/I-205 Southbound, OR 213/Beavercreek Road, and I-205/OR 213 intersections) will be continue to be congested by 2035.
- For purposes of evaluating the impact of proposed development that is permitted, either conditionally, outright, or through detailed development master plan approval, the OR 99E/I-205 SB Ramps, OR 99E/I-205 NB Ramps, OR 213/ Beavercreek Road, and I-205/OR 213 intersections shall be exempt from meeting the state mobility targets until solutions (beyond those included in the TSP) or alternative mobility targets are explored for the intersections.
- City and ODOT are to work together with Clackamas County to prepare and adopt alternative mobility standards.

	<u>Acres*</u>	Gross	<u>Net</u>
North Employment Campus		149	127
Mixed Employment Vill	age	26	21
Main Street		10	8
West Mixed Use Neighb	orhood	22	18
East Mixed Use Neighbo	orhood	<u>77</u>	<u>62</u>
		284	235
D. 1./O C / NI. (1	110	
Parks/ Open Space/ Nati	ıral	<u>113</u>	
Major ROW		56	
Total		~453	
*Acres are preliminary and roun	ded		

BEAVERCREEK ROAD CONCEPT PLAN

	<u>Jobs</u>	Housing
North Employment Campus	3,678	
Mixed Employment Village	1,139	
Main Street	219	100
West Mixed Neighborhood	15	387
East Mixed Neighborhood	21	<u>536</u>
	5,073	1,023

Source: Table 2. BRCP Job & Housing Density Assumptions 7/10/2007

Meetings

 Planning Commission Work Session 	9/28/2015
Citizen Involvement Committee	10/05/2015
• Natural Resources Committee	10/14/2015
 Transportation Advisory Committee 	10/20/2015
• Parks & Recreation Advisory Committee	10/22/2015
 Caufield Neighborhood Association 	10/27/2015
 Hamlet of Beavercreek 	10/28/2015
 City Commission Work Session 	11/10/2015
 Planning Commission Hearing #1 	11/23/2015
• City Commission Hearing #1	12/02/2015

Concept Plan: Land Use Areas

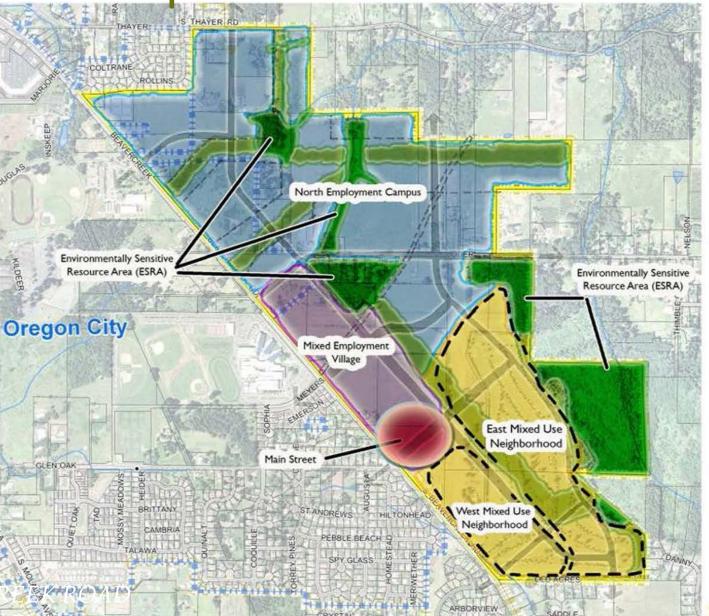






Figure 2: Beavercreek Zone Subdistricts

Recommendation

- Staff recommends that the Planning Commission provide approval of the Beavercreek Road Concept Plan, file LE-15-0003.
- Should the Planning Commission determine that additional information is required from staff, the Planning Commission should leave the public hearing open and continue the hearing to the December 14, 2015 Planning Commission date.

Thank You

- Website:
- http://www.orcity.org/planning/landuse
 case/le-15-0003-re-adoption-
 beavercreek-road-concept-plan
- Pete Walter, Associate Planner
- (503) 496-1568
- pwalter@orcity.org



City of Oregon City

625 Center Street Oregon City, OR 97045 503-657-0891

Meeting Agenda Planning Commission

Monday, January 11, 2016 7:00 PM Commission Chambers

1. Call to Order

2. Public Comments

3. Public Hearing

3a. PC 15-251 Re-adoption of the Beavercreek Road Concept Plan (Planning File LE

15-03)

Sponsors: Community Development Director Tony Konkol

<u>Attachments:</u> Commission Report

Issues Matrix

Revised Findings for PC Jan 11.pdf

Paul Edgar Comments.pdf

ODOT Comments 12.28.2015.pdf SFWB Letter 12.28.2015.pdf

Kosinski 12.14.2015 .pdf

All Comments and Exhibits from November 23 2015 .pdf

BRCP Summary Memo Nov 20.pdf

3b. PC 15-247 ZC 15-04: Zone Change, PZ 15-02: Amendment to the Comprehensive

Plan and CP 15-02: Master Plan Amendment

<u>Sponsors:</u> Planner Laura Terway <u>Attachments:</u> <u>Commission Report</u>

Revised Staff Report ZC 15-04, PZ 15-02 and CP 15-02 Staff Report

Exhibit 1: Vicinity Map

Exhibit 2: Application

Exhibit 2: Proposed Master Plan

Exhibit 2: Site Plan
Exhibit 2: Vicinity Map
Exhibit 2: Tax Lots

Exhibit 2: Natural Resources and Topography

Exhibit 2: Lighting Plan

Exhibit 2: Circulation, Access and Parking

Exhibit 2: Landscape Area

Exhibit 2: Signed Land Use Application Form Final

Exhibit 2: Vicinity Map Final 8.5x11 B&W

Exhibit 2: Appendix A 2012 Master Plan Transportation Impact Analysis

Exhibit 2: Appendix B 2012 Civil Engineering Narratives

Exhibit 2: Appendix C 2015 Transportation Impact Analysis for Zone

Change

Exhibit 2: Appendix D 2012 Notice of Decision and Conditions of

Approval

Exhibit 2: Appendix E Photos of Existing Conditions

Exhibit 2: Appendix F Neighborhood Meeting Documentation

Exhibit 2: Appendix G Pre-Application Notes

Exhibit 2: Additional Information Submitted by the Applicant

Exhibit 2: Tax Lot 32E32AA - 400

Exhibit 2: Tax Lot 22E32AB - 16

Exhibit 2: Tax Lot 22E32AC - 101,201 & 7200

Exhibit 2: Supplemental Findings for Statewide Planning Goals

Exhibit 3: Comments from John Replinger of Replinger and Associates,

City Consultant

Exhibit 4: Comments from Wes Rodgers, Director of Operations at the

Oregon City School District

Exhibit 5: Comments from Alex Bursheim, Early Head Start Family

Coach for the Clackamas County Children's Commission

Exhibit 6: Comments from Craig and Tiffany Gillespie

Exhibit 7: Comments from Grant O'Connell with TriMet

Exhibit 8: Comments from Mike Roberts, Building Official for the City of

Oregon City

Exhibit 9: Staff Report for Master Plan file CP 11-01 with Excerpt

Exhibits

Exhibit 10. Information submitted at the November 9, 2015 Planning

Commission Hearing

Exhibit 10. Video of the November 9, 2015 Planning Commission

Hearing

Exhibit 11. Housing Technical Report (2002)

3c. PC 15-248 ZC 15-03: Zone Change and PZ 15-01: Comprehensive Plan

Amendment

<u>Sponsors:</u> Planner Laura Terway <u>Attachments:</u> Commission Report

Revised ZC 15-03 and PZ 15-01 Staff Report

Exhibit 1: Vicinity Map

Exhibit 2: Application Form

Exhibit 2: Applicants Narrative

Exhibit 2: Supplemental Narrative

Exhibit 2: Additional Information from the Applicant

Exhibit 2: Rezoning Area
Exhibit 2: Lot Concept Plan

Exhibit 2: Example Structures on a Lot

Exhibit 2: Present Comprehensive Plan Designations

Exhibit 2: Present Zoning

Exhibit 2: TPR Analysis

Exhibit 2: Trip Cap Analysis

Exhibit 2: Trip Cap Memorandum

Exhibit 2: Neighborhood Meeting

Exhibit 2: Geologic Hazards Memorandum

Exhibit 2: Property Trios

Exhibit 2: Information which has Since been Revised

Exhibit 3: Comments from John Replinger of Replinger and Associates,

City Consultant

Exhibit 4: Comments from Wes Rodgers, Director of Operations at the

Oregon City School District

Exhibit 5: Comments from Ken Kent, Land Use Review Coordinator for

Clackamas County

Exhibit 6: Comments from Mike Roberts, Building Official for the City of

Oregon City

Exhibit 7: Comments from Joshua Brooking, Assistant Planner at

ODOT

Exhibit 8. Staff Report for L 13-01 and L 13-02, adoption of the

Transportation System Plan (without Exhibits)

Exhibit 9. Information submitted from the November 9, 2015 Planning

Commission Hearing

Exhibit 9. Video of the November 9, 2015 Planning Commission

<u>He</u>aring

Exhibit 10. Housing Technical Report (2002)

4. Communications

5. Adjournment

Public Comments: The following guidelines are given for citizens presenting information or raising issues relevant to the City but not listed on the agenda.

- Complete a Comment Card prior to the meeting and submit it to the staff member.
- When the Chair calls your name, proceed to the speaker table and state your name and city of residence into the microphone.
- Each speaker is given 3 minutes to speak. To assist in tracking your speaking time, refer to the timer at the dais.
- As a general practice, Oregon City Officers do not engage in discussion with those making comments.

Agenda Posted at City Hall, Pioneer Community Center, Library, and City Web site(oregon-city.legistar.com).

Video Streaming & Broadcasts: The meeting is streamed live on Oregon City's Web site at www.orcity.org and is available on demand following the meeting.

ADA: City Hall is wheelchair accessible with entry ramps and handicapped parking located on the east side of the building. Hearing devices may be requested from the City staff member prior to the meeting. Disabled individuals requiring other assistance must make their request known 48 hours preceding the

meeting by contacting the City Recorder's Office at 503-657-0891.



City of Oregon City

625 Center Street Oregon City, OR 97045 503-657-0891

Staff Report

File Number: PC 15-229

Agenda Date: 11/23/2015 Status: Agenda Ready

To: Planning Commission Agenda #: 2a.

From: Community Development Director Tony Konkol File Type: Planning Item

SUBJECT:

File LE-15-0003: Re-adoption of the Beavercreek Road Concept Plan.

RECOMMENDED ACTION (Motion):

Staff recommends that the Planning Commission provide approval of the Beavercreek Road Concept Plan, file LE-15-0003. Should the Planning Commission determine that additional information is required from staff, the Planning Commission should leave the public hearing open and continue the hearing to the December 14, 2015 Planning Commission date.

BACKGROUND:

Please see attached recommended findings for adoption of the Beavercreek Road Concept Plan. Additionally, please find attached the concept plan, title 4 maps, staff's latest powerpoint presentation to the City Commission, and letters from Clackamas Fire District #1, Oregon City Police Department and Oregon City School District.

This is the first evidentiary public hearing.

The Beavercreek Road Concept Plan was adopted by the City Commission in September, 2007 and was subsequently appealed to the Land Use Board of Appeals and remanded to the City in August, 2008. In December of 2010 the Metro Council adopted Ordinance 10-1244B, which reduced the amount of land designated for industrial use in the Title 4 Employment and Industrial Areas Map to conform to the City's Beavercreek Road Concept Plan, reflecting the determination that the region had sufficient employment capacity for the next 20 years. Due to various other legal challenges involving the regional UGB expansions, re-adoption of the plan was further delayed until 2015.

While the appeals process was on-going, several legislative updates to the City's public facilities plans, including sewer, stormwater, water and transportation system plans were adopted which refine much of the public facilities planning for the area within the Beavercreek Road Concept Plan. A summary of this information along with updated cost estimates for public facilities is included in the recommended findings.

The Concept Plan was created with the assistance of a 15-member Citizen Advisory Committee and 9-member Technical Advisory Committee. The recommended plan was reviewed during several public hearings before the Planning Commission and City Commission prior to final adoption in September, 2007.

File Number: PC 15-229

The City applied for an extension to complete the Title 11 planning requirements for the concept plan area, which was approved by Metro and extended to June 30, 2014. The LUBA appeal raised numerous issues, including an inconsistency between the concept plan and Metro's Title 4 map, inadequate protection of industrial lands, deficiencies in the transportation infrastructure and other service inadequacies. After reviewing the issues raised, staff recommended that the City Commission remand the concept plan to the Planning Commission and re-open the record for the limited purpose of addressing the protection of the Title 4 lands, inserting the recently implemented transportation system plan and capital improvement plan identifying transportation improvements and addressing police and fire services.

To provide public information on the proposed plan re-adoption, planning staff has held worksessions with the Planning Commission and City Commission, and presented the plan to the Transportation Advisory Committee, Natural Resources Committeem, Parks and Recreation Advisory Committee, Citizen Involvement Committeee, Caufield Neighborhood Association and the Hamlet of Beavercreek.

A copy of the draft plan, Metro Title 4 map decision, and the powerpoint presentation for the November 10, 2015 City Commission worksession are attached for reference. The project website, which includes a link to the complete LUBA appeal record, is http://www.orcity.org/planning/landusecase/le-15-0003-re-adoption-beavercreek-road-concept-plan.>

Planning Commission Issues Addressed - Public Hearing for Adoption of Beavercreek Road Concept Plan - L 15-03

This matrix responds to issues raised at the November 23, 2015 Planning Commission Hearing. For video go to http://oregon-city.granicus.com/MediaPlayer.php?view_id=2&clip_id=1541 – BRCP is first item on agenda.

Issue	Specific Concerns	Finding Page Ref#.	Response	Recommendation	Issue Addressed?
Citizen Co	oncerns				
Job Creation	 Cottage Industries – Reconsideration of Greater Cottage Manufacturing in residential zones Live / Work Home Occupations 	Page 11	Adoption of the BRCP does not preclude the provision of cottage manufacturing or a greater variety of home occupations.	Recommendation can be included as part of implementing zoning.	
Goal 1 – Citizen Involvement	 CIC not representative of citizens 2 seats on CAC were unfilled by citizens, instead "filled by developers and officials". Goal 1 violation since over 10 years ago. Claim of "Strong Public Opposition to Plan". 	Pages 4, 8 and 13	 CAC membership Roster indicates several county residents including Elizabeth Graser-Lindsey and Bob Nelson from outside the concept plan area The record indicates good CAC audience participation from county and city residents CAC meeting summaries show strong input from county residents – these meeting summaries are in the record. A wide group of stakeholders included: Property owners within the study area. Oregon City High School and Clackamas Community College. Neighbors, including those in the Caufield Neighborhood Association, Beavercreek Community Planning Organization (CPO), and other adjacent areas. Service providers such as fire district, TriMet, utilities, school district, and parks district. Outreach and response from citizen groups regarding the plan re-adoption has been largely positive and supportive 	 Continue to seek public input and provide public outreach post-adoption to address implementation of the plan regarding zoning, alternative mobility targets, green building and other core values identified by the CAC during the plan process. Refer back to these issues during subsequent land use processes, including annexation, zoning, and development review. 	
Need for Additional Industrial Land	Oregon City needs additional industrial lands	Pages 9, 10, 18, 31-32.	 Metro Ord. 10-1244B, Uba staff report dated Ord. No. 10-1244B, explains that the 2009 Urban Growth Report found "there is adequate capacity inside the current UGBto accommodate general employment and industrial job growth even at the high end of the employment forecast range." This report also notes a shortage of residential capacity and increasing the residential capacity within Beavercreek responds to that concern. Market analysis done by EcoNorthwest included an inventory of available industrial and employment lands and concludes that it is not unreasonable to expect 150 acres of industrial and business park development to build out within the BRCP over a 20-year period. (Rec. 1781) 	 Acknowledge Metro's revised findings regarding Title 4 lands. Recommendation can be included as part of implementing zoning to preserve and reserve Title 4 Industrial lands 	
213 / Beavercreek Congestion	 Grade Separated Interchange per ORDINANCE 92-1002 Memorandum of Understanding 	NA	 This project was taken out of TSP with subsequent updates. TSP updated 2013 acknowledges congestion resulting from BRCP development. 2013 TSP replaced and superseded all plans for grade separated interchange. Funding roadways identified in the 2013 TSP and the BRCP will be accomplished through new development and reimbursement districts as well as through SDCs. Alternative mobility measures, setting new standards for congestion, will be adopted before any zone changes that would allow trip generation to exceed that permitted under current zoning. 	Develop the refinement plan as discussed in the TSP and work with ODOT to draft and adopt Alternative Mobility Targets.	

OAR's regarding Air and Water Quality should apply with Statewide planning Goal	 City needs to address OAR 660-015-0000 (6) Waste and Process Discharges North Plains LUBA appeal 	Page 23-24 (Stormwater) Page 24 (Solid Waste)	 All development within the BRCP will be required to comply with the City's recently amended Storm Water and Low Impact Development Storm Water Standards and these standards have been deemed to comply with the DEQ NPDES and Clean Water Act requirements. All stormwater discharge from this site will meet applicable federal and state standards. See OCMC Chapter 17.97. Goal 6 is satisfied where there is a reasonable expectation that uses will be able to comply with state and federal environmental regulations. Further, no state or federal standard directly regulates air quality in the Beavercreek area. 	None. Acknowledged land use regulations and public works standards are in place and on-going.	
Landslide risk and Goal 7	 Oregon City should lobby state and federal government to provide landslide insurance. The city should regulate slopes at 15% or greater rather than slopes greater than 25%. Amend TSP to remove Holly Lane 	Pages 16-17	 The City has no control over insurance coverage issues and no statewide planning goal, comprehensive plan policy or local code provisions that requires consideration of insurance issues. Amendments to OCMC 17.44 to regulate steep slopes differently or to exclude projects from the City's TSP are beyond the scope of BRCP re-adoption decision. 	None. Policies are in place and on-going.	
Water Shortages During Drought	 Water Supply Pressure CRW district serving area violates WMP CRW letter to Clackamas Board of Commissioners 	Pages 22-23	 See attached letter from SFWB regarding water supply Adequate water facilities and services can be made available concurrent with development. Water facilities shall supply adequate water pressure in compliance with Oregon City's Water Distribution System Design Standards for fire flow protection and domestic water service. CRW / Oregon City have joint service agreements to serve certain areas within the city, this does not violate WMP. As development occurs in these areas, the City's water distribution system is extended and CRW withdraws from serving these areas and transfers service to the City. Water service to the development shall be from the City of Oregon City's water distribution system from a proposed new City pipeline in Beavercreek Road. 	 The City will continue to work with CRW and SFWB to encourage water conservation methods by water users in accordance with regionally adopted Water Management Conservation Plans: See – also http://www.orcity.org/publicworks/publiceducation-and-oregon-citys-water-quality-program http://www.crwater.com/conservation/ http://www.sfwb.org/index.php/conservation 	
Reservoir Costs	Funding mechanism for water reservoirs have not been identified	Page 22	 Funding improvements, including reservoirs, have been identified in the water master plan necessary to serve Beavercreek including SDCs, development funded improvements and reimbursement districts. Continue to explore funding alternatives as development proposals come forward and become further refined Continue to plan and budget for construction of WMP capital improvements, including the capital improvements listed for future BRCP development utilizing funding mechanisms identified for development such as SDCs. 	None. Policies are in place and on-going.	
Sewer System Capacity and Connections	 Cross-Basin Connections Sewer – Bolted Down Manholes – Claims of "Frequent Sewer Backups" "No funding to fix sewer" Cross-Basin connection violates WMP 	Page 20	• SSMP, Appendix I: Glen Oak Road Analysis, Section 4: Conclusion and Recommendations, provides for an overall recommendation to convey flows from the Beavercreek Road Concept Plan Area through a new sewer extension constructed in Beavercreek Road. This analysis also provides routing scenarios to convey a portion of the BRCP area flows to another basin as an interim alternative until the new Beavercreek Road sewer is constructed. Therefore the cross-basin connection previously approved does not violate the SSMP and that decision is not before the City.	None. Policies are in place and on-going.	

BEFORE THE CITY COMMISSION

In the Matter of)	
Adoption of the)	Findings of Fact
Beavercreek Road Concept Plan)	
ON REMAND)	
File No. LE-15-0003)	

I. INTRODUCTION

This matter comes before the City Commission (Commission) of Oregon City to approve the Beavercreek Road Concept Plan on remand.

After a review of the facts, including the Metro Ordinance 10-1244B and the City's recently adopted transportation and utility master plans, the City Commission finds that the applicable decision-making criteria are satisfied. Therefore, the City Commission APPROVES the above-referenced plan amendments. Unless otherwise provided for, these plan amendments shall take effect on Jan 1, 2017 or upon adoption of zoning regulations implementing these plan amendments, whichever comes first.

The Commission summarized the benefits of this plan in 2008 as follows:

The Beavercreek Road Concept Plan (BRCP) is a guide to the creation of a complete and sustainable community in southeast Oregon City. The concept plan includes 453-acres located along the east side of Beavercreek Road from Old Acres Lane, north to Thayer Road. The majority of the site (245 acres) was added to the UGB in December of 2002 and an additional 63 acres were added in 2004. The remaining acreage was in the UGB and/or Oregon City limits prior to 2002. During the update of the Oregon City Comprehensive Plan in 2003, Policy 2.6.8 was adopted acknowledging the jobs-related importance of the site to Oregon City and the region, while also allowing flexibility in the project area's land use. Comprehensive Plan policy 2.6.8 states:

Require lands east of Clackamas Community College that are designated as Future Urban Holding to be the subject of concept plans, which is approved as an amendment to the Comprehensive Plan, would guide zoning designations. The majority of these lands should be designated in a manner that encouraged family-wage jobs in order to generate new jobs and move towards meeting the City's employment goals.

The BRCP furthers this end by creating an area where residents can work, as well as live by providing a diverse mix of uses (an employment campus north of Loder Road, mixed use districts along Beavercreek Road, and two mixed use neighborhoods) all woven together by open space, trails, a network of green streets and sustainable development practices - all attributes necessary to provide a successful family-wage employment area. Transit-oriented land uses will be strategically located to increase the feasibility of transit service in the future. Specifically, the

¹ Please see bottom of page 8 for further explanation and also LUBA Record No. 2008-170, PP 1837-1862. The overall vision for the concept plan is to create "A Complete and Sustainable Community". The Citizen Advisory Committee - Sustainability Focus Group utilized the definition of sustainability originally developed by the United Nations Brundtland Commission: "A sustainable society meets that needs of the present without sacrificing the ability of future generations to meet their own needs".

Mixed Employment Village, Main Street and Mixed Use Neighborhoods will be walkable and transit supportive through their proximity to Beavercreek Road, CCC and the High School. The plan has been carefully crafted to create a multi-use community with a mix of transit-oriented land uses that has synergistic relationships with Clackamas Community College, Oregon City High School and adjacent neighborhoods.

II. FACTS

A. Concept Plan History

In September, 2008, the Oregon City Commission adopted Ordinance No. 07-1008 adopting the Beavercreek Concept Plan (BRCP) and its ancillary documents to the Oregon City Comprehensive Plan. The decision was subsequently appealed to the Land Use Board of Appeals (LUBA), LUBA No. 2008-170. Although a wide-ranging series of arguments were presented before LUBA, they largely focused on whether the BRCP was consistent with Metro Code provisions relating to the designation of significant industrial lands, whether the Metro Code and comprehensive plan policies relating to utility and facility adequacy were satisfied, and lack of adequate citizen participation in the process. In August, 2009, LUBA found that the BRCP designation of approximately 74 acres out of the total 308 acres that were designated by the Metro Code for an Industrial design type uses required remand. LUBA did not respond to any of the other arguments.

In December 2010, Metro adopted Ordinance No. 10-1244B that, in addition to expanding the urban growth boundary in portions of Washington County, it amended the Title 4 Industrial and Other Employment Areas Map to show changes to design-type designations to conform to new comprehensive plan designations by cities and to needs identified in the 2009 Urban Growth Report. See Attachment 3, Gerry Uba staff report. Metro's decision was acknowledged by the Land Conservation and Development Commission in LCDC Approval Order 12-UGB-001826. The decision was then appealed to the Oregon Court of Appeals by the same petitioner who challenged adoption of the BRCP as well as others who opposed the UGB expansion. Resolution of the case was stayed pending resolution of the case considering Metro-area urban and rural reserves entitled Barkers Five v. LCDC. In February, 2014, the court remanded LCDC's decision in the Barkers Five case. The legislature responded by enacting House Bill (HB) 4078 (2014) (Or Laws 2014, ch 92), making numerous amendments to ORS chapter 197 and validating Metro's adoption of Ordinance No. 10-1244B. In August 2014, the Oregon Court of Appeals dismissed all challenges relating to Ordinance No. 10-1244B, finding that the amendment to state law established the UGB for Clackamas County as well and therefore, all of the challenges were moot.

B. BRCP Acreage at a Glance

The following table illustrates the estimated gross and net acreage within the BRCP area for the respective land use areas in the BRCP, organized by UGB expansion date. These acreages are based on a GIS analysis of the adopted hybrid plan using polygons, and should be considered approximate.

	Pre 2002 UGB		2002 UGB		2004 UGB		
BRCP Land Use	Gross	Net	Gross	Net	Gross	Net	Total
Designations	Acres	Acres	Acres	Acres	Acres	Acres	Acres
North Employment							
Campus (Industrial)	51.43	39.36	121.81	75.14			173.24
Mixed Employment							
Village	11.88	11.88	14.45	14.39			26.33
Mixed Used							
Neighborhood (East							
+ West)	49.46	46.68	21.64	21.28	30.79	30.79	101.89
Resource and Natural							
Areas (Low Imp +							
Natural)	1.04	1.04	57.29	15.18	29.17	17.66	87.50
Main Street	7.00	7.00	3.18	3.12			10.18
Right of Way	29.26	25.96	24.84	20.09	4.18	4.18	58.40
BRCP Total Acres	150.08	131.92	243.21	149.21	64.13	52.63	457.54
Metro Title 4							
Industrial Land	59.74	46.05	160.67	77.80			220.41

The majority of the site (approximately 245 acres) was added to the UGB in December of 2002 and an additional approximately 63 acres were added in 2004. The remaining acreage was in the UGB and/or Oregon City limits prior to 2002. The 220.41 acres of Title 4 industrial land is estimated to yield approximately 123 acres.

III. The Process and Applicable Approval Standards

The City of Oregon City proposes to re-adopt the BRCP without any amendment. New BRCP comprehensive plan map designations and development code and zone changes are not proposed at this time. The BRCP policies will not go into effect until the new BRCP comprehensive plan and zoning designations apply to specific parcels.

State law and the Oregon City Municipal Code do not specifically address the applicable procedures on remand, leaving the City Commission with considerable discretion. The City's only obligation is to address the issues on remand from LUBA. Given that LUBA did not respond to all of the issues and that the City has implemented a number of relevant utility master

plans since 2009, it makes sense to re-open the record only for the purposes raised in the arguments presented by the petitioner in the LUBA appeal. These issues can be summarized as Metro Code Title 4 requirements and public utility and service infrastructure planning requirements as discussed in greater detail below. All written and oral testimony that does not relate to these limited purposes as preserved in the LUBA case, will be rejected and not considered by the City during its review.

As for the applicable approval criteria, as a legislative decision, the fixed goal post rule, ORS 227.178(3)(a), does not apply and as a result, these findings respond to the Metro Code Title 4 and Title 11 provisions currently in place.

Adoption of the BRCP is subject to all of the applicable Statewide Planning Goals including Goal 12 – Transportation, and the State Transportation Planning Rule (OAR 660-012-0060) or TPR. Please see findings starting on Page 24 for compliance with Goal 12. In order to meet the requirements of this regulation, needed improvements and funding mechanisms have been identified for properties within the Concept Plan area that will mitigate impacts of the amendment in a manner that avoids further degradation to the performance of the transportation facilities. TPR compliance also identifies the need for the City to develop a refinement plan to draft alternative mobility targets for regional ODOT facilities that are affected by new development within the city. The proposed transportation infrastructure improvements, financing and funding estimates, identified in the Plan, along with future amendments to the Transportation System Plan and Capital Improvement Plan provide adequate basis to limit development until compliance with the Transportation Planning Rule is shown.

Oregon City must comply with the relevant portions of Metro's Urban Growth Management Functional Plan (Functional Plan). The Functional Plan is a regional land use plan that implements the 2040 Growth Concept. The Concept Plan is required to comply with Metro's title 11 requirements regarding residential density. Findings regarding Metro Title 11 are detailed below.

IV. Public Involvement and Public Comment

The Concept Plan was developed by a 15-member Citizen Advisory Committee (CAC) and 9-member Technical Advisory Committee (TAC). The committees met twelve times between June 2006 and July 2007. There was broad support on the CAC for the hybrid plan. In addition to the committee meetings, the public involvement process included a study area tour for CAC and TAC members, two public open houses, market focus group, sustainability focus group, employment lands coordination with Metro, Community Design Workshop, a project website, project posters, informational sign, email notice and extensive mailings to property owners and interested parties prior to each meeting and public event. Notice of the public hearing for the proposal was published in the newspaper and mailed to all Oregon City property owners on June 22, 2007, in accordance with the requirements of Measure 56. The Planning Commission took public testimony at three hearings on September 24, 2007, October 22, 2007, and November 12, 2007. In addition to reviewing all of the evidence in the record, the City Commission also took public testimony at its hearings on January 16, 2008, March 5, 2008, March 19, 2008 and April 16, 2008.

For the re-adoption, planning staff held additional meetings to provide information and receive input on the Plan process:

Planning Commission Work Session

09/28/2015

Citizen Involvement Committee	10/05/2015
Natural Resources Committee	10/14/2015
Transportation Advisory Committee	10/20/2015
Parks & Recreation Advisory Committee	10/22/2015
Caufield Neighborhood Association	10/27/2015
Hamlet of Beavercreek	10/28/2015
City Commission Work Session	11/10/2015
Planning Commission Hearing #1	11/23/2015
City Commission Hearing #1	12/02/2015

V. DECISION-MAKING CRITERIA:

A. Comprehensive Plan Criteria

The following considerations, goals and policies apply to amendment of the Comprehensive Plan and Concept Plans.

Comprehensive Plan Maintenance and Implementation - Regular Review and Update.

Section 2 – Land Use of the 2004 Oregon City Comprehensive Plan indicates that the regular review and updated of the Comprehensive Plan should consider the following:

- 1. Plan implementation process.
- 2. Adequacy of the Plan to guide land use actions, including an examination of trends.
- 3. Whether the Plan still reflects community needs, desires, attitudes and conditions. This shall include changing demographic patterns and economics.
- 4. Addition of updated factual information including that made available to the City of regional, state and federal governmental agencies.

B. Statewide Planning Goals

Compliance with the Statewide Planning Goals is a specific requirement for changes to the Comprehensive Plan or Comprehensive Plan map. For the BRCP to be approved by DLCD it must comply with applicable statewide planning goals. The analysis below is provided for the City and the public to understand how the proposed update complies with Statewide Planning Goals.

C. Metro Title 11.

Concept Plans are regulated by Title 11 in Metro's Urban Growth Management Functional Plan. Title 11 and Concept Plans are intended to lay a foundation for urbanization of areas added to the region's Urban Growth Boundary (UGB) in a way that reasonably provides public facilities and services, offers transportation and housing choices, supports economic development, and protects natural resources. The following land use elements of Metro's Title 11 regulations governing concept planning within Metro's jurisdiction, "3.07.1120 Urban Growth Boundary Amendment Urban Reserve Plan Requirements" which generally include the following:

A. Annexation;

- B. Housing density;
- C. Variety of housing types;
- D. Housing affordability;
- E. Commercial/Industrial development;
- F. Transportation;
- G. Mapping;
- H. Public Facilities and Services;
- I. Schools:
- J. Urban Growth Diagram; and
- K. Plan Amendments.

IV. ANALYSIS AND FINDINGS

A. Comprehensive Plan Criteria

Comprehensive Plan Maintenance and Implementation - Regular Review and Update.

Another method of Plan maintenance and updating is a continuous technical review of the Plan by the Planning staff. This review and any subsequent recommendations for Plan updating should be presented to the Neighborhood Associations, Planning Commission and City Commission for input and discussion in the same manner as requested Plan changes. The continuous review should consider:

1. Plan implementation process;

Analysis: The main reason for amending the Comprehensive Plan is to adopt and implement the new BRCP in response to Metro Title 11 Requirements, and to guide appropriate comprehensive plan designations and zoning for the area. The concept planning process was initiated in order to ensure the appropriate mix of uses in the concept plan area, and so that public facilities and services can be planned to serve future development within the study area.

Completion of the concept plan and amendment of the Comprehensive Plan complies with the City's Comprehensive Plan Goal 14.3 - Orderly Provision of Services to Growth Areas, which provides that the City plan for public services to lands within the Urban Growth Boundary through adoption of a concept plan and related Capital Improvement Program, as amendments to the Comprehensive Plan. The BRCP and regulations are in compliance with Metro's Functional Plan and the amendments to the comprehensive plan must be adopted through DLCD's post-acknowledgement process.

The City finds this criterion is satisfied.

2. Adequacy of the Plan to guide land use actions, including an examination of trends.

Analysis: The Existing Conditions report of the Concept Plan includes detailed market, infrastructure, transportation system, natural resources, demographics and industrial lands analyses in order to determine trends to guide future land use actions. The results of this analysis need to be incorporated into the Comprehensive Plan. The plan provides a thorough explanation of the existing conditions pertaining to this analysis and provides recommendations and preliminary cost estimates for improvements that will be necessary in order for the concept plan

to be carried out. These cost estimates have subsequently been updated in the city's public infrastructure and transportation planning as follows:

Transportation System Plan (2013)

Sewer Master Plan (2014)

Water Master Plan (2010)

Stormwater and Erosion Control Manual and Design Standards (2015)

The Comprehensive Plan amendments are necessary in order for land use actions to be carried out within the concept plan area subsequent to the annexation of property. Adoption of the concept plan does not rezone property within the planning area until said property is annexed into the City and the implementing zoning regulations are in place. Comprehensive Plan map designations, relevant code amendments, and text and maps are required when these events take place. Likewise, the amendments to the ancillary documents and plans assure that the necessary improvements in the concept plan may be incorporated into the appropriate ancillary plan, as well as be included in the City's Capital Improvement Program and Transportation System Plan.

The Concept Plan provides a comprehensive and cohesive guide to future development in three parts:

- Framework plan maps, goals and policies These elements are adopted as part of the Oregon City Comprehensive Plan. Compliance with the Plan is required for all land use permits and development beyond that allowed by existing land use regulation. The framework plan is comprised of generalized maps and policies that integrate land use, transportation, open space and green infrastructure. The framework maps and policies are supported by detailed code and requirements for master planning and design review. This approach sets a broad framework and intent on the figures and text in the Plan that ensures that the vision, goals and standards are required in all land use decisions, provides flexibility in site specific design and implementation and allows for phased development over a longer period of time.
- 2) Ancillary report materials The descriptive text, graphics and technical appendix of this report are adopted as an "ancillary document" to the Comprehensive Plan, which provides "operational guidance to city departments in planning and carrying out city services" (Oregon City Comprehensive Plan, page 4). These documents include information for updating the City's utility master plans and Transportation System Plan.
- 3) Development code amendments Revisions to the development code are being prepared as part of the Concept Plan. Once final, it will be adopted as part of the Oregon City Municipal Code. Compliance with these amended provisions will be required for all land use permits and development.

The opportunities and constraints, market, infrastructure, natural resources and buildable lands analysis provided in the BRCP provide an adequate factual basis for determining trends within the study area. Following adoption of the BRCP, amendments to the Zoning Code, Comprehensive

Plan and Ancillary Documents will provided an adequate basis for making future land use decision and can be found in compliance with this criterion.

The City finds this criterion is satisfied.

3. Whether the Plan still reflects community needs, desires, attitudes and conditions. This shall include changing demographic patterns and economics.

Analysis: Citizen input was critical to ensure that the community's desires and attitudes would be reflected in the Concept Plan. A public involvement program was developed and conducted from June 2006 through July 2007. A 15-member Citizen Advisory Committee (CAC) and 9-member Technical Advisory Committee (TAC) developed the concept plan. The purpose of the CAC was to serve as the forum for stakeholder representatives to work with each other and act as an advisory body to the Consulting Team, City Staff, Planning Commission, and City Commission regarding the Concept Plan. The CAC comprised city residents, representatives of neighborhood associations, residents of the Hamlet of Beavercreek, local businesses, the development community, property owners within the study area, the school district, Clackamas Community College, Transportation Advisory Committee, environmental interests, and the Planning Commission.

The CAC created several alternatives and finally chose a hybrid the included about 127 net acres of North Employment Campus, which is consistent with Metro's intent and similar to Oregon City's existing Campus Industrial designation, about 29 acres of Mixed Employment Village and Main Street, which allows a variety of uses in a village-oriented transit hub and mixed use neighborhoods to the south that also provide jobs tailored to the neighborhood setting.

The TAC included representatives from Metro, Clackamas County, ODOT, Tri-Met, DLCD, and City Planning Staff. Twelve meetings were held over the 13 months and there were two open houses, a market and sustainability focus group and a design workshop that were intended to provide information to citizens and to solicit their input.

For the 2015 re-adoption process, planning staff held additional meetings to provide information and receive input on the BRCP process with the following groups:

Planning Commission Work Session	09/28/2015
Citizen Involvement Committee	10/05/2015
Natural Resources Committee	10/14/2015
Transportation Advisory Committee	10/20/2015
Parks & Recreation Advisory Committee	10/22/2015
Caufield Neighborhood Association	10/27/2015
Hamlet of Beavercreek	10/28/2015
City Commission Work Session	11/10/2015

The overall vision for the concept plan is to create "A Complete and Sustainable Community", and the CAC utilized the definition of sustainability originally developed by the United Nations Brundtland Commission:

"A sustainable society meets that needs of the present without sacrificing the ability of future generations to meet their own needs".

Based on public input, the committee created 10 Project Goals and 10 Principles of Sustainable Community Design that were used in the visioning and development of the concept plan. The Goals and Principles are on pages 7 and 8 of the Concept Plan. Utilizing these Goals and Principles, the committee created several alternative plans that were reviewed and combined into one preferred alternative plan, which is identified as the BRCP. The Plan has land use and transportation connections that support future transit, trails and greenspaces have been crafted to provide direct and convenient internal pedestrian connections and link to the broader regional network, lower densities near the edges and buffer treatments have been incorporated and a street network that provides for internal circulation. In accordance with the TSP and RTP, the access management approach envisioned in the plan will minimize impacts and access points on the Beavercreek Road corridor, and provides for parallel future connections to the north and south..

The BRCP meets the needs of Oregon City for providing employment lands, which are greatly needed. The Plan provides 156 net acres of employment lands in two forms: 127 net acres of tech flex campus industrial (Title 4) land and 29 acres of more vertical mixed use village and main street employment. The employment land is incorporated into a sustainable, complete community that includes jobs, varied housing types, green streets, open spaces, trails, mixed uses, focal points for activity, linkages to logical streets and activity centers (Clackamas Community College and Oregon City High School) and access to nature. Once the plan has been adopted and acknowledged, the City will develop and apply appropriate zoning designations to implement the concept plan areas. The concept plan is a reflection of the needs, desires, and attitudes of the Citizen Advisory Committee and represents the conditions, vision, direction and improvements that are necessary to accommodate the changing demographics and economics of the community.

The adoption of Metro Ordinance 10-1244B by the Metro Council of the amended Title 4 map for the Beavercreek Road area reflect updated economic conditions and employment land needs for the region and city. Based on the citizen outreach and input received during the Plan development process and throughout the re-adoption process, the BRCP document still reflects community needs, desires, attitudes and conditions including changing demographic patterns and economics.

The City finds this criterion is satisfied.

4. Addition of updated factual information including that made available to the City by regional, state and federal governmental agencies.

Analysis: The proposed changes respond to needs revealed by the Buildable Lands Inventory for the concept plan and where updated and affirmed in 2010 through Metro's adoption of Ordinance No. 10-1244B. These needs are documented in the technical appendix on housing and economic development, as well as in the background discussions in each of the Comprehensive Plan elements. Participation on the TAC by representatives of Metro and the State Department of Land Conservation and Development informed the Regulatory Framework which the Concept Plan must comply with, including the primary elements: Governance, Housing, Transportation and protection of Natural Resources. For example, policies support the provision of a variety of housing types and income levels, creation of mixed use zones to encourage more employment and housing, and the designation of Metro Design Types (Industrial and Employment). Metro data and

the City's own GIS data was utilized to develop a variety of maps, notably the habitat conservation areas, steep slopes areas, urban growth potential, transportation (street system, transit, functional classification, street sizing, bicycle and pedestrian needs, trails), water, stormwater and sewer system maps. Policies in the Concept Plan support Metro and DLCD requirements and factual information is reflected in the BRCP.

The City finds this criterion is satisfied.

Oregon City Comprehensive Plan Goal 2.6 - Industrial Land Development Ensure an adequate supply of land for major industrial employers with family-wage jobs.

Adoption of the BRCP will ensure an adequate land supply for major industrial employers, consistent with regional employment land goals adopted by Metro. Goal 2.6 is further implemented by the following Policies 2.6.1 through 2.6.8:

Policy 2.6.1

Work with Metro to ensure that there is enough land available within the Urban Growth Boundary to meet the need for industrial and/or commercial development. If there is not enough, identify areas outside the boundary that may be appropriate to annex. The selection of these areas will be based on market factors, protection of environmentally sensitive areas, compatibility with adjoining and nearby uses, public facilities and infrastructure, proximity to expressways and transit, site requirements of specific types of industries, and the desires of the property owners.

Analysis: Metro has determined that the proposed plan provides an adequate amount of Title 4 employment land within the UGB. Reflecting changes in employment needs and demands between the Metro 2002 Urban Growth Report (UGR) –Employment, and the 2009 UGR - Employment, Metro's 2009 assessment found there is adequate capacity inside the current UGB to accommodate the next 20 years of general employment and general industrial job growth even at the high end of the employment forecast range. The subsequently adopted change to the Title 4 Employment and Industrial Areas map conformed the map to the updated information about employment needs in the 2009 UGR (Employment). This change also responded to the identification of a need for residential capacity in the 2009 UGR (Residential) by increasing the residential capacity of the Beavercreek planning area by 36 dwelling units above the level expected at the time the Metro Council added the areas to the UGB. Metro adopted the revised Title 4 map with passage of Ordinance 10-1244B, Exhibit D, on December 6, 2010. According to this map, which is consistent with the hybrid plan, the 151 gross acres on the revised map will supply approximately 121 net acres of employment land.

The City finds this criterion is satisfied.

Policy 2.6.2

Ensure that land zoned or planned for industrial use is used for industrial purposes, and that exceptions are allowed only where some other use supports industrial development. New non-industrial uses should especially be restricted in already developed, active industrial sites.

Analysis: zoning will be developed to implement the BRCP and Metro Title 4. This zoning will be applied to the employment lands within the UGB following annexation of lands to restrict non-

industrial uses within the area identified as NEC North Employment Campus and ensure that land is reserved and preserved for industrial use. Existing CI-Campus Industrial zoned land within the BRCP area specifically limits non-industrial land uses to support industrial land supply. It is anticipated that zoning similar to the CI zone district will be applied to newly annexed employment land that currently does not have city zoning.

The City finds this criterion is satisfied.

Policy 2.6.3

Protect the city's supply of undeveloped and underdeveloped land zoned for industrial uses by limiting non-industrial community uses, such as schools, parks, and churches on such properties and by limiting larger commercial uses within those areas.

Analysis: As stated above, the zoning of the property in the North Employment Campus will be the same as or similar to the current CI – Campus Industrial zone. Commercial uses within the northern employment campus would be limited to some upper limit, similar to the CI zone, which currently restricts retail sales and services to no more than ten percent of the net developable portion of all contiguous industrial lands. Clackamas Community College and Oregon City School District do not anticipate the need for additional land within the BRCP area. Religious land uses are not listed as a permitted use in the CI zone, but could be permitted as conditional uses on mixed-use lands in the southern part of the BRCP area. Taken together, these requirements will protect the city's supply of undeveloped and underdeveloped land zoned for industrial uses.

The City finds this criterion is satisfied.

Policy 2.6.4

Protect existing and planned undeveloped and underdeveloped industrial lands from incompatible land uses, and minimize deterrents to desired industrial development.

Policy 2.6.5

Ensure that land-use patterns create opportunities for citizens to live closer to their workplace.

Analysis: An important focus of the BRCP is to create a live-work balance by providing employment opportunities in a mixed use community, with strong multi-modal transportation connections both within the BRCP area and externally to the existing commercial, employment and education centers nearby such as the two nearby shopping centers (Trail's End / Haggen Market and Berry Hill Shopping Center), Clackamas Community College and Oregon City High School. Additionally, live-work units and home occupations with cottage industries are supported by the mixed use approach. The proposed land use mix, combined with the improved transportation network, will guide the future development of the area in a manner that supports this policy.

The City finds this criterion is satisfied.

Policy 2.6.6

Identify industrial uses that could partner with Clackamas Community College as training centers and future employers of students graduating from CCC.

Analysis: Adoption of the BRCP is the first step towards attaining this policy. The Plan includes policies for strong programmatic connections to Oregon City High School and Clackamas Community College. The City is already working with the State and the County to develop enterprise zones within the CI-zoned lands within and adjacent to the BRCP area. The enterprise zones encompass industrial areas along Beavercreek Road, the Red Soils area and north of Highway 213 - an area approximately 1.2 square miles. The City partnered with Metro and Clackamas County on the Strategically Significant Employment Lands Project to study these lands and determine their readiness for development and marketability. One of the criteria for qualifying projects within the enterprise areas is to partner with local job training providers such as Clackamas Community College. Further city action to implement Policy 2.6.6, following plan adoption, could include the development of a Memorandum of Understanding with CCC to support and foster job training partnerships and other employment programs.

The City finds this criterion is satisfied.

Policy 2.6.7

Establish priorities to ensure that adequate public facilities are available to support the desired industrial development.

Analysis: Please see findings for compliance with Statewide Planning Goal 11 – Public Facilities and Services in Section B below.

Policy 2.6.8

Require lands east of Clackamas Community College that are designated as Future Urban Holding to be the subject of concept plans, which if approved as an amendment to the Comprehensive Plan, would guide zoning designations. The majority of these lands should be designated in a manner that encourages family-wage jobs in order to generate new jobs and move towards meeting the city's employment goals.

Analysis: Adoption of the BRCP will achieve this policy. The final draft hybrid plan was analyzed by the firm ECONorthwest, indicating the potential for substantial job creation within the concept plan area. The ECONorthwest findings were further confirmed by Metro in its 2009 Urban Growth Report (Employment) that "there is adequate capacity inside the current UGB to accommodate the next 20 years of general employment and general industrial job growth even at the high end of the employment forecast range." Ord. 1244B, Attachment 3, p.3. The North Employment Campus is to provide for the needed family wage employment that strengthens and diversifies the economy and will be compliant with Metro's Title 4 regulations. The NEC allows a mix of clean industries, offices serving industrial needs, light industrial uses, research and development and large² corporate headquarters. The uses permitted are intended to improve the region's economic climate, promote sustainable and traded sector businesses, and protect the supply of site for employment by limiting incompatible uses. Also, portions of the BRCP area are designated enterprise zones incentivize development to (See http://www.orcity.org/economicdevelopment/enterprise-zone).

The City finds this criterion is satisfied.

² "Large" employers are generally considered to have 50 employees or more.

B. Compliance with Statewide Planning Goals

Compliance with the Statewide Planning Goals is a specific requirement for changes to the Comprehensive Plan or Comprehensive Plan map. For the BRCP to be approved by DLCD it must comply with statewide planning goals. The analysis below is provided for the Planning Commission and the public to understand how the proposed update complies with Statewide Planning Goals.

Goal 1 Citizen Involvement

To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

Analysis: A brief summary of the public involvement program for the CAC/TAC and the general public was provided above. In accordance with this goal, the public involvement program involved affected Neighborhood Associations and groups, utilized community education measures to enhance participation (open houses, focus groups, design workshop, website, open access to planners at City Hall, timely provision of draft material mailed to the CAC/TAC in advance of meetings and on the web, mailings), and provided timely and accurate information to individuals, groups, communities and neighborhoods. After the CAC/TAC recommended a draft plan language, the Planning Commission and City Commission held a number of work sessions and public hearings where public testimony was considered. At all times the draft plan was available for review by the public. This open process encouraged participation by any interested citizen and all evidence submitted into the written record was considered. Finally, planning staff met with several advisory groups and the Hamlet of Beavercreek, and held two work sessions in October – November 2015 to update people on the re-adoption process (See Page 4 for details).

The City finds this Goal is satisfied.

Goal 2 Land Use Planning

To establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions.

Analysis: The Draft Concept Plan includes identification of facts, issues, and problems in the "Background" discussion for each element. Updated and market relevant documentation in the technical report provided the basis for the Land Use, Parks, Transportation, Water, Stormwater, Sanitary Sewer and Natural Resources elements, helping assure the proper factual basis for decisions in updating the maps, goals, policies and implementation measures. Inventories, such as for economic development, employment and natural resources, have been provided in the technical appendices to the BRCP. Based on this information, the Commission finds that this plan amendment is coordinated, as defined by state law. It has been reviewed and coordinated with the plans of other governmental units. It contains adequate implementation measures to ensure that upon taking effect (when the implementing zoning is subsequently adopted) sufficient means will carry out the BRCP. Although Goal 2 also implements periodic review, the amendments are not triggered as a result of periodic review. Finally, after a number of public hearings where alternative courses of action were considered, the Commission finds that the proposed plan amendments are

consistent with public policy taking into account social, economic, energy and environmental needs.

The City finds this Goal is satisfied.

Goal 3 Agricultural Lands and Goal 4 Forest Lands

Analysis: By definition, Oregon City does not have rural resource lands such as for agricultural or forest use within its city limits or UGB and therefore those goals are not applicable.

The City finds these Goals are not applicable.

Goal 5 Open Spaces, Scenic and Historic Areas, and Natural Resources

To protect natural resources and conserve scenic and historic areas and open spaces.

Analysis: Goal 5 resources are addressed in detail in the Natural Resource Inventory which was part of the existing conditions analysis required by Metro Title 11. A detailed review of the Goal 5 resources within the study area, including wetlands, streams, riparian area, wildlife habitat and other resources, was conducted. The inventory consisted of two parts:

- 1) An examination of existing resource information for the Plan area; and
- 2) A field study to verify the location and evaluate resource habitat quality.

The first phase of the inventory included review of existing documents, such as Metro Goal 5 Inventory Maps, National Wetland Inventory maps, Natural Resource Conservation Service Soils Survey of Clackamas County, Stream Net fisheries data and other sources. Phase two consisted of a field verification of the BRCP area by a team of biologists. The team visited each of the previously mapped natural resource areas to confirm the location, size and quality. The natural areas determined to be of high resource value were distinguished from natural areas of lesser resource value and the lower quality natural areas were given a designation of enhancement potential in order to identity both the highest quality natural resource and provide a determination of the feasibility of enhancement.

The Natural Resources Inventory that was conducted as part of the existing conditions analysis for the BRCP consisted of examination of existing resource information for the area and a field study. This inventory is already part of the record. The inventory identified and summarized 19 natural areas within the BRCP area and were assigned values for their condition and enhancement potential. Of those 19 areas, the majority were consistent with Metro's Goal 5 mapping. The city's initial GIS analysis of the NROD areas for the entire UGB was done in 2008. The Natural Resource Overlay District was adopted in 2008 and replaced the old Water Resources Overlay District with a combined overlay district, which regulates both Metro Title 13 habitat and Metro Title 3 water resources. In particular Trimble Creek is an identified Goal 5 resource that runs from south to north through the site crossing Loder Road. The concept plan envisions this protected resource being combined within a linear park feature.

No inventoried historic resources were documented within the Plan boundaries at the time of concept planning. Staff confirmed this through communication with Clackamas County historic landmarks planning staff³. If property owners seek designation for any eligible historic resources, or if an inventory reveals eligible landmarks in the future, those landmarks could potentially be protected and included in the City's inventory and regulated under Chapter 17.40 of the Oregon City Municipal Code, when properties are annexed to the City.

The BRCP will protect Goal 5 natural resource areas by guiding the designation of Natural Resource Overlay District areas and the restriction of development in those areas pursuant to OCMC 17.49. The code requires that further on-site analysis be conducted to determine the current extent of the protected resources which initially was done with the concept plan. More detailed, site specific delineations of the resources and the required associated vegetated corridors is required prior to development, along with impact analysis and mitigation for impacts. These existing restrictions will adequately protect natural resource areas and to the extent necessary serve as a natural resource protection plan.

The Beavercreek Road Open Space Framework plan provides a network of green spaces that are intended to provide a system of connected parks, opens spaces and natural areas, provide access to nature, preserve existing natural resources and provide green spaces near the system of trails and pedestrian connections. The power line corridors comprise approximately 52 acres of land north of Loder Road and have been utilized to provide publicly accessible opens space, trails and links to the broader open space network. The standard of 16-acres per 1,000 population was amended to a standard of 6 to 10 acres per 1,000 population as discussed at the Planning Commission. The extent and location of the park is conceptual, flexible and the costs associated with acquisition and development will need to be determined through more detailed parks master planning processes, similar to the Glen Oak Road park site and the Hazel Grove parks site master planning that was conducted in 2014. The parks master planning process will refine the locations and costs of parks infrastructure. Existing parks SDCs do not reflect the cost of providing parks in this area, and will require further study to account for the amount of parks acreage envisioned in the concept plan but they may be updated or lands could be obtained by private developers as development occurs. A park is proposed to extend through the central and southern areas of the BRCP. The location and linearity of the park was first indicated by Metro's Goal 5 mapping. This open space feature is intended as a continuous green space that links the districts and neighborhoods south of Loder Road.

The open space plan envisions establishing a publicly accessible resource area as the eastern edge of the community that is free from development, and accessible by low impact trails, known as the East Ridge. This vantage point is located at 490' elevation with views to the east into the Trimble Creek area (See pages 22-23). The plan provides very specific measures to preserve the East Ridge open space and conservation area.

The code will allow flexibility in the width, shape and acreage of the open space, provided there remains a clearly identifiable and continuous open space. The buildable lands identified 292 acres of Tier A or 'unconstrained' lands, 28 acres of Tier B or "Low Impact Development Allowed with Review" and 131 acres of Tier C or "Constrained". The Low Impact area was later evaluated and recommended for conservation under an Environmentally Sensitive and Resource Area

³ Email communication with Linda Preisz, Clackamas County Sr. Planner, December 28, 2016.

designation on the BRCP. New development will be required to comply with the City's Natural Resources Overlay District in compliance with this goal.

The Parks and Recreation Advisory Committee (PRAC) met on October 22, 2015 to hear staff's presentation on the re-adoption process. The PRAC voted unanimously to supports the parks, open space and recreation elements of the Beavercreek Concept Plan.

Concept Plan goals and policies for preserving open space and tree cover, protecting scenic views, preserving and conserving view sheds, cultural, historic and natural resources and water quality have been provided.

The City finds this Goal is satisfied.

Goal 6 Air, Water and Land Resources Quality

To maintain and improve the quality of the air, water and land resources of the state.

Analysis: Existing Comprehensive Plan policies that apply to the concept plan require development practices to comply with regional, state, and federal standards for air and water quality, to protect water quality from erosion and sediment, to minimize the effects of noise, and to protect mineral resources.

These goals and policies are implemented through the City's grading and erosion control ordinances, water quality resource protection regulations, development standards, and nuisance laws. DEQ regulates air quality but Oregon City's TSP recognizes the link between air quality and transportation (through vehicle emissions) and works to reduce impacts from single-occupancy vehicles. The TSP and Capital Improvements Fund will be updated to reflect transportation improvements recommended in the BRCP.

The City finds this Goal is satisfied.

Goal 7 Areas Subject to Natural Disasters and Hazards

To protect life and property from natural disasters and hazards.

Analysis: The Commission finds that the area does contain steep slopes. The east ridge of the concept plan area was identified as an area of steeper slopes that could be at risk for landslides and slumping. In order to address this, the BRCP calls for establishing a protected open space area along the west side of Thimble Creek and designating the area between the edge of that open space and the 490-foot elevation to the west, along the east ridge, as a conservation area within which a number of restrictions where development restrictions apply, including protecting a minimum of 50% of the conservation area, and building height and impact restrictions. The plan also requires a "window" of at least 700 feet of continuous area along the ridge to be publicly accessible.

According to the City Commission meeting minutes of September 3, 2008, the approximate elevation of 490 feet (MSL) is important in the southern half of the concept plan area relative to gravity sewer service. Existing storm water discharge points below the 490 foot level in this area

may also need to be improved with future development to assure that storm water quality and quantity control standards are met. Roadways and development constructed above 490 feet will most likely allow for gravity sewer service. If land uses requiring sanitary sewer service (or roadways with sewer underneath) are located lower than 490 feet, individual pump stations and pressurized services may be required.

Any development in this area will also be subject to the City's natural resources and geologic hazard overlay district review requirements when development is proposed⁴. As a practical matter land uses such as homes and habitable structures could not practicably meet the standards of the city's Geological Hazard Overlay District and Natural Resources Overlay District, which restricts development within known landslide areas and steep slopes, and within 50 to 200 feet of streams and stream tributaries and wetlands. Low impact recreational uses, such as trails, foot bridges and related uses, as well as storm water discharge facilities, may be permitted within the Natural Resources Overlay District (OCMC 17.49) and Geologic Overlay District (OCMC 17.44), subject to these specific code review criteria as well as Public Works engineering standards. Specifically, the geologic hazard code prohibits development other than roads, utilities, public facilities and geotechnical remediation in areas that exceed 35% slope, and constrains the density and impact of all development within all areas greater than 25% slope or which have landslide activity. In all cases, where develop may be permitted within the overlay district, it must meet stringent geologic and geotechnical construction standards.

The City's Natural Resources Overlay District and Geologic Hazards Overlay District are already mapped to the extent of the Urban Growth Boundary in this area and would be in effect upon annexation.

No other natural disaster or hazard areas have been identified and the City finds there are none.

The City finds this Goal is satisfied.

Goal 8 Recreational Needs

To satisfy the recreational needs of the citizens of the state and visitors, and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.

Analysis: The concept plan provides for an interconnected series of trails, parks and open spaces areas throughout the study area to implement this Goal. Specific plan policies related to this Goal include amending the parks and recreation, open space and trail master plans to be consistent with the concept plan, implementation of a hierarchy of connections (roads and trails of various types), create two scenic view points that are small public parks along the East Ridge, open space, and extensive trail systems that provide pedestrian and bicycle connectivity throughout the site and to adjoining trial systems. Additionally the concept plan recognizes the opportunity for acquisition and/or dedication of sensitive areas for open space and habitat by private landowners.

The City finds this Goal is satisfied.

⁴ Please see OCMC 17.44 – Geologic Hazards & OCMC 17.49 Natural Resource Overlay District for more details regarding the type, scale and standards for development and structures that may be permitted within these areas.

Goal 9 Economic Development

To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.

Analysis: As part of the concept plan process, Oregon City worked with a consultant to inventory and evaluate the local and regional market conditions within and adjacent to the concept planning area. This report details patterns in the community, the profile of local employment, the supply of industrial, commercial and office land, and potential for industrial and commercial development within the area. Metro's employment land needs analysis reports that about 9,300 net acres of industrial land is needed between 2002 and 2022, of which, approximately 6,300 net acres must be vacant and that the region has a shortage of large and small industrial lots. The EcoNorthwest market analysis (LUBA record pp. 1781) identified the advantages and disadvantages of industrial development within the study area and concluded that under the right market conditions it is not unreasonable to expect 150 acres of industrial and business park development to build out on the site over a 20-year period.

Metro's adoption of Ord. 1244B updated the EcoNorthwest analysis, concluding that the proposed plan provides an adequate amount of Title 4 employment land within the UGB, through 2029. Reflecting changes in employment needs and demands between the Metro 2002 Urban Growth Report (UGR) –Employment, and the 2009 UGR - Employment, Metro's 2009 assessment found there is adequate capacity inside the current UGB to accommodate the next 20 years of general employment and general industrial job growth even at the high end of the employment forecast range. The subsequently adopted change to the Title 4 Employment and Industrial Areas map conformed the map to the updated information about employment needs in the 2009 UGR (Employment). According to this map, which is consistent with the hybrid plan, the 151 gross acres on the revised map will supply approximately 121 net acres of employment land.

A key issue for the committee was how much employment, what type and where. The Oregon City Comprehensive Plan requires that a majority of the lands be designated in a manner that encourages family-wage jobs in order to generate new jobs and move towards meeting the City's employment goals.

Metro brought 245 gross acres in the UGB in 2002 and an additional 63 acres were added in 2004. The remaining acreage was in the UGB and/or Oregon City limits prior to 2002. These areas (308 gross acres) are designated as the Industrial Design Type on Metro's 2040 Growth Concept Map. Given the expected net acreage once non-buildable areas such as power lines, natural areas, were removed from the buildable lands inventory, Metro intended 120 net acres of the concept plan area would be used for employment uses. Metro noted that it was important to fulfill the original intent for providing industrial lands and that there was flexibility for the local process to evaluate creative ways to meet the intent. See Metro's vacant lands methodology. This approach was blessed by David Bragdon, Metro Council President, in a letter dated May 14, 2007 as well as Metro planner Ray Valone in a letter dated March 19. 2008.

The CAC created several alternatives and finally chose a hybrid the included about 127 net acres of North Employment Campus (NEC), which is consistent with Metro's intent and similar to

Oregon City's existing Campus Industrial designation, about 29 acres of Mixed Employment Village and Main Street, which allows a variety of uses in a village-oriented transit hub and mixed use neighborhoods to the south that also provide jobs tailored to the neighborhood setting.

The North Employment Campus is to provide for the needed family wage employment that strengthens and diversifies the economy and will be compliant with Metro's Title 4 regulations. The NEC allows a mix of clean industries, offices serving industrial needs, light industrial uses, research and development and large corporate headquarters. The uses permitted are intended to improve the region's economic climate, promote sustainable and traded sector businesses, and protect the supply of site for employment by limiting incompatible uses.

The concept plan provides land for an identified need within the region and state, and provides for a mix of other uses that will contribute to the economic welfare of the city, state and the citizens.

The City finds this Goal is satisfied.

Goal 10 Housing

To provide for the housing needs of citizens of the state.

Analysis: The concept plan recommends and provides for a mix of residential areas that allow and/or require different densities and housing types, including low, medium and high densities, single-family homes on a range of lot sizes, townhouses, duplexes, multi-family units and mixed commercial/residential uses. The West Mixed Use Neighborhood will be a walkable, transit-oriented neighborhood with an overall average or residential uses not to exceed 22 dwelling units per acre. The East Mixed Use Neighborhood will be a walkable and tree lined neighborhood with a variety of housing types that will not exceed densities permitted in the R-5 zone (8.7 units per acre).

The concept plan provides for housing affordable to a range of incomes and will utilize sustainable building designs and green development practices. As noted above, the concept plan provides or allows for a range of housing types and densities, including those that are most likely to be affordable to households or families with lower incomes, including single-family homes on small lots, townhouses, duplexes and multi-family units. The Plan also identifies strategies for distributing less expensive housing units among different areas rather than concentrating them all in one place, specifically calling for a variety of densities within the East Mixed Use Neighborhood that move from higher densities to lower densities from north to south across the site.

The adoption of Ordinance 1244B also responded to the identification of a need for residential capacity in the 2009 UGR (Residential) by increasing the residential capacity of the Beavercreek planning area by 36 dwelling units above the level expected at the time the Metro Council added the areas to the UGB.

The City finds this Goal is satisfied.

Goal 11 Public Facilities and Services

To plan and develop a timely, orderly, and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

Analysis: This goal applies to urban areas within the city limits of Oregon City and to urbanizable areas within the city's UGB. "Urban Facilities and Services" means appropriate types and levels of, at a minimum, the following: police protection; sanitary sewer facilities; storm drainage facilities; water, planning, zoning and subdivision control; health services; recreation facilities and services; energy and communication services; solid waste; and community governmental services.

Since the BRCP was first adopted, the City has updated a number of its utility master plans. As will be discussed in greater detail below, each of these plans included providing service to BRCP properties at the uses and densities authorized by the BRCP. These plans establish utility services necessary to serve the proposed BRCP area and provide for future utility services without compromising existing customer service. Upon adoption, these various master plans were incorporated as part of the City's Comprehensive Plan and as a result, control future utility extensions throughout the City.

Sanitary Sewer Infrastructure Planning

The BRCP plans for a sanitary sewer system that primarily consists of a gravity sewer collection system with a trunk sewer in Beavercreek Road, a network of trunk sewers within the BRCP area, and a sanitary sewer lift station for a section of the northern half of the concept plan area. The BRCP estimated the total cost of \$4.4 million for capital improvements within the study area and an additional \$2.3 million of programmed capital improvement projects needed to extend the existing sanitary sewer collection system to the concept plan area. The cost estimates were based on year 2003 dollars.

In October 2014, the City adopted an update to the Oregon City Sanitary Sewer Master Plan (SSMP), an ancillary document to the City's adopted Comprehensive Plan consistent with federal requirements, state statutes, and the Statewide Planning Goals. The SSMP identifies build out capacity concerns, recommends future capital improvements, and develops a capital improvement program (CIP) to meet future needs.

The SSMP also identifies and recommends in more detail the future capital improvements and provides updated estimated costs to serve the BRCP area with respect to sanitary sewer service. Table 5-9, from the SSMP Section 5.2.3.4, identifies the recommended improvements and provides the estimated costs.

Table 5-9. Beavercreek Road Concept Area, Estimated Improvement Costs							
	Estimated cost of improvements, dollars ^a						
Gravity sewer extensions ^b							
8-inch diameter sewers,	5,050,000						
10-inch diameter sewers	1,610,000						
12-inch diameter sewers	4,230,000						
15-inch diameter sewers	1,930,000						
Gravity sewer extension	12,820,000						
Pumping stations and FMs							
Pumping station number	Pumping station capacity, gpm	FM, diameter, inches	FM, length, LF				
BR-1	272	4	2,080	1,390,000			
BR-2 217 4 2,333				1,370,000			
Pumping station and FM subt	2,760,000						
Total	15,580,000						

^a Estimated costs include a 50 percent allowance for construction contingencies, engineering, and overhead. Costs are rounded to the nearest \$10,000. Costs assume an average depth of 10 feet using cost condition 2. See Appendix C for unit cost tables.

The primary potential funding sources that may be expected to fund the future sanitary sewer facilities listed in Table 5-9 to serve BRCP, include:

- System Development Charges (SDCs) Developers pay these charges up front to the City based on the proposed impact of the new development on the existing infrastructure.
- 2. Developer funded improvements –Developers are required to construct an appropriate level of public utility improvements within their proposed development and along all street frontages adjacent to their property, including off-site improvements as may be needed to serve the development.
- 3. Reimbursement District: A developer may finance and construct a public improvement that has the capacity to serve more than their development. The reimbursement district provides developers with a mechanism to be reimbursed by other property owners that benefit from the use of the constructed public improvement.

The future sanitary sewer facilities recommended to serve BRCP developments shall be paid for in a way that does not financially burden or adversely affect existing public facilities and services in other parts of the City.

In 2014, the City issued a Type II Land Use Decision with conditions for improvements to serve the Beavercreek Road Apartment-Live-Work development (File SP 14-01)⁵. SP 14-01 was not subject to the current 2014 SSMP but the conditions attached to the land use approval require the

^o Pipes sizes shown are based on an assumed minimum slope. Actual slope may permit smaller size pipes. For example, the modeling did not predict the need to upsize the existing City sewer downstream of MH 11144.

⁵ Live/Work units and Apartment Buildings are permitted uses within the MUC-1 zone. The rezoning of the subject property to MUC-1 was conditioned to meet the intent of the yet-to-be-adopted Mixed Employment Village of the BRCP (See P. 18 of the plan document for 0details). SP 14-01 was appealed to LUBA, which upheld the City's approval of the development. The developer is in the process of working through the conditions of approval and construction plan preparation for engineering review.

applicant to pay for a component of the future Beavercreek Road trunk line and connect to the trunk line when it is available.

In summary, the 2014 SSMP documents and SP 14-01 approval consistently support sustainable development that will not financially burden existing rate payers or adversely affect the existing sanitary sewer system.

Water Infrastructure Planning

The BRCP plans for a water distribution system that primarily consists of a "backbone" network of water supply pipelines, two pressure zones with two-thirds of the BRCP area being served from the existing water main in Beavercreek Road, being the lower pressure zone, and the remaining one-third of BRCP area being served from future water facilities that include a booster pump station and reservoir, being the higher pressure zone. BRCP estimated the total cost of \$5.4 million for the "backbone" network capital improvements within the study area, and an additional \$6.9 million of programmed capital improvement projects needed to extend the existing water distribution system to the concept plan area. The cost estimates were based on year 2003 dollars.

In January 2012, the City adopted an update to the Oregon City Water Distribution System Master Plan (WMP), an ancillary document to the City's adopted Comprehensive Plan consistent with federal requirements, state statutes, and the Statewide Planning Goals. The WMP analyzes future water demands and develops a capital improvement program (CIP) to meet these future needs.

The WMP also recommends in more detail the future capital improvements and provides updated estimated costs based on year 2009 dollars for specific improvements, including the water storage reservoir, transmission and distribution pipelines to serve the BRCP area. The future reservoir is recommended to serve both the future BRCP higher pressure zone and the existing Fairway Downs pressure zone that currently has no water storage facilities and with this improvement will be enhanced by increasing the reliability and improving water service.

The WMP includes updated estimated costs for future water facilities recommended to increase the storage capacity of the higher pressure zone, provide a transmission main from the future reservoir to BRCP distribution system, and expand the "backbone" network of water pipelines within the BRCP area. Specifically the WMP project numbers F-CIP-4, F-CIP-5, and F-CIP-14, include the two million gallon reservoir and transmission pipeline with an estimated total cost of \$5.7 million, and various "backbone" network pipelines within the BRCP area with an estimated total cost of \$2.6 million.

The primary potential funding sources that may be expected to fund the future water facilities, include:

- 1. System Development Charges (SDCs) Developers pay these charges up front to the City based on the proposed impact of the new development on the existing infrastructure.
- 2. Developer funded improvements –Developers are required to construct an appropriate level of public utility improvements within their proposed development and along all street frontages adjacent to their property, including off-site improvements as may be needed to serve the development.
- 3. Reimbursement District: A developer may finance and construct a public improvement that has the capacity to serve more than their development. The reimbursement district

provides developers with a mechanism to be reimbursed by other property owners that benefit from the use of the constructed public improvement.

The future water facilities recommended to serve future BRCP developments shall be paid for in a way that does not financially burden or adversely affect existing public facilities and services in other parts of the City.

In 2014, the City issued a Type II Land Use Decision with conditions for improvements to serve the Beavercreek Road Apartment-Live-Work development (File SP 14-01). SP 14-01 was subject to conditions to construct water facility improvements that included a waterline extension in Beavercreek Road, and this improvement is identified in the WMP as part of the future distribution system for the higher pressure zone.

In summary, the 2012 WMP documents and SP 14-01 approval consistently support sustainable development that will not financially burden existing rate payers or adversely affect the existing sanitary sewer system.

Stormwater Management Infrastructure Planning

The BRCP plans for a stormwater management system that primarily consists of low-impact development (LID) practices that mimic natural hydrologic processes and minimize impacts to existing natural resources. A three tier stormwater management system has been created that is focused on managing stormwater in a naturalistic manner at three separate scales: site, street and neighborhood/regional. Tier 1 being site specific stormwater management facilities utilizing on-site best management practices (BMPs), Tier 2 green street stormwater management facilities such as vegetated swales and rain gardens adjacent to streets, and Tier 3 regional stormwater management facilities such as regional detention ponds. BRCP estimated the total cost between \$15 million to \$23 million for stormwater management improvements to serve the concept plan area.

In August 2015, the City adopted Public Works stormwater design standards, to be incorporated as part of the City's drainage master plan. The new design standards are consistent with federal and state regulations for water quality and quantity control, and provide BMPs for LID that mimics natural hydrologic processes and minimize impacts to existing natural resources. BRCP embraces the application of LID and these new standards will guarantee compliance.

The primary potential funding sources that may be expected to fund the future stormwater management facilities, include:

- 1. System Development Charges (SDCs) Developers pay these charges up front to the City based on the proposed impact of the new development on the existing infrastructure.
- 2. Developer funded improvements –Developers are required to construct an appropriate level of public utility improvements within their proposed development and along all street frontages adjacent to their property, including off-site improvements as may be needed to serve the development.
- 3. Reimbursement District: A developer may finance and construct a public improvement that has the capacity to serve more than their development. The reimbursement district provides developers with a mechanism to be reimbursed by

other property owners that benefit from the use of the constructed public improvement.

The stormwater management facilities' strategy to serve BRCP developments shall be paid for in a way that does not financially burden or adversely affect existing public facilities and services in other parts of the City.

In 2014, the City issued a Type II Land Use Decision with conditions for stormwater improvements to serve the Beavercreek Road Apartment-Live-Work development (SP 14-01). Although this site plan and design review application was submitted prior to adoption of the City adopted Public Works stormwater design standards, SP 14-01 was subject to conditions to construct storm facility improvements using an approved LID method prior to discharge to the public system consistent with the low impact development standards contemplated in the BRCP.

In summary, the 2015 stormwater design documents and development approval consistently support sustainable development that will not financially burden existing rate payers or adversely affect the existing sanitary sewer system.

The City finds this Goal is satisfied.

Police and Fire Protection Planning

Oregon City Police Department (OCPD) has indicated their ability to serve the concept plan area. The concept plan area is already within Clackamas Fire District #1 (CFD#1). Clackamas Fire District #1 has indicated their ability to serve the concept plan area.

Letters from OCPD and CFD#1 are attached.

Solid Waste Planning

The city regulates solid waste management to pursuant to ORS 459.200 and City Code 8.20 and the city has authority and obligation to franchise the provisions of service and solid waste management within the city. The franchise to provide solid waste service within the city limits of the city is granted to Oregon City Garbage Co., Inc.

Additionally, the city has an adopted set of Refuse and Recycling Standards for Non Single-Family or Duplex Uses. The purpose of these requirements is to promote:

- A. Efficient, safe and convenient location of refuse and recycling areas.
- B. Efficient, safe and convenient on-site maneuvering of collection vehicles, equipment and personnel for servicing solid waste and recycling areas; and
- C. Compliance with the Regional Solid Waste Management Plan, OCMC Chapter 8.20 Solid Waste Collection and Disposal, and the Oregon Revised Statutes (ORS) Chapter 459.

Compliance with these standards may be demonstrated without having to go through a formal land use (site plan and design review) process, provided the application meets the standards

The City finds this Goal is satisfied.

Goal 12 Transportation

To provide and encourage a safe, convenient, and economic transportation system.

Analysis: At the time of its initial adoption, the Beavercreek Concept Plan was subject to compliance with the City's 2001 Transportation System Plan (2001 TSP). The 2001 TSP focused on identifying future transportation projects necessary to provide an adequate transportation system to serve existing and future urban growth using a horizon year of 2021. A component of ensuring adequate capacity, the 2001 TSP called for the installation of a "Single Point Diamond grade separated interchange improvement" at the intersection of Highway 213 and Beavercreek Road, at a cost of \$20 million allocated between \$5 million to the City and \$15 million to ODOT and Metro.

The Beavercreek Concept Plan relied on the 2001 TSP as the starting point for identifying planned improvements and from there, the plan document itself forecasted future travel demand, needed improvements necessary to avoid further degradation to the performance of the facilities, and funding mechanisms through the 2027 planning horizon. However, at the time that the 2001 TSP was adopted, much of the area designated within the BRCP was located outside of the Metro UGB. As a result, the transportation impacts resulting from the proposed residential development and employment in the Beavercreek Concept Plan area were independently analyzed through the concept plan process and were described in the May 9, 2007, Kittelson & Associates transportation memorandum "Future Conditions Analysis" and in August 12, 2008, Kittelson & Associates transportation memorandum "Updated Future Traffic Conditions Analysis." These memoranda included an analysis of 2027 transportation needs and identified transportation improvements to satisfy the transportation demands in the south part of Oregon City.

In 2013, the City adopted a new Transportation System Plan (2013 TSP) that was concurrently implemented through the adoption of amendments to OCMC 12.04. The Plan identified transportation improvements necessary to accommodate existing and projected population and employment growth within the city limits as well as the city's urban growth areas through 2035. The TSP and its analysis supersede that undertaken for the 2001 TSP and the concept plan; the TSP is based on newer information relating to population and employment and uses new mobility standards consistent with Metro's Regional Transportation Plan. The 2013 TSP calculated transportation demand using a Metro model that divided land into Transportation Analysis Zones (TAZ.) In Metro's model, the TAZs represent the sources of vehicle trip generation within the region. Although each TAZ did not align perfectly with the city limits or urban growth boundary, they were subdivided to correspond with these boundaries. The land use plan designations within each TAZ were then used to determine the expected traffic generation. ⁶ The result was a calculation within each TAZ that estimates the total trips generated by the zone from additional development of vacant or underdeveloped properties under existing zoned

⁶ The TSP describes this analysis as follows:

The future 2035 land use projection is an estimate of the amount of each land use that the TAZ could accommodate at expected build-out of vacant or underdeveloped lands assuming Comprehensive Plan designations. The allocation of future growth to Metro TAZs was modified based on input from City of Oregon City Staff. TSP, TM #5, p. 7.

densities within the city limits and the trips generated by development of the concept planned areas within the urban growth boundary consistent with the designations in the comprehensive plan. The analysis conducted for the TSP specifically included the Beavercreek Concept Plan area. The TSP also includes updated policies to meet the travel needs of the residents and employees in the City. These include an increased emphasis on non-single occupancy automobile use and increased emphasis on multi-modal solutions and multi-modal transportation facilities.

As described in the 2013 TSP, Oregon City is currently home to over 13,000 households and over 14,500 jobs. Between 2013 and 2035, household growth is expected to increase nearly 2.4 percent a year, slightly outpacing the rate of employment growth over the same period (2.3 percent). The City is expected to be home to over 23,000 jobs and almost 21,000 households by 2035, a 58 and 61 percent increase respectively from 2010. With more people and more jobs in Oregon City, the transportation network will face increased demands. Beyond the general planned street network, the TSP provides an additional level of specificity by identifying individual projects in "Table 2: Likely to be Funded Transportation System." The following table is an extracted portion of "Table 2: Likely to be Funded Transportation System" that lists the TSP projects within or adjacent to the concept plan area.

Other solutions for the transportation network identified in the concept plan (e.g. Concept Plan, Figure 14 – Circulation Framework) are replicated in the planned network specified in the 2013 TSP (e.g. TSP, Figure 17 – Planned Street Extensions). Furthermore, the TSP emphasizes the multi-modal aspects of the transportation system within the concept plan area by identifying planned pedestrian and bicycle improvements in TSP Figure 19 – Walking Solutions; TSP Figure 20 – Biking Solutions; and Figure 21 – Shared Walking and Biking Solutions.

Extracted from TSP Table 2: Likely to Be Funded Transportation System

Project #	Project Description	Project Extent	Project Elements	Priority
D0	OR 213/ Beavercreek Rd Refinement Plan	OR 213 from Redland Road to Molalla Avenue	Identify and evaluate circulation options to reduce motor vehicle congestion along the corridor. Explore alternative mobility targets.	Short- term
D47	Meyers Road East extension	Beavercreek Road to the Meadow Lane Extension	Extend Meyers Road from Beavercreek Road to the Meadow Lane Extension as an Industrial Minor Arterial. Between the Holly Lane and Meadow Lane extensions, add a sidewalk and bike lane to the south side of the street, with a shared-use path to be added on north side per project S19. Modify the existing traffic signal at Beavercreek Road	Mediu m-term
D54	Clairmont Drive extension	Beavercreek Road to Holly Lane South Extension	Extend Clairmont Drive from Beavercreek Road to the Holly Lane South extension as an Industrial Collector. Add a sidewalk and bike lane to the south side of the street, with a shared-use path to be added on north side per project S17.	Long- term
D55	Glen Oak Road extension	Beavercreek Road to the Meadow Lane Extension	Extend Glen Oak Road from Beavercreek Road to the Meadow Lane Extension as a Residential Collector. Install a roundabout at Beavercreek Road (per project D39)	Long- term
D56	Timbersky Way extension	Beavercreek Road to the Meadow Lane Extension	Extend Timbersky Way from Beavercreek Road to the Meadow Lane Extension as a Residential Collector. Add a sidewalk and bike lane to the south side of the street, with a shared-use path to be added on north side per project S20.	Long- term
D57	Holly Lane South extension *	Maple Lane Road to Thayer Road	Extend Holly Lane from Maple Lane Road to Thayer Road as a Residential Collector. Add a sidewalk and bike lane to the west side of the street, with a shared-use path to be added on east side per project S14. Install a roundabout at Maple Lane Road (per project D37).	Mediu m-term
D58	Holly Lane South extension	Thayer Road to Meyers Road	Extend Holly Lane from Thayer Road to the Meyers Road extension as an Industrial Collector. Add a sidewalk and bike lane to the west side of the street, with a shared-use path to be added on east side per project S15.	Mediu m-term
D59	Holly Lane South extension *	Meyers Road to the Meadow Lane Extension	Extend Holly Lane from the Meyers Road extension to the Meadow Lane Extension as a Mixed-Use Collector. Add a sidewalk and bike lane to the west side of the street, with a shared-use path to be added on east side per project S16.	Long- term
D60	Meadow Lane extension **	Meadow Lane to Meyers Road	Extend Meadow Lane to the Meyers Road Extension as a Mixed-Use Collector. Between Old Acres Lane and the Glen Oak Road extension, add a sidewalk and bike lane to the west side of the street, with a shared-use path to be added on east side per project S21.	Long- term
D61	Meadow Lane extension **	Meyers Road to UGB (north of Loder Road)	Extend Meadow Lane from the Meyers Road Extension to the UGB (north of Loder Road) as an Industrial Collector	Mediu m-term
D81	Beavercreek Road Upgrade	Clairmont Drive (CCC Entrance) to Meyers Road	Improve to Industrial Major Arterial cross-section	Mediu m-term
D82	Beavercreek Road Upgrade	Meyers Road to UGB	Improve to Residential Major Arterial cross-section	Long- term

^{*}Note: Holly Lane extension is referred to as the Center Parkway in the BRCP.

** Note: Meadow Lane Extension is referred to as the Ridge Parkway in the BRCP.

The Loder Road improvements identified in the BRCP are listed on the "Not Likely to be Funded list in the TSP as Project #D85, *Loder Road Upgrade, Beavercreek Road to UGB*. It is expected that new development of the adjacent parcels would fund the entire cost of this improvement.

Alternative modes of transportation are also key strategies in the 2013 TSP and the BRCP to meeting the transportation needs of the City, its residents and employees. The TSP sets a non-single occupancy vehicle mode share target to help meet transportation demand management (TDM) goals, specifically reducing reliance on the single occupancy vehicle. As specified in the TSP, Oregon City's non-SOV mode shares (outside of the Oregon City Regional Center) are expected to be above the TSP objective of 40 to 45 percent with an estimated non-SOV mode share of 47 percent in 2005 and 48 percent in 2035. The non-SOV mode share in the Oregon City Regional Center is expected to remain steady through 2035, at around 42 percent, slightly below the TSP objective of 45 to 50 percent.

The combination of policies and investments related to walking, biking and transit are expected to help the City work towards tripling the walking, biking and transit mode share between 2010 and 2035.

The 2013 TSP also recognizes the limitations brought about by the limited availability of funding. Despite the investments to the transportation system, the 2013 TSP predicts that operating conditions at a few intersections (including the OR 213/Beavercreek Road and I-205/OR 213 intersections) will be over the operating standard by 2035. For purposes of evaluating the impact of proposed development that is <u>permitted</u>, either conditionally, outright, or through detailed development master plan approval, the OR 213/ Beavercreek Road, and I-205/OR 213 intersections are exempt from meeting the state mobility targets until solutions (beyond those included in the 2013 TSP) or alternative mobility targets are explored for the intersections, as explained further below. However, plan amendments are still subject to the state mobility targets.

Rather than relying on "level of service" standards to determine intersection capacity, as was done in the 2001 TSP, the 2013 TSP adopted the volume / capacity ratios for state highways at levels identified in the Oregon Highway Plan (OHP), which allowed a finding that an intersection could accommodate a greater number of vehicles during peak hours. Even with the increased congestion contemplated with adoption of the new mobility thresholds, the 2013 TSP concluded that existing and planned growth, including 2035 build-out of the Beavercreek plan area, will result in congestion at the Highway 213 / Beavercreek intersection, that will exceed the OHP adopted mobility standards at the end of the 2035 planning horizon. Notwithstanding this finding of inadequacy, at the time of TSP adoption, the City concluded that the high cost of improvements necessary to meet the OHP mandated mobility standard, particularly the gradeseparated interchange at Highway 213 / Beavercreek, would be prohibitive. ODOT concurred with that conclusion, indicating that it would not assist in funding what it characterized as "a low priority improvement" within the region. As a result, ODOT recommended that the City undertake additional work to develop other ways of meeting the City's transportation needs that do not involve such major construction projects on ODOT facilities. Therefore, the 2013 TSP included a Highway 213 / Beavercreek Road Refinement Plan including the potential adoption

⁷ Non-SOV mode share includes carpooling, as well as bike/walk/transit.

of alternative mobility measures as a project likely to be implemented within one to five years. The adoption of the 2013 TSP, including future transportation demand for the Beavercreek concept area, was not appealed and that decision is acknowledged.

Development that has occurred in the south part of Oregon City since the development of the Beavercreek Concept Plan has been consistent with both the TSP and OCMC 12.04.205(D). For example, the approval for the Oregon City School District to construct a transportation and maintenance facility adjacent to Meyers Road and High School Avenue was allowed under the current zoning and the traffic impacts of the facility are similar to a typical medium industrial land use as assumed in the TSP. Another example of a recent development is the Beavercreek Road Apartments-Live-Work development on the east side of Beavercreek Road near Meyers Road. This development was also approved under applicable zoning and is consistent with the assumptions of residential and employment increases specified in both the Beavercreek Concept Plan and the 2013 TSP.

Adoption of the BRCP is a Plan Amendment subject to section -0060 of Oregon's Transportation Planning Rule (OAR 660-012-0060). However, the adoption of the BCRCP does not have a "significant effect" on Beavercreek / Hwy 213, because the trips from BRCP are already included in the TSP and accounted for in the evaluation and selection of transportation system alternatives, as required under OAR 660-012-0035. In other words, the Concept Plan adoption is consistent with the TSP, and that is what OAR 660-012-0060(1) requires. OAR 660-012-0060(1)(c)(C) provides that a "significant affect" occurs when the proposed plan will "degrade the performance of an existing or planned transportation facility that is otherwise projected to not meet the performance standards identified in the TSP or comprehensive plan...based on projected conditions measured at the end of the planning period identified in the adopted TSP." The adopted TSP includes all of degradation expected to result from the development of the BRCP area as well as that due to through traffic from rural Clackamas County and other parts of the region, therefore the adoption of the BRCP will not cause further degradation than what is already accounted for in the TSP. Needed improvements and funding mechanisms were identified that will mitigate impacts of development while recognizing reasonable financial limitations of the City and its partners. The improvements needed to mitigate for the development in the Beavercreek concept plan area were identified in the Concept Plan and included in the 2013 TSP. Improvements needed for entire Oregon City planning area are identified in the TSP. The TSP shows that the mobility standards prescribed by the TSP will be met except as noted above, at the intersection of OR 213/Beavercreek Road. The 2013 TSP assumes the development in the Concept Plan and the adopted system in the TSP is based on that development. Adoption of the concept plan is necessary to fulfill the City's duties under OAR 660-012-0045(1) and to ensure consistency among all parts of the City's comprehensive plan. The amendments have already been considered, evaluated, and resolved by the TSP adoption process and no further action is necessary.

Further, the adoption of the Beavercreek concept plan will not further degrade the Highway 213 / Beavercreek intersection because it will not take effect until the City adopts urban zoning designations, which will not happen until after the City and OTC adopt alternative mobility standards and identifies and commits to financially and technically feasible solutions to address safety and congestion at the OR 213/Beavercreek intersection, per OHP Action 1F3. Concurrent with the adoption of the 2013 TSP, the City adopted amendments to OCMC Chapter 12.04, creating a temporary exemption from the mobility standards for all development that is permitted,

either conditionally, outright or through detailed development master plan approval affecting the three intersections, including Highway 213 / Beavercreek Road. OCMC 12.04.205(D). For the Beavercreek concept area, the only development that may occur prior to the adoption of alternative mobility standards is that which is already permitted under the existing City urban or county holding zone. No more intensive urban development, as contemplated in the Concept Plan, will be allowed until the implementing comprehensive plan designations and zoning classifications are created within the OCMC and applied to the City's Zoning Map. The City will not adopt urban zoning in the Beavercreek concept plan area until alternative mobility targets are adopted.

In addition to identifying projects needed to mitigate for the transportation impacts of development, the TSP (Section H) includes a discussion of current transportation funding sources and other potential sources. The existing sources identified in the TSP include the Street Fund, Street System Development Charge (SDC) Fund and Transportation Utility Fee Fund. Potential sources discussed in the TSP include general city revenues, local fuel tax, urban renewal districts, local improvement districts, and debt financing. The proposed transportation infrastructure improvements, financing and funding estimates, identified in the concept plan and as supplemented by the Transportation System Plan provide an adequate basis to demonstrate compliance with the Transportation Planning Rule.

Implementation strategies and financing tools for the needed transportation improvements have been identified at the TSP level and will be further refined during Capital Improvement Plan updates.

The City finds this Goal is satisfied.

Goal 13 Energy Conservation

To conserve energy.

Analysis: One of the adopted goals of the concept plan is that the area will be a model of sustainable design, development practices, planning and innovative thinking. The Plan assumes that sustainable practices will be a combination of private initiatives (LEED certification), public requirements (green streets) and public-private partnerships. The Commission recommends that the City use incentives, education and policy support as much as possible for promoting sustainability in the study area. Some initiatives will require mandates, but at the end of the day, it is up to the private sector to invest in sustainable development. The Beavercreek Road site's legacy as a model of sustainable design will depend on the built projects that are successful in the marketplace and help generate the type of reputation that the community desires and deserves. The concept plan identifies sustainability design strategies that address energy efficiency, water conservation, compact development, mixed use, solar orientation, green streets/infrastructure, alternative transportation options, pedestrian and cyclist system, use of the natural systems and minimizing impervious surfaces.

The City finds this Goal is satisfied.

Goal 14 Urbanization

To provide for an orderly and efficient transition from rural to urban land use.

Analysis: This goal essentially defines the purpose of the concept plan. Oregon City's Urban Growth Boundary was expanded in 2002 and 2004 through Metro's regional review process to include more industrial land. This was the result of a demonstrated need for additional land to accommodate the deficiency in available, vacant industrial lands. The revised element of the updated plan calls for implementing Metro's "concept plan" requirements under Title 11 of the Functional Plan that will result in subarea planning of new areas added to the UGB. The concept plan establishes policies to convert rural to urban land within the UGB while monitoring the supply of land to ensure its adequacy to accommodate growth. Oregon City coordinates with Clackamas County through an intergovernmental agreement that guides land uses and extension of public services in the unincorporated UGB. In addition, the transportation, parks, trails, water, and sewer master plans address orderly extension of services to accommodate growth.

The City finds this Goal is satisfied.

C. Compliance with Metro Title 4.

The findings below are intended to show compliance with the current Metro-adopted Employment and Industrial Areas Map. The northern portion of the concept plan area, known as the North Employment Campus (NEC) in the concept plan, is considered an "Industrial area" on the Metro Title 4 map, as opposed to a "Regionally significant industrial area" such as the area along the OR 212 / 224 Corridor in Clackamas County, or an "Employment area", such as existing zoned land within the city of Clackamas Community College and the commercially and industrially zoned lands adjacent to it between Beavercreek Road and OR 213. Therefore, findings for compliance with Metro Title 4 are specifically provided for section 3.07.430 Protection of Industrial Areas.

TITLE 4: INDUSTRIAL AND OTHER EMPLOYMENT AREAS

3.07.410 Purpose and Intent

The Regional Framework Plan calls for a strong regional economy. To improve the economy, Title 4 seeks to provide and protect a supply of sites for employment by limiting the types and scale of non-industrial uses in Regionally Significant Industrial Areas (RSIAs), Industrial and Employment Areas. Title 4 also seeks to provide the benefits of "clustering" to those industries that operate more productively and efficiently in proximity to one another than in dispersed locations. Title 4 further seeks to protect the capacity and efficiency of the region's transportation system for the movement of goods and services and to encourage the location of other types of employment in Centers, Corridors, Main Streets and Station Communities. The Metro Council will evaluate the effectiveness of Title 4 in achieving these purposes as part of its periodic analysis of the capacity of the urban growth boundary.

Analysis: The Commission notes that a key issue for the CAC/TAC was determining how much employment land was needed, what type and where. The Oregon City Comprehensive Plan requires that a majority of the lands be designated in a manner that encourages family-wage jobs in order to generate new jobs and move towards meeting the City's employment goals. The EcoNorthwest market analysis identified the advantages and disadvantages of industrial

development within the study area and concluded that under the right conditions it is not unreasonable to expect 150 acres of industrial and business park development to build out on the site over a 20-year period.

Metro brought 245 gross acres in the UGB in 2002 and 2004 to fulfill regional industrial employment needs. These areas (308 gross acres including those already within the UGB) are designated as the Industrial Design Type on Metro's 2040 Growth Concept Map. As noted above, Metro estimated 120 net acres of the concept plan area would be used for employment uses and indicated that it was important to fulfill the original intent for providing industrial lands and that there was flexibility for the local process to evaluate creative ways to meet the intent.

Metro's adoption of Ord. 1244B updated the EcoNorthwest analysis, concluding that the proposed plan provides an adequate amount of Title 4 employment land within the UGB, through 2029. Reflecting changes in employment needs and demands between the Metro 2002 Urban Growth Report (UGR) –Employment, and the 2009 UGR - Employment, Metro's 2009 assessment found there is adequate capacity inside the current UGB to accommodate the next 20 years of general employment and general industrial job growth even at the high end of the employment forecast range. The subsequently adopted change to the Title 4 Employment and Industrial Areas map conformed the map to the updated information about employment needs in the 2009 UGR (Employment). According to this map, which is consistent with the hybrid plan, the 151 gross acres on the revised map will supply approximately 121 net acres of employment land.

The CAC created several alternatives and finally chose a hybrid within the industrial designated area that included about 127 net acres of North Employment Campus, which is consistent with Metro's intent and similar to Oregon City's existing Campus Industrial designation, and about 29 acres of Mixed Employment Village and Main Street, which allows a variety of uses in a village-oriented transit hub and mixed use neighborhoods to the south that also provide jobs tailored to the neighborhood setting.

The North Employment Campus is to provide for the needed family wage employment that strengthens and diversifies the economy and will be compliant with Metro's Title 4 regulations. The NEC allows a mix of clean industries, offices serving industrial needs, light industrial uses, research and development and large corporate headquarters. The uses permitted are intended to improve the region's economic climate, promote sustainable and traded sector businesses, and protect the supply of site for employment by limiting incompatible uses.

Proposed policy 1.3 identifies the need to support the attraction of family wage jobs and connections with Clackamas Community College within the North Employment Campus, Policy 1.4 identifies the need to promote job creation, mixed use and transit oriented development within the Mixed Employment Village and Main Street, and recommends the adoption of minimum density requirements, limitations on stand-alone residential and other standards that implement the policy. Goal 3 – Green Jobs, includes policies recommending coordination with other local, county and state economic development agencies to recruit green industries and promote green development practices.

The concept plan provides land for an identified need within the region and state, and provides for a mix of other uses that will contribute to the economic welfare of the city, state and the citizens.

The City finds this requirement is satisfied.

3.07.430 Protection of Industrial Areas

A. Cities and counties shall review their land use regulations and revise them, if necessary, to include measures to limit new buildings for retail commercial uses—such as stores and restaurants—and retail and professional services that cater to daily customers—such as financial, insurance, real estate, legal, medical and dental offices—in order to ensure that they serve primarily the needs of workers in the area. One such measure shall be that new buildings for stores, branches, agencies or other outlets for these retail uses and services shall not occupy more than 5,000 square feet of sales or service area in a single outlet, or multiple outlets that occupy more than 20,000 square feet of sales or service area in a single building or in multiple buildings that are part of the same development project, with the following exceptions:

- 1. Within the boundaries of a public use airport subject to a facilities master plan, customary airport uses, uses that are accessory to the travel-related and freight movement activities of airports, hospitality uses, and retail uses appropriate to serve the needs of the traveling public; and
- 2. Training facilities whose primary purpose is to provide training to meet industrial needs.

Analysis: Please also see findings under city comprehensive plan Policy 2.6.3. The zoning of the property in the North Employment Campus will be the same as or similar to the current CI – Campus Industrial zone in OCMC 17.37. Any commercial or retail uses within the northern employment campus would be limited to some upper limit, similar to the CI zone, which limits the square footage for retail and commercial office use in accordance with the Metro requirement:

L. Retail sales and services, including eating establishments for employees (i.e. a cafe or sandwich shop), located in a single building or in multiple buildings that are part of the same development shall be limited to a maximum of twenty thousand square feet or five percent of the building square footage, whichever is less, and the retail sales and services shall not occupy more than ten percent of the net developable portion of all contiguous industrial lands:

M. Financial, insurance, real estate, or other professional offices, as an accessory use to a permitted use, located in the same building as the permitted use and limited to ten percent of the total floor area of the development. Financial institutions shall primarily serve the needs of businesses and employees within the development, and drive-through features are prohibited;

The specific use restrictions that are necessary to assure protection of employment lands will be further refined with adoption of new zoning designations and code requirements for the BRCP.

Taken together, these requirements will protect the city's supply of undeveloped and underdeveloped land zoned for industrial uses.

The City finds this requirement is satisfied.

B. Cities and counties shall review their land use regulations and revise them, if necessary, to include measures to limit new buildings for the uses described in subsection A to ensure that they do not interfere with the efficient movement of freight along Main Roadway Routes and Roadway Connectors shown on the Regional Freight Network Map in the RTP. Such measures may include, but are not limited to, restrictions on access to freight routes and connectors, siting limitations and traffic thresholds. This subsection does not require cities and counties to include such measures to limit new other buildings or uses.

Analysis: RTP freight routes were analyzed with the adoption of the TSP in 2014. Within the concept plan area, Beavercreek Road, Loder Road, Meyers Road extension and Ridge Parkway extension are indicated as local truck routes. Beavercreek Road is designated as a Roadway Connector on the RTP. The planned street network for the area is designed to limit new connections to Beavercreek Road, preserve the roadway capacity, and provide a secondary collector street network to serve the buildout of the area. In accordance with the TSP and RTP, the access management approach envisioned in the plan will minimize impacts and access points on the Beavercreek Road corridor. As new development is reviewed for compliance with the TSP and the city's street standards, the form and design of the land uses abutting these roads will also be reviewed.

The City finds this requirement is satisfied.

C. No city or county shall amend its land use regulations that apply to lands shown as Industrial Area on the Employment and Industrial Areas Map to authorize uses described in subsection A of this section that were not authorized prior to July 1, 2004.

Analysis: No such authorization will occur with adoption of the BRCP, and none is anticipated.

The City finds this requirement is satisfied.

- D. Cities and counties may allow division of lots or parcels into smaller lots or parcels as follows: 1. Lots or parcels smaller than 50 acres may be divided into any number of smaller lots or parcels.
- 2. Lots or parcels 50 acres or larger may be divided into smaller lots and parcels pursuant to a master plan approved by the city or county so long as the resulting division yields at least one lot or parcel of at least 50 acres in size.
- 3. Lots or parcels 50 acres or larger, including those created pursuant to paragraph (2) of this subsection, may be divided into any number of smaller lots or parcels pursuant to a master plan approved by the city or county so long as at least 40 percent of the area of the lot or parcel has

been developed with industrial uses or uses accessory to industrial use, and no portion has been developed, or is proposed to be developed with uses described in subsection A of this section.

- 4. Notwithstanding paragraphs 2 and 3 of this subsection, any lot or parcel may be divided into smaller lots or parcels or made subject to rights-of-way for the following purposes:
- a. To provide public facilities and services;
- b. To separate a portion of a lot or parcel in order to protect a natural resource, to provide a public amenity, or to implement a remediation plan for a site identified by the Oregon Department of Environmental Quality pursuant to ORS 465.225;

To separate a portion of a lot or parcel containing a nonconforming use from the remainder of the lot or parcel in order to render the remainder more practical for a permitted use; or

d. To allow the creation of a lot solely for financing purposes when the created lot is part of a master planned development.

Analysis: No land division is proposed with the adoption of the BRCP. Land division for any parcels larger than 50 acres within the North Employment Campus would typically occur concurrently with the master planning process to assure that the site is well planned for the proposed use in compliance with this requirement. The master plan process in OCMC 17.65 is appropriate for sites of 10 acres or larger. There is only one such parcel larger than 50 acres on the north side of Loder Road and it is physically bisected by Trimble Creek, a Goal 5 resource area.

The City finds this requirement is satisfied.

E. Notwithstanding subsection B of this section, a city or county may allow the lawful use of any building, structure or land at the time of enactment of an ordinance adopted pursuant to this section to continue and to expand to add up to 20 percent more floorspace and 10 percent more land area.

Analysis: Compliance with this requirement would be considered if development is proposed within the Industrial area portion of the BRCP following adoption. Lawfully pre-existing non-conforming uses are regulated under OCMC 17.58. The specific use restrictions that are necessary to assure protection of employment lands will be further refined with adoption of new zoning designations and code requirements for the BRCP.

The City finds this requirement is satisfied.

D. Compliance with Metro Title 11.

The Plan is required to show compliance with the current version of Metro Title 11.

3.07.1105 Purpose and Intent

The Regional Framework Plan calls for long-range planning to ensure that areas brought into the UGB are urbanized efficiently and become or contribute to mixed-use, walkable, transit-friendly communities. It is the purpose of Title 11 to guide such long-range planning for urban reserves and areas added to the UGB. It is also the purpose of Title 11 to provide interim protection for areas added to the UGB until city or county amendments to land use regulations to allow urbanization become applicable to the areas.

Analysis: The adoption of the BRCP achieves the purpose and intent of Metro Title 11. Detailed findings are provided below.

3.07.1120 Planning for Areas Added to the UGB

A. The county or city responsible for comprehensive planning of an area, as specified by the intergovernmental agreement adopted pursuant to section 3.07.1110C(7) or the ordinance that added the area to the UGB, shall adopt comprehensive plan provisions and land use regulations for the area to address the requirements of subsection C by the date specified by the ordinance or by section 3.07.1455B(4) of this chapter.

Analysis: The Intergovernmental Agreement with Metro to complete the concept plan for Beavercreek Road was signed by Metro Council in 2007. The City fulfilled all of the designated Milestones specified in the IGA and was fully reimbursed by Metro for the planning work following the City Commission's initial adoption of the concept plan in September 2008. The City's decision was appealed to the Land Use Board of Appeals (LUBA). LUBA remanded the Concept Plan, finding that the Plan was not consistent with the Metro 2040 Growth Concept Map. Oregon City and Metro staff worked to amend the 2040 Growth Concept Map and address the reason for remand, which was adopted by the Metro Commission early in 2011. The City requested a 3-year extension of the compliance deadline which was granted by Metro in May, 2011. Due to further legal challenges to the Metro UGB, re-adoption of the Plan by the City could not practicably occur until 2015.

Once the City Commission has adopted the revised findings and all appeal timelines have expired, the City will prepare a scope of work to prepare and adopt the implementation measures (zoning and development code amendments) for the Beavercreek Road Concept Plan. It is expected that the preparation and adoption process for the implementation measures will be included in the 2016 Community Development Department work plan and budget.

The City finds this requirement is satisfied.

B. If the concept plan developed for the area pursuant to section 3.07.1110 assigns planning responsibility to more than one city or county, the responsible local governments shall provide for concurrent consideration and adoption of proposed comprehensive plan provisions unless the ordinance adding the area to the UGB provides otherwise.

Analysis: Oregon City is solely responsible for adoption of the Beavercreek Road Concept Plan.

The City finds this requirement is satisfied.

C. Comprehensive plan provisions for the area shall include:

1. Specific plan designation boundaries derived from and generally consistent with the boundaries of design type designations assigned by the Metro Council in the ordinance adding the area to the UGB:

Analysis: The revised Industrial and Other Employment Areas map adopted by Metro in 2010 by Ordinance 10-1244B, Exhibit D is consistent with the North Employment Campus (NEC) plan area on the BRCP. The remaining plan areas – the Mixed Employment Village, Main Street, and West and East Mixed Use Neighborhoods, are consistent with the Metro Outer Neighborhoods design type designation.

The City finds this requirement is satisfied.

2. Provision for annexation to a city and to any necessary service districts prior to, or simultaneously with, application of city land use regulations intended to comply with this subsection:

Analysis: The City's Comprehensive Plan and Code establishes a framework of policies and implementing ordinances before annexation can take place and urban-level development can occur.

Applications for annexation, whether initiated by the City or by individuals, are based on specific criteria contained in Chapter 14 of the City of Oregon City Municipal Code.

Annexation to the City of Oregon City is required as a condition of extension of city services properties within the Urban Growth Boundary, including sewer, water, and stormwater utilities.

As a general policy the city does not extend services to properties outside the city limit. In situations where the timing of extension of a particular city service may not be practicable until a greater level of urbanization occurs, such as sewer connections farther than 300' from city sewer, exceptions may be made in accordance with law or based on intergovernmental agreements.

Concept plans are an important tool that identifies where and when areas might be considered for annexation in order to control the expansion of the city limits and services to help avoid conflicts and provide predictability for residents and developers. Other considerations are consistency with the provisions of the Comprehensive Plan and the City's public facility plans, with any plans and agreements of urban service providers, and with regional annexation criteria.

The City finds this requirement is satisfied.

3. Provisions that ensure zoned capacity for the number and types of housing units, if any, specified by the Metro Council pursuant to section 3.07.1455B(2) of this chapter;

Analysis: The concept plan recommends and provides for a mix of residential areas that allow and/or require different densities and housing types, including low, medium and high densities, single-family homes on a range of lot sizes, townhouses, duplexes, multi-family units and mixed

commercial/residential uses. Accessory dwelling units are allowed in all single-family residential zones, per the Oregon City Municipal Code, subject to special development and occupancy standards. Manufactured homes are typically permitted in any zone where single-family detached housing units are permitted unless other factors, such as historic review guidelines, might otherwise preclude them. Proposed policy 1.6 indicates that within the West and East Mixed Use Neighborhoods, a variety of housing types will be required and that lot size averaging and other techniques that help create housing variety while maintaining overall average density should be allowed. Requiring a mix of housing types and requiring a minimum and maximum density, rather than a minimum and maximum lot size, will allow a wide variety of housing units to be created, meeting the intent of this section.

The BRCP envisions that the West Mixed Use Neighborhood shall be a walkable, transit-oriented neighborhood with an overall average or residential uses not to exceed 22 dwelling units per acre. The East Mixed Use Neighborhood will be a walkable and tree lined neighborhood with a variety of housing types that will not exceed densities permitted in the R-5 zone (8.7 units per acre). Based on the proposed densities, the BRCP has an estimated capacity of approximately 1,000 dwellings, which is approximately 10.3 dwellings per net developable residential-designated acre. These residential densities do not apply to lands designated for industrial and employment use where residential uses are not permitted.

The City finds this requirement is satisfied.

4. Provision for affordable housing consistent with Title 7 of this chapter if the comprehensive plan authorizes housing in any part of the area.

Analysis: According to the 2000 census, the median household income in Oregon City was \$45,531. The 2013 median household income (2010 inflation adjusted) was \$60,223. Affordable housing is typically defined as housing that does not cost more than 30% of a household's income. In addition, very low income households are typically defined as those earning less than 30% of median household income; low-income households as those earning less than 50% of median household income; and moderate income households are those making between 50% and 80% of median income. Typically, the types of housing most affordable to people with low and moderate incomes are single-family homes on small lots, attached single-family homes, duplexes and multifamily housing, and accessory dwelling units. These types of housing types are expected to account for 390 to 480 units, providing affordable housing opportunities within the concept plan area. As stated above, requiring a variety of housing types will create opportunities for affordable housing within the proposed neighborhoods.

The City finds this requirement is satisfied.

5. Provision for the amount of land and improvements needed, if any, for public school facilities sufficient to serve the area added to the UGB in coordination with affected school districts. This requirement includes consideration of any school facility plan prepared in accordance with ORS 195.110:

Analysis: The concept plan has not identified any new school sites within the study area. The Oregon City School District High School is located directly across Beavercreek Road from the study area and the district owns a vacant parcel of land directly south of the study area that could be used as a future school facility. The Oregon City School District provided a representative that was a member of the Citizen Advisory Committee. No need for additional lands identified as a result of the implementation of the concept plan was identified.

Oregon City School District owns property adjacent to the Beavercreek Road Concept Plan and believes this is probably adequate for the near term. The District has some current capacity at the elementary school K-5 level and high school 9-12 level. The District is near capacity at the middle school 6-8 level.

According to the School District, even with existing school property adjacent to the Beavercreek Road Concept Plan, public financing support will be required to develop the additional capacity in the future. The District is embarking on a long-range facilities planning process to study existing and future capital needs.

The City finds this requirement is satisfied.

6. Provision for the amount of land and improvements needed, if any, for public park facilities sufficient to serve the area added to the UGB in coordination with affected park providers.

Analysis: The Beavercreek Road Open Space Framework plan provides a network of green spaces that are intended to provide a system of connected parks, opens spaces and natural areas, provide access to nature, preserve existing natural resources and provide green spaces near the system of trails and pedestrian connections. The power line corridors comprise approximately 52 acres of land north of Loder Road and have been utilized to provide publicly accessible opens space, trails and links to the broader open space network. The City's Parks and Recreation Master Plan requires between 6 and 10 acres of parkland per 1,000 population. The extent and location of the park is conceptual, flexible and the costs associated with acquisition and development may need to be determined through more detailed Master Planning processes, similar to the Glen Oak Road park site and the Hazel Grove parks site master planning that was conducted in 2014. Existing parks SDCs do not reflect the cost of providing parks in this area, and they may need to be updated to account for the amount of parks acreage envisioned in the concept plan. A park is proposed to extend through the central and southern areas of the BRCP. The location and linearity of the park was first indicated by Metro's Goal 5 mapping. This open space feature is intended as a continuous green space that links the districts and neighborhoods south of Loder Road.

The City finds this requirement is satisfied.

7. A conceptual street plan that identifies internal street connections and connections to adjacent urban areas to improve local access and improve the integrity of the regional street system. For areas that allow residential or mixed-use development, the plan shall meet the standards for street connections in the Regional Transportation Functional Plan;

Analysis: See also findings under Goal 12 earlier in this report. The BRCP provides for a mixed use community that provides viable options for internal trip making (i.e. many daily needs provided on-site), transit use, maximized walking and biking, and re-routed trips within the Oregon City area. Beavercreek Road will be improved as a green boulevard that will be a 5-lane arterial section to Clairmont, then a 3-lane arterial from Clairmont to the UGB. The internal street system will provide logical, but limited access to Beavercreek Road, by connecting to existing streets on the west side of Beavercreek Road and requiring that an internal street/alley system be utilized, eliminating driveway cuts on Beavercreek Road and maximizing its available capacity. The plan identifies an internal north-south connection from Old Acres Lane to Thayer Road that will reduce the need to access Beavercreek Road for daily trips within the area and an extensive pedestrian and bicycle circulation system connecting the residential, commercial and industrial areas together and extends to existing and proposed transportation systems adjacent to the study area. The plan identifies appropriate green street options to be implemented, and expanded on, as development occurs, including: vegetated swales, planter islands, curb extensions, and porous pavement.

Goal 6 of the BRCP recommends providing multi-modal transportation links connected within the site as well as to the surrounding areas and includes policies recommending that land use reviews support bus service by ensuring a mix of land uses, densities and design options that support public transportation and other alternative transportation methods, ensure that local connectivity and offstreet pedestrian routes link together in a highly connected pedestrian system that is safe, direct, convenient and attractive and improve pedestrian and bicycle safety along Beavercreek Road. The concept plan process has identified and prepared the construction cost estimates for the planned transportation improvements and a detailed list of financing options has been created.

The City finds this requirement is satisfied.

8. Provision for the financing of local and state public facilities and services; and **Analysis**: The plan includes adequate consideration of public facilities cost estimates and financing approaches.

The plan provides a thorough explanation of the existing conditions pertaining to this analysis and provides recommendations and preliminary cost estimates for improvements that will be necessary in order for the concept plan to be carried out. Since the BRCP was initially adopted in 2008, three public facilities plans were amended to include the concept plan area. These plan updates include cost estimates which have subsequently been updated in the city's public infrastructure and transportation planning as follows:

Transportation System Plan (2013)

Sewer Master Plan (2014)

Water Master Plan (2010)

Stormwater and Erosion Control Manual and Design Standards (2015)

Parks and recreation system development charges will need to be analyzed to reflect the type of dwelling unit to be constructed and the number of employees associated with non-residential uses in the area. Future parks planning will need to include consideration of SDCs. SDCs could be utilized to acquire open space, natural resource and natural hazard areas that are part of the larger open space framework plan. Four other primary funding sources have been identified, including: Urban Renewal/Tax Increment Financing; Local Improvement Districts; Bonds; and Developer Funded Improvements. The plan also calls for creating the Environmentally Sensitive Resource

Area to protect, conserve and enhance identified natural by applying a low-density base zoning that allows property owners to cluster density outside the ESRA and transfer to more appropriate sites.

Planning, funding and cost estimates for the transportation system plan (TSP) consistent with the Regional Transportation Plan (RTP) were adopted in early 2014 and are described in more detail under section 7 above.

The City finds this requirement is satisfied.

9. A strategy for protection of the capacity and function of state highway interchanges, including existing and planned interchanges and planned improvements to interchanges.

Analysis: The Statewide Planning Goal 12 analysis and findings provided earlier in this report on Page 25 discusses in detail the City's Transportation System Plan and consistency with the Metro RTP, as well as a discussion of mobility challenges for existing state highway interchanges.

The City finds this requirement is satisfied.

D. The county or city responsible for comprehensive planning of an area shall submit to Metro a determination of the residential capacity of any area zoned to allow dwelling units, using the method in section 3.07.120, within 30 days after adoption of new land use regulations for the area. **Analysis**: See analysis under provision 3 above relating to zoned capacity.

The City finds this requirement is satisfied.

3.07.1130 Interim Protection of Areas Added to the UGB

Until land use regulations that comply with section 3.07.1120 become applicable to the area, the city or county responsible for planning the area added to the UGB shall not adopt or approve:

- A. A land use regulation or zoning map amendment that allows higher residential density in the area than allowed by regulations in effect at the time of addition of the area to the UGB;
- B. A land use regulation or zoning map amendment that allows commercial or industrial uses not allowed under regulations in effect at the time of addition of the area to the UGB;
- C. A land division or partition that would result in creation of a lot or parcel less than 20 acres in size, except for public facilities and services as defined in section 3.07.1010 of this chapter, or for a new public school;
- D. In an area designated by the Metro Council in the ordinance adding the area to the UGB as Regionally Significant Industrial Area:
- 1. A commercial use that is not accessory to industrial uses in the area; and
- 2. A school, a church, a park or any other institutional or community service use intended to serve people who do not work or reside in the area.

Analysis: The areas added to the UGB which are subject to this title are zoned County FU-10 which is a holding zone that prevents urbanization prior to concept plan adoption, and does not allow land uses A, B or C described above. None of the lands added to the UGB are considered

capacity of Oregon City.	
The City finds this requirement is satisfied.	
VI. CONCLUSION	
•	Plan and appendices meets the requirements of the o Title 4, as well as the applicable Comprehensive
DAN HOLLADAY, Mayor	Date
Attested to this day of 20015	
KATTIE RIGGS, City Recorder	-

RSIAs, although they are considered important to the local employment and industrial land

From: <u>Buehrig, Karen</u>
To: <u>"pauloedgar@g.com"</u>

Cc: Andrew Cotugno - Metro; Bernard, Jim; BCCMail; Comer, Catherine; CRAIG Elizabeth * ODOT; Deborah Hart

Redman - Metro Transportation Planner; Elizabeth Graser-Lindsey - Beavercreek; Ellen Rogalin - Clackamas Trans; Ethan Seltzer - PSU Urban Planning; GARRETT Matthew L * ODOT; James B. Cox - ODOT Major Projects; Jeff Graham - FHWA; Ludlow, John; Cartasegna, Mary Jo; Metro Council President Tom Hughes; Savas, Paul; Ray Valone - Metro Planning; Rep Bill Kennemer; REP Barton; Rep. Julie Parrish; Rian Windsheimer - ODOT; Senator Alan Olsen; Senator Chuck Thomsen - Hood River; Senator Peter Courtney; Senator Rod Monroe; Steve

Schopp; Tootie Smith - CC Commissioner

Subject: RE: Emailing - Agenda (7).pdf Beavercreek Road Concept Plan - How it can take the intersection of Hwy 213 and

Beavercreek Road from LOS "F" to LOS "Z" and what that means

Date: Monday, December 14, 2015 5:30:30 PM

Paul-

Thank you for your email. I did a little digging today, and this is what I found out.

- 1) Tonight, staff from Oregon City will be requesting a continuance of the Beavercreek Road Concept Plan discussion at the Planning Commission meeting. They are asking to move it to the January 11th meeting. They need more time to adequately address the issues brought up at the previous Planning Commission meeting, including concerns related to adequacy of the transportation system.
- 2) The City has met as recently as last week to talk with ODOT about the issue of the intersection of Hwy 213 and Beavercreek Road. The Oregon City Transportation Systems Plan acknowledged that this intersection failed to meet the mobility standard and that there was a need to work with its partners (ODOT and Clackamas County) on developing an alternative mobility standard. ODOT will be hopefully getting back to Oregon City with information on how that project can move forward.
- 3) Before significant development proposals and zone changes can be made, an new Alternative Mobility standard needs to be adopted.

It was very encouraging to hear that ODOT is looking at ways to move a project forward that will address mobility standards at this intersection. Clackamas County will be involved in this discussion and can bring forward your concerns about freight movement and economic development.

Sincerely,

Karen

Karen Buehrig Transportation Planning Supervisor Engineering Division, Clackamas County

150 Beavercreek Road Oregon City, OR 97045 (503) 742-4683 karenb@co.clackamas.or.us

Department of Transportation and Development hours -

- 2nd and 3rd floor permit lobbies open Mon-Thurs 8a-4p and Fri 8a-3p.

Original	Message
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From: Paul Edgar [mailto:pauloedgar@q.com] Sent: Sunday, December 13, 2015 12:30 PM

To: Buehrig, Karen

Cc: Andrew Cotugno - Metro; Bernard, Jim; BCCMail; Comer, Catherine; Comer, Catherine; CRAIG Elizabeth * ODOT; Deborah Hart Redman - Metro Transportation Planner; Elizabeth Graser-Lindsey - Beavercreek; Ellen Rogalin - Clackamas Trans; Ethan Seltzer - PSU Urban Planning; GARRETT Matthew L * ODOT; James B. Cox - ODOT Major Projects; Jeff Graham - FHWA; Ludlow, John; Cartasegna, Mary Jo; Metro Council President Tom Hughes; Savas, Paul; Ray Valone - Metro Planning; Rep Bill Kennemer; REP Barton; Rep. Julie Parrish; Rian Windsheimer - ODOT; Senator Alan Olsen; Senator Chuck Thomsen - Hood River; Senator Peter Courtney; Senator Rod Monroe; Steve Schopp; Tootie Smith - CC Commissioner

Subject: Emailing - Agenda (7).pdf Beavercreek Road Concept Plan - How it can take the intersection of Hwy 213 and Beavercreek Road from LOS "F" to LOS "Z" and what that means

Karen, there needs to be made a request for a continuance of this hearing process, by the City of Oregon City's to fast track the adoption

of their "Beavercreek Road Concept Plan". The justification for this continuance request is because of inadequate and dated Transportation Studies and Understanding by Clackamas County, ODOT and Oregon City.

What is now being advanced can cause major damage to individuals, businesses and the environment in Clackamas County and subsequently have devastating effects on everyone's ability to create "Economic Development and new JOB's in a significant section of the county that has as its primary lifeline for travel and freight, Highway 213 and Beavercreek Road.

Critical in this is the intersection of Hwy 213 and Beavercreek Road, that has been identified at being at LOS "F" conditions right now.

We need adequate and responsible planning as to ascertain, the effects of what is being proposed zoning and development that will reduce the carry capacity of Hwy 213 and Beavercreek Road to below that of what it is right now at LOS "F" conditions.

Allowing for the creation of strategic Chock Points that can have permanent negative effects is in direct violation of the State of Oregon Planning Guideline and Goals.

This is not just an Oregon City issue it is a Regional, State of Oregon and Clackamas County issue too.

As member of the recent Clackamas County TSP Committee, we identified strategic Roads and Freight Routes and they are embodied in the Clackamas County Comprehensive Plan and TSP. There is on MAP 5-9a the identification of Urban Freight Routes. If this Hwy 213 and Beavercreek Road intersection is allowed to be taken to conditions of less then LOS "F" conditions, in reducing its carrying capacity to unacceptable levels, this will hurt the whole of Clackamas County economy and its ability create or retain JOB's, and that should not be allowed happen.

Without doing something, that is like saying to all people and industry that will be negatively effected by what is being proposed to happen, you don't care.

This Beavercreek Road Concept Plan was started 9-to 10--years ago. It has been in this long process, after it was approved with its appeal to LUBA and now we are faced with 6-to 10-year old data and requests to fast track this process with radically changing conditions in Transportation Needs and Urban Planning.

So read this, "Re-adoption of the Beavercreek Road Concept Plan" and request for a Continuance of (Planning File LE 15-03) at the City of Oregon Planning Commission Meeting, December 14, 2015.

My recommendation is that there is a need for a full fledged "Transportation Planning Study - Review on Hwy 213 and Beavercreek Road"

where we can at least have plans that reflect the current needs to provide for adequate Right-of-Way and Carry

Capacity for all modes of traffic, out over the next 30-years. We want economic development and JOB's, so lets figure this out.

Paul Edgar

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From: <u>Buehrig, Karen</u>
To: <u>Pete Walter</u>

Subject: FW: Beavercreek Road Concept Plan, letter to CC & ODOT

Date: Tuesday, December 22, 2015 9:18:01 AM

Attachments: Beavercreek Road Concept Plan, letter to CC & ODOT.pdf

----Original Message----

From: Paul Edgar [mailto:pauloedgar@q.com] Sent: Monday, December 21, 2015 12:25 PM

To: Buehrig, Karen; Rian Windsheimer - ODOT; Matthew L. Garrett; Ludlow, John; Savas, Paul

Subject: Beavercreek Road Concept Plan, letter to CC & ODOT

Please everyone we need a responsible Transportation Study of the State Highway 213 and Beavercreek Road Corridors, that will put accurate and quantified information in everyone's hand.

Just to remind everyone, the intersection of Hwy 213 and Beavercreek Road is at LOS F conditions right now.

Beavercreek Road is a Clackamas County Road and Highway 213 is a State Highway and they are both designated as strategic Freight Routes.

In a Oregon City Planning Commission meeting, one of the commissioners looked up and said, that it looks like we are about to approve taking the intersection (Beavercreek Road and Hwy 213) to LOS Z.

Without a plan, and with their re-classification of the intersection to Mixed Use Commercial, and the use of Volume over Capacity method, coupled with incremental planning approval within a piece meal approval process, Oregon City will be able to take this intersection to LOS Z.

That is what is happening!!

Paul Edgar

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To: State of Oregon, Department of Transportation, Region One

Portland, OR. & Clackamas County, Oregon City, OR

From: Paul Edgar, Citizen – Past member of the Clackamas County

Transportation Committee for the TSP, Oregon City, Oregon

Subject: Oregon City's Beavercreek Concept Plan and Development/Zoning

and their impacts on State and Regional Transportation Systems i.e.

State Hwy 213 & Beavercreek Road

Oregon's Statewide Planning Goals & Guidelines, GOAL 12: Transportation (OAR 660-015-0000(12), Guidelines, A. Planning: States,

1. All current area-wide transportation studies and plans should be revised in coordination with local and regional comprehensive plans and submitted to local and regional agencies for review and approval.

Therefore:

This has not occurred to where the Clackamas County has approved the Oregon City Beavercreek Concept Plan, through their Planning Commission, Transportation Department-Planning, and Oregon Department of Transportation (ODOT), Region One, in where Intergovernmental Agreements (IGA) have been issued confirming critical understandings, agreement and approval.

Therefore:

Until there are IGA's in hand, The City of Oregon City cannot proceed on the approval process of the Beavercreek Concept Plan, re-zoning in the affected area, issuance of building permits and/or any construction that has implications on increasing Transportation Type – New Trip Generation.

Therefore:

Clackamas County's Comprehensive Plan, reflected in their Urban Freight Routes, MAP 5-9a, where they identify State Hwy 213 and Beavercreek Road as strategic Urban Freight Routes, important to regional economies and the creation and retention of JOB's.

Therefore:

Any and all transportation considerations and TSP status changes that negatively impact "carrying capacity" with Regional and State Wide implications in increasing other areas in their cost of doing businesses and abilities that negatively affect their economic health cannot be allowed or permitted without an IGA in hand from all affected entities.

Therefore:

Any Transportation Implications that might arise from Oregon City's Beavercreek Concept Plan, zoning and issuance of building permits and construction in the area must be compliance with the Clackamas County Comprehensive Plan, MAP 5-11e, Southwest County – Northern Portion, Capital Improvement Plan, with an IGA of approval, or therefore must stop. This is to prevent construction and building of anything that is in conflict with this Comprehensive Plan. Beavercreek Road has been identified as a strategic Freight Route and additionally it has been identified as part of Multi-Use Path network, in its 20-Year Capital Improvement Projects out to Beavercreek Hamlet/CPO. Needed Right of Way (ROW) must be allocated for within any plans, zoning, building permits and construction.

6. Plans providing for a transportation system should consider as a major determinant the carrying capacity of the air, land and water resources of the planning area. The land conservation and development actions provided for by such plans should not exceed the carrying capacity of such resources.

Therefore:

Currently the intersection of State Hwy 213 and Beavercreek Road are at and exceed the "Carrying Capacity" of this intersection using the State approved methods to determine/measure carrying capacity by a "Level of Service" (LOS) determination, where a measurement this Hwy 213 & Beavercreek Road intersection currently reflects a LOS "F" Failing Status.

Therefore:

Before The City of Oregon City, can advance the Beavercreek Road Concept Plan, any zoning changes, building permits and construction for the area that have and create any change to any and all transportation trip generation in and through the affected area, there must be IGA's in hand from all affected entities and governments, to allow those actions.

Therefore:

A complete Transportation Study with current updated understandings needs to happen, before advancing and approval of the Beavercreek Concept Plan, in addition to any zoning changes, building permits, construction activity that can alter Transportation Trips Generation within the affected area of the Beavercreek Concept Plan.

Therefore:

All Transportation Implications of the new Beavercreek Road Enterprise Zone must be identified and quantified in how they affect Beavercreek Road and the critical intersection of State Hwy 213 & Beavercreek Road.

Therefore:

The funding implications of how to achieve needed improvements in "carrying capacity" must be identified and to be in agreement with achieving what is in and implied as possible, within the Beavercreek Concept Plan. Any proposed new zoning changes, building permits and

construction activities that can change negatively Transportation Trip Generation to where this exceeds the current LOS "F" conditions, must be stopped until needed IGA's are received, in hand in Oregon City.



Kate Brown, Governor

Department of Transportation

Region 1 Headquarters 123 NW Flanders Street Portland, Oregon 97209 (503) 731.8200 FAX (503) 731.8531

December 28, 2015

Oregon City Planning Commission City of Oregon City 625 Center Street Oregon City, OR 97045

Subject: Beavercreek Road Concept Plan Re-Adoption (File LE-15-0003)

Dear Chair Kidwell and Planning Commission Members:

The Oregon Department of Transportation has no objection to the re-adoption of the Beavercreek Road Concept Plan based on the staff findings. We have participated throughout the plan development including helping to fund the development of the Beavercreek Road Concept Plan through a Transportation Growth Management grant.

The city staff finding that more intensive urban development will be allowed within the Beavercreek Road Concept Plan area only after the implementing zoning classifications are created and applied to the City's Zoning Map satisfies ODOT. The determination of whether the (future) urban zones will have a significantly effect on the transportation system set forth by Oregon Administrative Rule 660-012-0060 will be made at a future date.

The city staff also finds that they will not be applying the (future) urban zones until alternative mobility targets are adopted for OR213/Beavercreek Road intersection. This option is consistent with Oregon Highway Plan, Action 1F3.

We look forward to working with the City of Oregon City in our continued partnership.

Sincerely,

Jon Makler, AICP

Planning Manager, ODOT Region 1

c: Pete Walter, City of Oregon City Gail Curtis, ODOT Region 1



SOUTH FORK WATER BOARD

Combined Water Operations of Oregon City and West Linn, Oregon 15962 S. Hunter Avenue Oregon City, OR 97045

Business Office: (503) 657-6581 Fax: (503) 656-9336

Filter Plant: (503) 657-5030

December 28, 2015

Pete Walter, AICP, Associate Planner City of Oregon City, Community Development Department Planning Division 221 Molalla Ave, Ste. 200 Oregon City, OR 97045

Mr. Walter,

In response to your request for verification that the South Fork Water Board will be able to provide water service to an additional 1000 residential units and approximately 127 acres of light industrial in the Beavercreek Creek Road area, I am pleased to provide the following assurance:

The South Fork Water Board's ability to service the proposed build-out in the Beavercreek Road concept plan will have little to no impact on the overall demand on the Board's water treatment system. Currently the South Fork Water Boards holds in excess of 52 million gallons per day (MGD) in water rights on the Clackamas River. To date, our peak demand has been approximately 22 MGD. The raw water intake on the Clackamas River already has the capacity to withdraw our full 52 MGD.

The South Fork Water Board 2010 Water Master Plan Update calls for capital improvements to ensure the entire treatment system is able to handle this flow as demand increases. This Water Master Plan is currently in the process of being updated with a new 20-year planning horizon and will include growth projections from both Oregon City and West Linn ensuring an adequate supply of domestic water for both cities. Additionally, a 20-year Concept Development Plan to upgrade South Fork facilities to accommodate increased demand was approved by the City of Oregon City on March 14, 2011.

Taken together, these planning documents guarantee the South Fork Water Board will have the ability to expand infrastructure to meet projected growth in our service area.

Respectfully,

John Collins

General Manager

Oregon City Planning Commission Meeting of December 14th, 2015

Testimony of Christine Kosinski, Unincorporated Clackamas County

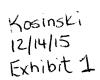
RE: File LE 15-003 Re-Adoption of The Beavercreek Road Concept Plan Failure to meet State Goal 7 Failure to meet State Goals 4, 5, 17, and 18 ORS 105.465 – Real Estate Disclosure Law Joint Interim Task Force on Landslides and Public Safety Report, October of 1998 SB 1211 Regulations

In my previous testimony to you of November 23rd, 2015, I listed many reasons why this City cannot consider approval of this Concept Plan. I requested in my testimony to keep the hearings open to allow the Planning Commission the time it would need to research and validate the fact that homeowners in the Holly Ln neighborhood are unable to obtain Landslide Insurance to cover losses should an event occur. I continued by stating, that the City and County must go to the State and Federal Government to write legislation for Hazard/Landslide/Earthquake Insurance to cover all Oregon citizens living in areas of Steep Slopes/Landslides/and other hazardous areas. I further stated that it is the responsibility of the City to support ORS 105.465 and that all prospective buyers of homes and/or property in landslide areas be made aware that their property lies within a landslide zone and that they will be unable to obtain landslide insurance for any losses due to landslide. This is not being done by either the City nor the developer and is against State Laws. ORS 105.465 will apply to all property owners within the Beavercreek Road Concept Plan as most of their properties will lie within one mile of a previous landslide (Lloyd's of London will deny if property is within one mile of landslide).

I would like to direct the Planning Commission to the "Joint Interim Task Force on Landslides and Public Safety Report from October of 1998" (found on the internet). In the last paragraph on Pg. 9, it is stated "Oregon's statewide land use planning goals are implemented through local comprehensive planning, State law requires each city and county to have a comprehensive plan and the zoning and land-division ordinances needed to put the plan into effect. These local comprehensive plans must be consistent with statewide planning goals." On Pg.10, paragraph 3, it is further stated that "Because Oregon's Statewide Land Use Planning Goals address development in hazardous areas, land planning was a key issue before the Task Force." Consistent with its mission, the committee reviewed Oregon's statewide planning goals and determined that five of the nineteen goals relate to its work plan. The goals are Goal 4, Goal 5, Goal 7, Goal 17 and Goal 18.

I now refer you to the City's Comprehensive Plan, Pg. 52 under Landslides, it is stated "landslides can be exacerbated by undercutting a slope or triggered by heavy rains, groundshaking from earthquakes and <u>heavy traffic</u>, undercutting the lower edge of a slope, cuts in road construction. Areas most susceptible to landslides in Oregon City are those with slopes of greater than 25%.

First, I again ask the City to change its Landslide Regulations to regulate slopes of <u>15% or greater</u> as recommended by a Geological Consultant in 2007. A reminder that Holly Ln landslides occurred on only 11% slope and the Street of Dreams slides occurred on only 5% or less slopes.



I now ask you why would the City even consider approval of the BRCP in its present form? You can't meet requirements of the above State Goals, you openly admit that **Groundshaking and Heavy Traffic** can exacerbate the re-activation of Landslides, and furthermore, I have recently turned into the City "A denial for Landslide Insurance" that my husband and I received this past October. In addition, I turned proof into the City that Lloyd's of London (the only underwriter of Landslide Insurance in the World) will not write Landslide Insurance for anyone living within one mile of a previous landslide. That means that every homeowner on Holly Ln, Maplelane, Thayer Rd, Morton Rd, Donovan, Holly Crest, Redland Road, Park Place and all property owners within the Beavercreek Road Concept Plan, virtually none of these homeowners will be able to get landslide insurance, In view of this information, WHY WOULD OREGON CITY EVEN CONSIDER APPROVAL FOR THE BEAVERCREEK ROAD CONCEPT PLAN WHEN APPROVAL GOES AGAINST MANY STATE GOALS?

In 2010, the people of Holly Ln filled your chambers "begging you" to take Holly Ln out of your TSP, telling you "we cannot get landslide insurance," and then asking you "if you re-activate landslides on Holly Ln when you try to widen, excavate and cut into the slopes, will you, the City, pay for our losses knowing we have NO insurance?" You gave us NO answer. We have asked you this same question on numerous occasions, again with NO answer from the City. You are giving us no answer because you know the City is wrong in taking over a County road that is filled with fragile landslides and sinkholes.

What you are attempting to do goes against all State Goals, goals that the State has told you must be aligned with the State in your comprehensive plan.

I ask you again, for all the people of Holly Ln, take Holly Ln out of your TSP for all the above reasons, but for the most important reason, and that is, "for the safety of the people and their property."

I understand that the City needs a way to bring traffic from the hilltop down to the I-205 transportation corridor, however, we the people, have been trying to tell you for more than ten years that Holly Ln and all the streets in this area of Clackamas County are dangerous. This is "landslide city" and is an area that should be avoided and protected from heavy development. Your plans to make Holly Ln a "literal freeway" that would carry upwards of 50,000 ADT's per day and more are ill conceived. These plans were all about Profit and Greed at the expense of the poor citizen who can't even get insurance to cover losses should a landslide strike their property. I can't think of anything worse than to have government and developers profit while allowing the poor property owner to take all the losses.

For all these reasons I cannot support approving the Beavercreek Concept Plan. I encourage the City to seek a Transportation Plan for this region that will allow development on the hilltop with a proven road system to support the industrial, retail and residential plans for the hilltop area, however, know that I will never support any plans for development that will take advantage of the property owner, many of these are voters that look to you for leadership, for truth and honesty, and only this is what I will support.



MEMORANDUM

TO: Oregon City Planning Commissioners

FROM: Carrie Richter, Deputy City Attorney

DATE: November 20, 2015

RE: Beavercreek Road Concept Plan Summary

A number of Planning Commissioners have asked for a quick outline of LUBA's decision and how staff is recommending that the City respond to LUBA's decision. This memorandum is intended to provide a summary of the arguments made by petitioner Graser-Lindsey, the City's response and how the findings respond to LUBA's decision.

In the LUBA case, the petitioner raised three assignments of error. The first addressed the amount of industrial lands in the plan, the second with utility and natural resource issues and the third with the process for adoption. LUBA did not reach several of the arguments, finding that the concept plan did not designate sufficient industrial lands to meet a Metro requirements. A copy of LUBA's decision is attached for your reference.

Applicable Standards

Before turning the petitioner's arguments, it is important to identify the standards that the City must meet in adopting a concept plan. The BRCP is an amendment to the City's comprehensive plan and, when the City amends its plan, it must make findings that the amendments are consistent with the statewide planning goals, Metro code requirements and the City's existing Comprehensive Plan - including any ancillary transportation and utility master plans. In addition to those requirements, when Metro amended the UGB bringing rural land into the urban area, the City was also obligated to plan those areas consistently with Metro's Urban Growth Management Functional Plan Title 11. Part of Title 11 planning requires compliance with the Regionally Significant Industrial, Industrial or Employment design types, set forth in Metro's UGMFP Title 4.

LUBA's Decision & Title 4 Industrial Lands

When LUBA reviewed the BRCP, the Metro Title 4 map identified 308 acres with an Industrial design concept and the Beavercreek Road Concept Plan designated only 121 net acres - the North Employment Campus - for industrial uses. LUBA found that the City failed to designate sufficient industrial lands to comply with the Title 4 design type requirements.

After LUBA's decision, the City Commission decided not to revise the BRCP to designate more industrial land. Instead, in 2010, as part of adopting a new regional population and employment range forecast, Metro found that the identified deficiency in industrial lands would be remedied

by including additional lands for industrial uses north of the City of Hillsboro. Metro went on to identify a shortage in residential lands that justified reducing the amount of Title 4 designated industrial lands within the City of Oregon City to 220.41 gross acres that is estimated to yield approximately 123 acres for industrial uses. As a result of Metro's Title 4 map amendment, the BRCP, as adopted in 2010, now complies with Metro's Title 4 land designations.

Transportation and Utility Plans

In addition, to the industrial land issue, the petitioner challenged the adequacy of the City's findings in the inventory of infrastructure demands. The challenges included challenges to the financing approaches for transportation, parks, police, fire and sold waste, and schools and whether serving the Beavercreek area would impact services and costs on the city as a whole.

When the BRCP was originally adopted, it was evaluated against transportation and other utility plans in place at that time, which did not contemplate development demands in the areas covered by the BRCP. As a result, the BRCP attempted to analyze those impacts in the first instance but because LUBA did not weigh in on those issues, we do not know if those findings were adequate.

Since that time, the City has adopted new transportation system, water, sewer master plans as well as new low impact development stormwater standards. These utility master plans assumed development at the levels set out in the BRCP and included updated lists of projects and costs necessary to serve the BRCP area. As a result, these master plans more fully flesh out service demand, their costs, and explain how utilities will be funded so as not to increase costs to existing City residents.

The findings for the BRCP have been revised to include consideration of these updated plans. Since the City decided to open the record to allow consideration of these new plans, it made sense to revisit the provision of parks, schools, police and fire adequacy issues as well.

Natural Resources and Landslides

The petitioner also argued that the City failed to adequately protect streams and wetlands as well as protect for natural hazards and landslides. As the draft findings provide, the City's natural resource and hazard overlay zone protections already in the City's code will be applicable to all development within the BRCP area responds to these issues.

Public Process

Finally, with regard to public process, the petitioner argued before LUBA that the hybrid BRCP put forward by the Citizen Involvement Committee (CIC) did not consider "community input [or] adequately reflect community desires." As pointed out in the findings, the CIC held multiple meetings to consider three different concept plans. The CIC voted to put forward the hybrid plan which was fully vetted by the Planning Commission and City Commission over numerous public hearings. Petitioner was given a full and fair opportunity to present oral and



written testimony during the previous proceedings and will have the same opportunity during the City's limited review of the record on remand.

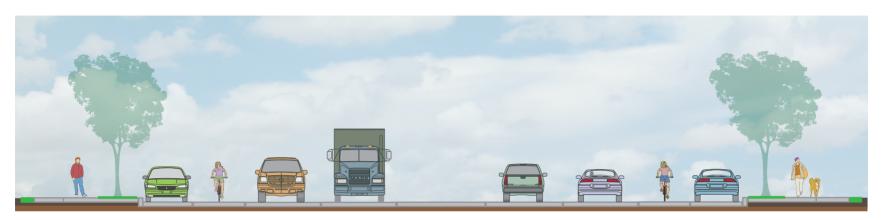
Conclusion

It is important to remember that staff has not made any amendments to the Beavercreek Concept Plan document. Rather, the only revisions appear in the findings supporting the concept plan as originally drafted and with new, more current evidence addressing the Title 4 map issues, the utility and natural feature issues raised by the petitioner in the LUBA appeal.

We look forward to discussing this issue with you further during the hearing.

GSB:7394391.2

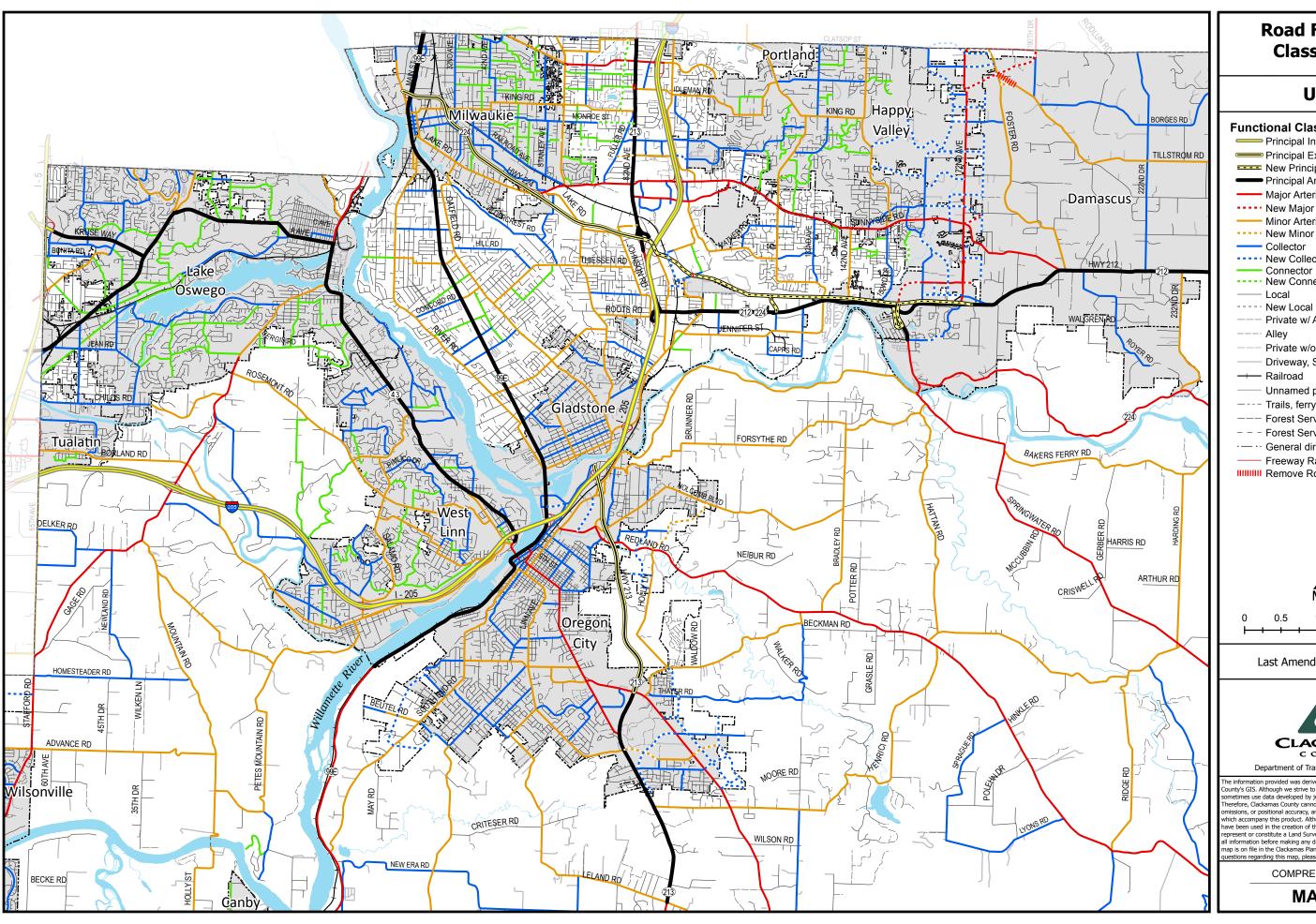
Figure 5 - 1b
Typical Urban Minor Arterial Cross Section



Back of _ sidewalk)													Back of sidewalk
1/ 2/	Pedestrian facility	Landscape strip with street tree	Parking	Bikeway	Travel lane	Optional: Travel lane	Optional: Left turn lane and raised median with vegetation	Optional: Travel lane	Travel lane	Bikeway		Landscape strip with street tree	Pedestrian facility	1'-2'
1'-2'	6'-10'	5'-7'	8′	6' - 8'	10'- 12'	10'- 12'	12' - 14'	10' - 12'	10'-12'	6' - 8'	8′	5' - 7'	6' - 10'	
	paved width: 48' - 94'													
	ROW: 72' - 132'													

Notes:

- 1. This standard cross section shall apply except where a Special Transportation plan in Chapter 5 specifies a different cross section.
- 2. For more detailed information on the implementation of this Cross Section see the Zoning and Development Ordinance and/or the County Roadway Standards.
- 3. Cross section may vary to accommodate Regional Transportation Functional Plan 3.08.110 Street System Design or to accommodate topographical or environmental constraints.
- 4. Within the range stated, precise dimensions of typical paved width shall be determined by Engineering based upon adjacent land use, vehicle traffic volume, existing travel lane width, design speed and crash history.
- 5. Medians, pedestrian refuges, islands, curb extensions, parking, left turn lanes or right turn lanes shall be provided per the Comprehensive Plan, Capital Improvement Projects or as warranted by Roadway Standards. These improvements may require additional right-of-way.



Road Functional Classification

Urban



Principal Interstate

Principal Expressway

New Principal Expressway

Principal Arterial

— Major Arterial

•••• New Major Arterial

— Minor Arterial

New Minor Arterial

Collector

New Collector

Connector

--- New Connector

--- Private w/ Address

Private w/out Address

Driveway, School Roads

Unnamed park roads, school roads

---- Trails, ferry crossings

--- Forest Service Paved

– – Forest Service Aggregate Road

· — · · General dirt, unknown road or trail

---- Freeway Ramp

IIIIIIIII Remove Roadway

0.5 2 Miles

Last Amended March 1, 2014



Department of Transportation & Development

The information provided was derived from digital databases from Clackamas County's GIS. Although we strive to provide the best data we can, we sometimes use data developed by jurisdictions outside Clackamas County. sometimes use data developed by jurisdictions outside Clackamas County. Therefore, Clackamas County cannot accept any responsibility for any errors, omissions, or positional accuracy, and therefore, there are no warranties which accompany this product. Although information from Land Surveys may have been used in the creation of this product, in no way does this product represent or constitute a Land Survey. Users are strongly cautioned to verify all information before making any decisions. The official Comprehensive Plan map is on file in the Clackamas Planning and Zoning Division. If you have addition questions regarding this map, please contact the Planning and Zoning Division.

COMPREHENSIVE PLAN

MAP 5-4a

On 1/31/2016 1:51 PM, Paul Edgar wrote to Karen Buehrig, Trans Planning Mgr CC and Jon Makler, Trans Planning Mgr - Region ! ODOT:

Can a group of us come by and get a copy of the required specifications and engineering drawings of a Major Arterial & Urban Freight Route, as in the Beavercreek Road, from Highway OR213 intersection east bound and Highway OR213 south bound through Oregon City.

Maybe a educational Town Hall and Work Shops could be developed in Oregon City, where Oregon Department of Transportation, Clackamas County Transportation, the City of Oregon City and outlining communities, Cities and CPO's can all sort out and go through the studies and proposals for OR213 and Beavercreek Road.

We will leave it up to you to identify, that we have received the necessary information to protect the interests of all effected parties with their Transportation Infrastructural needs, in the OR213 corridor and the Beavercreek Road Corridor, in anticipation of the Beavercreek Road Concept Plan possible approval, with all of its zoning implications and implied permissions.

Also include what is needed in addition, adequate information that reflects having a separated "Bike and PED Path", where identified in our Clackamas County Comprehensive Plan and TSP, out to the Beavercreek CPO.

We need to have to have all Regional Transit (TriMet) understands and firm commitments in hand, before any local legislative efforts should be approved as in a the Beavercreek Road Concept Plan and zoning changes.

We need complete understandings of what "real world and effective" mitigation could take place within "Volume over Capacity" adjudication at the Intersection of OR213 and Beavercreek Road, without an overpass.

If there are preliminary specifications and engineering understands/drawings of what a Diamond Style Fly-Over Overpass might look like, to allow OR213 to pass under a Beavercreek Road with this Overpass, that is equally needed.

What is critical is knowing that we have enough land and necessary ROW identified and set-aside, so that in the future - this "Maybe Required Fly-Over Overpass" can be accomplished. We need to know this, ASAP.

In addition, we would also like to re-review the reasons/justifications for the Highway OR213 Jug-Handle Project and how the appropriations were acquired, necessary to permit virtually any additional development in the Rossman Land Fill Area, close to the I-205 corridor.

This Jug-Handle Project was equally necessary to provide the mitigation to new - future incidents of travel and their impacts in the creation of future unacceptable levels of congestion on the Highway OR213, as to not create "Choke Points" on a strategic Major Arterial - Urban Freight Route.

We need to glean from a History Lesson, what was said and done, in successfully gaining approval, prioritization and funding for the Jug-Handle Project on the same OR213 Corridor, in the recent past.

We need all partners to help with the identification of funding opportunities, impact funding fees on development and those who create new unacceptable levels of congestion.

The burden of paying for what is needed to create permanent solutions to the problems of generating unacceptable levels of congestion has to be part of the passage of the Beavercreek Road Concept Plan and any zoning changes, that will result in and lead to exceeding our current LOS "F" = V/C.1 status, at the OR213 and Beavercreek Road Intersection.

What was said and done in the past, is equally true in its prioritization and need, at the top of the hill of Highway OR213 in Oregon City, with its intersection with Beavercreek Road and on.

Paul Edgar, Oregon City



Community Development Department

221 Molalla Ave. Suite 200 | Oregon City OR 97045 Ph (503) 722-3789 | Fax (503) 722-3880

MEMORANDUM

To: City Commission
From: Planning Commission

Re: Beavercreek Road Concept Plan Re-Adoption

Date: February 12, 2016 Meeting Date: February 22, 2016

The Planning Commission recommended that the City Commission approve Planning File LE 15-01, the Re-Adoption of the Beavercreek Road Concept Plan (BRCP) on January 25th, 2016. This recommendation is based on our review of the original BRCP record compiled in 2008, along with oral testimony presented by the public and staff through four public hearings, and written materials submitted during an open-record period of approximately three months. Based on this lengthy and detailed review, the Planning Commission finds that the BRCP strikes an appropriate balance, achieving the community's vision for a complete and sustainable community with opportunities for Oregon City residents to live and work. The development of lands within the concept plan area will provide opportunities for employment, education, housing, education, recreation, open space, commercial amenities and most importantly, transportation options. Although we fully endorse adoption of this plan, we recommend that the Commission consider the following issues as part of its review:

Transportation Issues - Alternative Mobility Targets, Tri-Met Service and Holly Lane

As the Commission is aware, implementing the BRCP will result in increased vehicle congestion in the Beavercreek / Highway 213 interchange, which already exceeds ODOT's congestion thresholds. We heard testimony from ODOT officials in support of the planning process for the BRCP, and urge the City Commission to follow through with adoption of the alternative mobility standards as soon as staff is able to prepare them. These targets must be adopted prior to any re-zoning of the lands within the concept plan area.

Although the vast majority of the vehicle congestion at ODOT intersections within Oregon City is the result of vehicle trips that start and end outside of the City, and are beyond the regulatory control of the City, we are still responsible for good land use planning in accordance with the Oregon City Comprehensive Plan and the Metro Functional Growth Management Plan. Building on the adoption of the City's TSP, we are jointly responsible, along with Clackamas County, Metro, Tri-Met and



Community Development Department

221 Molalla Ave. Suite 200 | Oregon City OR 97045 Ph (503) 722-3789 | Fax (503) 722-3880

ODOT, to provide our residents with a safe, complete and functional transportation system with alternatives to travel by bicycle, walking, public transit, carpooling and other modes.

The Planning Commission believes that some of this congestion may be off-set through a robust partnership with Tri-Met to improve public transportation in this area. Therefore, the Planning Commission is scheduled to hear a presentation from Tri-Met during its meeting on February 22, where we intend to ask for a specific commitment from Tri-Met to provide improved service to Oregon City. Staff will supplement this record with the results from that meeting.

In addition, one of the ODOT recommended methods to address additional congestion is to improve existing parallel local streets, collectors and arterials to relieve traffic demand on state highways. The City's Transportation System Plan does this by calling for the extension of Holly Lane south of Maple Lane Road. Making these improvements may have the effect of increasing vehicle trips on that portion of Holly Lane north of Maple Lane Road located outside the UGB, in the County. As a result, the Planning Commission recommends that the City coordinate closely with the County in the future, adopting transportation plans and road design standards that acknowledge that these challenges are regional and will require joint solutions.

Cottage Manufacturing / Zoning

The Planning Commission recommends that as part creating the implementing zoning for the BRCP, the City Commission direct staff to further analyze the issue of allowing expanded home occupation uses, also known as cottage manufacturing, within the mixed use and residential areas.

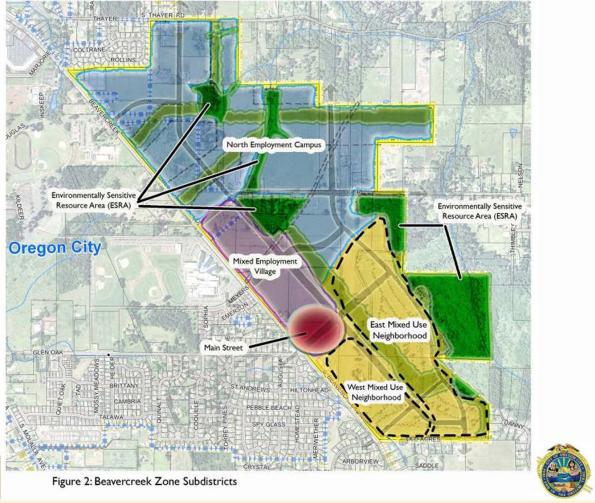
Goal 5 Cultural and Historic Resources

The Planning Commission recommends that the language of the Staff Report dealing with Goal 5 resources reflect that newly discovered cultural and historic resources may be added to the City's inventory in the future and protected under *OCMC 17.40 Historic Overlay District*. The revised findings are to be included in the City Commission packet.

Summary

In summary, we are satisfied that all of the issues raised through the initial round of public hearings for Re-Adoption of the Beavercreek Road Concept Plan have been fully addressed through the proposed findings, subject to the concerns set forth above. For these reasons, we recommend approval.

Beavercreek Road Concept Plan



Planning Commission Public Hearing – January 11, 2016

otak



Compliance Findings in Record

- Oregon City Comprehensive Plan
- Metro Title 11 Planning for New Urban Areas
- Metro Title 4 Employment Lands
- Statewide Planning Goals and Requirements

New Exhibits (Since 11.23.15)

- Revised Findings, prepared by Staff
- Issues "Matrix", prepared by Staff
- Letter from John Collins, South Fork Water Board
- Clackamas County staff emails:
 - Karen Buhrig (re: alternative mobility targets)
 - Linda Preisz (re: historical resources)
- Public Comments
 - Paul Edgar emails of 12.13.2015 & 12.21.2015
 - Paul Edgar letter to ODOT / Clack. Co 12.21.2015
 - Christine Kosinski letter to PC on 12.14.2015
 - Hamlet of Beavercreek letter 12.06.2015

Outstanding Issues Raised during Hearing Process

- Job Creation
- Citizen Involvement
- Need for additional Industrial Land
- 213 / Beavercreek Transportation Capacity
- Goal 6 OAR's regarding air and water quality
- Landslides / Slopes / Slide Insurance
- Water Supply / Pressure / Jurisdiction / Reservoirs
- Sewer System Capacity and Connections
- Goal 5 Cultural / Historic Resources

Please refer to the Issues "Matrix"

Job Creation

Concerns:

- Cottage Industries
- Reconsideration of Greater Cottage Manufacturing in residential zones
- Live / Work
- Home Occupations

Response:

 Adoption of the BRCP does not preclude the provision of cottage manufacturing or a greater variety of home occupations.

Recommendation:

Review as part of implementing zoning.

Citizen Involvement

Concerns:

- CIC not representative of citizens
- 2 seats on CAC were unfilled by citizens, instead "filled by developers and officials"
- Goal 1 violation since over 10 years ago
- Claim of "Strong Public Opposition to Plan"

Response:

- CAC membership Roster indicates several county residents
- The record indicates good CAC audience participation from county and city residents
- CAC meeting summaries show strong input from a wide group of stakeholders
- Outreach and response from citizen groups regarding the plan re-adoption has been largely positive and supportive

Citizen Involvement

Recommendation:

- Continue to seek public input and provide public outreach post-adoption to address implementation of the plan regarding zoning, alternative mobility targets, green building and other core values identified by the CAC during the plan process.
- Refer back to these issues during subsequent land use processes, including annexation, zoning, and development review.

Need for Additional Industrial Land

Concern:

 Plan needs additional industrial land

Response:

 Amount of Industrial Land in plan meets Metro and City objectives and is in compliance with Title 4.

Recommendation:

- Acknowledge Metro's revised findings regarding Title 4 lands.
- Review implementing zoning to preserve and reserve Title
 4 Industrial lands

213 / Beavercreek Congestion

Concern:

 A Grade Separated Interchange is required per ORDINANCE 92-1002

Response:

- 2013 TSP replaced and superseded all plans for grade separated interchange.
- TSP updated 2013 acknowledges congestion
- Funding roadways identified in the 2013 TSP and the BRCP will be accomplished through new development and reimbursement districts as well as through SDCs.
- Alternative mobility measures, setting new standards for congestion, will be adopted before any zone changes that would allow trip generation to exceed that permitted under current zoning.

Recommendation:

 Develop the refinement plan as discussed in the TSP and work with ODOT and Clackamas County to draft and adopt Alternative Mobility Targets.

Goal 6 OAR's regarding air & water quality

Concerns:

- City needs to address
 OAR 660-015-0000 (6)
- Waste and Process Discharges
- North Plains LUBA appeal

Response:

- City updated the stormwater and erosion control standards in 2014.
- Future development must meets NPDES-MS4 Permit requirements
- Goal 6 is satisfied where there is a reasonable expectation that uses will be able to comply with state and federal environmental regulations.
- No state or federal standard directly regulates air quality in the Beavercreek area.

Recommendation:

 None. Acknowledged land use regulations and public works standards are in place and on-going.

Landslide Risk

Concerns:

- Oregon City should lobby state and federal government to provide landslide insurance.
- The city should regulate slopes at 15% or greater rather than slopes greater than 25%.
- Amend TSP to remove Holly Lane

Response:

- The City has no control over insurance coverage issues and no statewide planning goal, comprehensive plan policy or local code provisions that requires consideration of insurance issues.
- Amendments to OCMC 17.44 to regulate steep slopes differently or to exclude projects from the City's TSP are beyond the scope of BRCP re-adoption decision.

Recommendation:

 None. Policies are in place and ongoing.

Water Supply / Pressure / Jurisdiction

Concerns:

- Water Supply / Pressure
- CRW district serving area violates WMP
- CRW letter to Clackamas Board of Commissioners

Response:

- SFWB as the City's water provider has sufficient water to serve the area. See letter
- Adequate water facilities and services can be made available concurrent with development.
- Water facilities shall supply adequate water pressure in compliance with Oregon City's Water Distribution System Design Standards for fire flow protection and domestic water service.
- CRW / Oregon City have joint service agreements to serve certain areas within the city, this does not violate WMP. As development occurs in these areas, the City's water distribution system is extended and CRW withdraws from serving these areas and transfers service to the City.
- Water service to the development shall be from the City of Oregon City's water distribution system from a proposed new City pipeline in Beavercreek Road.

Recommendation:

 Continue to encourage water conservation with Agency Partners.

Reservoirs

Concerns:

 Funding mechanism for water reservoirs have not been identified

Response:

- Funding improvements, including reservoirs, have been identified in the water master plan necessary to serve Beavercreek including SDCs, development funded improvements and reimbursement districts.
- Continue to explore funding alternatives as development proposals come forward and become further refined
- City will continue to plan and budget for construction of WMP capital improvements, including the capital improvements listed for future BRCP development utilizing funding mechanisms identified for development such as SDCs

Recommendation:

None. Policies are in place and on-going.

Sewer System Capacity & Connections

Concerns:

- Cross-BasinConnections
- Cross-Basin connection violates WMP

Response:

- SSMP, Appendix I: Glen Oak Road Analysis, Section 4: Conclusion and Recommendations, provides for an overall recommendation to convey flows from the Beavercreek Road Concept Plan Area through a new sewer extension constructed in Beavercreek Road. This analysis also provides routing scenarios to convey a portion of the BRCP area flows to another basin as an interim alternative until the new Beavercreek Road sewer is constructed.
- Therefore the cross-basin connection previously approved does not violate the SSMP and that decision is not before the City.

Recommendation:

None. Policies are in place and on-going.

Implementation

- Alternative Mobility Targets for ODOT intersections need to be addressed prior to any re-zoning.
- Comprehensive Plan designations are needed to implement the concept plan.
- Zoning code amendments are needed to implement the concept plan.
- These will be achieved through a separate public legislative process.
- Annexation and zoning of property will be owner-initiated when conditions are suitable.

Conclusion

Staff has attempted to show, through the "issues matrix", the revised findings, and additional testimony that all the concerns have been addressed.

As we have shown, additional steps and implementation items need to be taken, however, plan adoption is the first step.

Recommendation

- Staff recommends that the Planning Commission find that file LE 15-03, re-adoption of the Beavercreek Road Concept Plan and appendices meets the requirements of the Statewide Land Use Goals, Metro Title 11, Metro Title 4, as well as the applicable Comprehensive Plan criteria.
- Staff recommends that the Planning Commission forward LE- 15-03 to the City Commission with a recommendation of approval with the implementation steps outlined by Staff and as discussed in the plan.



From: To: Preisz, Linda Pete Walter

Subject: RE: Historic Landmarks
Date: Monday, December 28, 2015 10:51:36 AM

Attachments: image001.pn

I can't find any in those areas. The ones I sent you are further south.

Linda

From: Pete Walter [mailto:pwalter@ci.oregon-city.or.us]

Sent: Monday, December 28, 2015 10:36 AM

To: Preisz, Linda

Subject: RE: Historic Landmarks

Hi Linda,

Thanks for sending these! The concept plan area is shown on the attached map.

I'll check these tax lots, but I'm pretty sure there aren't any involved.

Pete

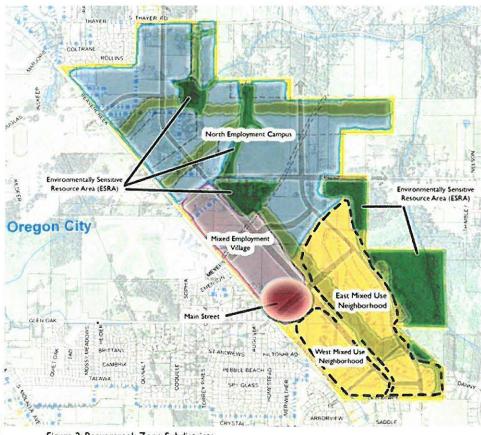




Figure 2: Beavercreek Zone Subdistricts



From: Preisz, Linda [mailto:lindap@co.clackamas.or.us]
Sent: Monday, December 28, 2015 10:00 AM
To: Pete Walter pwalter@ci.oregon-city.or.us>

Subject: Historic Landmarks

Hi Pete:

I am not familiar with the parameters of the Beavercreek Concept Area Plan. Looking through the county landmarks I find:

1. 32E15A 00800

Henry & Joseph Meyers Cellar SHPO #1117

DATE RECEIVED: 1/11/16
SUBMITTED BY: STAFF
SUBJECT: LE -15-03

RCP

2.	32E15C 00103	Hal & Mattie Lindsley House	SHPO #1118
3.	32E15D 02200	Christian Muralt Farm	SHPO #1119
4.	32E26B 00300	Welsh Evangelical Church	SHPO #1129
5.	32E33B 00400	Carus Episcopal Church	SHPO #1133
6.	32E33B 00700	Carus School	SHPO #1134
7.	32E35 01100	German Evangelical Church	SHPO #1136

If I am not in the correct area, please give me the proper Township and Range numbers.

Linda Prcisz

Senior Planner Clackamas County Planning Division 503.742.4528 <u>lindap@clackamas.us</u>



January 6, 2016

Planning Commission & City Commission City of Oregon City 625 Center Street Oregon City OR 97045



RE: ZC 15-03, Zone Change and PZ 15-01 Comp Plan Amendment

Dear Planning Commissioners and City Commissioners:

The Board and citizens of The Hamlet of Beavercreek are writing with regards to ZC 15-03, Zone Change and PZ 15-01 Comp Plan Amendment.

First, and importantly, we are not against development. We are, however, 100% for planned development that provides safety and livability regarding transportation, public services, and concurrency.

Transportation is a great concern for us (and we hope for you too) especially in the face of the many development projects earmarked along Beavercreek Road and Highway 213. A few of the planned projects are the Beavercreek Road Concept Plan, the Evergreen (Meyers/Beavercreek Roads) nine acre development, the new Oregon City School District bus barn, the Clackamas Community College \$111,000,000 improvement/development, the Linn, Leland and Meyers Road corridor/development, the extensive economic enterprise zone, and the old bus barn development by Dan Fowler. As you can see, there is a lot of development along Beavercreek Road & Highway 213.

Mayor Dan Holladay, at the October 27th, 2015, Caufield Neighborhood Association meeting, shared his vision of Beavercreek Road as Oregon City's economic future with a five lane highway from Highway 213 to Henrici Road, though Beavercreek Road is controlled by Clackamas County, not the city. It is no secret that both Highway 213 and Beavercreek Road (not to mention their intersection) are failing. Clackamas County has jurisdiction over Beavercreek Road and has stated frequently the County's focus is on road maintenance throughout the County and not on the development of Beavercreek Road. Unfortunately, that leaves 6,500 Hamlet of Beavercreek rural residents (and the citizens in Colton, Molalla, Carus, Mulino, Clarkes, the Highlands, etc.) facing the same fate as that of the Happy Valley citizens many, many years ago.

ENTERED INTO THE RECORD

DATE RECEIVED: 11/16

SUBMITTED BY: BICHAMET

SUBJECT: LE-15-03

BRCP

EXHIBIT B

Message Phone 503-632-8370



January 6, 2016
Planning Commission & City Commission
City of Oregon City
RE: ZC 15-03, Zone Change and PZ 15-01 Comp Plan Amendment
Page 2

As we all know, Happy Valley and the Clackamas area grew, and Sunnyside Road (under Clackamas County jurisdiction) became a parking lot. As a result, the federal government, ODOT, Metro, and Clackamas County's Development Agency have spent over \$150,000,000 to fix poorly planned growth, with the development of Sunnyside Road, the extensive creation of Sunnybrook Road, overpasses, fish habitat, etc. Unfortunately, ODOT and Clackamas County no longer have those types of funds to "fix" Beavercreek Road and Highway 213 due to poorly planned growth.

Before we move onto services, it is vital to note that the development of Highway 213 from Molalla Avenue to I-205's Environmental Impact Study resulted in Oregon City Ordinance 92-1002, signed by Mayor Dan Fowler in 1992, agreeing that no development will occur if any roads in the <u>vicinity</u> of the Highway 213 and Beavercreek Road intersection (including the intersection) are operating at lower than a D level (attached). And, if that happened, Oregon City would participate in a grade separation upgrade of the intersection. The most recent estimate (2009) to upgrade the intersection to a grade separation is \$45,000,000 and includes Dan Fowler's recently purchased old bus barn property. In addition, Oregon's Transportation Planning Rule #12 puts a moratorium on development with a failed intersection. To consider this amount of development without the plans or funds to fix roads and intersections is seriously irresponsible.

With regard to water, Clackamas River Water has been contacted by Oregon City regarding servicing of the Beavercreek Road area as Oregon City does <u>not</u> have the pressure to provide service. Normally, providing water through an intergovernmental agreement would not be a problem, however, after 2015's drought and its devastating impact on the habitat of the Clackamas River, the residents in Beavercreek are extremely concerned that water is available to existing clients and that the Clackamas River habitat is valued and protected. As stated in CRW's July 23, 2015, letter to the Clackamas County Commissioners (attached), "It is our belief that as water providers on the Clackamas River we must begin to view the river less as an exclusive source of revenue and more as a valuable, finite resource that must be protected. To ignore the current river conditions and push off streamflow and temperature concerns would be irresponsible. While we do not discredit our collective utility's need to be financially stable, we believe that the long-term sustainability of the Clackamas River as a source of drinking water should trump the immediate needs of greener lawns and greater revenue."

FA TO A CONTRACT OF PROPERTY.



January 6, 2016
Planning Commission & City Commission
City of Oregon City
RE: ZC 15-03, Zone Change and PZ 15-01 Comp Plan Amendment
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For CRW to extend an IGA to Oregon City for all of the development planned in the next decade would most probably put the entire CRW southern service area into an annual drought conservation practice. This is not conducive for successful timber, livestock, and agricultural in Clackamas County and extremely devastating to any surviving habitat in the Clackamas River water area.

With regard to sewer, the last we heard, to pursue <u>just</u> the nine acre Evergreen development at Meyers and Beavercreek Roads, the sewer line lids along Glen Oak Road will have to be bolted down so they didn't overflow with sewage. In addition, residents along the sewer line testified of **frequent** sewer backflows into their basements. The City admitted that the sewer capacity for the development was problematic as there was a sewer bottleneck on Highway 213 at the College, but there are no funds to solve the problem. Hearing this about 9 acres of development along Beavercreek Road, how can hundreds of acres along Beavercreek Road and Highway 213 be serviced without extensive sewer upgrade planning and funding?

And, finally, DOGAMI's LIDAR maps clearly indicate the Newell Creek landslide runs from the Forest Edge Apartments, under Highway 213 south to the old bus barn property. We sincerely hope you take the City's "state of emergency" evacuation of the Forest Edge Apartments tenants seriously and as a warning of not what might happen, but what will happen if any development along this historically active landslide is allowed. In addition, the only insurance carrier in the world that offers landslide insurance is Lloyds of London. They will not cover anyone (neither residential, commercial or industrial properties) within one mile of a historical landslide. If Lloyds of London will not offer protection, will the City of Oregon City (as a government body who exists to protect its citizens) offer such insurance?

We repeat, we are not against development, only poorly planned development that will clearly put all of us traveling, working and living in and around this Beavercreek and Highway 213 area into a transportation bottleneck with no clear path to functional and environmentally responsible services.

Thank you for your time and consideration of our concerns.

Sincerely,

The Hamlet of Beavercreek



January 6, 2016
Planning Commission & City Commission
City of Oregon City
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Enclosures: Ordinance 92-1002

Clackamas River Water July 23, 2015, Letter to the Clackamas County

Board of County Commissioners

Cc: Clackamas County Board of County Commissioners

Clackamas River Water Board Tri-City Wastewater Treatment Oregon Department of Transportation September 10, 1993

MEMORANDUM

TO:

Charlie Leeson, Henry Mackenroth, Denyse McGriff, City of Oregon City

Mark Greenfield

FROM:

John Spencer, Oregon City Urban Renewal Agency

RE:

HWY. 213/BEAVERCREEK ROAD INTERSECTION (Revised from

9/9/93)

As a follow-up to the meeting on June 24 with Clackamas County and ODOT officials, I agreed to summarize our discussions which will be the basis for a revised Memorandum of Understanding between the City, County, and ODOT.

Overall Intent

It is the intent of all parties to provide for and implement the various transportation projects called for in the Draft Warner-Parrott Rd.-Oregon City Bypass Environmental Assessment. These projects include an at-grade interchange improvement of the Highway 213/Beavercreek Road intersection, and the future construction of a grade-separated interchange. All parties agree that existing traffic congestion at this intersection is at unacceptable levels. Until intersection and other improvements have been constructed, any new development permitted in the vicinity of this intersection should not increase the congestion problems beyond current levels. It is also agreed that if the sponsors of new development can prove that proposed development will not increase the congestion problems, then development will be allowed only when in compliance with adopted plans for an at-grade interchange at the Highway 213/Beavercreek Road intersection.

Proposed Modifications to the Draft MOU of 2/92

The Draft Memorandum of Understanding is attached. The following changes are proposed:

Paragraph 4.a., add the following:

The State, County and City consider the interchange project as high priority.

Delete paragraph 4.b.

Delete paragraph 7 and add the following:

The County and City agree that grade-separated interchange improvements for Highway 213/Beavercreek Road are adopted as part of their Comprehensive Plans. The County and City also agree that their respective Comprehensive Plans require that major intersections operate at Level of Service (LOS) D or better. The County

and City agree that when new developments are proposed for properties along Beavercreek Road prior to construction of grade-separated interchange improvements, a professional traffic analysis shall be required prior to the issuance of any land use permits. Land use permits shall not be approved unless the traffic analysis demonstrates that the Highway 213/Beavercreek Road intersection and other nearby intersections will operate at Level of Service D or better with the proposed development. If the traffic analysis demonstrates that the Highway 213/Beavercreek Road intersection will operate at LOS D or better with the proposed development, the development plan, including access to Beavercreek Road, will not interfere with, impede the implementation of, or substantially increase the cost of the adopted grade-separated interchange improvements for Highway 213/Beavercreek Road.

First Draft Comprehensive Plan Amendments

In order to meet the obligations outlined in the paragraph above, Gregon City will need to amend the transportation element of its Comprehensive Plan. The first obligation is to adopt the interchange plan. That has been done with Ordinance 92-1002 attached. Following are draft policies to meet the other obligations outlined above.

- a. All intersections requiring full signals as shown on Figure 2, Traffic Signal Locations, Oregon City Transportation Master Plan, 1989, and any other intersections where full traffic signals are warranted, shall operate at Level of Service D or better. Level of Service (LOS) is defined in Appendix B of the Oregon City Transportation Master Plan, 1989.
 - A professional traffic analysis shall be required prior to the issuance of any land use permits when new developments are proposed for properties in the vicinity of fully signaled intersections. Land use permits shall be approved only when the traffic analysis demonstrates that the signalized intersection will operate at Level of Service D or better with the proposed development, and that the development plan will not interfere with, impede the implementation of, or substantially increase the cost of any adopted transportation improvements identified in the City's Comprehensive Plan

Right-of-way shall be required as a condition of approval when developments are proposed near adopted transportation improvements identified in the City's Comprehensive Plan.

Please provide comments on these proposed plan amendments to me by the end of next week. Thanks,

John

MEHORANDUM OF UNDERSTANDING
BOTHEOF THE
STATE OF OREGON,
CLACKANAS COUNTY,
And
CITY OF OREGON CITY

- The Oregon Department of Transportation, Eighway Division, hereinsfter referred to as "State"; CLACKAMAS COUNTY, a political subdivision of the State of Oregon, acting by and through its Board of Commissioners, hereinsfter referred to as "County"; CITY OF OREGON CITY, a municipal corporation of the State of Oregon, acting by and through its City Officials, hereinsfter referred to as "City"; enter into this Wemo of 'Understanding to set forth the principles of mutual commitment to the proposed Cascade Highway South at Beavercreek Road Interchange.
- (2) State and County previously entered into a construction finance agreement No. 9119, on June 21, 1984 for the Warner-Parrott Rd. Oregon City Bypass project.
- (3) When the Warner-Parrott Rd. Oregon City Bypass project is constructed, State, County, and City agree the increased traffic flow will cause congestion at the Cascade Highway South / Beavercreek Rd. intersection, and all parties agree that improvements may be necessary. Proposed at this time is an at-grade interchange at Cascade Ewy. South / Beavercreek Rd.
- (4) State, County, and City agree to the following conditions in proparation for the proposed interchange agreement:
 - @ State will support County and City in seaking the necessary funds from Metro to construct the interchange project.
 - The County and/or City will be responsible for the survey, writing the descriptions, and the acquisition of any necessary right-of-way for construction of at-grade interchange.
 - @ The County will have the lead role in project angineering and construction management.
 - Prior to construction of the Cascade Hay. South / Beavercreek Rd. Interchange. State. County, and City shall enter into a cooperative improvement agreement for construction and maintenance responsibilities for the at-grade interchange.

B3193001

- (5) The State, County, and City agree to consider a joint project for a future "grade-separated" interchange at the Cascade Bwy. South / Beavercreek Rd. location. The determination of financial participation will occur as part of the State's Six-year Transportation improvement Program update process when future project becomes necessary.
- (Amy cost of right-of-way and other improvements incurred in constructing the previously proposed at-grade project shall be considered in determining the shares of the cost of the grade-separated project.
- (7) The County and City agree to prevent additional development in areas identified as needed for constructing the Cascade Bwy. South / Beavercreek Rd. grade-separated interchange and prevent additional access that would conflict with the public's need for access control to the extent identified in the attached State drawing.
- (6) Terms of this Memorandum of Understanding can be terminated by any of the parties with 30 day, written notice.
- 4 Upon receipt of a signed copy of this Memo of Understanding, County and City shall start the process for acquiring the necessary funds for the construction of the proposed at-grade project and State shall review and release the Environmental Assospent document.

OREGON BEPT. OF TRANSPORTATION	CLACKAMAS COUNTY Board of Commissioners
Region Manager	Chair
Date	Commissioner
Denie W. Lawb	Commissioner
Passing B. Tarregan	DE CO.
Date 2-17-92	

B3193001



CITY OF OREGON CITY

May 27, 1993

DEVELOPMENT GERVICES
DEPARTMENT
Planning, Building, Engineerter
320 Warner-Milne Road
Oregon City, OR 97045
(503) 657-0895
FAX (503) 657-3339

Ron Weinman Clackamas County 902 Abernethey Road Oregon City, Oregon, 97045-1100

Mr. Weinman:

The Oregon City Commission, at its May 19th meeting, rescinded its approval given on February 17th, of the Memorandum of Understanding between the State of Oregon, Clackamas County and the City regarding the proposed interchange on Cascade Highway South at Beavercreek Road, effective immediately.

The Commission is concerned about the provisions and implications of the paragraph addressing the prevention of development on private lands. They further understood that the agreement was in it's final form when they originally authorized signing.

The City Commission has directed staff to reopen negotiations regarding this agreement. An identical letter is being transmitted to Ted Keasy at Region 1, of Oregon State Highway Division.

Please contact me to arrange further discussions on this matter.

Charles Leeson City Manager

cc: City Commission
Ed Sullivan, City Attorney
Henry Mackenroth, Project Manager



ORDINANCE 92-1002

AN ORDINANCE AMENDING THE TRANSPORTATION MASTER PLAN AND THE TRANSPORTATION ELEMENT PLAN OF THE COMPREHENSIVE PLAN TO ADD TWO FUTURE ROAD PROJECTS AND A POLICY FOR COLLECTOR STREETS.

WHEREAS, the State Highway Division has requested that a proposed road project at Highway 213 and Beavercreek Road be included in the Oregon City Comprehensive Plan, and

WHEREAS, based on development patterns a future collector street needs to be designated outside of the City limits, but in the Urban Growth Boundary, and

WHEREAS, a policy on access management is needed to guide development along collector streets, and

WHEREAS, the Oregon City Planning Commission, on December 12, 1991, conducted a public hearing to consider the adoption of these proposals, and

WHEREAS, the proposed amendments to the Transportation Master Plan and Transportation Element of the Comprehensive Plan is designed to best meet the land use planning needs of the City.

OREGON CITY ORDAINS AS FOLLOWS:

Section 1. That the Transportation Master Plan and the Transportation Element of the Comprehensive Plan are hereby amended to add the following to read as follows:

Add the grade separation of Highway 213/Beavercreek Road.

- a. The State Highway Division has forwarded a request to add the grade separation at Highway 213/Beavercreek Road. The proposal would include maps of the proposed Phase 1 and 2 project to page 63 of the Transportation Master Plan as an addition to the roadway laneage and access control map.
- b. Roadway Laneage/Access Control Plan, page 64 of the Transportation Master Plan - Widen Highway 213 to six lanes between Beavercreek Road and I-205, with a grade separation at Beavercreek Road (to include Phase 1 and Phase 2 roadway and laneage needs).

PAGE 1 - ORDINANCE NO. 92-1002

- Add S. Caufield Road as a future collector street (For approximately 500 feet from Highway 213 to a proposed street that would be located between S. Caufield Road and S. Canyon Ridge Drive; added to page 60 of the Transportation Master Plan.
- Add a policy Regarding access management on collector streets to Policy 4 on page L-35 of the Transportation Element of the Comprehensive Plan:

New subdivision/residential development shall minimize access on collector streets unless infeasible. If feasible, loss shall be oriented to have frontage on local streets with back yards to the collector street.

Read first time at a regular meeting of the City Commission held on the 5th day of February, 1992, and the foregoing ordinance was finally enacted by the City Commission this 5th day of February, 1992.

PAN K. ELLIOTT, City Recorder

ATTESTED this 5th day of February, 1992.

DANIEL W. FOWLER, Mayor

ORDINANCE NO. 92-1002

Effective: March 6, 1992

Clackamas River Water

P.O. Box 2439

(503) 722-9220 Clackamas, Oregon 97015-2439 Fax (503) 656-7086

16770 SE 82nd Drive, Clackamas customerservice@crwater.com



To: Board of Commissioners of Clackamas County

From: Clackamas River Water

Date: July 23, 2015

Re: Water Use on the Clackamas River

On July 21, 2015 Clackamas River Water received a memorandum, Re: Water Use on the Clackamas written by Ernest Hayes of Clackamas County Administration. The policy question proposed was "Is the Clackamas River impacted by water shortage?" The memo ultimately concluded that, "After receiving feedback from several of the managers of local water districts, including Clackamas River Water Providers, there does not seem to be a present risk of a water shortage on the lower Clackamas River. Further, should a shortage occur, human consumption would not be limited until truly dire circumstances were met. There is no fear of this transpiring in the foreseeable future. "Clackamas River Water disagrees with Mr. Hayes' conclusion.

The state of Oregon is facing its worst drought in decades. Governor Brown has declared drought emergencies in 23 of 36 counties. Although Clackamas County eluded a drought declaration to date, it is not immune to the environmental pressures exerted upon it by low snowpack and hot, dry days. The Clackamas River, a vital resource for Clackamas County's urban centers, serves as a source of high quality drinking water for over 200,000 people and is no exception.

It is true that despite record low snowpack on Mt. Hood in the Upper Clackamas River Basin, the precipitation rate remained stable. Precipitation fell as rain, rather than snow. This is due to above average temperatures in the region. The elevation of the Upper Clackamas Basin is located near the current mid-winter snowline, as a result even minor deviations toward greater than normal temperatures can limit snow accumulation. While the Clackamas River is influenced by groundwater from large aquifers in the Upper Clackamas River Basin, the River will likely experience greater loss of streamflow and continued strain is put on the aquifer system. Trends toward warmer winters with more rain than snowpack will result in low flows on the River occurring earlier and increased stream temperatures. 2015 may very well be a preview of years to come.

Abnormally warm temperatures and record low snowpack in the Clackamas River Basin should be of great concern to water providers as the dense network of streams in the Upper Basin are strongly influenced by melting snow during the spring and summer, which in turn helps to maintain river flow and temperature. As early as May the effects could be observed on the river. Streamflows were at their

lowest in over a decade (Figure 1), and temperature was elevated (Figure 2). By mid-June fish kills were observed at the confluence of the Clackamas and Willamette Rivers, due primarily to elevated water temperatures (Figure 2), prompting the Oregon Department of Fish and Wildlife to restrict fishing on the Clackamas River below the I-205 bridge.

Currently the streamflow of the Clackamas River is well below average, at levels not seen in more than a decade, and dropping. Water providers, as good stewards of the watershed, are subject to minimum allowable flows for fish persistence and passage. The State of Oregon requires each drinking water provider to develop a Water Management Conservation plan with a clearly defined curtailment plan that would maintain fish flows while allowing for sustainable water consumption. On the Clackamas River after September 15th that flow is 640 CFS. For Clackamas River Water and one other member of the Clackamas River Water Providers, as per our adopted Water Management Conservation Plans, Stage 3 Water Curtailment (mandated water conservation) would be implemented at streamflows less than 730 CFS after September 15th. While this is not the first time water providers have seen low streamflows in July, it is important to note that currently the streamflow of the Clackamas River is below 750 CFS with prolonged periods of hot dry weather predicted in combination with the development of an El Niño event (Figure 1). The likelihood of water providers having to implement curtailment practices come September is strong.

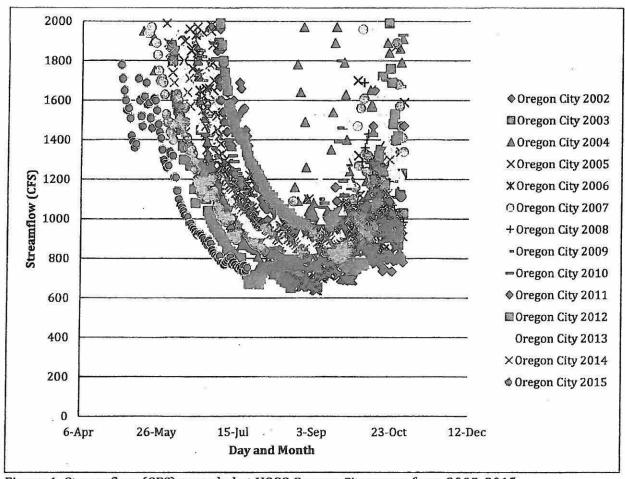


Figure 1. Streamflow (CFS) recorded at USGS Oregon City gauge from 2002-2015

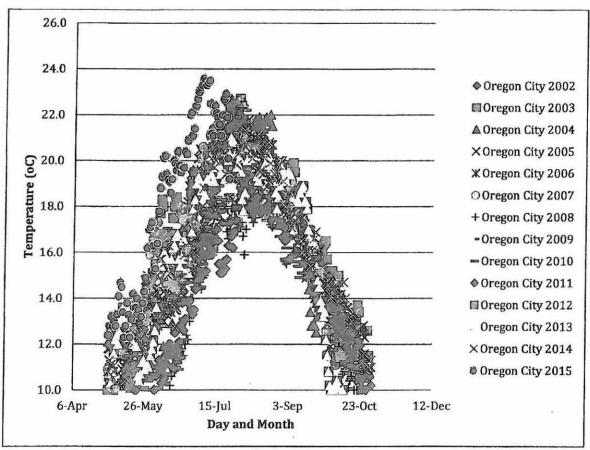


Figure 2. Water temperature (°C) recorded at the USGS Oregon City gauge from 2002-2015

Clackamas River Water issued a Stage 1 Water Advisory encouraging its customers to conduct voluntary water conservation measures in early June as dictated by our Water Management Conservation Plan upon observation of below average streamflows. Continued low flows, or a declaration of drought, will soon prompt CRW to issue a Stage 2 Water Advisory with more stringent conservation measures.

While there may not be an immediate water shortage on the Clackamas River, elevated temperatures and low streamflow suggest that mandated conservation measures for water providers may be on the horizon. It is our belief that as water providers on the Clackamas River we must begin to view the river less as an exclusive source of revenue and more as a valuable, finite resource that must be protected. To ignore the current river conditions and push off streamflow and temperature concerns would be irresponsible. While we do not discredit our collective utility's need to be financially stable, we believe that the long-term sustainability of the Clackamas River as a source of drinking water should trump the immediate needs of greener lawns and greater revenue. Responsible management of a water source does not mean simply navigating into maximum withdrawals allowed by the State of Oregon. It means preserving a drinking water source for a

larger portion of Clackamas County, preserving fish habitat and recreation, and ensuring our water source for the future.

Clackamas River Water is a special district that serves over 50,000 people in unincorporated Clackamas County, which includes Clackamas, and parts of Oregon City, Beavercreek, Milwaukie, and Portland.

We would like to offer our thanks to the Board of Commissioners for affording the water providers the opportunity to comment on this critical issue. As you are aware it is the County's role to notify the Governor when more extreme action is warranted.

Sincerely,

Lee E. Moore Sr.

General Manager

Clackamas River Water District

On behalf of the Board of Commissioners and Staff:

Ken Humberston; President Hugh Kalani; Secretary Naomi Angier; Treasurer Larry Sowa; Commissioner

David McNeel; Commissioner

JAMES J. NICITA

302 Bluff Street Oregon City, OR 97045 E-mail: james.nicita@gmail.com

January 11, 2016

Comments on PC 15-251, Re-adoption of the Beavercreek Road Concept Plan (Planning File LE 15-03)

Comment #1: The Beavercreek Road Concept Plan as presented by staff constitutes a violation of the Oregon City Charter, and violates Goal 9 of the Statewide Planning Goals, and Sections 2 and 9 of the Oregon City Comprehensive Plan.

Oregon City Charter

Section 6 of the Oregon City Charter provides: "Except as this charter provides otherwise, all powers of the city shall be vested in the commission."

The Oregon City Commission is the governing body of the City, and as such on July 20, 2011 directed staff to remand the Beavercreek Concept Plan to the Planning Commission, including a directive to add, "cottage manufacturing" to the "West Mixed Use Neighborhood" and the "East Mixed Use Neighborhood" of the Concept Plan.

Staff failed to do so, in violation of the Commission's command as well as Section 6 of the Oregon City Charter; indeed, staff has even excluded the July 20, 2011 vote from the revised findings for the Beavercreek Road concept plan.

Statewide Planning Goal 9

The City Commission legally incorporated cottage manufacturing to the Beavercreek Road Concept Plan on July 20, 2011, and staff's effective removal of cottage manufacturing from the Concept Plan violates Statewide Planning Goal 9's mandate to maintain an adequate supply of land for "a variety of industrial" uses.

Sections 2 and 9 of the Oregon City Comprehensive Plan

Similarly, staff's removal of the cottage manufacturing required by the City Commission on January 20, 2011 violates several applicable provisions of Sections 2 and 9 of the Oregon City Comprehensive Plan:

Policy 2.6.1

Work with Metro to ensure that there is enough land available within the Urban Growth Boundary to meet the need for industrial and/or commercial development. If there is not enough, identify areas outside the boundary that may be appropriate to annex. The selection of these areas will be based on market factors, protection of environmentally sensitive areas, compatibility with adjoining and nearby uses, public facilities and infrastructure, proximity to expressways and transit, site requirements of specific types of industries, and the desires of the property owners.

DATE RECEIVED: 1/11/16
SUBMITTED BY: JAMES NICITA
SUBJECT: LE-15-03
BRCP

Policy 2.6.2

Ensure that land zoned or planned for industrial use is used for industrial purposes, and that exceptions are allowed only where some other use supports industrial development. New non-industrial uses should especially be restricted in already developed, active industrial sites.

Policy 2.6.3

Protect the city's supply of undeveloped and underdeveloped land zoned for industrial uses by limiting non-industrial community uses, such as schools, parks, and churches on such properties and by limiting larger commercial uses within those areas.

Policy 2.6.4

Protect existing and planned undeveloped and underdeveloped industrial lands from incompatible land uses, and minimize deterrents to desired industrial development.

Policy 2.6.5

Ensure that land-use patterns create opportunities for citizens to live closer to their workplace.

Policy 2.6.6

Identify industrial uses that could partner with Clackamas Community College as training centers and future employers of students graduating from CCC.

Policy 2.6.7

Establish priorities to ensure that adequate public facilities are available to support the desired industrial development.

Policy 2.6.8

Require lands east of Clackamas Community College that are designated as Future Urban Holding to be the subject of concept plans, which if approved as an amendment to the Comprehensive Plan, would guide zoning designations. The majority of these lands should be designated in a manner that encourages family-wage jobs in order to generate new jobs and move towards meeting the city's employment goals.

Goal 9.1 Improve Oregon City's Economic Health

Provide a vital, diversified, innovative economy including an adequate supply of goods and services and employment opportunities to work toward an economically reasonable, ecologically sound and socially equitable economy.

Policy 9.1.1

Attract high-quality commercial and industrial development that provides stable, high-paying jobs in safe and healthy work environments, that contributes to a broad and sufficient tax base, and that does not compromise the quality of the environment.

Finally, the staff "issues matrix" states, "Adoption of the BRCP does not preclude the provision of cottage manufacturing or a greater variety of home occupations."

The first response to this statement is that it represents the position of at least one commenter during the July 20, 2011 City Commission proceeding, and the City Commission rejected that position in directing staff to include cottage housing explicitly in the remanded Beavercreek Road Concept Plan.

The second response to this statement is that it is inaccurate. The text of the "West Mixed Use Neighborhood" and the "East Mixed Use Neighborhood" in the Beavercreek Road Concept Plan does not mention the word "manufacturing" at all. It would be an upward hill climb to try to get such a concept included in the zoning for these neighborhoods without mandating cottage manufacturing in the Concept Plan.

There is a simple solution for the Planning Commission here. The July 20, 2011 City Commission decision mandates cottage manufacturing in the "West Mixed Use Neighborhood" and the "East Mixed Use Neighborhood." The Planning Commission can, at a minimum, simply add the two words "cottage housing" to the textual description of each of these neighborhoods. If the Planning Commission wants to expand how much cottage manufacturing is added, it can go so far as to substitute cottage manufacturing over residential in each neighborhood, and that would also be consistent with the July 20, 2011 vote.

Comment #2: The findings do not demonstrate compliance with Statewide Planning Goal 6.

The application does not include substantial evidence in the whole record demonstrating compliance with Statewide Planning Goal 6.

Goal 6:

"All waste and process discharges from future development, when combined with such discharges from existing developments shall not threaten to violate, or violate applicable state or federal environmental quality statutes, rules and standards."

In Marcott Holdings v. City of Tigard, held regarding compliance with Goal 6:

"Goal 6 requires findings that a proposed use will be <u>able</u> to comply with applicable environmental standards. It is not satisfied by findings stating only that the proposed use will be <u>required</u> through conditions to comply with applicable environmental standards. <u>Eckis v. Linn County</u>, 19 Or LUBA 15, 35 (1990). The city must make additional findings addressing the feasibility of compliance with Goal 6, meaning that "solutions to certain problems * * * posed by [the] project are possible, likely and reasonably certain to succeed" in achieving compliance. <u>See Meyer v. City of Portland</u>, 67 Or App 274, 280 n5, 678 P2d 741, <u>rev den</u> 297 Or 82 (1984)."

A. State Water Quality Statutes, Rules, and Standards

Page 34 of the Concept Plan indicates that storm water will be discharged into Thimble Creek, which is "waters of the state" under ORS 468B.005(10).

<u>State Standards</u>: There are no findings or substantial evidence in the record that the development authorized by the Concept Plan will not violate or threaten to violate the state water quality standards in OAR Chapter 340 Division 41. Storm water runoff is a waste, the discharge of which shall not violate water quality standards. 1000 Friends of Oregon v. City of North Plains, 27 Or LUBA 372 (1994).

The following sections of OAR 340 Division 41 are applicable to the storm water discharges from development authorized by the Concept Plan:

OAR 340-041-0004 Antidegradation; OAR 340-041-0007 Statewide Narrative Criteria; OAR 340-041-0009 Bacteria; OAR 340-041-0011 Biocriteria; OAR 340-041-

0016 Dissolved Oxygen; OAR 340-041-0019 Nuisance Phytoplankton Growth; OAR 340-041-0021 pH; 340-041-0028 Temperature; OAR 340-041-0031 Total Dissolved Gas; OAR 340-041-0032 Total Dissolved Solids (TDS); OAR 340-041-0033 Toxic Substances; OAR 340-041-0036 Turbidity; OAR 340-041-0340 Beneficial Uses to Be Protected in the Willamette Basin; OAR 340-041-0345 Water Quality Standards and Policies for this [Willamette] Basin.

State Statutes: The storm water drainage system for the proposed development will be a "disposal system" under ORS 468B.005(1). Before either the City of Oregon City or a private developer can construct the disposal system, construct the outlet for the disposal system, or discharge from the disposal system, the applicant must obtain a permit, including applicable effluent limitations, pursuant to ORS 468B.050. Pursuant to ORS 468.065(1), "Any permit issued by the department shall specify its duration, and the conditions for compliance with the rules and standards, if any, adopted by the Environmental Quality Commission pursuant to ORS ... 468B." Those water quality standards are authorized by ORS 468B.048.

In the absence of fails of a permit pursuant to ORS 468B, waste discharges such as storm water must comply with ORS 468B.025(1), which states that "no person" shall "Cause pollution of any waters of the state" or "Discharge any wastes into the waters of the state if the discharge reduces the quality of such waters below the water quality standards established by rule for such waters by the Environmental Quality Commission."

In addition, ORS 468 and ORS 468B also apply to this land use decision independently as "applicable law" under ORS 197.835(9)(a)(D).

There is no evidence in the record demonstrating compliance with the foregoing.

B. Federal and State Air Quality Statutes, Rules and Standards

In <u>1000 Friends of Oregon v. City of North Plains</u>, 27 Or LUBA 372 (1994), LUBA held that a comprehensive plan amendment had to comply with the Clean Air Act, 42 USC §§7401 <u>et seq.</u>, and OAR 660-12-035. There is no evidence in the record demonstrating compliance with these laws and rules.

PC 15-251 Re-Adoption of the Beavercreek Road Concept Plan (Planning File LE 15-03))

Planning Commission Jan. 11, 2016 Elizabeth Graser-Lindsey

Re-adoption does not account for changed conditions over 10 years It is not acceptable that the Beavercreek Road Concept Plan be adopted by a re-adoption process because the studies done 10 years ago to support the plan are no longer valid.

- 1. A new transportation study is needed because extensive development is now impacting Beavercreek Rd. and Highway 213 which was not accounted for in the old study. Some examples are the Oregon City School District new bus barn and the enterprise district. The remand decision already showed problems with transportation failure and lack of funding.
- 2. The interchange at Beavercreek Rd. and Highway 213 is not longer planned to handle the traffic. The funding is so dire that the City has had to except this intersection and other failed intersections from its consideration. This traffic impasse cannot be the basis of a major development. It does not comply with Oregon Highway standards¹.

Transportation System Failures

1. The Beavercreek Road Concept Plan relies on internal roads paralleling Beavercreek Rd. and leading to Holly Lane to handle the traffic that a Beavercreek Rd. cannot accept. There is no funding to provide the connection to Holly Lane over the Thayer Rd. and Maplelane areas. There is no funding to improve Holly Lane (city or county) which currently is two-lane, winding and with drop offs. It has no shoulders and it has been having major accidents such as at the bends. It leads to congestion on Redlands Rd. There is no financing available or conceivably available to connect the plan area to Hwy 213 through internal roads. Because the City intends for the development to create the internal roads, the nature of incremental development makes this road "solution" a failure: the traffic will be created before all necessary, connecting roadway segments will be ready to be used and provide connectivity, so all the traffic will be using Beavercreek Rd. for years.

¹ It is unacceptable and not legal to basis a concept plan of a presumption that traffic standards will be further reduced in the future.

ENTERED INTO THE RECORD

DATE RECEIVED: 1/11/16
SUBMITTED BY: Elizabeth GraverSUBJECT: BRCP Lives of
LE-15-03

- 2. Beavercreek Road cannot handle more traffic as recent traffic studies have shown such as the Beavercreek Rd. Apartments at Meyers Rd.
- 3. Beavercreek Road cannot be widened to handle expected traffic volumes because the Beavercreek Rd. Apartments hem the road it so it cannot be expanded to city standards with provision for a freight route with multi-modal bus stops and with off-street parallel parking and landscaping needed for retail.
- 4. The roadway network this plan area depends on is also failing and failed. Recently motorists took an hour to get down the hill on Hwy 213 to I 205 during rush hour and 45 minutes before rush hour. The county's TSP planning maps showed Hwy 213 and I 205 failing to meet even the reduced traffic standards.
- 5. The City's new TSP provides that 50% of traffic over the planning horizon (20 years until 2035) will be by alternative modes; however, the BRCP has not been reworked to allow this to happen by ensuring the jobs in the concept plan area. Currently the original focus on jobs, which LUBA's remand demonstrated was Metro's intent for this area, has been defeated by converting most of the land use to residential, so there are no jobs for residents to walk or bike to, so they will need to continue driving out of the area violating the TSP. The 50% alternative modes bus, bike, pedestrian can only be achieved if the concept plan ensures jobs and services proceeds housing, but the opposite is occurring as the Beavercreek Apts. show.

Sewage System Failures

There is also insufficient sewage capacity in the sewer pipes and at the sewer plant to handle this development's sewage.

- 1. The sewer plant is trying to figure out how it will handle the excess sewage it sees coming. It currently is operating in an unsafe condition with insufficient reserve capacity below all other local sewer plants.
- 2. The sewer pipes are overcharged down Hwy 213 as shown by the Beavercreek Apt study. _____ During the recent rains in December there was sewage overflowing (spraying up out of manholes) at various locations in the area.
- 3. There is no Beavercreek Rd. sewer pipe or any realistic plan on how one could occur. A plan or mechanism has not been made on how the developers can pay for the line. The nature of incremental development makes the lack of an overall plan fatal to the sewer system, because the development is proving to not develop progressively along Beavercreek Rd. to the outer edge of the BRCP, so, as a practical matter, incremental

development does not result in a functioning sewer pipe. And the developers, so far, are refusing to take on the cost up-front to be reimbursed later as the city could allow. The Beavercreek Apts have been exempted from contributing to the Beavercreek Rd. sewage line, so there will not be enough funds to finance the line even if the other problems could be solved.

Other Infrastructure Failures

1. The City cannot provide or obtain water needed by the Beavercreek Rd. Concept Plan area.

The city has insufficient funds to provide water to the Beavercreek Rd. Concept Plan Area. The City's Water Master Plan shows the City is underfunded to maintain its water system and no funds to enlarge the system to meet new needs.

The Beavercreek Apartments application showed that the City has insufficient water pressure to serve the Beavercreek Road Concept Plan area. The City would need to create a large water reservoir near Wilson Rd., but it doesn't have the funds. wmf

An effort is being made to buy the water for the apartments (which are within the concept plan area) from the Clackamas River Water district; however, due to climate change, the reduced snow pack and the reduced summer time river flows, they had a water shortfall that caused a fish die off and required them to ask their customers to conserve water.

2. The City cannot provide adequate emergency services to the BRCP area if the roads are so congested that they fail to meet declining roadway standards. There are no passing lanes on Beavercreek Rd. and the shoulder is used by bicyclists and pedestrians, so emergency services cannot get through the congestion.

Laws Violated

This application violates Goal 11: Public Facilities and Goal 12:Transportation, Oregon Transportation Planning Rule (OAR 660 Division 12) and Statewide Planning Goal 12 because it would cause an unacceptable loss of capacity, mobility, connectivity, convenience and safety and create excessive congestion and conflict (10-30-15 Staff Report, p. 12, 15). The negative effect is significant.

The TSP is being violated because there is no plan on how to get residents to take the bus, bike or walk to their jobs or services when these

modes are to be 50% by 2035. This provision is not merely based on sustainability and appreciation of multi-modes of transportation, but it is also reflective of the City's inability to afford to increase the capacity of its transportation system to accommodate 100% of trips being by personal automobile. A plan is needed, but has not been made, to get the needed jobs and services in the area in a coordinated fashion so jobs and services proceed housing. So far the first development (Beavercreek Apts) was approved without even a space for a bus stop.

Goal 6 and Statewide Planning Goal 6 are also violated because the congestion planned for harms air quality and it creates a new source of greenhouse gases when the local and global atmosphere is already past its air's carrying capacity and the resulting climate change is causing global and local harm such as creating summer time drought and water cutbacks.

Goal 1 and Statewide Planning Goal 1 is violated by this re-adoption, because public involvement was not compliant with Goal 1 at the time this concept plan was remanded by LUBA. The abbreviated process continues the Goal 1 non-compliance.

Regional Wastewater Treatment Capacity Advisory Committee

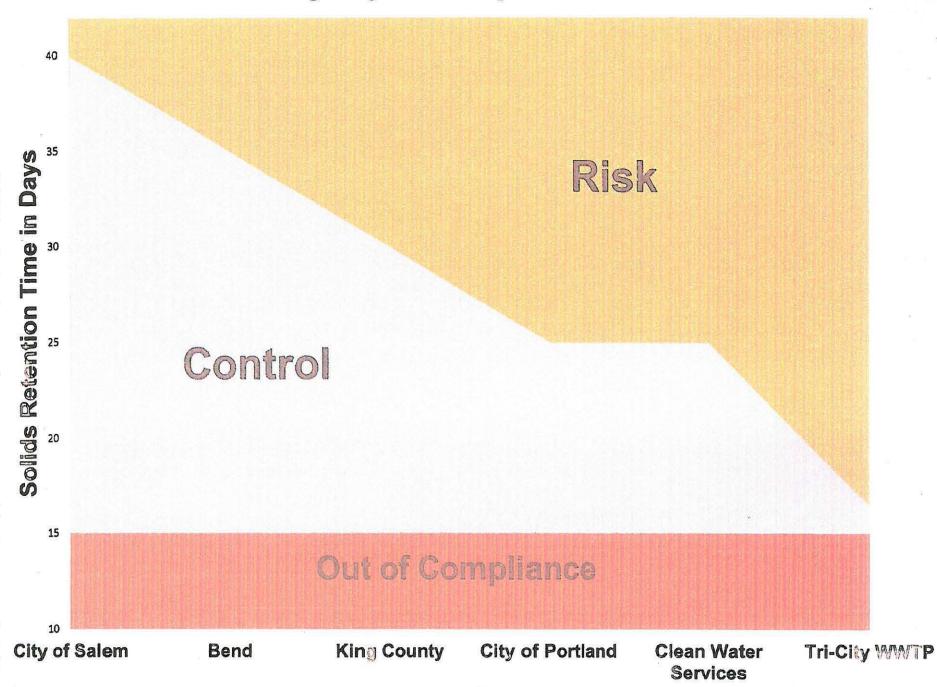
December 10, 2015





WATER EATEDNATES SERVICES

Average Digester Sludge Retention Time



Clackamas River Water

P.O. Box 2439 Clackamas, Oregon 97015-2439 (503) 722-9220 Fax (503) 656-7086 16770 SE 82nd Drive, Clackamas customerservice@crwater.com

To: Board of Commissioners of Clackamas County

From: Clackamas River Water

Date: July 23, 2015

Re: Water Use on the Clackamas River

SOARD OF COMMISSIONERS

JUL 29 2015

EH

On July 21, 2015 Clackamas River Water received a memorandum, Re: Water Use on the Clackamas written by Ernest Hayes of Clackamas County Administration. The policy question proposed was "Is the Clackamas River impacted by water shortage?" The memo ultimately concluded that, "After receiving feedback from several of the managers of local water districts, including Clackamas River Water Providers, there does not seem to be a present risk of a water shortage on the lower Clackamas River. Further, should a shortage occur, human consumption would not be limited until truly dire circumstances were met. There is no fear of this transpiring in the foreseeable future. "Clackamas River Water disagrees with Mr. Hayes' conclusion.

The state of Oregon is facing its worst drought in decades. Governor Brown has declared drought emergencies in 23 of 36 counties. Although Clackamas County eluded a drought declaration to date, it is not immune to the environmental pressures exerted upon it by low snowpack and hot, dry days. The Clackamas River, a vital resource for Clackamas County's urban centers, serves as a source of high quality drinking water for over 200,000 people and is no exception.

It is true that despite record low snowpack on Mt. Hood in the Upper Clackamas River Basin, the precipitation rate remained stable. Precipitation fell as rain, rather than snow. This is due to above average temperatures in the region. The elevation of the Upper Clackamas Basin is located near the current mid-winter snowline, as a result even minor deviations toward greater than normal temperatures can limit snow accumulation. While the Clackamas River is influenced by groundwater from large aquifers in the Upper Clackamas River Basin, the River will likely experience greater loss of streamflow and continued strain is put on the aquifer system. Trends toward warmer winters with more rain than snowpack will result in low flows on the River occurring earlier and increased stream temperatures. 2015 may very well be a preview of years to come.

Abnormally warm temperatures and record low snowpack in the Clackamas River Basin should be of great concern to water providers as the dense network of streams in the Upper Basin are strongly influenced by melting snow during the spring and summer, which in turn helps to maintain river flow and temperature. As early as May the effects could be observed on the river. Streamflows were at their

EXHIBIT G

lowest in over a decade (Figure 1), and temperature was elevated (Figure 2). By mid-June fish kills were observed at the confluence of the Clackamas and Willamette Rivers, due primarily to elevated water temperatures (Figure 2), prompting the Oregon Department of Fish and Wildlife to restrict fishing on the Clackamas River below the I-205 bridge.

Currently the streamflow of the Clackamas River is well below average, at levels not seen in more than a decade, and dropping. Water providers, as good stewards of the watershed, are subject to minimum allowable flows for fish persistence and passage. The State of Oregon requires each drinking water provider to develop a Water Management Conservation plan with a clearly defined curtailment plan that would maintain fish flows while allowing for sustainable water consumption. On the Clackamas River after September 15th that flow is 640 CFS. For Clackamas River Water and one other member of the Clackamas River Water Providers, as per our adopted Water Management Conservation Plans, Stage 3 Water Curtailment (mandated water conservation) would be implemented at streamflows less than 730 CFS after September 15th. While this is not the first time water providers have seen low streamflows in July, it is important to note that currently the streamflow of the Clackamas River is below 750 CFS with prolonged periods of hot dry weather predicted in combination with the development of an El Niño event (Figure 1). The likelihood of water providers having to implement curtailment practices come September is strong.

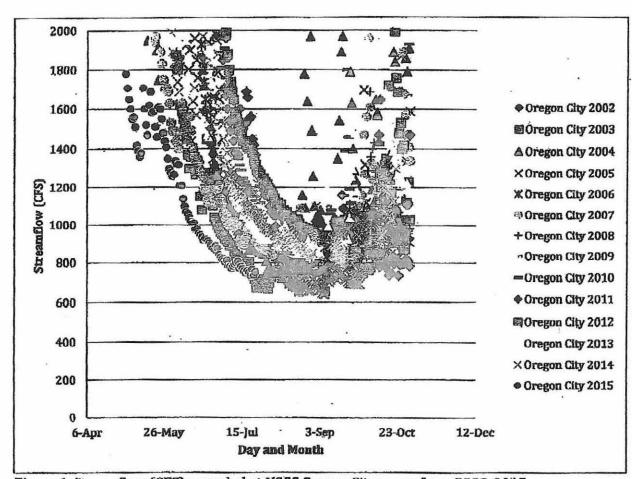


Figure 1. Streamflow (CFS) recorded at USGS Oregon City gauge from 2002-2015



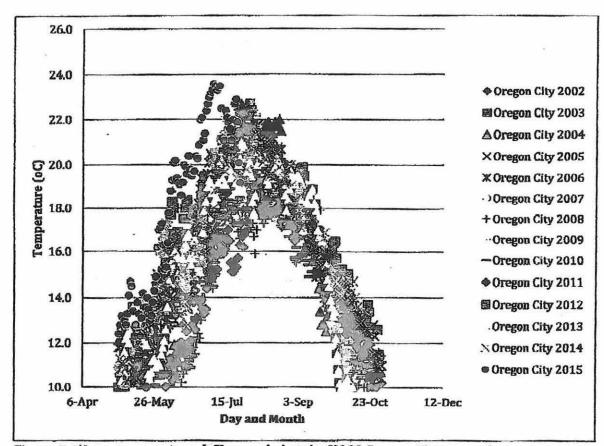


Figure 2. Water temperature (°C) recorded at the USGS Oregon City gauge from 2002-2015

Clackamas River Water issued a Stage 1 Water Advisory encouraging its customers to conduct voluntary water conservation measures in early June as dictated by our Water Management Conservation Plan upon observation of below average streamflows. Continued low flows, or a declaration of drought, will soon prompt CRW to issue a Stage 2 Water Advisory with more stringent conservation measures.

While there may not be an immediate water shortage on the Clackamas River, elevated temperatures and low streamflow suggest that mandated conservation measures for water providers may be on the horizon. It is our belief that as water providers on the Clackamas River we must begin to view the river less as an exclusive source of revenue and more as a valuable, finite resource that must be protected. To ignore the current river conditions and push off streamflow and temperature concerns would be irresponsible. While we do not discredit our collective utility's need to be financially stable, we believe that the long-term sustainability of the Clackamas River as a source of drinking water should trump the immediate needs of greener lawns and greater revenue. Responsible management of a water source does not mean simply navigating into maximum withdrawals allowed by the State of Oregon. It means preserving a drinking water source for a

larger portion of Clackamas County, preserving fish habitat and recreation, and ensuring our water source for the future.

Clackamas River Water is a special district that serves over 50,000 people in unincorporated Clackamas County, which includes Clackamas, and parts of Oregon City, Beavercreek, Milwaukie, and Portland.

We would like to offer our thanks to the Board of Commissioners for affording the water providers the opportunity to comment on this critical issue. As you are aware it is the County's role to notify the Governor when more extreme action is warranted.

Sincerely,

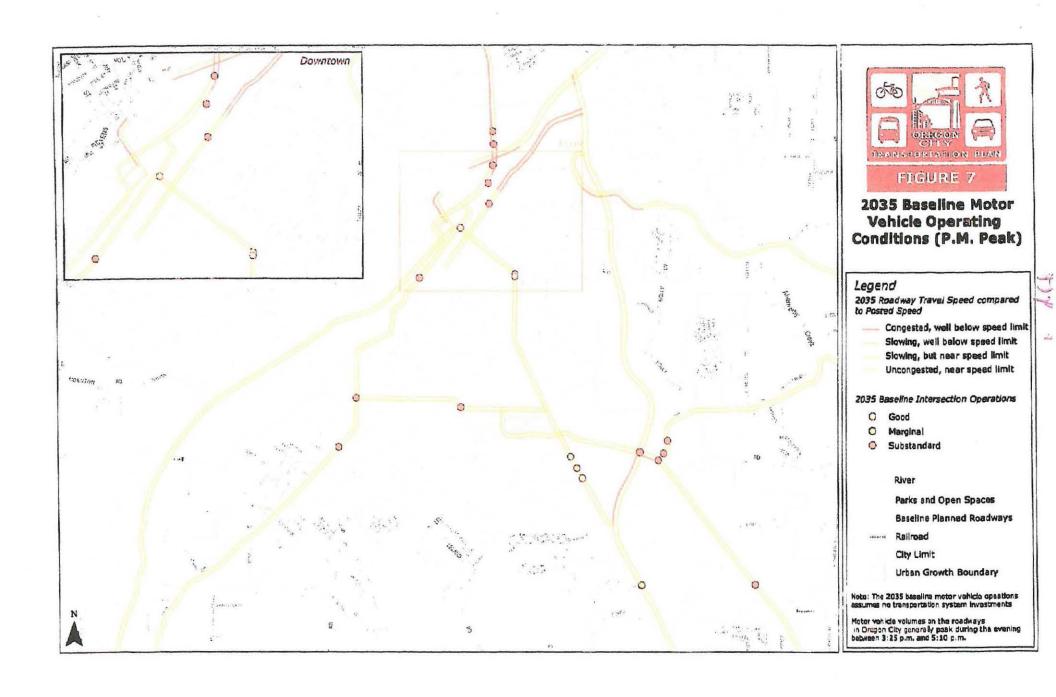
Lee E. Moore Sr.

General Manager

Clackamas River Water District

On behalf of the Board of Commissioners and Staff:

Ken Humberston; President Hugh Kalani; Secretary Naomi Angler; Treasurer Larry Sowa; Commissioner David McNeel; Commissioner



Progress is expected to be made towards meeting the **Congestion Targets**

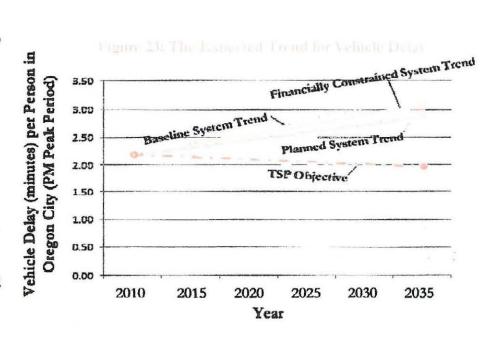
To reduce congestion, Oregon City identified over \$162 million worth of projects to improve driving, and approximately \$60 million to enhance walking, biking and transit usage.

Vehicle hours of Delay : The same dynamics that make Oregon City an attractive place to live and open a business- its access to major regional transportation routes including I-205, OR 213, OR 99E, and OR 43- pose a challenge for meeting this performance measure. The TSP objective envisions decreasing delay by approximately ten percent through 2035, to fewer than two minutes per person during the evening peak period. However, the future trend for delay along Oregon City streets during the evening peak period (after assuming the planned system investments) is expected to increase slightly through 2035, from about two minutes to just under three minutes per person. This is generally associated with increased delay along the regional routes (such as OR 99E

and OR 213), a side effect of local and regional population and employment growth. Since these routes serve outlying communities such as Molalla and Canby, trips that have origins and destinations outside of Oregon City are expected to significantly contribute to the increased delay in Oregon City.

With delay increasing, even after nearly \$222 million worth of transportation system investments, the limitations of relying on infrastructure improvements as a means of meeting this objective are evident as the benefits are difficult to assess.

However, the City is working towards meeting this objective by decreasing delay nearly 15 percent from what would be expected without the transportation system investments (see the Baseline System Trend).

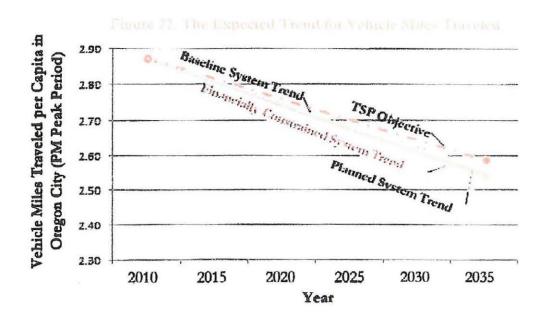


Delay is defined as the amount of time spent in congestion greater than 0.90 v/c, page 5-7, 2035 Metro RTP

The Plan is expected to outperform the Climate Change Target

Despite healthy local and regional population and employment growth, vehicle miles traveled in Oregon City is expected to be reduced more than the TSP objective through 2035. The TSP objective envisions decreasing vehicle miles traveled by approximately ten percent through 2035, to about 2.6 miles per person during the evening peak period.

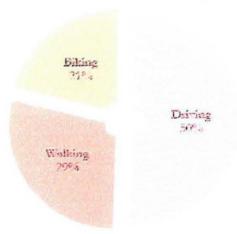
However, the future trend for vehicle miles traveled in Oregon City during the evening peak period (after assuming \$222 million worth of investments) is expected to decrease nearly 13 percent through 2035, from about 3 miles to 2.5 miles per person. This is likely representative of job growth in Oregon City, as more residents have the option to work closer to home. In addition, the \$60 million worth of investments in over 260 walking, biking, transit or other shared-usc path projects in the 2013 TSP help reduce the need to drive for local trips in the City.



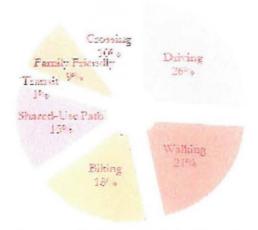
Walking, Biking and Transit Mode Share: Oregon City has identified nearly \$60 million worth of investments with over 260 walking, biking, transit or other shared-use path projects in its TSP. This accounts for over 75 percent of the projects in the 2013 TSP and represents an increase of more than 25 percent when compared to the projects in the 2001 TSP. While no data is available to quantify the impact of these walking, biking and transit investments in the City, they are expected to help the City work towards tripling the walking, biking and transit mode share between 2010 and 2035.

The City identified investments to complete walking and biking gaps along the major street system, and identified a network of low-volume more comfortable walking and biking routes off the major street system to further encourage walking and biking to key destinations throughout the City.

Figure 26: Comparison of 2001 and 2013 TSP Investments



Percent of TSP Projects by Travel Mode (2001 TSP)



Percent of TSP Projects by Travel Mode (2013 TSP)

Non-Single Occupancy Vehicle (SOV) Travel: Metro's regional travel demand model was used to evaluate progress towards meeting transportation demand management (TDM) goals, specifically reducing reliance on the single occupancy vehicle.7 Oregon City's non-SOV mode shares (outside of the Oregon City Regional Center) are expected to be above the TSP objective of 40 to 45 percent, with an estimated non-SOV mode share of 47 percent in 2005 and 48 percent in 2035. The non-SOV mode share in the Oregon City Regional Center is expected to remain steady through 2035, at around 42 percent, slightly below the TSP objective of 45 to 50 percent.

The TSP makes investment decisions that further help the City work towards achieving the non-SOV mode share targets. The City is expected to continue to increase trip share via walking, biking, carpooling or public transportation with investment decisions including a project that would help implement a Transportation Management

Association (TMA) program with employers and residents within the Oregon City Regional Center.

The Oregon City TSP includes solutions to decrease single occupancy vehicle travel by focusing on investments that encourage multi-modal travel, including increased walking and bicycling facilities and transit stop access/amenity improvements.

The TSP also includes maximum public street spacing standards to allow for sufficiently spaced pedestrian crossings. Street connections to increase the convenience of walking and bicycling were also recommended throughout the City, including the Oregon City Regional Center.



⁷ The Metro RTP Financially Constrained Plan was utilized for the non-SOV mode share analysis; therefore, not all of the projects included in the TSP were captured in the analysis.

Plans providing for a transportation system should consider as a major determinant the carrying capacity of the air, land and water resources of the planning area. The land conservation and development actions provided for by such plans should not exceed the carrying capacity of such resources.

Therefore:

Currently the intersection of State Hwy 213 and Beavercreek Road are at and exceed the "Carrying Capacity" of this intersection using the State approved ITE methods to determine/measure carrying capacity by a "Level of Service" (LOS) determination, where a measurement this Hwy 213 & Beavercreek Road intersection currently reflects a LOS "F" Failing Status.

Therefore:

Before The City of Oregon City, can advance the Beavercreek Road Concept Plan, any zoning changes, building permits and construction for the area that have and create any change to any and all transportation trip generation in and through the affected area, there must be IGA's in hand from all affected entities and governments, to allow those actions.

Therefore:

A complete Transportation Study with current updated understandings needs to happen, before advancing and approval of the Beavercreek Concept Plan, in addition to any zoning changes, building permits, construction activity that can alter Transportation Trips Generation within the affected area of the Beavercreek Concept Plan.

DATE RECEIVED: 1/1/16
SUBMITTED BY: Dan Edgs
SUBJECT: LE-15-03U
BRCP

City of Oregon City Planning Commission Meeting

RE: Testimony of Christine Kosinski, Unincorporated Clackamas County

For: PC 15-25 Re-Adoption of the Beavercreek Road Concept Plan – Planning File LE 15-03
Beavercreek Road from Henrici to Caufield
Failure to meet State Goals 7, 12, and 2
Failure to support State Law ORS 105.465 – Real Estate Disclosure Law
Failure to meet Comprehensive Plan Landslide requirements
City lacks Transportation Plan & Infrastructure for development on hilltop

On November 23rd, 2015, I submitted testimony requesting this hearing be left open for several concerns I brought forward. I requested the City to address these at tonight's meeting, however I see many concerns remain outstanding.

The City has NO Transportation Plan to move traffic from the hilltop to the I-205 transportation corridor. Because the intersection of Beavercreek Rd and Hwy 213 is already failing, the City had no alternative other than to "control access onto Beavercreek Rd." Without access control, the intersection fails forcing the city to halt the plethora of development it has planned for Beavercreek Road.

The City has planned a central road through the Concept Plan, forcing traffic to use the central road to Thayer, Maplelane and Holly where huge amounts of traffic will be directed to a planned Roundabout at Maplelane and Holly. The peoples of Holly Lane especially have repeatedly asked the City to remove it from its TSP due to the fact that the street is lined with many fragile landslides and the people are unable to obtain Landslide insurance, as evidenced by a denial (turned into the City) to Ms. Kosinski by Lloyd's of London. For the City to plan using Holly Ln for heavy traffic is a "failure for the City to meet Landslide requirements in both the State and City Comprehensive Plans.

I cannot believe that this City would even begin to consider approval of this Concept Plan, where the huge footprint of development will have disastrous implications for the people of Holly Ln. These people are victims who cannot get insurance to protect their properties. For the City to consider approval of this Concept Plan, knowing they are planning to use Holly Ln as a "freeway", knowing these people cannot get insurance, and knowing you are placing them in harm's way is simply inconceivable, callous and immoral.

I know I speak for all the property owners of Holly Lane in asking that you "deny" approval of the Beavercreek Road Concept Plan because you have NO transportation plan. Furthermore, you cannot meet Goal 12 nor Goal 7 and it is a requirement that all State Goals be met before this Concept Plan can meet with approval. The City cannot meet Goal 7 when it is unable to protect people and their property from harm in hazardous areas and when you know they are unable to obtain Landslide insurance to protect themselves from financial ruin.

Lastly, we ask once again as we have asked before on many occasions, take Holly Lane out of your TSP. These people cannot get Landslide insurance, they have no ability to protect themselves.

DATE RECEIVED: 1/11/16
SUBMITTED BY: C. KOSIASKI
SUBJECT: LE 15-03
BRCP

1	BEFORE THE LAND USE BOARD OF APPEALS
2	OF THE STATE OF OREGON
3	
4	ELIZABETH GRASER-LINDSEY,
5	Petitioner,
6	
7	VS.
8	
9	CITY OF OREGON CITY,
10	Respondent,
11	
12	and
13	
14	OREGON CITY GOLF CLUB,
15	Intervenor-Respondent.
16	
17	LUBA No. 2008-170
18	
19	FINAL OPINION
20	AND ORDER
21 22	
22	Appeal from City of Oregon City.
23	
24	Elizabeth Graser-Lindsey, Beavercreek, filed the petition for review and argued or
25	her own behalf.
26	
27	Carrie A. Richter, Portland, filed the response brief. Carrie A. Richter and Jennifer
28	M. Bragar argued on behalf of respondent. With her on the brief were Edward J. Sullivar
29	and Garvey Schubert Barer, PC.
30	
31	Kelly S. Hossaini, Portland, represented intervenor-respondent.
32	
33	HOLSTUN, Board Member; RYAN, Board Member, participated in the decision.
34	
35	BASSHAM, Board Chair, did not participate in the decision.
36	
37	REMANDED 08/20/2009
38	
39	You are entitled to judicial review of this Order. Judicial review is governed by the
40	provisions of ORS 197.850.

Page 1

EXHIBIT A

NATURE OF THE DECISION

Petitioner appeals a city ordinance that amends the city's comprehensive plan to adopt a concept plan for an area that was recently included within the Metro urban growth boundary (UGB). The city has not yet amended its comprehensive plan and zoning maps to make them consistent with the concept plan. The city proposes to adopt those amendments separately.

MOTION TO FILE AN OVERLENGTH PETITION FOR REVIEW

Petitioner filed a petition for review that is 50 pages long. Under OAR 661-010-0030(2)(b), a petition for review may not exceed 50 pages unless LUBA gives permission to file a petition for review with more than 50 pages. Petitioner included five more pages of argument at the end of the petition for review, and requests permission to include those additional five pages in her petition for review.

If petitioner had focused her arguments and written more concisely she could easily have included the five pages of argument and her other arguments in a petition for review with fewer than 50 pages. Petitioner's request to include the additional five pages of argument in her petition for review is denied.

In opposing petitioner's request to file an overlength petition for review, the city moves to strike three appendicies (Appendicies C, F and G). According to the city those appendicies include calculations made by petitioner, and they should have been included in the 50-page petition for review rather than attached as an appendix to the petition for review.

¹ The Oregon City Comprehensive Plan (OCCP) explains:

[&]quot;Concept plans are land-use plans for areas of the city that have just been included in the Urban Growth Area. Before these areas can be zoned or subdivided, a concept plan must be completed and adopted by the City Commission and accepted by Metro. Concept plans require a detailed assessment of the area to determine the most appropriate intensity and type of land use, and when completed, are adopted as part of the comprehensive plan." OCCP 4.

Appendix F is simply a copy of a zoning map, and the city does not explain what is objectionable about that map. The city is correct, with regard to Appendix C and Appendix G that those appendices include material that is best viewed as additional argument that should have been included in the 50-page petition for review. However, Appendices C and G assist us in understanding the parties' arguments, and we therefore deny the city's motion to strike the three appendices.

MOTION TO FILE A REPLY BRIEF

Petitioner moves for permission to file a reply brief. The first part of the reply brief quibbles with some of the city's statement of facts. That part of the reply brief is not allowed. The balance of the reply brief is captioned "New Arguments." But that part of the reply brief is most fairly characterized as a mixture of responses to alleged new matters in the city's brief and embellishments of arguments that were already presented in the petition for review. Under OAR 661-010-0039, reply briefs are permitted to respond to new issues in the respondent's brief; reply briefs are not permitted to embellish upon arguments that were presented in the petition for review. Wissusik v. Yamhill County, 20 Or LUBA 246, 250 (1990). However, given the nature of the petition for review, it would be difficult to sort out embellishment arguments from responses to new matters in the respondent's brief. We decline to do so, and elect simply to allow the "New Arguments" portion of the reply brief.

FACTS

Metro amended the Metro UGB in 2002 to include 245 acres of land next to Oregon City. Metro amended the UGB again in 2004 to include 63 additional adjoining acres, for a total of 308 acres. Those 308 acres have been included on Metro's Employment and Industrial Lands Map, and have been designated for Industrial use. Sometime before those UGB amendments, Metro applied Employment or Outer Neighborhood map designations to

another 145 acres in the same general area.² Altogether, this area includes 453 acres

designated Industrial, Employment or Outer Neighborhood. The city concept plan that is

before us in this appeal applies to this 453-acre area. That concept plan calls for a 175-acre

North Employment Campus to satisfy the city's planning obligations for the 308-acre

5 Industrial area. The balance of the concept plan calls for a variety of mixed employment,

6 commercial and residential development. According to petitioner, the concept plan is

inconsistent with Metro's designation of the 308 acres for Industrial use, and is also

inconsistent with city comprehensive plan policies that encourage industrial development.

INTRODUCTION

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The primary issue in this appeal is whether the challenged concept plan is consistent with Metro's regional planning for the subject property. Specifically, the dispute centers on the legal effect of Metro's decision to include 308 acres of property in the urban growth boundary and to designate those acres for industrial use. As briefed, this appeal is exceedingly complicated. Resolution of this appeal, in large part, requires us to resolve the parties' differing views regarding the correct interpretation of Titles 4 and 11 of Metro's Urban Growth Management Functional Plan (UGMFP), which is codified at Metro Code (MC) Chapter 3.07. Our review and resolution of those arguments has been difficult, because those Titles of MC Chapter 3.07 are ambiguous, and Metro is not a party to this appeal and has not filed a brief.

A basic understanding of the relevant Metro regional planning framework is necessary to sort out the parties' arguments. We discuss key sections of the MC before turning to the parties' arguments.

² We discuss these Metro map designations further later in this opinion.

Α.	Metro	2040	Crowth	Concept	Decion	Types
A.	Meno	4U4U	GIOWIII	Concept	DESIRII	TABES

The UGMFP (Metro Code Chapter 3.07) sets out how cities and counties are to incorporate regional planning into their local comprehensive planning. The UGMFP explains:

"The regional policies which are adopted by this [UGMFP] recommend and require changes to city and county comprehensive plans and implementing ordinances. The purpose of this functional plan is to implement regional goals and objectives adopted by the Metro Council as the Regional Urban Growth Goals and Objectives (RUGGO), including the Metro 2040 Growth Concept and the Regional Framework Plan. The comprehensive plan changes and related actions, including implementing regulations, required by this functional plan as a component of the Regional Framework Plan, shall be complied with by cities and counties as required by Section 5(e)(2) of the Metro Charter." MC 3.07.010.

- 15 Metro's 2040 Growth Concept is made up of a number of components, called "design types,"
- which are applied to properties within the Metro region. The UGMFP requires that City and
- 17 County comprehensive planning for property within the city or county must be amended to
- make that planning consistent with the Metro 2040 Growth Concept design types (hereafter
- design types) that have been applied to that property. MC 3.07.130.³

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³ MC 3.07.130 provides:

[&]quot;For each of the following 2040 Growth Concept design types, city and county comprehensive plans shall be amended to include the boundaries of each area, determined by the city or county consistent with the general locations shown on the 2040 Growth Concept Map or on maps adopted by ordinances adding territory to the UGB:

[&]quot;Central City-Downtown Portland is the Central City which serves as the major regional center, an employment and cultural center for the metropolitan area.

[&]quot;Regional Centers--Seven regional centers will become the focus of compact development, redevelopment and high-quality transit service and multimodal street networks.

[&]quot;Station Communities--Nodes of development centered approximately one-half mile around a light rail or high capacity transit station that feature a high-quality pedestrian environment.

[&]quot;Town Centers--Local retail and services will be provided in town centers with compact development and transit service.

[&]quot;Main Streets--Neighborhoods will be served by main streets with retail and service developments served by transit.

B. UGMFP Title 11—Planning for New Urban Areas

2 When Metro amends the UGB to bring rural land into the urban area, additional local 3 planning must be done because the formerly rural land becomes urbanizable land that is available for urban development. UGMFP Title 11 (MC 3.07.1105 through MC 3.07.1140) 4 5 sets out local government planning requirements for new urban areas. In this opinion we 6 refer to this planning as Title 11 planning. MC 3.07.1120 sets out specific requirements for 7 planning for areas that Metro brings within the UGB. Under MC 3.07.1120, that planning 8 must, among other things, be "consistent with the requirements of all applicable titles of the 9 Metro Urban Growth Management Functional Plan" and be in "compliance with * * * the Metro Council adopted 2040 Growth Concept design types." Under MC 3.07.1120(A), a 10

[&]quot;<u>Corridors</u>--Along good quality transit lines, corridors feature a high-quality pedestrian environment, convenient access to transit, and somewhat higher than current densities.

[&]quot;Employment Areas--Various types of employment and some residential development are encouraged in employment areas with limited commercial uses.

[&]quot;Industrial Areas--Industrial areas are set aside primarily for industrial activities with limited supporting uses.

[&]quot;Regionally Significant Industrial Areas--Industrial areas with site characteristics that are relatively rare in the region that render them especially suitable for industrial use.

[&]quot;Inner Neighborhoods--Residential areas accessible to jobs and neighborhood businesses with smaller lot sizes are inner neighborhoods.

[&]quot;Outer Neighborhoods--Residential neighborhoods farther away from large employment centers with larger lot sizes and lower densities are outer neighborhoods."

⁴ As relevant, MC 3.07.1120 provides:

[&]quot;All territory added to the UGB as either a major amendment or a legislative amendment pursuant to Metro Code Chapter 3.01 shall be subject to adopted comprehensive plan provisions consistent with the requirements of all applicable titles of the Metro Urban Growth Management Functional Plan and in particular this Title 11. The comprehensive plan provisions shall be fully coordinated with all other applicable plans. The comprehensive plan provisions shall contain an urban growth plan diagram and policies that demonstrate compliance with the RUGGO, including the Metro Council adopted 2040 Growth Concept design types. Comprehensive plan amendments shall include:

- local government's comprehensive plan map designations must be consistent with the
- 2 "general boundaries of design type designations." Under MC 3.07.1120(F), local government
- 3 comprehensive plans must provide "for sufficient commercial and industrial development for
- 4 the needs of the area to be developed consistent with 2040 Growth Concept design types."5

C. UGMFP Title 4—Planning for Industrial and Employment Areas

6 For areas that are subject to the Regionally Significant Industrial, Industrial or

7 Employment design types, UGMFP Title 4 (MC 3.07.410 through MC 3.07.450) imposes

additional planning requirements to protect these areas and encourage industrial development

that benefits from clustering and freedom from potentially incompatible non-industrial uses.⁶

In this opinion we sometimes refer to these planning requirements as Title 4 requirements or

11 Title 4 planning. Within areas subject to the Industrial design type, non-industrial

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[&]quot;A. Specific plan designation boundaries derived from the general boundaries of design type designations assigned by the Council in the ordinance adding the territory to the UGB.

[&]quot;****

[&]quot;F. Provision for sufficient commercial and industrial development for the needs of the area to be developed consistent with 2040 Growth Concept design types. Commercial and industrial designations in nearby areas inside the Urban Growth Boundary shall be considered in comprehensive plans to maintain design type consistency.

[&]quot;* * * * *." (Emphasis added.)

⁵ Other subsections of MC 3.07.1120 impose requirements to plan for housing, transportation, areas to be protected from development, public facilities, and schools. MC 3.07.1120 requires that local governments adopt an urban growth diagram that displays the general location of "streets," "unbuildable lands," "Habitat Conservation Areas," "mixed use areas, commercial and industrial lands," "single and multi-family housing," "public open space, plazas and neighborhood centers," and "needed school, park or fire hall sites."

⁶ MC 3.07.410 describes the purpose and intent of Title 4:

[&]quot;The Regional Framework Plan calls for a strong economic climate. To improve the region's economic climate, Title 4 seeks to provide and protect a supply of sites for employment by limiting the types and scale of non-industrial uses in Regionally Significant Industrial Areas (RSIAs), Industrial and Employment Areas. Title 4 also seeks to provide the benefits of 'clustering' to those industries that operate more productively and efficiently in proximity to one another than in dispersed locations. * * *"

development must be limited to commercial uses that "serve primarily the needs of workers in the [industrial] area." MC 3.07.430. Non-industrial development is also strictly limited in areas subject to the Employment design type. MC 3.07.440.

For purposes of this appeal, the UGMFP Title 4 requirements that are set out in the subsections of MC 3.07.450 supply important context. Those subsections explain how Metro allows local governments to deviate from the Employment and Industrial Areas Map and maintains consistency between the Employment and Industrial Areas Map and local comprehensive planning. We have attached the complete text of MC 3.07.450 as an appendix to this opinion. We discuss the key subsections of MC 3.07.450 below.

1. MC 3.07.450(A) Employment and Industrial Areas Map

MC 3.07.450(A) provides that the Employment and Industrial Areas Map (the E&IAs Map) "is the official depiction of the boundaries of Regionally Significant Industrial Areas, Industrial Areas, and Employment Areas."

2. MC 3.07.450(B) – Conforming E&IAs Map Changes After Title 11 Planning

After initial Title 11 planning has been completed, MC 3.07.450(B) requires the Metro Chief Operating Officer to conform the E&IAs Map to the comprehensive plan map

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⁷ MC 3.07.430 provides in part:

[&]quot;Cities and counties shall review their land use regulations and revise them, if necessary, to include measures to limit new buildings for retail commercial uses - such as stores and restaurants - and retail and professional services that cater to daily customers - such as financial, insurance, real estate, legal, medical and dental offices - in order to ensure that they serve primarily the needs of workers in the area. * * *"

⁸ None of the subject property is designated Regionally Significant Industrial Area, but as we have already noted, the 308 acres that were added to the UGB in 2002 and 2004 carry the Industrial design type and the Employment design type was applied to other property in the concept plan area sometime before 2002. The limits imposed on commercial uses on lands subject to the Industrial and Employment design types by MC 3.07.430 and 3.07.440 are fairly detailed and are more stringent for the Industrial design type than for the Employment design type. For purposes of this appeal the precise details of these limits on commercial uses are not important. In both cases, the limits are designed to ensure that any commercial development is appropriate for serving employees in the Industrial and Employment areas, rather than the general public.

boundaries that are established by local governments in their Title 11 planning. See Appendix.

3. MC 3.07.450(C) – Small Changes in Local Government Planning for Industrial and Employment Areas to Allow Non-Title 4 Uses

MC 3.07.450(C) authorizes cities and counties to change their comprehensive planning for areas that are subject to Title 4, to allow non-industrial uses that would not otherwise be allowed by Title 4. However, for land that is subject to the Industrial design type, the area affected may not exceed 20 acres and additional restrictions apply to such amendments. *See* Appendix. We will refer to these changes as "small changes," to distinguish them from the "large changes," authorized by MC 3.07.450(H), which is discussed below.

The decision that is before us in this appeal is the city's initial Title 11 planning for the 453-acre concept plan area. We note here that a key question is whether the requirements of MC 3.07.450(C) and the other subsections of MC 3.07.450 that follow MC 3.07.450(C) apply to the city's initial Title 11 planning or only apply to comprehensive plan amendments that may be adopted after the initial Title 11 planning has been completed. If they do apply to Title 11 planning, they significantly constrain a local government's authority to deviate from the requirements of Metro's design types when conducting Title 11 planning. If they do not apply to initial Title 11 planning, they do not constrain Title 11 planning and only severely constrain a local government's authority to deviate from Metro's design types after Title 11 planning has been completed. We return to that question after we summarize the remaining key MC 3.07.450 subsections.

4. MC 3.07.450(D) – Unbuildable and Previously Developed Lands

MC 3.07.450(D) authorizes local governments to amend their comprehensive plans and land use regulations to allow land that is subject to Title 4 to be put to uses that are not allowed by Title 4, if the "entire property is not buildable." Additionally, under MC

1	3.07.450(D), land may be put to uses that are not allowed by Title 4 if the property	was
2	previously developed and the property as developed meets a specified improvement value	e to
3	land value ratio.	

5. MC 3.07.450(E) – Conforming E&IA Map Changes After Small Changes in Local Planning for Title 4 Land Under MC 3.07.450(C)

If a local government takes advantage of MC 3.07.450(C) to make one of the permitted small changes in planning for Title 4 lands, MC 3.07.450(E) directs the Metro Chief Operating Officer to conform the Metro E&IAs Map to the changed local planning after the deadline for appealing the small change amendment to LUBA expires or after the small change amendment is upheld if appealed to LUBA. We do not know why MC 3.07.450(E) does not also require conforming changes to the E&IAs Map following local mapping changes under subsection D of MC 3.07.450. Our guess is that omission was simply an oversight.

6. MC 3.07.450(F) - Suspension of MC 3.07.450(C) "Small" Amendments

MC 3.07.450(F) provides that the Metro Council may suspend operation of MC 3.07.450(C), if the cumulative local government small changes authorized by that subsection have exhausted the 20-year industrial land surplus. MC 3.07.450(F) appears to have been adopted to allow the Metro Council to suspend the authority for small changes under MC 3.07.450(C), if those changes would cause the regional vacant industrial land supply to fall below a 20-year supply.

7. MC 3.07.450(G) Metro Council May Amend the E&IAs Map At Any Time

The Metro Council may amend the E&IAs Map at any time "to better achieve the policies of the Regional Framework Plan."

8. MC 3.07.450(H) – Large Changes in Local Government Planning for Industrial and Employment Areas to Allow Non-Title 4 Uses

MC 3.07.450(H) authorizes the Metro Council to amend the E&IAs Map to permit local governments to adopt "large changes" that exceed the size limit imposed by MC 3.07.450(C), if certain criteria that are designed to ensure the continued adequacy of the industrial and employment land supply are satisfied.

D. Summary

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Title 4 is not ambiguous in how it applies to comprehensive plan amendments after Title 11 planning is complete. As to post-Title 11 planning, Title 4 clearly grants local governments very limited authority to amend their comprehensive plans to allow nonindustrial and non-employment uses on lands that carry the Industrial and Employment design type. Small changes (up to 20 acres) are authorized by MC 3.07.450(C) for property subject to the Industrial design type, provided that the criteria in MC 3.07.450(C) are met. MC 3.07.450(D) provides another limited exception for unbuildable land and land that is already developed. Finally, for larger properties that exceed the 20-acre size limit in MC 3.07.450(C)(6), MC 3.07.450(H) authorizes the Metro Council to amend the E&IA Map to allow non-industrial development if the criteria in MC 3.07.450(H) are met. Those criteria include standards designed to protect the quantity and quality of industrially designated Beyond MC 3.07.450(C), MC 3.07.450(D) and MC 3.07.450(H), after a local lands. government's Title 11 planning is complete, it appears that the only way a local government would be permitted to amend its comprehensive plan and land use regulations to authorize non-industrial use of lands that carry the Industrial design type, would be to request that the Metro Council first exercise its authority under MC 3.07.450(G) to apply a different design type that would allow planning and zoning such lands for non-industrial uses.

One of the questions that we must answer in resolving petitioner's first assignment of error, is whether MC 3.07.450(C) through (G) also apply during Title 11 planning when a

- local government first applies its comprehensive planning to land that has been added to the
- 2 UGB and designated Industrial and Employment by Metro.

FIRST ASSIGNMENT OF ERROR

Petitioner's first assignment of error is 29 pages long and very difficult to follow in places. A recurring theme under the first assignment of error is that the city is obligated under MC 3.07.1120 and other laws to ensure that its Title 11 planning for the entire 308 acres that carry the Industrial design type complies with MC 3.07.430. Many of the authorities petitioner cites in her argument under the first assignment of error appear to have little or nothing to do with petitioner's central theme. We have simplified petitioner's arguments under the first assignment of error and delve no more deeply into the facts than is necessary to resolve this assignment of error.

MC 3.07.1120 requires that the city's Title 11 planning must "demonstrate compliance with * * * the Metro Council adopted 2040 Growth Concept design types." *See* n 4. MC 3.07.1120 also requires that such local planning must be "consistent with the requirements of all applicable titles of the [UGMFP]." *Id.* We do not understand the city to dispute that MC 3.07.430 requires that its Title 11 planning for the 453-acre concept plan area must protect the parts of that area that will ultimately retain the Industrial design type. We understand the city to concede that for those parts of the 453-acre concept planning area, the city must limit non-industrial uses to commercial uses that "serve primarily the needs of workers in the [industrial] area." *See* n 7.

On the other hand, we do not understand petitioner to dispute that the 175 acres that make up the North Employment Campus have been planned for industrial uses, in accordance with MC 3.07.430.¹⁰ Petition for Review 6. Petitioner's dispute is with the

⁹ As we have already explained, MC 3.07.430 only allows very limited non-industrial use of land that carries Metro's Industrial design type.

¹⁰ As we explain later, those 175 acres include approximately 120 acres that are buildable.

- 1 Industrially designated lands to the south of the North Employment Campus. Petitioner
- 2 contends that those Industrially designated lands have been planned for uses that do not
- 3 comply with MC 3.07.430.11 We understand the city to concede that those lands have not
- 4 been planned for industrial uses in accordance with MC 3.07.430. Respondent's Brief 6.
- 5 But the city contends that it was not obligated by MC 3.07.1120 or 3.07.430 or any of the
- 6 many other laws cited by petitioner, to plan all 308 acres that carry the Industrial design type
- 7 in accordance with 3.07.430. 12

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A. The City's Preliminary Arguments

The city offers two arguments that, if meritorious, would require that we deny the first assignment of error. We address those arguments first.

1. MC 3.07.430 Applies Exclusively to Land Use Regulations

As we noted earlier in this opinion, the challenged ordinance amends the city's comprehensive plan to adopt the concept plan. The city chose not to adopt contemporaneous amendments to its land use regulations that will be needed to implement the concept plan. Because the city's land use regulations will not be amended until a future date, we understand the city to argue that MC 3.07.430 does not apply.

We reject the argument. It is true that MC 3.07.430 directs that local governments must "review their land use regulations and revise them, if necessary, to include measures to limit new buildings for retail commercial uses * * *." See n 7. But the direction in MC 3.07.430 is broad enough to require that local governments also adopt any conforming comprehensive plan amendments that might be necessary to allow the local government to adopt revised land use regulations that are consistent with Title 4 and remain consistent with

Determining the precise number of acres is not easy, but it appears clear that more than half of the 308 acres that carry the Industrial design type have not been planned in accordance with MC 3.07.430.

¹² The city states "the mixed use and employment areas are not required (and were never intended) to qualify as industrial areas protected by MC 3.07.430." Respondent's Brief 9.

the local government's comprehensive plan. We conclude that the city may not adopt a concept plan for lands that are subject to MC 3.07.430, as part of its comprehensive plan, if that concept plan would allow uses that are inconsistent with MC 3.07.430.

2. Petitioner's Failure to Appeal Metro's Decision

MC 3.07.1130 requires that a local government give Metro 60 days prior notice before it adopts a comprehensive plan amendment. In addition, Title 8 of the UGMFP (MC 3.07.810 through MC 3.07.890) sets out a process by which Metro can review city and county comprehensive plans and land use regulations to determine whether they are consistent with the requirements of the UGMFP. Respondent suggests that Metro issued a decision that approved the city's proposal to plan many of the 308 acres for non-industrial uses. We understand respondent to argue that decision is final, and that LUBA must defer to that decision. Respondent's Brief 12-13.

We reject this argument as well. The process that Metro has adopted in Title 8 has some similarities to LCDC acknowledgment review under ORS 197.251, but it also has some differences. An important difference is that compliance review under Title 8 is initiated by the Metro Chief Operating Officer. MC 3.07.820. If the Metro Chief Operating Officer believes a proposed comprehensive plan amendment complies with Metro's functional plan, the Chief Operating Officer does nothing. Only if the Chief Operating Officer believes the proposed amendment "does not comply with the functional plan," is the Chief Operating Officer required to advise the local government of any revisions that may be necessary. MC 3.07.820(B). If the Chief Operating Officer takes the position that the proposed

¹³ MC 3.07.820(B) provides:

[&]quot;If the Chief Operating Officer concludes that the proposed amendment does not comply with the functional plan, the Chief Operating Officer shall advise the city or county that it may (1) revise the proposed amendment as recommended in the Chief Operating Officer's analysis; (2) seek an extension of time, pursuant to Section 3.07.850, to bring the proposed amendment into compliance with the functional plan; or (3) seek review of the noncompliance by MPAC and the Metro Council, pursuant to Sections 3.07.830 and 3.07.840."

- amendment "does not comply with the functional plan," that decision is appealable and could
- 2 ultimately result in a decision by the Metro Council regarding "compliance or
- 3 noncompliance." MC 3.07.840(C). Such a Metro Council order is appealable to LUBA.
- 4 MC 3.07.840(E). The Chief Operating Officer is also authorized to seek review of a
- 5 proposed comprehensive plan amendment by the Metropolitan Policy Advisory Committee.
- 6 MC 3.07.830(B). Such a review might also result in an appealable final order by the Metro
- 7 Council under MC 3.07.840(C).
- 8 In this case, it appears that Metro never had any objections to the city's proposal.
- 9 The city cites no evidence that any review that Metro may have conducted under MC
- 10 3.07.1130 or MC Chapter 3.07 Title 8 resulted in an appealable decision by the Metro
- 11 Council under MC 3.07.840(C). The letter signed by the Metro President and the statements
- of a Metro planner that the city cites are certainly not appealable Metro Council orders under
- 13 MC 3.07.840(C) and (D). Record 566, 691.

B. The City's Planning Obligation Concerning the 308 Industrially Designated Acres

In support of its position that it need not plan all 308 Industrially designated acres in

accordance with MC 3.07.430, the city relies on (1) MC language that it believes gives the

city the flexibility to plan those acres for non-industrial uses, (2) its findings that Metro only

planned for the 308 acres to result in 120 buildable acres and (3) a city study that determines

that Oregon City only needs approximately 150 buildable acres of land for industrial

development in the concept plan area in the next 20 years. Although those arguments are

interrelated, we discuss them separately below.

1. MC Text

The city contends that the text of the MC supports its view that the city has flexibility

25 under the MC to designate some of the 308 Industrially designated acres for uses that are not

allowed under Title 4. The city points out that MC 3.07.1120(A) only requires that the city's

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1 comprehensive plan designation be "derived from the general boundaries of design type

designations assigned by the Council in the ordinance adding the territory to the UGB."

(Emphasis added.) See n 4.14 We do not believe that any flexibility that the city has under

the "general boundaries" language allows the city to designate a substantial portion of the

308 Industrially designated acres for non-industrial use, as the city has done here.

The city next cites MC 3.07.1120(F), which the city contends establishes that the quantity of land that must be planned in accordance with Title 4 is to be based on the "needs of the area." See n 4. The city contends there is evidence in the record that the needs of the area can be accommodated on approximately 150 acres. The problem with that argument is that MC 3.07.1120(F) does not say the city need only consider the needs of the concept plan area or the needs of the city. The 308 acres are part of Metro's inventory of Industrial land to meet regional needs. We conclude below that there is not substantial evidence in the record to support a conclusion that the portions of the 308 acres that the city has planned for non-industrial development are not needed to meet the region's 20-year needs for industrial land.

The city also cites and relies on MC 3.07.030, which expressly provides that local governments are to have "flexibility" in how they go about meeting UGMFP requirements.¹⁶

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¹⁴ Similarly, MC 3.07.130 directs that comprehensive plans must be "consistent with the *general* locations shown on the 2040 Growth Concept Map or on maps adopted by ordinance adding territory to the UGB." (Emphasis added.) *See* n 3.

¹⁵ We address the city's reliance on that study to conclude that only 150 acres are needed for Industrial Development later in this opinion.

¹⁶ MC 3.07.030 provides:

[&]quot;The Urban Growth Management Functional Plan is a regional functional plan which contains 'requirements' that are binding on cities and counties of the region as well as recommendations that are not binding. 'Shall' or other directive words are used with requirements. The words 'should' or 'may' are used with recommendations. In general, the plan is structured so that local jurisdictions may choose either performance standard requirements or prescriptive requirements. The intent of the requirements is to assure that cities and counties have a significant amount of flexibility as to how they meet requirements. Performance standards are included in most titles. If local jurisdictions demonstrate to Metro that they meet the performance standard, they have met that requirement of the title. Standard methods of compliance are also included in the plan to establish one very specific way that

But that flexibility is the flexibility to use performance standards rather than prescriptive requirements. MC 3.07.030 does not give the city the flexibility to simply plan Industrially designated land for non-industrial uses.

Perhaps the MC text that potentially lends the most support to the city's position is MC 3.07.450(B), which requires that "after completion of Title 11 planning by the responsible city or county, the Chief Operating Officer shall issue an order to conform the map to the boundaries established by the responsible city or county." *See* Appendix. MC 3.07.450(B) would not be necessary, unless local governments have some authority to deviate from the planning that is required by Metro's design types.

Petitioner suggests that MC 3.07.450(B) only envisions minor changes that may be necessitated by the small scale of Metro's mapping (less detailed mapping) and the larger scale of local government planning maps (more detailed mapping). It is hard to imagine what purpose would be served by those kinds of scale-reconciling amendments and we reject the argument. We do not believe the changes envisioned by MC 3.07.450(B) are limited to reconciling differences that can be attributed to the different scales of Metro and local government mapping. But our conclusion that the city has some authority to plan the 308 acres of Industrially designated lands for uses that are not allowed by Title 4 does not necessarily mean the city is free to plan significant portions of the land that carries the Industrial design type for whatever uses the city wishes or for whatever uses the city may determine there is a market.

As we indicated earlier in this opinion, there is a significant question in our mind whether MC 3.07.450(C) through (H), which under limited circumstances allow a city or county to amend its comprehensive plan and land use regulations to allow use of lands that are on the E&IAs map that would otherwise be prohibited by Title 4, also apply to the city's

jurisdictions may meet a title requirement, but these standard methods are not the only way a city or county may show compliance. In addition, certain mandatory requirements that apply to all cities and counties are established by this functional plan."

initial Title 11 planning. It could be that the limited deviations authorized by those subsections of MC 3.07.450 are the same changes to which the Metro Chief Operating Officer is to conform Metro's mapping under MC 3.07.450(B). We understand the city to take the position that those subsections of MC 3.07.450 only apply *after* initial Title 11 planning has been completed and that those subsections of MC 3.07.450 do not apply to constrain the city's initial Title 11 planning.

MC 3.07.450(C) through (H) clearly apply to post-Title 11 plan and land use regulations amendments. It is much less clear whether they also apply to adoption of the city's initial Title 11 planning. Although we cannot think of a principled reason why MC 3.07.450(C) through (H) should *not* apply to Title 11 planning, based on the text and structure of MC 3.07.450 viewed as a whole we conclude that MC 3.07.450(C) through (H) do not apply to limit initial Title 11 planning. Those subsections of MC 3.07.450 appear immediately after 3.07.450(B), which requires the Metro Chief Operating Officer to conform Metro's mapping to local government initial Title 11 mapping. The language of MC 3.07.450(C) through (H) seems to be directed at post-Title 11 comprehensive plan amendments, and those subsections have their own separate subsections of MC 3.07.450. MC 3.07.450(E). See Appendix. To conclude that MC 3.07.450(C) through (H) apply to initial Title 11 planning would require us to overlook this text and structure. If Metro intended the limits in subsections (C), (D) and (H) of MC 3.07.450 to apply to initial Title 11 planning, Metro will need to amend the MC to more clearly state that intent.

In conclusion, we agree with the city that nothing cited by petitioner necessarily obligates a local government, in its Title 11 planning, to in all cases plan every Industrially designated acre in accordance with MC 3.07.430. MC 3.07.450(B) seems to anticipate that the city has some authority to plan at least some part of those 308 acres for uses that are not allowed by Title 4. But that does not mean the city is necessarily free to plan a substantial

number of those 308 acres for uses that are not permitted under MC 3.07.430, which is what the city has done here. We consider that question next.

2. Metro's Intent in Adding the 308 Acres and Designating Them for Industrial Uses

The North Employment Campus apparently includes a total of 175 gross acres and of those 175 gross acres 120 are net buildable acres. Those 120 acres have been planned in accordance with MC 3.07.430. The city takes the position that when Metro amended the UGB in 2002 and 2004 to add the disputed 308 acres to the UGB, and applied the Industrial design type to those 308 acres, it only anticipated or intended that 120 of those 308 acres would be put to industrial use in accordance with MC 3.07.430. If the record established that such is the case, we likely would agree with the city that it need not plan all 308 acres for Industrial use. But as we explain below, the record does not establish that such is the case.

The city adopted the following findings to explain its decision to only plan 127 acres in accordance with MC 3.07.430:

"Metro brought 245 gross acres in the UGB in 2002 and an additional 63 acres were added in 2004. The remaining acreage was in the UGB and/or Oregon City limits prior to 2002. These areas (308 gross acres) are designated as the Industrial Design Type on Metro's 2040 Growth Concept Map. Given the expected net acreage once non-buildable areas such as power lines, natural areas, were removed from the buildable lands inventory, Metro intended 120 net acres of the concept plan area would be used for employment Metro noted that it was important to fulfill the original intent for providing industrial lands and that there was flexibility for the local process to evaluate creative ways to meet the intent. See Metro's vacant lands methodology.[17] This approach was blessed by [the] Metro Council President, in a letter dated May 14, 2007 as well as [a] Metro planner * * * in a letter dated March 19, 2008.

"The [Citizen Advisory Committee] created several alternatives and finally chose a hybrid that included about 127 net acres of North Employment Campus (NEC), which is consistent with Metro's intent and similar to Oregon City's existing Campus Industrial designation, about 29 acres of Mixed

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¹⁷ Apparently this is a reference to the Metro vacant lands methodology that we discuss below.

Employment Village and Main Street, which allows a variety of uses in a village-oriented transit hub and mixed use neighborhoods to the south that also provide jobs tailored to the neighborhood setting.

"The North Employment Campus is to provide for the needed family wage employment that strengthens and diversifies the economy and will be compliant with Metro's Title 4 regulations. The NEC allows a mix of clean industries, offices serving industrial needs, light industrial uses, research and development and large corporate headquarters. The uses permitted are intended to improve the region's economic climate, promote sustainable and traded sector businesses, and protect the supply of site for employment by limiting incompatible uses." Record 18.

The first serious problem with the above findings is that they suggest that the 127 buildable acres that are designated Industrial and included in the North Employment Campus and planned consistently with MC 3.07.430 were derived from the 308 acres that Metro has designated for Industrial use. That is not the case. Approximately 46 of the North Employment Campus's 127 buildable acres came from the part of the 453-acre concept plan area that was previously designated Employment design type by Metro, before the 2002 and 2004 Industrial design type amendments. That means that only approximately 81 buildable acres in the North Employment Campus were derived from the 308 acres that carry the Industrial design concept.

Petitioner estimates that only 54.7 of the 127 acres mentioned in the city's findings coincide with the 308 acres that carry the Industrial design type. Petitioner may not have the acreages exactly right, but she is correct that a substantial number of the 127 buildable acres in the North Employment Campus come from Employment design type lands, not the 308 acres of Industrial design type land that were included in the UGB in 2002 and 2004. Therefore, even if the record established that it was Metro's intent that the 308 acres only result in 120 acres of buildable land to be developed in accordance with MC 3.07.430, the concept plan only plans about 81 of those 308 acres in accordance with MC 3.07.430.

A second and more serious problem with the above findings is that the record does not include substantial evidence that Metro intended that only 120 acres of the 308 acres be

1 planned for Industrial use in accordance with MC 3.07.430. The record includes statements 2 made in 2007 and 2008 to that effect by the Metro Council President and a Metro planner. 3 Record 566; 691. The record also includes two staff reports, in which a city planner takes 4 the position that only 120 acres were intended for industrial use and that Metro intended that 5 the city have the flexibility to plan the other acres for non-industrial uses. Record 644-45; 842-43. Finally, the record includes an e-mail message from a Metro planner with an 6 7 attached five-step methodology that Metro uses for assessing buildable lands. Record 739-8 42. This five-step methodology, or one like it, seems to be the basis for Metro's and the 9 city's position that Metro assumed at the time the UGB was amended in 2002 and 2004 that 10 only 120 acres of the 308 acres would actually be developed for Industrial use in accordance with MC 3.07.430. 11 12 The statements by the Metro Council President and planner include no reference to 13 the ordinances that added the 308 acres to the UGB and applied the Industrial designation or 14 the findings in support of those ordinances that might support the statements. Those 15 statements make no attempt to explain how the 120-acre figure was computed. We do not 16 believe a reasonable person would rely on those undocumented statements to conclude that 17 Metro intended that only 120 of the 308 acres be planned and developed in accordance with 18 MC 3.07.430. See Younger v. City of Portland, 305 Or 346, 351-52, 752 P2d 262 (1988) 19 (substantial evidence exists to support a finding of fact when the record, viewed as a whole, 20 would permit a reasonable person to make that finding). For the same reason, the two city 21 planner staff reports that rely on those letters are not substantial evidence that Metro intended 22 that only 120 of the 308 acres it added to the UGB and designated for Industrial use be 23 planned and developed in accordance with MC 3.07.430. 24 Metro's and the city's apparent belief that the five-step methodology for assessing

Metro's and the city's apparent belief that the five-step methodology for assessing vacant buildable lands supports a conclusion that only 120 acres of the 308 acres were anticipated to be actually developed for industrial uses is particularly hard to understand.

25

Under that methodology, vacant lands are identified (Step 1), environmentally constrained lands are eliminated (Step 2), steeply sloped areas are eliminated (Step 3), lands needed for "streets, parks, schools and churches/fraternal organizations" are eliminated (Step 4) and vacant lands on tax lots with higher value homes are eliminated (Step 5). If either Metro or the city actually applied that five-step methodology to the 308 acres and determined that only 120 acres of buildable land remained after Step 5 was completed, no one has identified where that exercise can be found in the record. Moreover, it seems highly unlikely to us that the mixed use residential and commercial development that the concept plan proposes for the large southern portion of the 308 acres is to be located on developed or constrained lands that would be eliminated by Steps 1 through 5. Petitioner contends that many of the Industrially designated acres in the southern part of the concept plan area that the concept plan designates for mixed commercial and residential uses are actually the flattest and best land for industrial development. The city's economic consultant appears to agree: "the south half of the property, flat and assembled, has no significant constraints on design and development." Record 1789-1790.

3. The ECONorthwest Market Analysis

The record includes a market analysis that was prepared by ECONorthwest. Record 1781-1808. The city argues that study "concluded that 150 acres of industrial and employment lands would be sufficient to meet the regional demand over a 20 year period. R. 1781 – 1808." Respondent's Brief 11. What the ECONorthwest market analysis actually concludes is that "[u]nder the right conditions, it is not unreasonable to expect 150 acres of industrial and business park development to build out on the site over a 20-year period." Record 1800. If the ECONorthwest market analysis concludes that only 150 of the 308 acres are needed to meet regional demand for industrial and other employment development we have been unable to find that conclusion in the market analysis. In fact, the ECONorthwest

analysis in several places states that the region currently does not have enough developable

industrial land:

"Metro's employment land needs analysis reports that about 9,300 net acres of industrial land is needed between 2002 and 2022. This includes about 3,000 acres of 'refill' or existing developed land for future reuse, business intensification or relocation. Thus, about 6,300 net acres of vacant land is needed for industrial development between 2002 and 2022. Metro's analysis concludes that the region has a shortage of large and small industrial lots and has a significant shortfall of about 5,700 net acres of both refill and vacant land through 2022.

"Considering the amount of immediately developable land industrial land—2,100 net acres—the *vacant* shortfall is about 4,200 net acres through 2022. With absorption at about 200 acres of industrial land per year, the existing supply of immediately developable net acres could be exhausted between 2012 and 2015. Record 1791 (emphases in original; footnotes omitted).

Although the ECONorthwest study may be substantial evidence that market demand for industrial land in Oregon City could be expected result in development of 150 of the 308 acres, it is not substantial evidence that there is not a regional demand for the 308 acres that carry the Industrial design type.

4. Conclusion

On the one hand, MC 3.07.1120 commands that the city's Title 11 planning must "demonstrate compliance with * * * 2040 Growth Concept design types" and must be "consistent with the requirements of all applicable titles of he Metro Urban Growth Management Functional Plan." On the other hand, MC 3.07.450(B) commands Metro to conform its mapping to local government mapping that is adopted under Title 11. We have had a great deal of difficulty reconciling those two commands. MC 3.07.450(B) seems to envision that local governments may plan property in ways that are inconsistent with the design types that Metro applied to those properties, whereas MC 3.07.1120 seems to command that Title 11 planning be consistent with Metro's design types. We can see three

possible explanations for this apparent inconsistency in the Metro Code, which give effect to both commands. We discuss each of those explanations below.¹⁸

a. Non-developable Lands

MC 3.07.1120(F) directs local governments to identify unbuildable lands and other lands that will be protected from development. See n 5. Presumably lands that are unbuildable for industrial use and lands that will be protected from industrial development pursuant to other Metro environmental protection mandates, need not be planned for industrial development in accordance with MC 3.07.430, even if those lands carry Metro's Industrial design type. MC 3.07.450(B) could have been adopted in whole or in part to permit the Metro Chief Operating Officer to amend Metro's E&IAs map to conform to a local government's more detailed mapping that identifies non-developable lands.

However, even if this is a partial or complete explanation for MC 3.07.450(B), as we have already noted, the city did not establish in the decision that is before us in this appeal that the Industrially designated lands that have been planned for non-industrial uses cannot be developed with industrial uses. Nor, based on this record, does it seem likely the city could establish that those lands are not suitable for the uses permitted by Title 4 of UGMFP.

b. The UGB Amendment and Industrial Designation

If the Metro decisions that amended the UGB in 2002 and 2004 expressly envisioned that the 308 acres that now carry the Industrial design concept would not all be planned in accordance with MC 3.07.430, then we believe it would follow that the city would not have to plan and develop all 308 acres in accordance with MC 3.07.430. In that circumstance, so long as a concept plan that designated some of those 308 acres for uses that are not allowed by MC 3.07.430 was consistent with any limits that were placed on such non-industrial planning by the UGB amendment and Industrial designation decisions for the 308 acres, such

¹⁸ As we noted earlier, Metro is not a party to this appeal. We do not mean to foreclose the possibility that there are additional explanations for the apparent inconsistency.

non-industrial planning would not violate MC 3.07.1120. In that circumstance, MC 3.07.450(B) would direct the Metro Chief Operating Officer to conform Metro's mapping to the local government's mapping at the end of the Title 11 planning process. But even if such express language in the 2002 and 2004 decisions might have permitted what the city has done here, no party has identified any such express language in those decisions, and we have found none.

c. Lack of Regional Need for Land with the Industrial Design Type

If the evidentiary record that supports the city's Title 11 planning included substantial evidence that the Metro region has a 20-year surplus of land with the Industrial design type, such that all 308 acres are not needed to maintain a 20-year supply of developable industrial land, we believe the city might be able in its Title 11 planning to plan the unneeded acres for uses that are not allowed by MC 3.07.430. In that event, MC 3.07.450(B) would operate to allow the Metro Operating Officer to conform Metro's mapping to (1) the city's Title 11 mapping and (2) Metro's actual 20-year need for land with the Industrial design type.

But the evidentiary record does not establish that there is a surplus of industrial land to meet Metro's 20-year regional need for such lands. To the contrary, the ECONorthwest market analysis seems to conclude that there is a shortage of Industrial land to meet Metro's 20-year need for Industrial land. While the ECONorthwest market analysis concludes that under assumed market conditions there will be a market demand for only 150 acres of land for industrial development within the concept plan area, that does not show there is a regional surplus of Industrial land to meet the regional 20-year need. At most the ECONorthwest market analysis might support a conclusion that despite the existing shortage of Industrial land to meet the region's 20-year need for Industrial land, only 150 acres of land within the concept plan area will likely be developed over the next 20 years under expected market conditions. That market analysis, if accurate, might provide a reason for Metro to reconsider whether the Industrial design concept should continue to apply to all 308 acres.

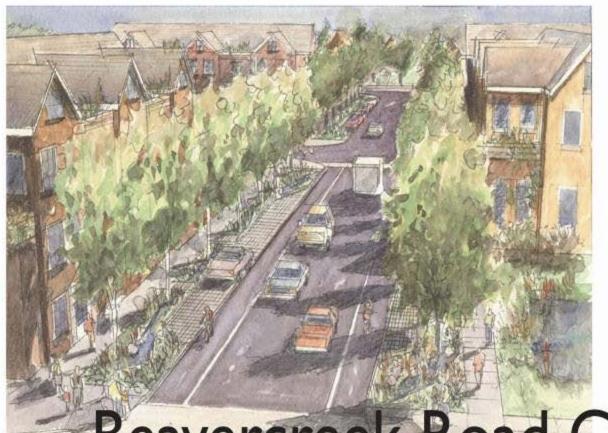
- 1 But the ECONorthwest market analysis is not a sufficient basis for the city to proceed with
- 2 its Title 11 planning to divert some of the 308 Industrially designated acres to allow non-
- 3 industrial development of those acres. If the city were permitted to do so, and Metro simply
- 4 conformed its mapping to the city's concept plan under MC 3.07.450(B), the regional
- 5 shortage of Industrially designated land would simply be exacerbated.
- For the reasons explained above, we conclude above that the city's decision to
- 7 designate only approximately 74 acres out of the total 308 acres that carry the Industrial
- 8 design type for industrial use in accordance with MC 3.07.430 is not consistent with that
- 9 design type and is not consistent with the city's obligation under MC 3.07.1140 to conduct
- its Title 11 planning consistently with Metro's design types. Remand is therefore required.
- We have addressed some, but not all of petitioner's arguments under her first
- assignment of error. The petition for review also includes two more assignments of error that
- we have not addressed. The issues presented by those arguments may or may not arise if the
- city on remand adopts a new concept plan that complies with MC 3.07.1120 and 3.07.430.
- ORS 197.835(11)(a) provides:
- "Whenever the findings, order and record are sufficient to allow review, and
- to the extent possible consistent with the time requirements of ORS 197,830
 - (14), the board shall decide all issues presented to it when reversing or
- remanding a land use decision described in subsections (2) to (9) of this
- section or limited land use decision described in ORS 197.828 and 197.195."
- 21 The statutory deadline established by ORS 197.830(14) for LUBA's final opinion in this
- 22 appeal expired some time ago. We therefore remand the decision without considering
- 23 petitioner's remaining arguments.
- The city's decision is remanded.

1 2 3	MC 3.07.450				
4 3.07.450 Employment and Industrial Areas Map					
5 6 7	A.	the b	Employment and Industrial Areas Map is the official depiction of oundaries of Regionally Significant Industrial Areas, Industrial and Employment Areas.		
8 9 10 11 12 13 14 15	В.	part of Area the rea an or response amen Section	e Metro Council adds territory to the UGB and designates all or of the territory Regionally Significant Industrial Area, Industrial or Employment Area, after completion of Title 11 planning by esponsible city or county, the Chief Operating Officer shall issued to conform the map to the boundaries established by the nsible city or county. The order shall also make necessary dments to the Habitat Conservation Areas Map, described in a 3.07.1320 of Title 13 of this chapter, to ensure implementation the 13.		
17 18 19 20	C.	regul: Indus	ty or county may amend its comprehensive plan or zoning ations to change its designation of land on the Employment and trial Areas Map in order to allow uses not allowed by Title 4 a demonstration that:		
21 22 23		1.	The property is not surrounded by land designated on the map as Industrial Area, Regionally Significant Industrial Area or a combination of the two;		
24 25 26 27 28		2.	The amendment will not reduce the jobs capacity of the city or county below the number shown on Table 3.07-1 of Title 1 of the Urban Growth Management Functional Plan, or the amount of the reduction is replaced by separate and concurrent action by the city or county;		
29 30 31 32 33		3.	If the map designates the property as Regionally Significant Industrial Area, the subject property does not have access to specialized services, such as redundant electrical power or industrial gases, and is not proximate to freight loading and unloading facilities, such as trans-shipment facilities;		
34 35 36 37 38 39		4.	The amendment would not allow uses that would reduce off- peak performance on Major Roadway Routes and Roadway Connectors shown on Metro's 2004 Regional Freight System Map below standards in the Regional Transportation Plan ("RTP"), or exceed volume-to capacity ratios on Table 7 of the 1999 Oregon Highway Plan for state highways, unless		

2			and OHP standards within two years after approval of uses;
3 4 5 6		5.	The amendment would not diminish the intended function of the Central City or Regional or Town Centers as the principal locations of retail, cultural and civic services in their market areas; and
7 8 9 10 11 12		6.	If the map designates the property as Regionally Significant Industrial Area, the property subject to the amendment is ten acres or less; if designated Industrial Area, the property subject to the amendment is 20 acres or less; if designated Employment Area, the property subject to the amendment is 40 acres or less.
13 14 15 16	D.	regula Indust	or county may also amend its comprehensive plan or zoning tions to change its designation of land on the Employment and rial Areas Map in order to allow uses not allowed by Title 4 a demonstration that:
17 18		1.	The entire property is not buildable due to environmental constraints; or
19 20		2.	The property borders land that is not designated on the map as Industrial Area or Regionally Significant Industrial Area; and
21 22 23 24		3.	The assessed value of a building or buildings on the property, built prior to March 5, 2004, and historically occupied by uses not allowed by Title 4, exceeds the assessed value of the land by a ratio of 1.5 to 1.
25 26 27 28 29 30	E.	Industrative city or after amend	Chief Operating Officer shall revise the Employment and rial Areas Map by order to conform to an amendment made by a county pursuant to subsection C of this section within 30 days notification by the city or county that no appeal of the ment was filed pursuant to ORS 197.825 or, if an appeal was that the amendment was upheld in the final appeal process.
31 32 33 34 35 36 37 38 39	F.	Counce any can the Enfrom Employeesign surplus	consultation with Metropolitan Policy Advisory Committee, the il may issue an order suspending operation of subsection C in alendar year in which the cumulative amount of land for which apployment and Industrial Areas Map is changed during that year Regionally Significant Industrial Area or Industrial Area to syment Area or other 2040 Growth Concept design type ation exceeds the industrial land surplus. The industrial land is is the amount by which the current supply of vacant land ated Regionally Significant Industrial Area and Industrial Area

1 2 3 4		most Anal	eds the 20-year need for industrial land, as determined by the recent 'Urban Growth Report: An Employment Land Need ysis', reduced by an equal annual increment for the number of since the report.
5 6 7	G.	Map	Metro Council may amend the Employment and Industrial Areas by ordinance at any time to make corrections in order to better eve the policies of the Regional Framework Plan.
8 9 10 11 12	Н.	Upon request from a city or a county, the Metro Council may amend the Employment and Industrial Areas Map by ordinance to consider proposed amendments that exceed the size standards of paragraph 6 or subsection C of the section. To approve an amendment, the Council must conclude that the amendment:	
13 14 15		1.	Would not reduce the jobs capacity of the city or county below the number shown on Table 3.07-1 of Title 1 of the Urban Growth Management Functional Plan;
16 17 18 19 20 21 22 23		2.	Would not allow uses that would reduce off-peak performance on Major Roadway Routes and Roadway Connectors shown on Metro's 2004 Regional Freight System Map below standards in the Regional Transportation Plan ("RTP"), or exceed volume-to capacity ratios on Table 7 of the 1999 Oregon Highway Plan ("OHP") for state highways, unless mitigating action is taken that will restore performance to RTP and OHP standards within two years after approval of uses;
24 25 26		3.	Would not diminish the intended function of the Central City or Regional or Town Centers as the principal locations of retail, cultural and civic services in their market areas;
27 28		4.	Would not reduce the integrity or viability of a traded sector cluster of industries;
29 30		5.	Would not create or worsen a significant imbalance between jobs and housing in a regional market area; and
31 32 33 34 35 36		6.	If the subject property is designated Regionally Significant Industrial Area, would not remove from that designation land that is especially suitable for industrial use due to the availability of specialized services, such as redundant electrical power or industrial gases, or due to proximity to freight transport facilities, such as trans-shipment facilities.

- I. Amendments to the Employment and Industrial Areas Map made in compliance with the process and criteria in this section shall be deemed to comply with the Regional Framework Plan.
- J. The Council may establish conditions upon approval of an amendment to the Employment and Industrial Areas Map under subsection F to ensure that the amendment complies with the Regional Framework Plan and state land use planning laws.
- K. By January 31 of each year, the Chief Operating Officer (COO) shall submit a written report to the Council and the Metropolitan Policy Advisory Committee on the cumulative effects on employment land in the region of the amendments to the Employment and Industrial Areas Map made pursuant to this section during the preceding year. The report shall include any recommendations the COO deems appropriate on measures the Council might take to address the effects.



Beavercreek Road Concept Plan

Envisioning a Complete and Sustainable Community

Planning Commission Worksession Presentation September



Goals

- 1. Complete and Sustainable Community
- 2. Model of Sustainable Design
- 3. Green Jobs
- 4. Sustainable Industries
- 5. Natural Beauty
- 6. Multi-Modal Transportation
- 7. Safety Along Beavercreek Road
- 8. OCHS and CCC
- 9. Unique Sense of Place
- 10. Ecological Health



BEAVERCREEK ROAD







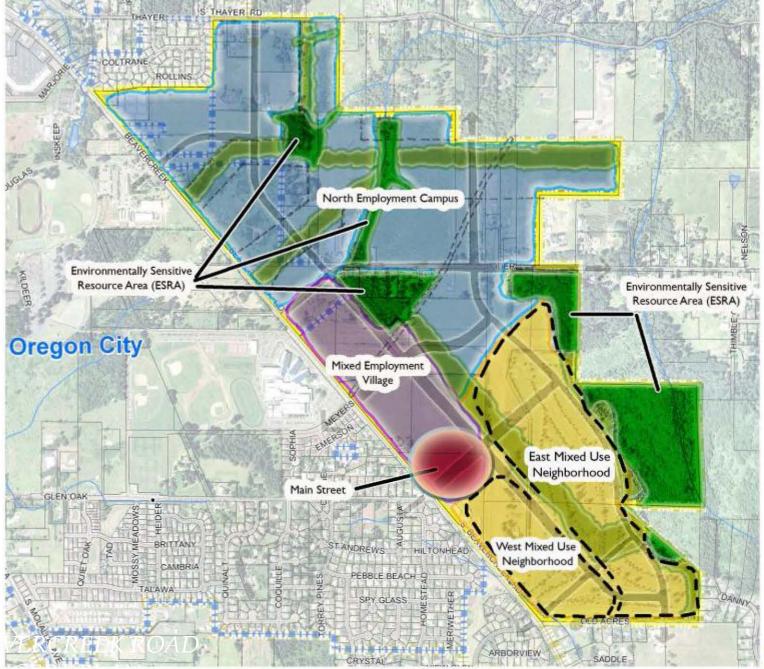






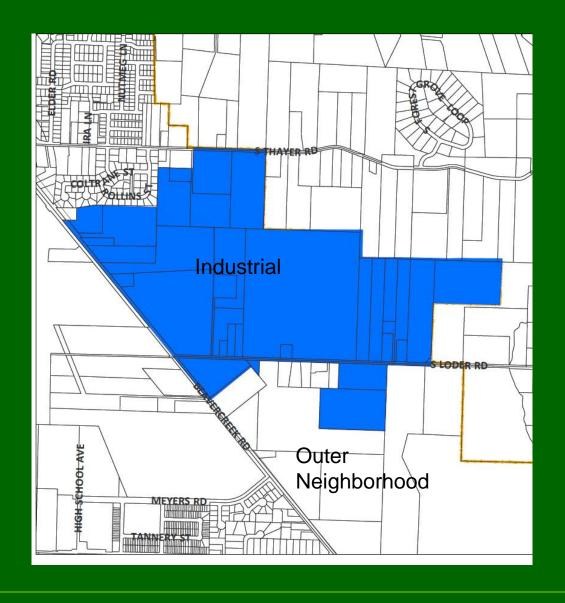
Figure 2: Beavercreek Zone Subdistricts

Current Status

- Overview of LUBA appeal, LCDC appeal and remand
- City Commission remanded to Planning Commission
- Re-open the record for the limited purpose of addressing the protection of the Title 4 lands, inserting the recently implemented transportation system plan and public utility plans, identifying transportation improvements and addressing police and fire services.

Limited Record

- Title 4 Industrial lands
- Transportation
 - TSP adopted August 2013
- Utilities
 - Sewer Master Plan adopted Nov 2014
 - Water Master Plan adopted Feb 2012
 - Stormwater standards adopted May 2015
- Police/ Fire Services



Metro 2040 Concept Plan Design Types

Metro Ord. 10-1244B Dec. 12

151 ac. (121 net) of Industrial

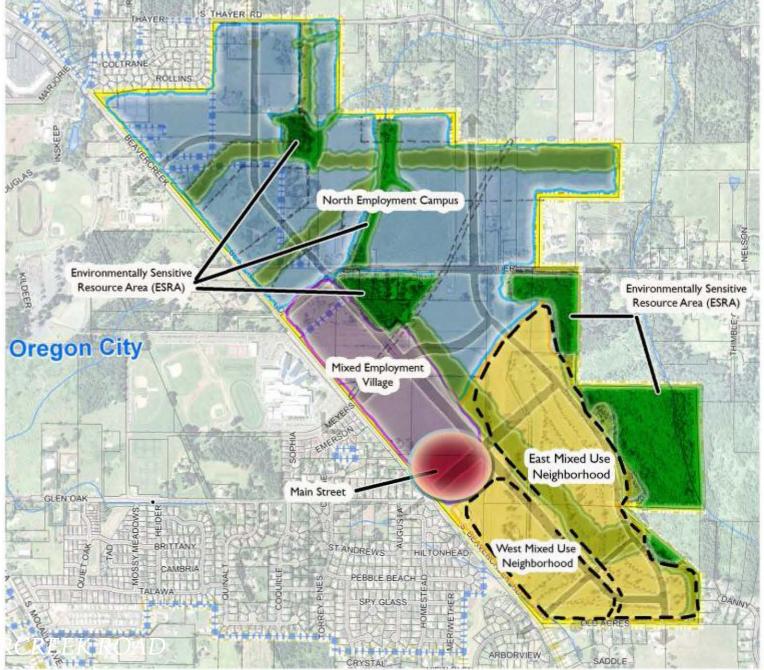


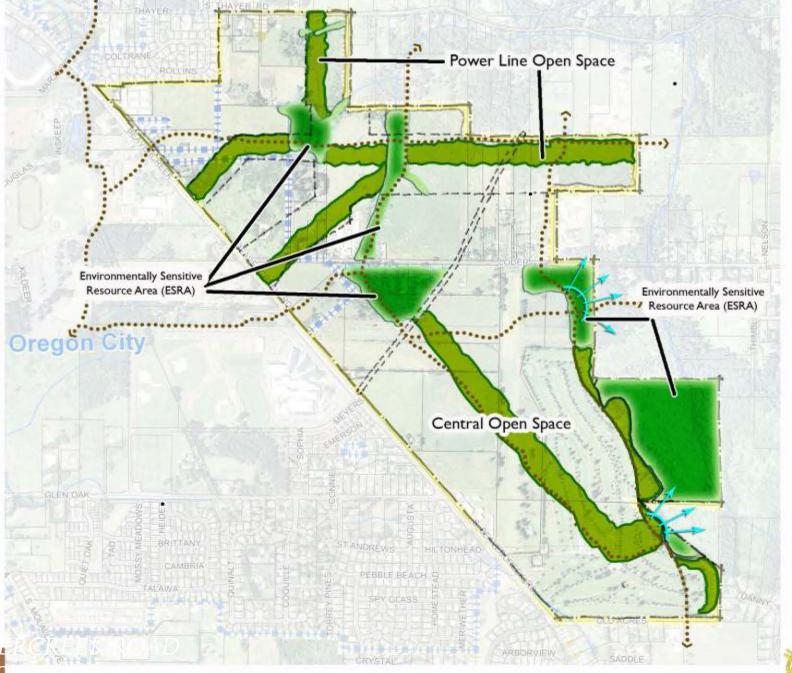




Figure 2: Beavercreek Zone Subdistricts

2006 – 2007 Process Summary

- 12 CAC/ TAC meetings
- Study Area Site Visit
- 2 Open Houses
- Meeting with Metro Employment Discussion
- Community Design Workshop Meeting
- Market Focus Group
- Sustainability Focus Group
- Website
- Project posters, signs, mailers
- 10 City Commission hearings
- 4 Planning Commission hearings







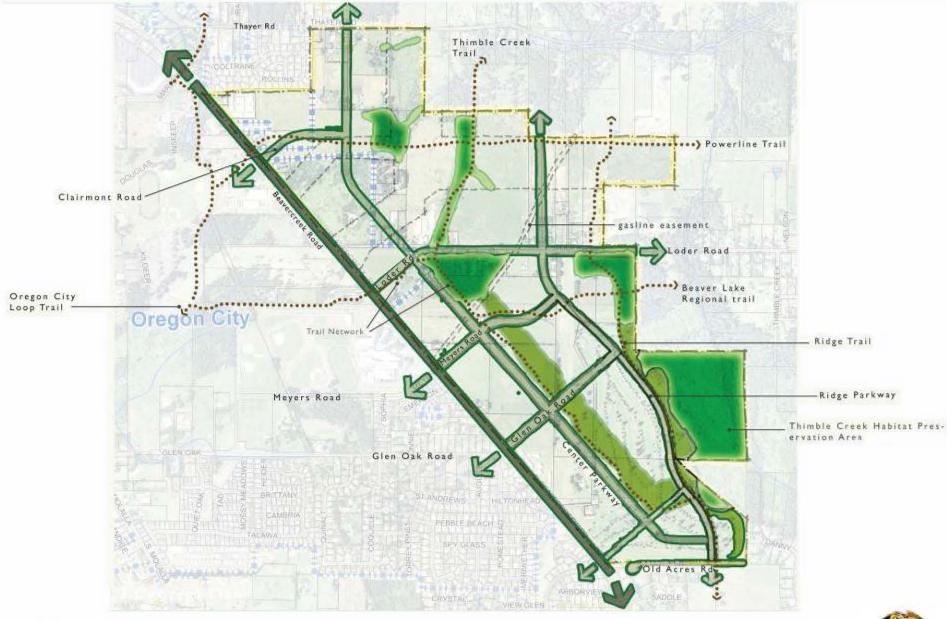
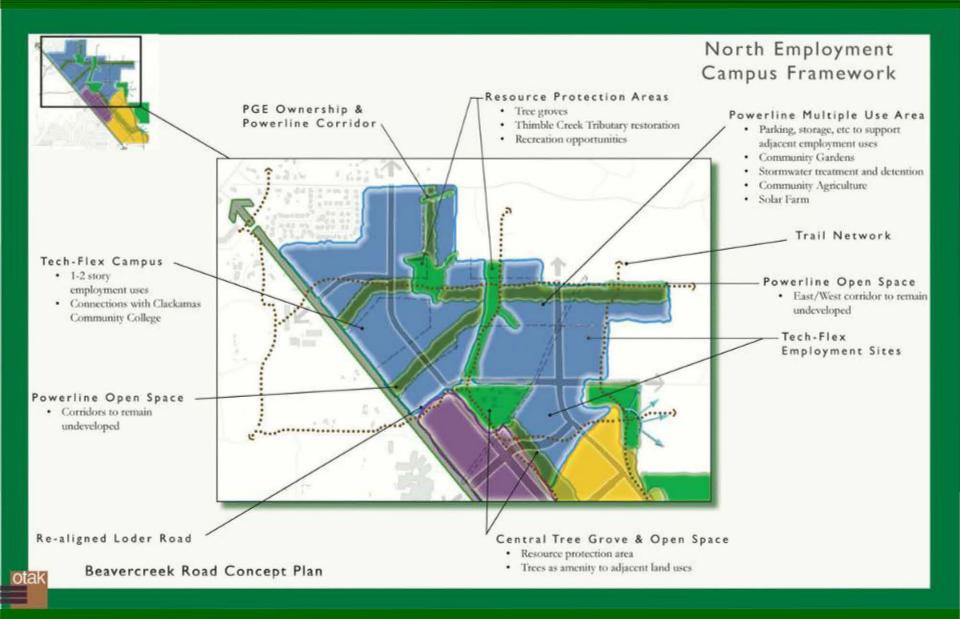


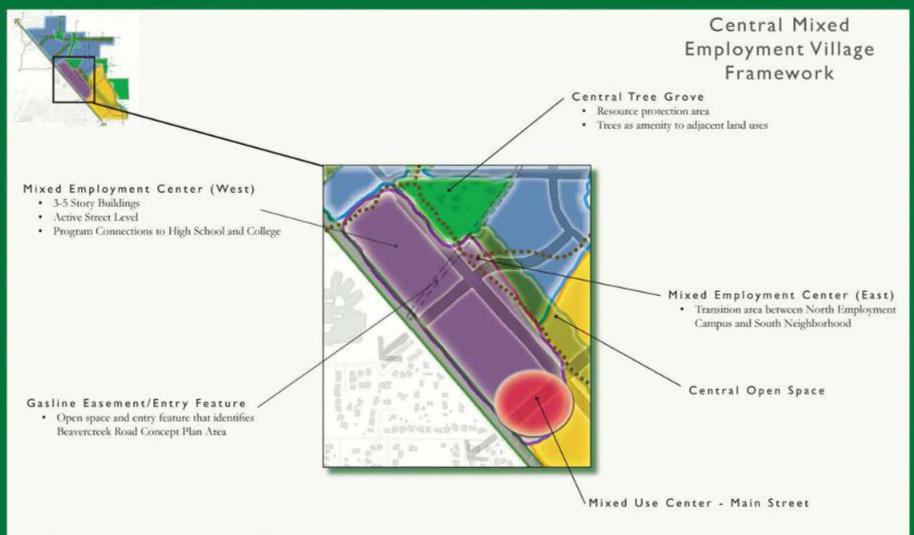






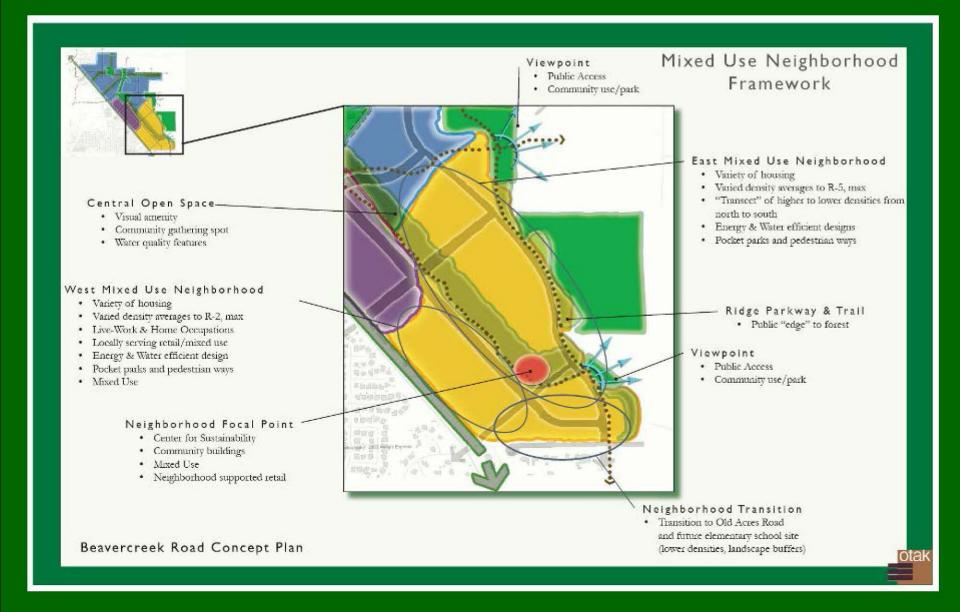
Figure 5: Beavercreek Zone Connectivity Options





Beavercreek Road Concept Plan









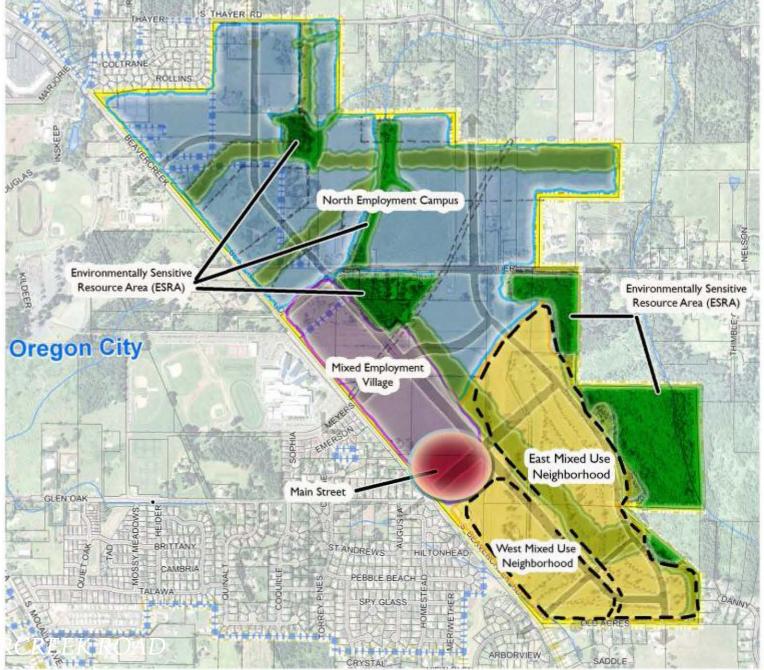






Figure 2: Beavercreek Zone Subdistricts

	<u>Acres*</u>	Gross	<u>Net</u>
North Employment Can	npus	149	127
Mixed Employment Vill	age	26	21
Main Street		10	8
West Mixed Use Neighb	orhood	22	18
East Mixed Use Neighbo	orhood	<u>77</u>	<u>62</u>
		284	235
D. 1./O C / NI. (1	110	
Parks/ Open Space/ Nati	ıral	<u>113</u>	
Major ROW		56	
Total		~453	
*Acres are preliminary and roun	ded		

BEAVERCREEK ROAD CONCEPT PLAN

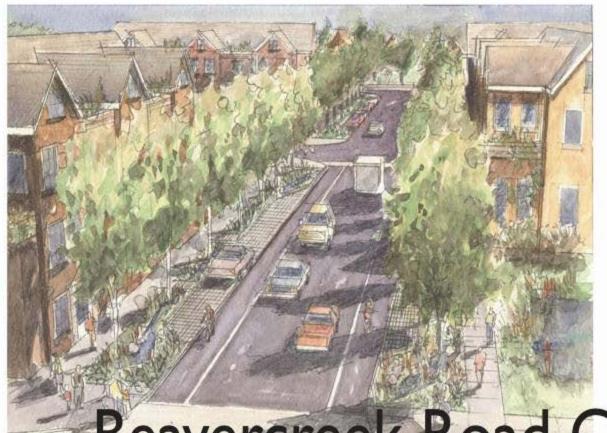
	<u>Jobs</u>	<u>Housing</u>
North Employment Campus	3,678	
Mixed Employment Village	1,139	
Main Street	219	100
West Mixed Neighborhood	15	387
East Mixed Neighborhood	21	<u>536</u>
	5.073	1.023

Next Steps

- Meetings:
 - Citizen Involvement Committee 10/05
 - Natural Resources Committee 10/14
 - Transportation Advisory Committee 10/20
 - Parks & Recreation Advisory Committee 10/22
 - Caufield Neighborhood Association 10/27
- Planning Commission 11/23/2015
- City Commission 12/02/2015

Thank You

- Website:
- http://www.orcity.org/planning/landuse
 case/le-15-0003-re-adoption-
 beavercreek-road-concept-plan
- Pete Walter, Associate Planner
- (503) 496-1568
- pwalter@orcity.org



Beavercreek Road Concept Plan

Envisioning a Complete and Sustainable Community

Citizen Involvement Council Presentation October 5, 2015



History

- The Beavercreek Road Concept Plan was developed with strong community input between 2007 and 2008, and was adopted by the City Commission in September 2008.
- The plan was then appealed to LUBA, who remanded the plan back to the City and Metro to resolve employment (industrial) land mapping acreages.
- Metro adopted a revised title 4 Industrial Lands map in December 2010.
- Re-adoption was further delayed due to various legal objections to the larger Metro UGB Capacity Ordinance and urban reserves issues.
- These issues were finally settled by the State Legislature which resolved the UGB in 2014.
- In September 2014 the final appeal issues were dismissed and the City is free to proceed with re-adoption of the BRCP on remand.

What is the basic approach?

- The final concept plan will not be revised i.e. the vision, goals and policies, land use areas, general transportation system, etc. - BUT
- The recently updated public facilities plans and cost estimates for this area will be addressed in the City's revised findings:
 - Transportation System Plan (2013)
 - Sewer Master Plan (2014)
 - Water Master Plan (2010)
 - Stormwater Design Standards (2015)

BRCP Goals

- Complete and Sustainable Community
- Model of Sustainable Design
- Green Jobs
- Sustainable Industries
- Natural Beauty
- Multi-Modal Transportation
- Safety Along Beavercreek Road
- Connections to OCHS and CCC
- Unique Sense of Place
- Ecological Health

What must a concept plan address?

- Natural Resources, Parks, and Open Space
- Employment Land (Title 4)
- Housing
- Schools
- Amenities
- Transportation (all modes)
- Zoning
- Infrastructure
- Financing

Specific Re-adoption Items

- Metro Title 4 (employment land)
- Title 11 (new urban areas)
- Transportation System (2013 TSP)
- Sewer, Water, and Stormwater Updates
- Police & Fire services
- Comprehensive Plan Designations
- Zoning Map and Code

2007 Community Engagement

- 12 Citizen Advisory / Technical Advisory Committee meetings
- Technical Advisory Committee meetings
- Study Area Site Visit
- 2 Open Houses
- Meeting with Metro Employment Discussion
- Community Design Workshop Meeting
- Market Focus Group
- Sustainability Focus Group
- Website
- Project posters, signs, mailers
- 4 Planning Commission hearings
- 10 City Commission hearings

Concept Plan: Land Use Areas

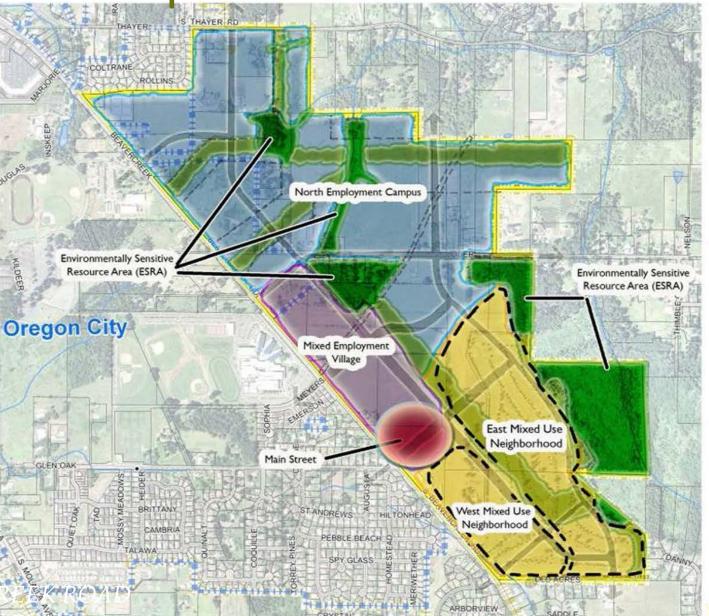






Figure 2: Beavercreek Zone Subdistricts

Concept Plan: Land Use Areas

	Acres*	Gross	Net
North Employment Camp	us	149	127
Mixed Employment Villag	ge	26	21
Main Street		10	8
West Mixed Use Neighbo	rhood	22	18
East Mixed Use Neighbor	hood	<u>77</u>	<u>62</u>
		284	235
Parks/ Open Space/ Natu	ral	<u>113</u>	
Major ROW		56	
Total		~453	

^{*}Acres are preliminary and rounded

Jobs and Housing Estimates

	<u>Jobs</u>	<u>Housing</u>
North Employment Campus	3,678	
Mixed Employment Village	1,139	
Main Street	219	100
West Mixed Neighborhood	15	387
East Mixed Neighborhood	21	<u>536</u>
	5,073	1,023

Based on Hybrid Plan – See draft plan for all stated assumptions.

How is the plan implemented?

Policies and Ordinances

- Comprehensive Plan Map
- Code amendments (Zoning Map, Zoning Code & Development Standards)
- Financing

What happens after re-adoption?

- More refined public facilities planning (Public Works studies and plans)
- Code Amendments
- Transportation Mobility Standards
- Update System Development Charges (SDCs)
- Applications for annexation
- Applications for zoning, development review, construction, etc. etc.

Meetings

 Planning Commission Work Session 	09/28
Citizen Involvement Committee	10/05
Natural Resources Committee	10/14
• Transportation Advisory Committee	10/20
• Parks & Recreation Advisory Committee	10/22
Caufield Neighborhood Association	10/27
Hamlet of Beavercreek	10/28
City Commission Work Session	11/10
 Planning Commission Hearing #1 	11/23/2015
• City Commission Hearing #1	12/02/2015

How to do I stay involved?

Website:

http://www.orcity.org/planning/landusecase/le-

15-0003-re-adoption-beavercreek-road-concept-

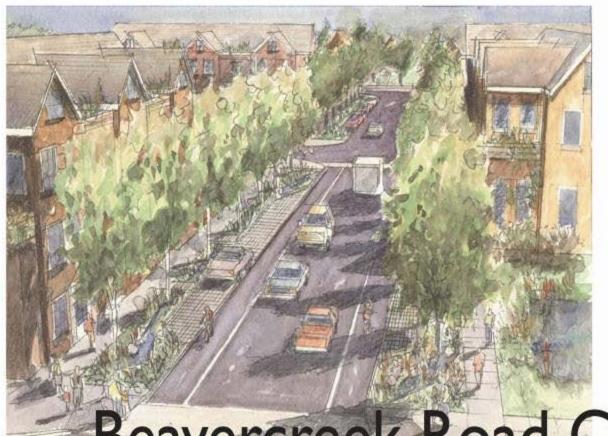
<u>plan</u>

Pete Walter, Associate Planner

PH: (503) 496-1568

Email: pwalter@orcity.org

Thank You

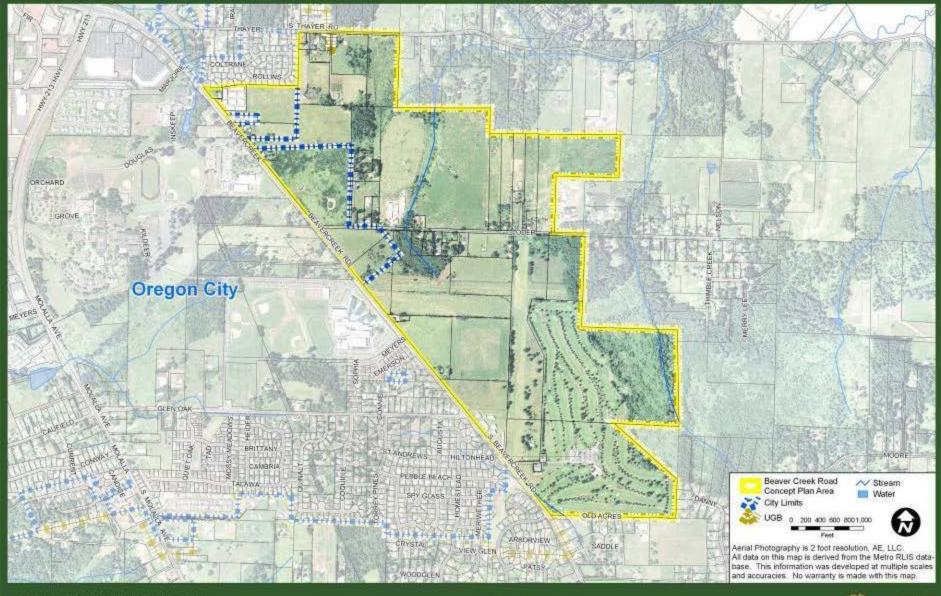


Beavercreek Road Concept Plan

Envisioning a Complete and Sustainable Community

Transportation Advisory Committee Presentation October 20, 2015





BEAVERCREEK ROAD









History

- The Beavercreek Road Concept Plan was developed with strong community input between 2007 and 2008, and was adopted by the City Commission in September 2008.
- The plan was then appealed to LUBA, who remanded the plan back to the City and Metro to resolve employment (industrial) land mapping acreages.
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- These issues were finally settled by the State Legislature which resolved the UGB in 2014.
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Concept Plan: Land Use Areas

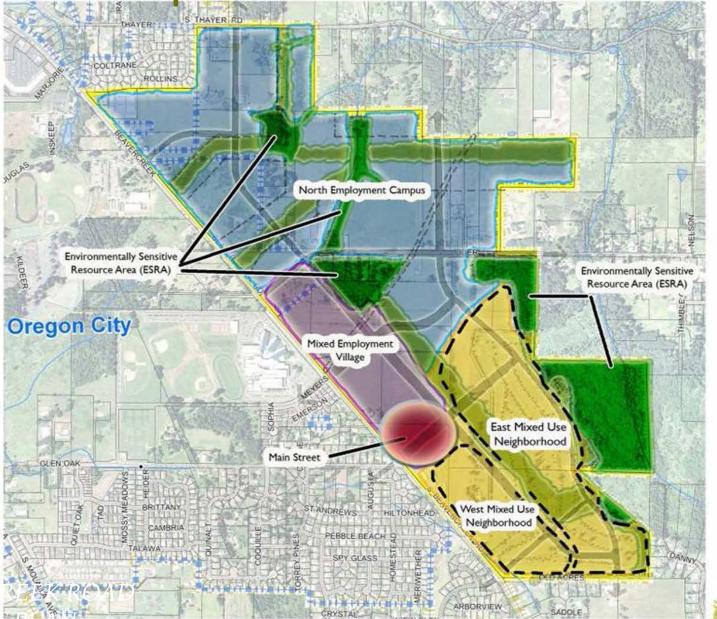






Figure 2: Beavercreek Zone Subdistricts



What is the basic approach?

- The draft plan i.e. the vision, goals and policies, land use areas, transportation system, etc. will <u>not</u> be revised.
- Summarize the existing adopted plans and cost estimates for public improvements for the BRCP area:
 - Transportation System Plan (2013)
 - Sewer Master Plan (2014)
 - Water Master Plan (2010)
 - Stormwater Design Standards (2015)



What must a concept plan address?

- Natural Resources, Parks, and Open Space
- Employment Land (Title 4)
- Housing
- Schools
- Amenities
- Transportation (all modes)
- Zoning
- Infrastructure
- Financing

\bigcirc

2007 Community Engagement

- 12 Citizen Advisory / Technical Advisory Committee meetings
- Technical Advisory Committee meetings
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Concept Plan: Land Use Areas

	Acres*	Gross	<u>Net</u>
North Employment Campu	IS	149	127
Mixed Employment Village		26	21
Main Street		10	8
West Mixed Use Neighbor	hood	22	18
East Mixed Use Neighborh	ood	<u>77</u>	<u>62</u>
		284	235
Parks/ Open Space/ Natura	al	<u>113</u>	
Major ROW		56	
Total *Acres are preliminary and rounded	d	~453	

Jobs and Housing Estimates

	<u>Jobs</u>	<u>Housing</u>
North Employment Campus	3,678	
Mixed Employment Village	1,139	
Main Street	219	100
West Mixed Neighborhood	15	387
East Mixed Neighborhood	21_	<u>536</u>
	5,073	1,023

Based on Hybrid Plan – See draft plan for all stated assumptions.



Concept Plan: Land Use Areas

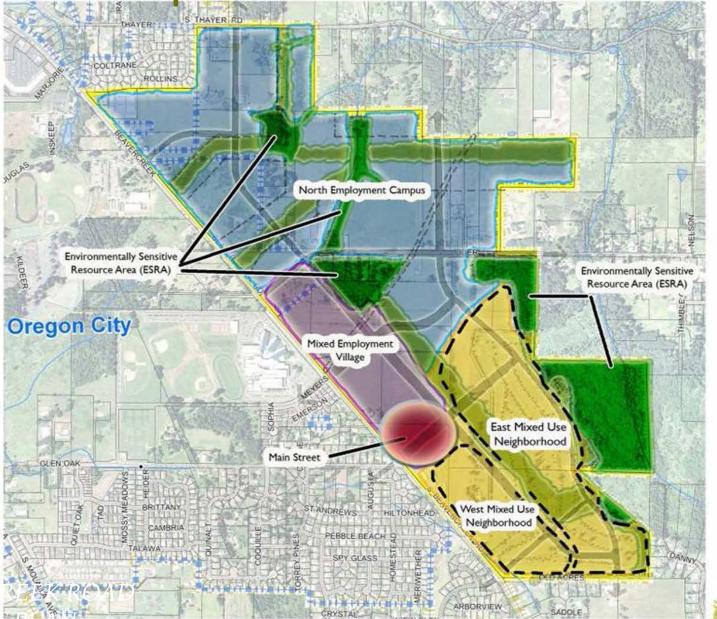






Figure 2: Beavercreek Zone Subdistricts

BRCP Transportation Goals and Policies

Goal 6 Multi-modal Transportation

Provide multi-modal transportation links (such as bus routes, trails, bikeways, etc.) that are connected within the site as well as to the surrounding areas.

Policy 6.1

Work with Tri-Met and stakeholders to provide bus service and other alternatives to the Concept Plan area.

Policy 6.2

As land use reviews and development occur prior to extension of bus service, ensure that the mix of land uses, density and design help retain transit as an attractive and feasible option in the future.

Policy 6.3

Ensure that local street connectivity and off-street pedestrian routes link together into a highly connected pedestrian system that is safe, direct, convenient, and attractive to walking.

BRCP Transportation Goals and Policies

Policy 6.4

The "walkability" of the Concept Plan area will be one of its distinctive qualities. The density of walking routes and connectivity should mirror the urban form – the higher the density and larger the building form, the "finer" the network of pedestrian connections.

Policy 6.5

Require trails to be provided consistent with the Concept Plan Circulation Framework.

Policy 6.6

Provide bike lanes on Beavercreek Road and all collector streets, except for Main Street. The City may consider off-street multi-use paths and similar measures in meeting this policy. Bike routes will be coordinated with the trails shown on the Circulation Framework.

BRCP Transportation Goals and Policies

Goal 7 - Safety Along Beavercreek Road

Implement design solutions along Beavercreek Road that promote pedestrian safety, control traffic speeds and access, and accommodate projected vehicular demand.

Policy 7.1

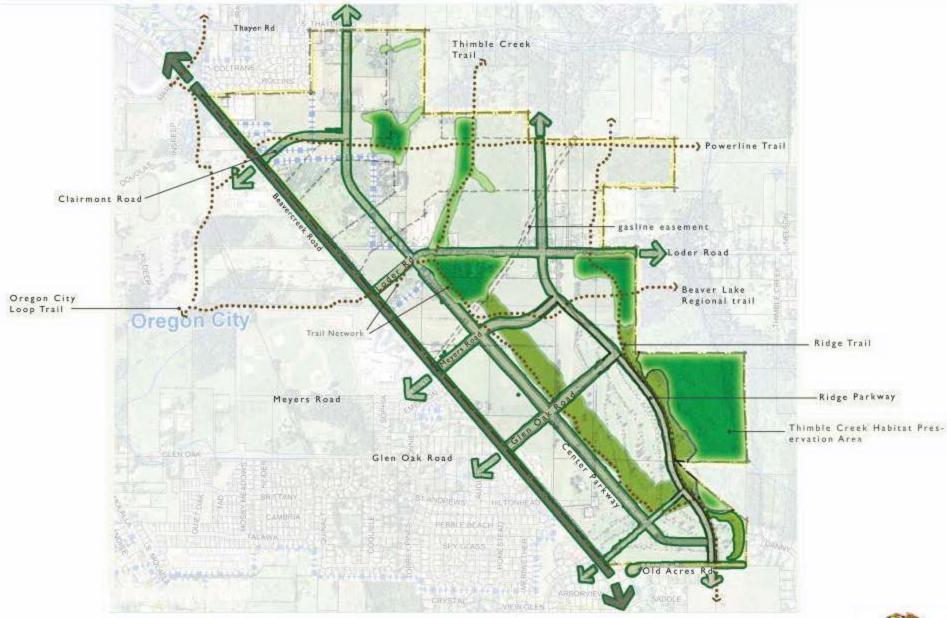
Design Beavercreek Road to be a green street boulevard that maximizes pedestrian safety.

Policy 7.2

Work with the County and State to establish posted speeds that are safe for pedestrians and reinforce the pedestrian-oriented character of the area.

Policy 7.3

Control access along the east side of Beavercreek Road so that full access points are limited to the intersections shown on the Circulation Framework. Right in-Right-out access points may be considered as part of master plans or design review.



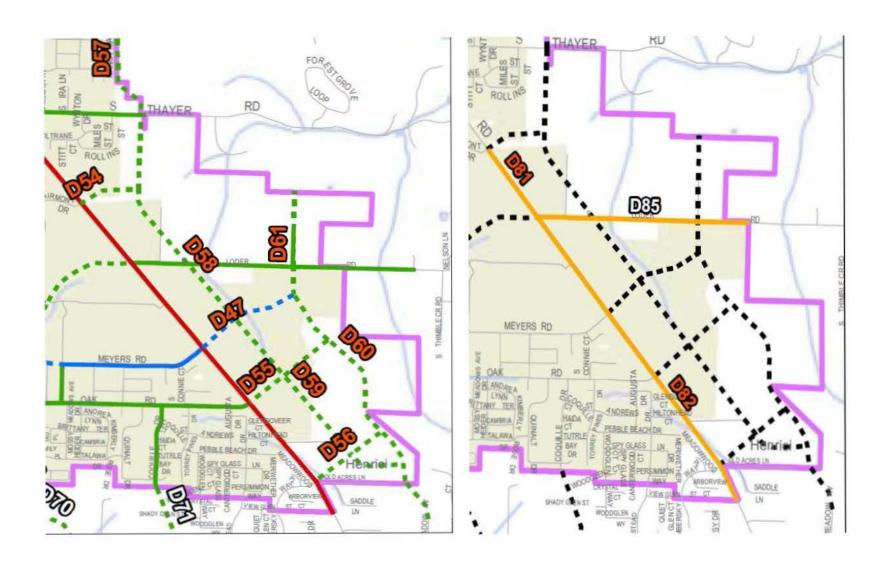




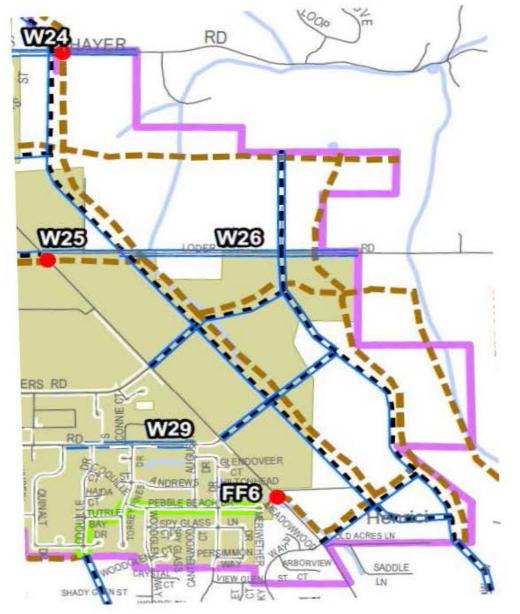
Likely to be Funded TSP Projects

Project #	Project	Project Extent	Project Elements	Priority
D47	Description Meyers Road East extension	Beavercreek Road to the Meadow Lane Extension	Extend Meyers Road from Beavercreek Road to the Meadow Lane Extension as an Industrial Minor Arterial. Between the Holly Lane and Meadow Lane extensions, add a sidewalk and bike lane to the south side of the street, with a shared-use path to be added on north side per project S19. Modify the existing traffic signal at Beavercreek Road	Medium-term
D54	Clairmont Drive extension	Beavercreek Road to Holly Lane South Extension	Extend Clairmont Drive from Beavercreek Road to the Holly Lane South extension as an Industrial Collector. Add a sidewalk and bike lane to the south side of the street, with a shared-use path to be added on north side per project S17.	Long-term
D55	Glen Oak Road extension	Beavercreek Road to the Meadow Lane Extension	Extend Glen Oak Road from Beavercreek Road to the Meadow Lane Extension as a Residential Collector. Install a roundabout at Beavercreek Road (per project D39)	Long-term
D56	Timbersky Way extension	Beavercreek Road to the Meadow Lane Extension	Extend Timbersky Way from Beavercreek Road to the Meadow Lane Extension as a Residential Collector. Add a sidewalk and bike lane to the south side of the street, with a shared-use path to be added on north side per project S20.	Long-term
D57	Holly Lane South extension	Maple Lane Road to Thayer Road	Extend Holly Lane from Maple Lane Road to Thayer Road as a Residential Collector. Add a sidewalk and bike lane to the west side of the street, with a shared-use path to be added on east side per project S14. Install a roundabout at Maple Lane Road (per project D37).	Medium-term
D58	Holly Lane South extension	Thayer Road to Meyers Road	Extend Holly Lane from Thayer Road to the Meyers Road extension as an Industrial Collector. Add a sidewalk and bike lane to the west side of the street, with a shared-use path to be added on east side per project S15.	Medium-term
D59	Holly Lane South extension	Meyers Road to the Meadow Lane Extension	Extend Holly Lane from the Meyers Road extension to the Meadow Lane Extension as a Mixed-Use Collector. Add a sidewalk and bike lane to the west side of the street, with a shared-use path to be added on east side per project S16.	Long-term
D60	Meadow Lane extension	Meadow Lane to Meyers Road	Extend Meadow Lane to the Meyers Road Extension as a Mixed-Use Collector. Between Old Acres Lane and the Glen Oak Road extension, add a sidewalk and bike lane to the west side of the street, with a shared-use path to be added on east side per project S21.	Long-term
D61	Meadow Lane extension	Meyers Road to UGB (north of Loder Road)	Extend Meadow Lane from the Meyers Road Extension to the UGB (north of Loder Road) as an Industrial Collector	Medium-term
D81	Beavercreek Road Upgrade	Clairmont Drive (CCC Entrance) to Meyers Road	Improve to Industrial Major Arterial cross-section	Medium-term
D82	Beavercreek Road Upgrade	Meyers Road to UGB	Improve to Residential Major Arterial cross-section	Long-term

TSP Street & Intersection Expansions



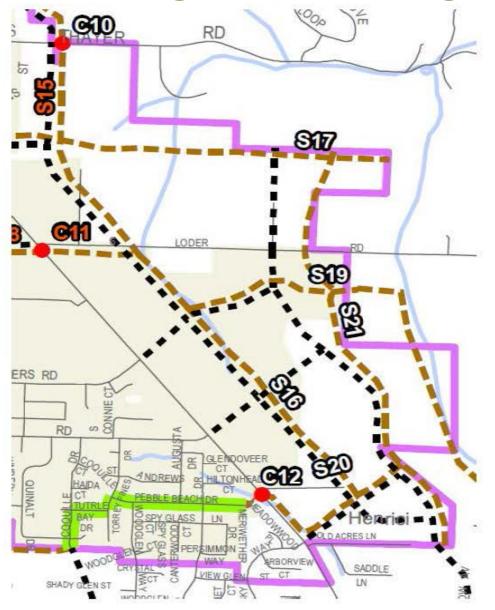
TSP Conceptual Walking Solutions



TSP Conceptual Biking Solutions



TSP Shared Biking and Walking Solutions





Concept Plan: Land Use Areas

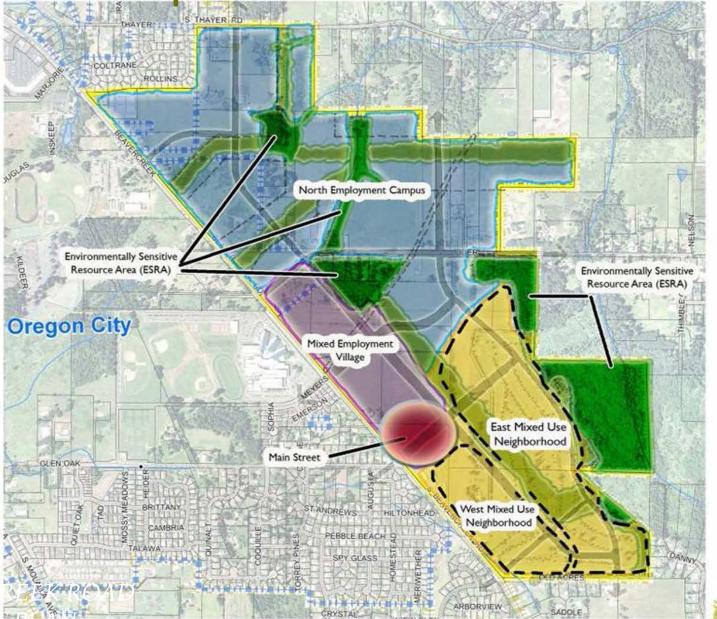
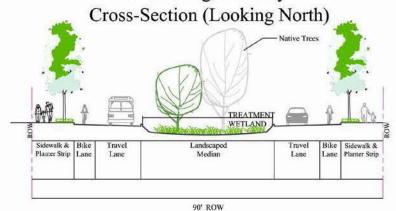






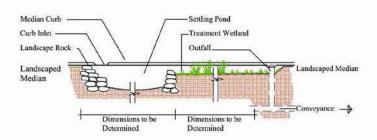
Figure 2: Beavercreek Zone Subdistricts

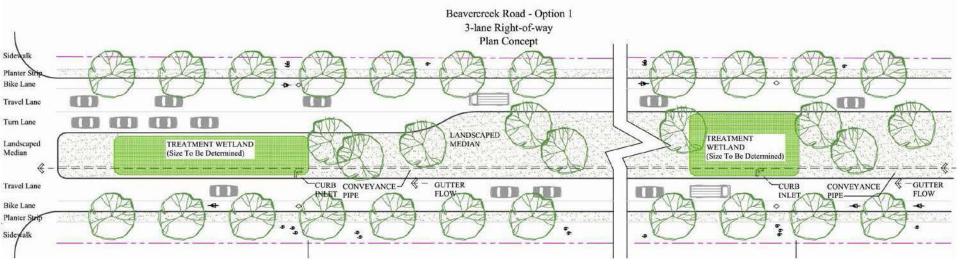
Beavercreek Road Greenstreet - Option 1 3-lane Right-of-way



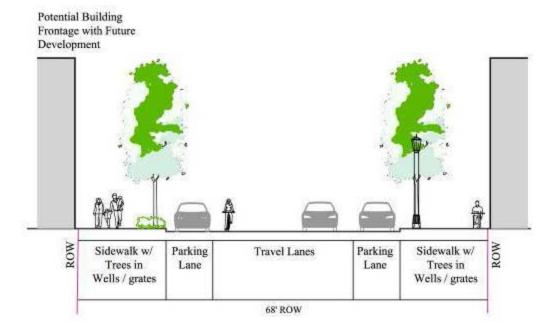
Beavercreek Road Concept Plan

Median Treatment Wetland Conceptual Detail

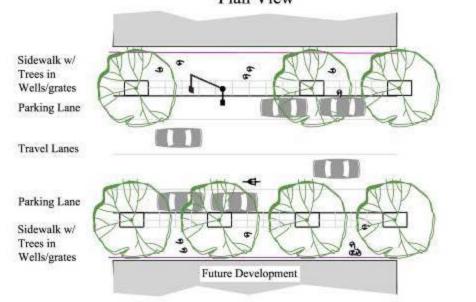




Main Street Collector



Main Street Collector Plan View



Meetings

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How to do I stay involved?

Website:

http://www.orcity.org/planning/landusecase/le-

15-0003-re-adoption-beavercreek-road-concept-

<u>plan</u>

Pete Walter, Associate Planner

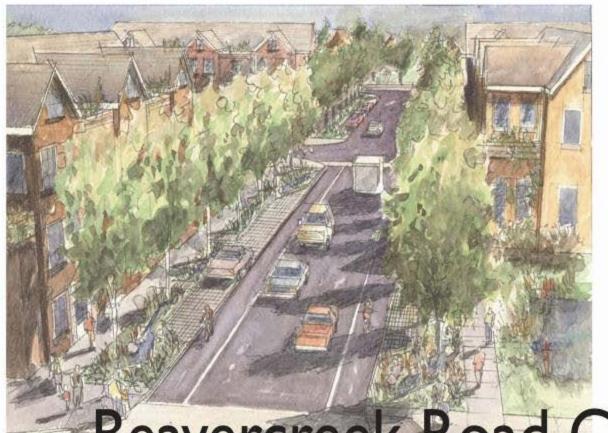
PH: (503) 496-1568

Email: pwalter@orcity.org



Thank You

NOTE: Planning Staff provided a PowerPoint presentation on the Beavercreek Road Concept Plan to the <u>Oregon City Natural Resources Committee</u> on October 14, 2015. Staff used the same PowerPoint presentation that was presented to the Citizen Involvement Committee on October 22, 2015, which is in the record.



Beavercreek Road Concept Plan

Envisioning a Complete and Sustainable Community

Parks and Recreation Advisory Committee Presentation, October 22, 2015









Concept Plan: Land Use Areas

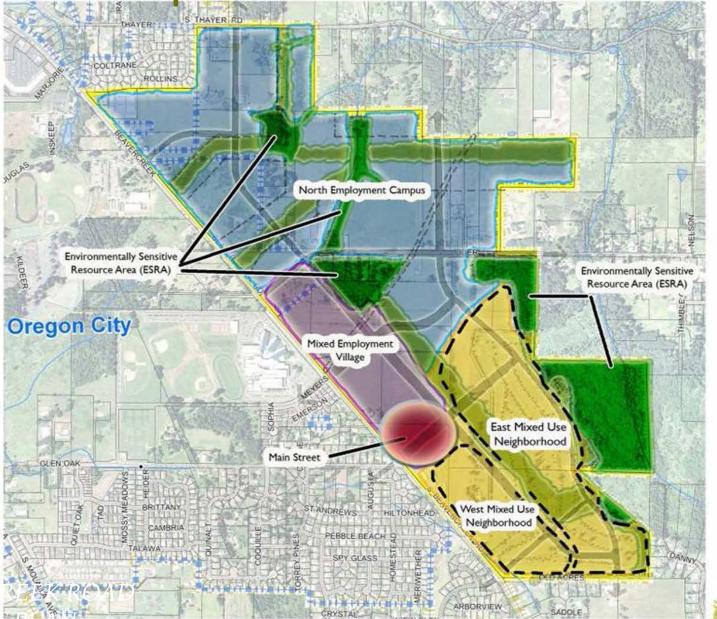






Figure 2: Beavercreek Zone Subdistricts



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- The plan was then appealed to LUBA, who remanded the plan back to the City and Metro to resolve employment (industrial) land mapping acreages.
- Metro adopted a revised title 4 Industrial Lands map in December 2010.
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- These issues were finally settled by the State Legislature which resolved the UGB in 2014.
- In September 2014 the final appeal issues were dismissed and the City is free to proceed with re-adoption of the BRCP on remand.



What is the basic approach?

- The draft plan i.e. the vision, goals and policies, land use areas, transportation system, etc. will <u>not</u> be revised.
- Summarize the existing plans and cost estimates for public improvements for the BRCP area:
 - Transportation System Plan (2013)
 - Sewer Master Plan (2014)
 - Water Master Plan (2010)
 - Stormwater Design Standards (2015)

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2007 Community Engagement

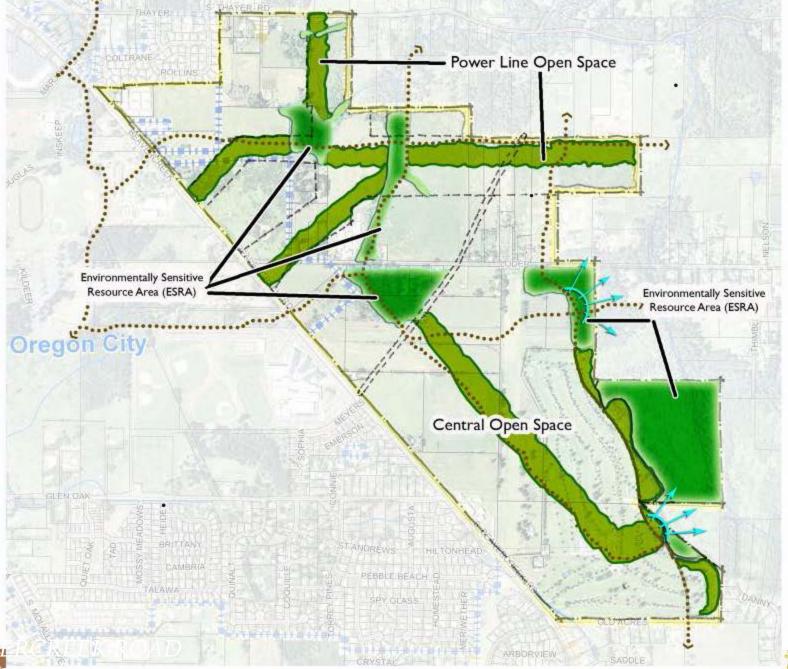
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BRCP Goals

- Complete and Sustainable Community
- Model of Sustainable Design
- Green Jobs
- Sustainable Industries
- Natural Beauty
- Multi-Modal Transportation
- Safety Along Beavercreek Road
- Connections to OCHS and CCC
- Unique Sense of Place
- Ecological Health









BRCP Parks, Open Space & Recreation Goals and Policies

Open Space

- The Open Space Framework provides a network of green spaces intended to provide:
- A connected system of parks, open spaces and natural areas that link together and link to the Environmentally Sensitive Resource Areas, Scenic and open space amenities and community gathering places
- Access to nature
- Tree and natural area preservation
- Locations where storm water and water quality facilities can be combined with open space amenities, and opportunities to implement sustainable development and infrastructure
- Green spaces near the system of trails and pedestrian connections
- Open spaces which complement buildings and the urban, built environment

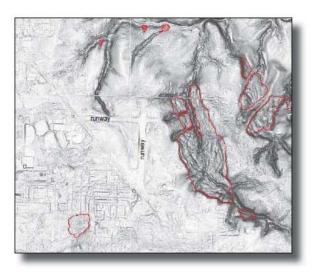


South-Central Open Space Concept

- Park space will be provided consistent with the City's Park and Recreation Master Plan standard of 6 to 10 acres per 1000 population.
- The required acreage may be proposed to be distributed to a multiple park spaces, consistent with proposed land uses and master plan design.
- A central park will be provided. The location and linearity of the park was first indicated by Metro's Goal 5 mapping. It was illustrated by several citizen groups during the design workshop held in October, 2006. This open space feature is intended as a connected, continuous and central green space that links the districts and neighborhoods south of Loder Road.



East Ridge



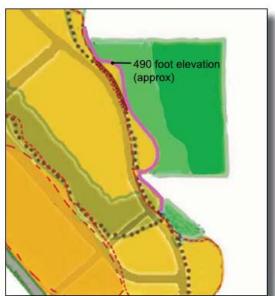
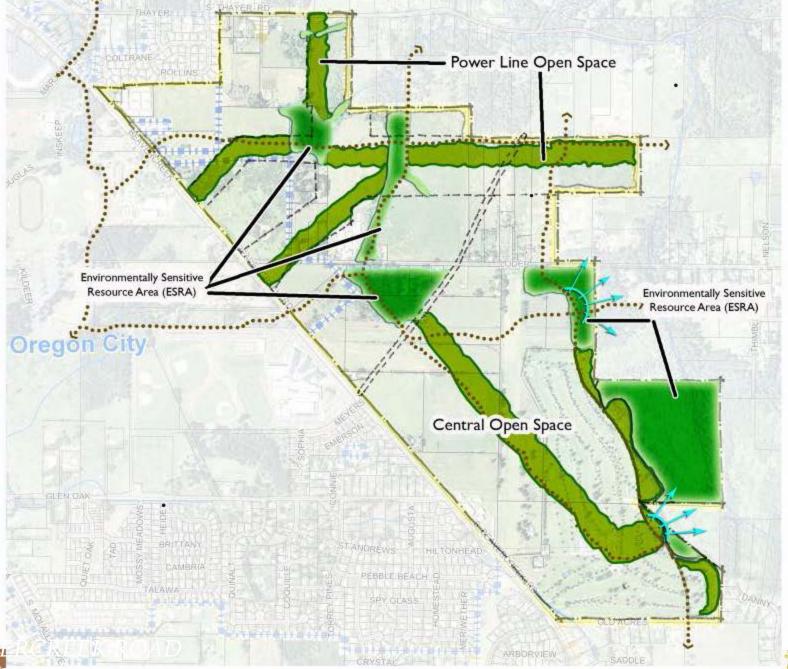


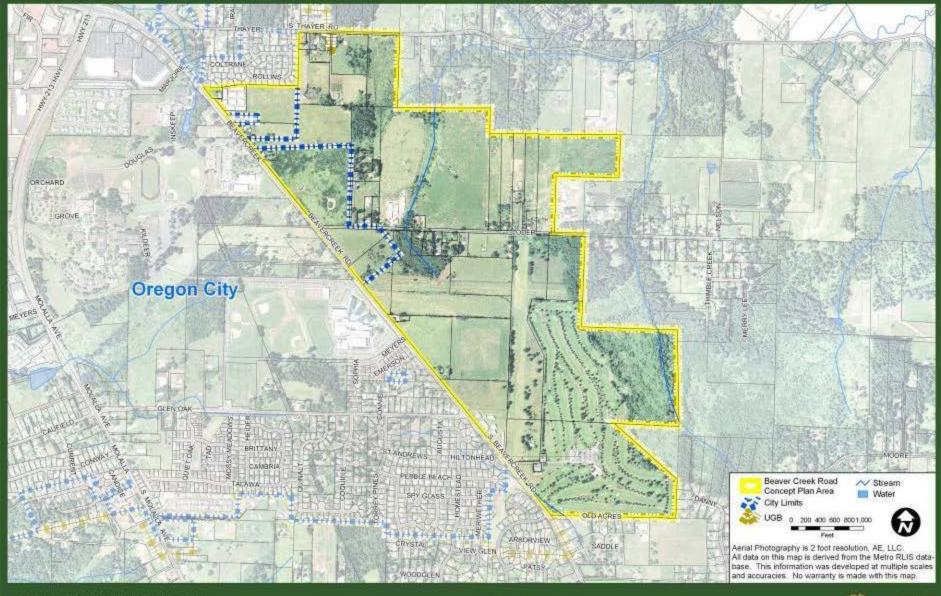
Figure 13A - East Ridge Lidar and 490 foot elevation

- Establishes open space area w/ no development near the 490' elevation
- Window to adjacent natural area
- 2 scenic views points (small public parks)
- Part of East Ridge Trail system









BEAVERCREEK ROAD









Concept Plan: Land Use Areas

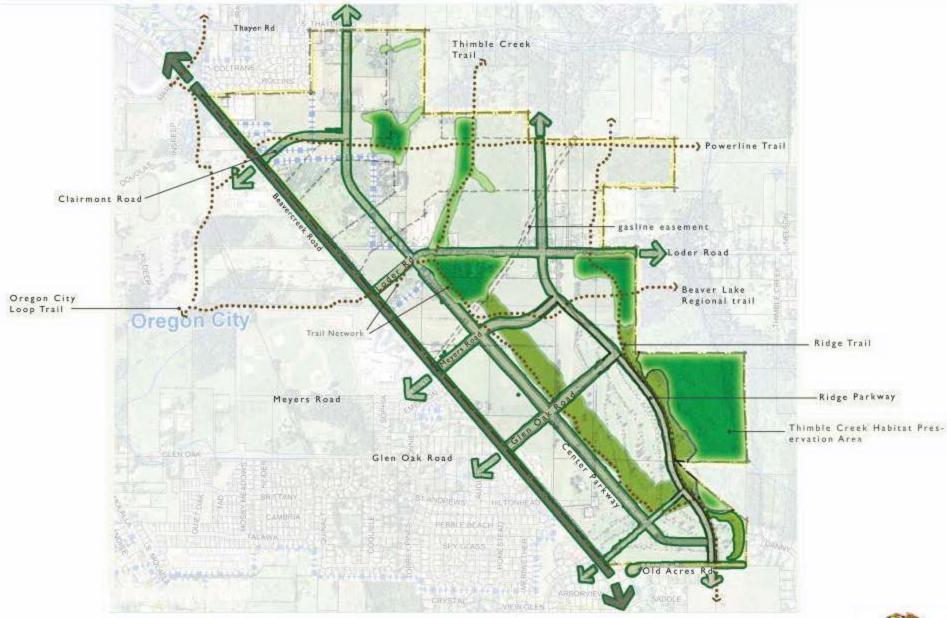
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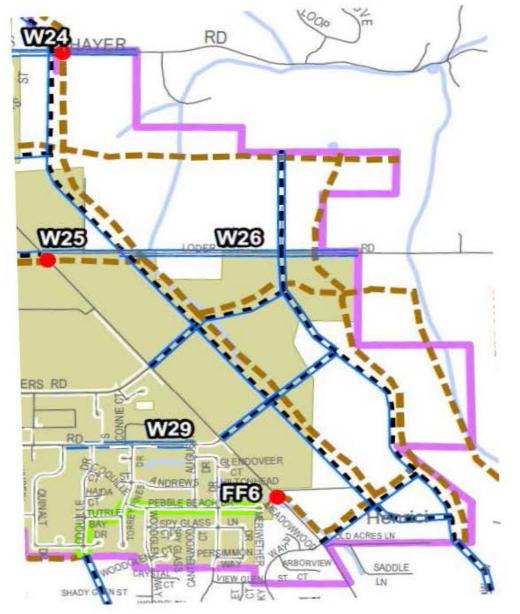
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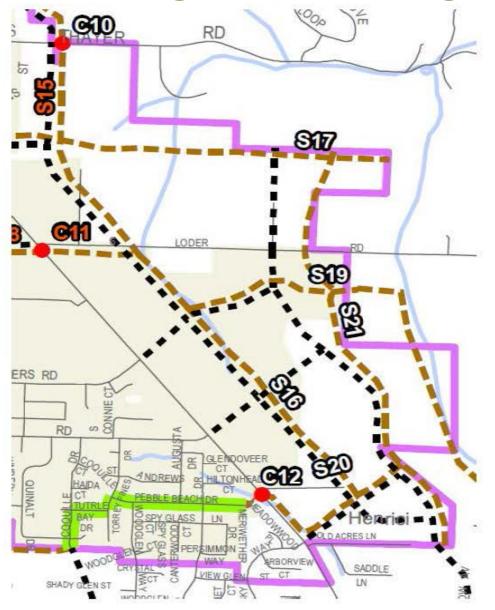
TSP Conceptual Walking Solutions



TSP Conceptual Biking Solutions



TSP Shared Biking and Walking Solutions



Costs / Funding

- Park space will be provided consistent with the City's Park and Recreation Master Plan standard of 6 to 10 acres per 1000 population.
- The required acreage may be proposed to be distributed to a multiple park spaces, consistent with proposed land uses and master plan design.
- The 2007 plan estimates Parks SDC revenues between \$4- \$4.4M
- Additional analysis of SDCs and other Funding Sources will be done to support the City's findings for re-adoption
- Funding sources still need to be found for Walking, Biking and
 Shared Use paths and trails

Meetings

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15-0003-re-adoption-beavercreek-road-concept-

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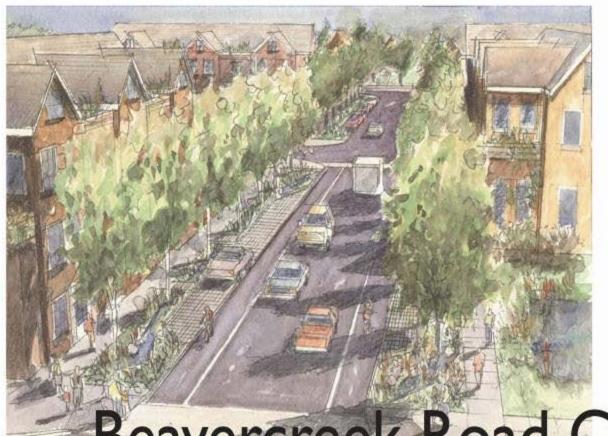
Pete Walter, Associate Planner

PH: (503) 496-1568

Email: pwalter@orcity.org



Thank You



Beavercreek Road Concept Plan

Envisioning a Complete and Sustainable Community

Caufield Neighborhood Association Presentation October 27, 2015



History

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 - Stormwater Design Standards (2015)
- The public record will be re-opened to address Title 4 employment lands, transportation, infrastructure, school and service adequacy.

BRCP Goals

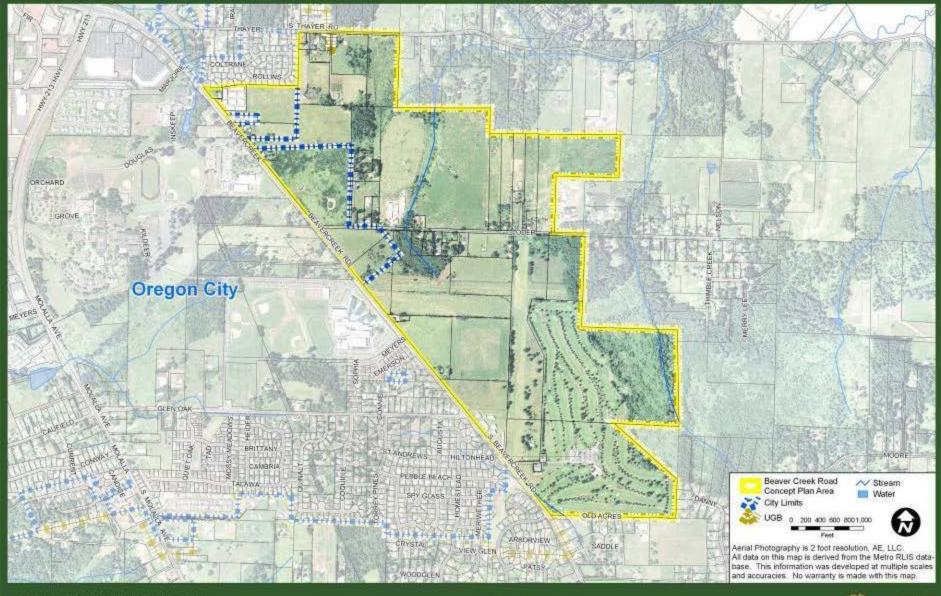
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BEAVERCREEK ROAD







Concept Plan: Land Use Areas

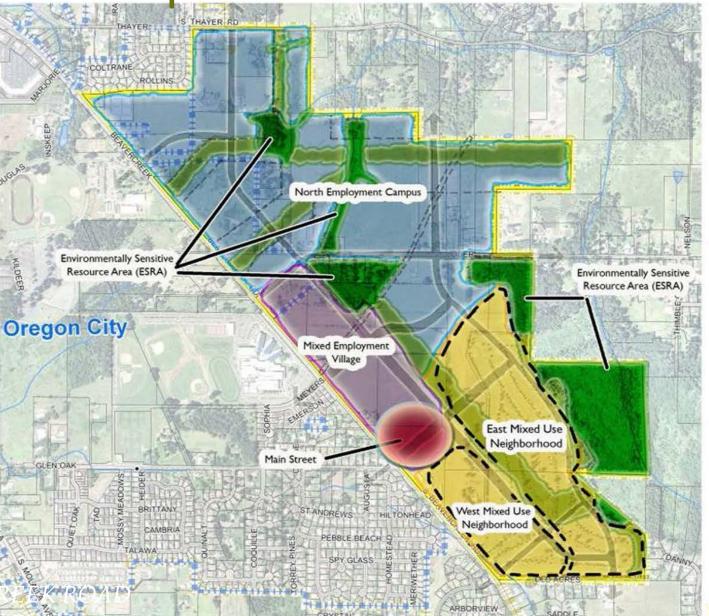






Figure 2: Beavercreek Zone Subdistricts

Concept Plan: Land Use Areas

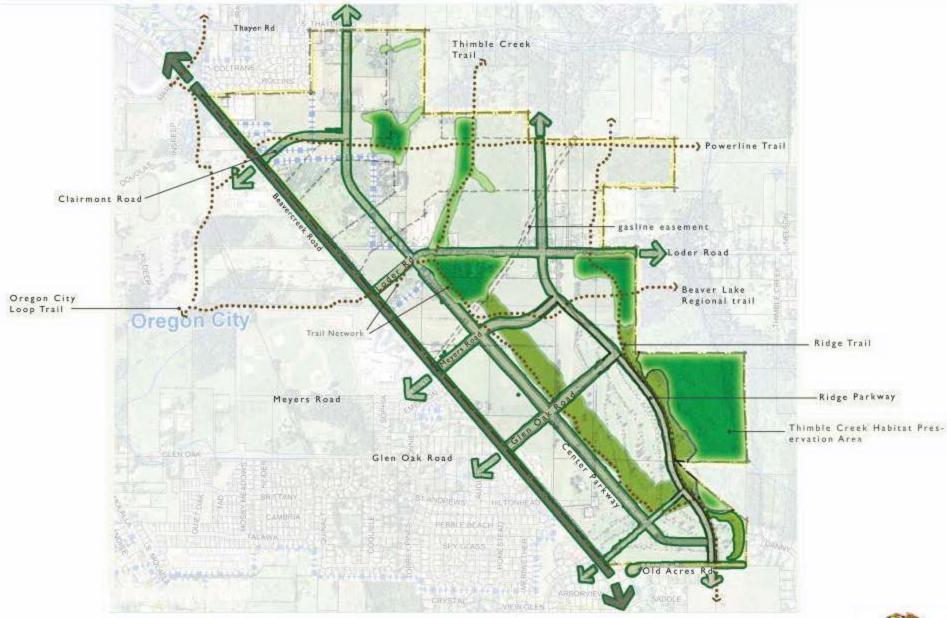
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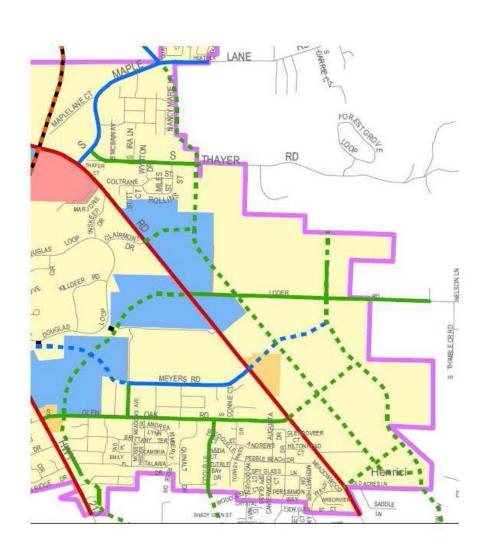




Likely to be Funded TSP Projects

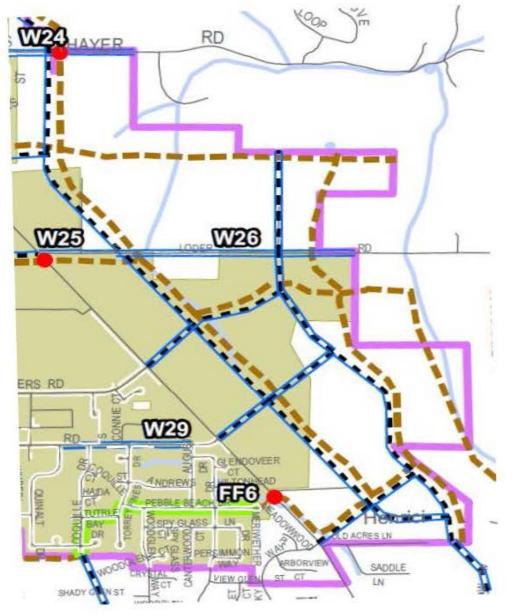
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TSP Multi-Modal Street System





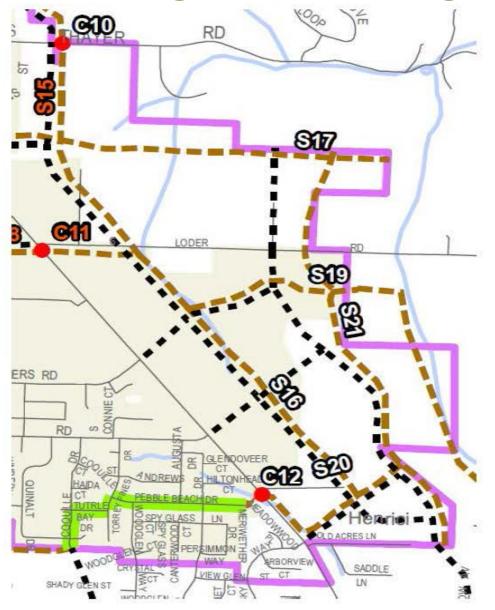
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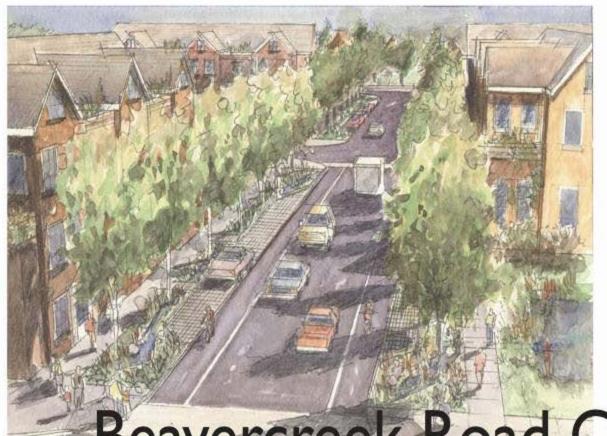
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Pete Walter, Associate Planner

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Thank You



Beavercreek Road Concept Plan

Envisioning a Complete and Sustainable Community

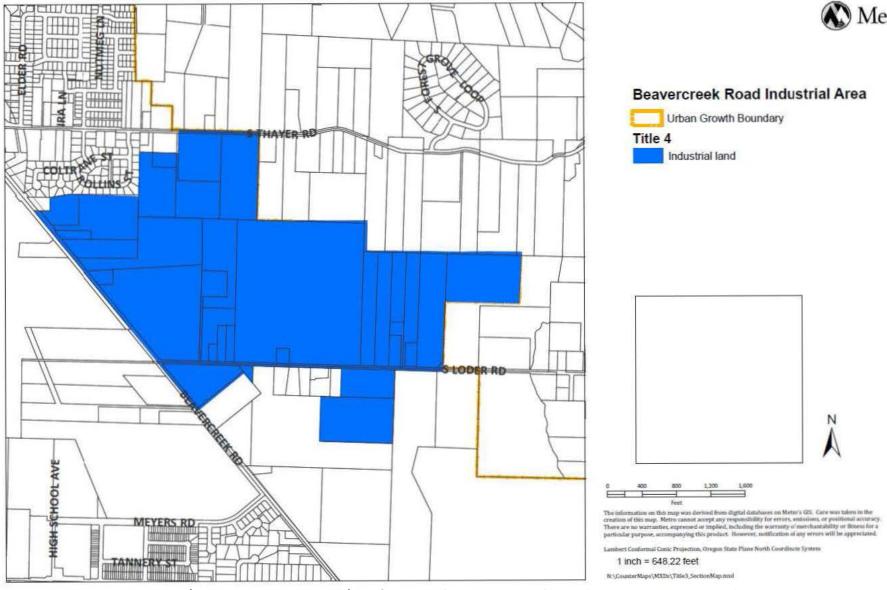
Hamlet of Beavercreek, October 28, 2015





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151 gross acres (121 net acres) of employment land – Metro Ord. 10-1244B, EXHIBIT D

0

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- Complete and Sustainable Community
- Model of Sustainable Design
- Green Jobs
- Sustainable Industries
- Natural Beauty
- Multi-Modal Transportation
- Safety Along Beavercreek Road
- OCHS & CCC Connections (Education / Employment)
- Unique Sense of Place
- Ecological Health

(The plan must also comply with Metro Title 4 & 11)



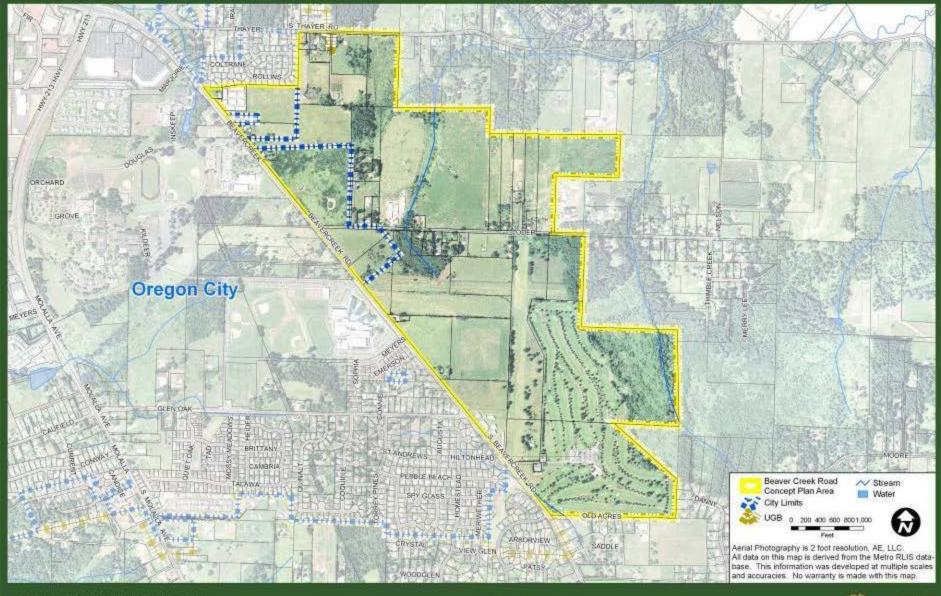
What is the basic approach?

- The 2007 draft plan will <u>not</u> be revised
- Oregon City will summarize the adopted public improvements plans for the area:
 - Transportation System Plan (2013)
 - Sewer Master Plan (2014)
 - Water Master Plan (2010)
 - Stormwater Design Standards (2015)
- The public record will be re-opened to address Title 4
 employment lands, transportation, infrastructure, school
 and fire and emergency service adequacy.

\bigcirc

2007 Community Engagement

- 12 Citizen Advisory / Technical Advisory Committee meetings
- Technical Advisory Committee meetings
- Study Area Site Visit
- 2 Open Houses
- Meeting with Metro Employment Discussion
- Community Design Workshop Meeting
- Market Focus Group
- Sustainability Focus Group
- Website
- Project posters, signs, mailers
- 4 Planning Commission hearings
- 10 City Commission hearings



BEAVERCREEK ROAD









Concept Plan: Land Use Areas

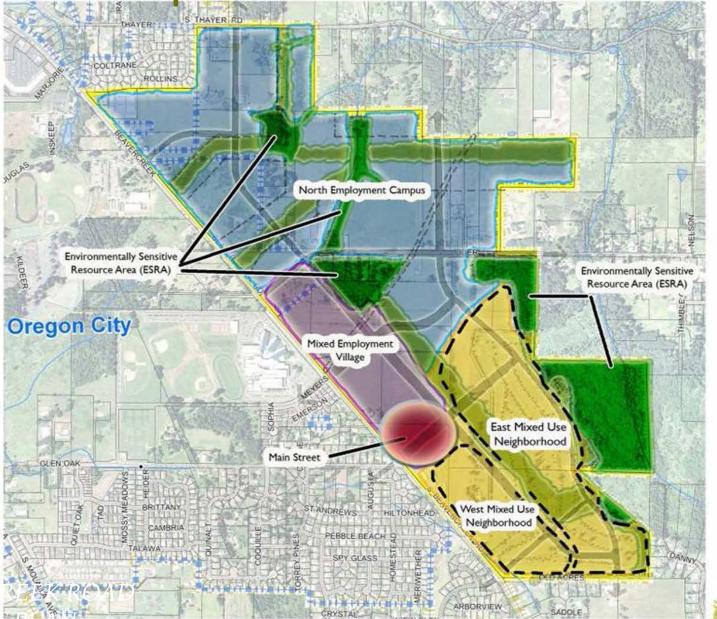






Figure 2: Beavercreek Zone Subdistricts



Concept Plan: Land Use Areas

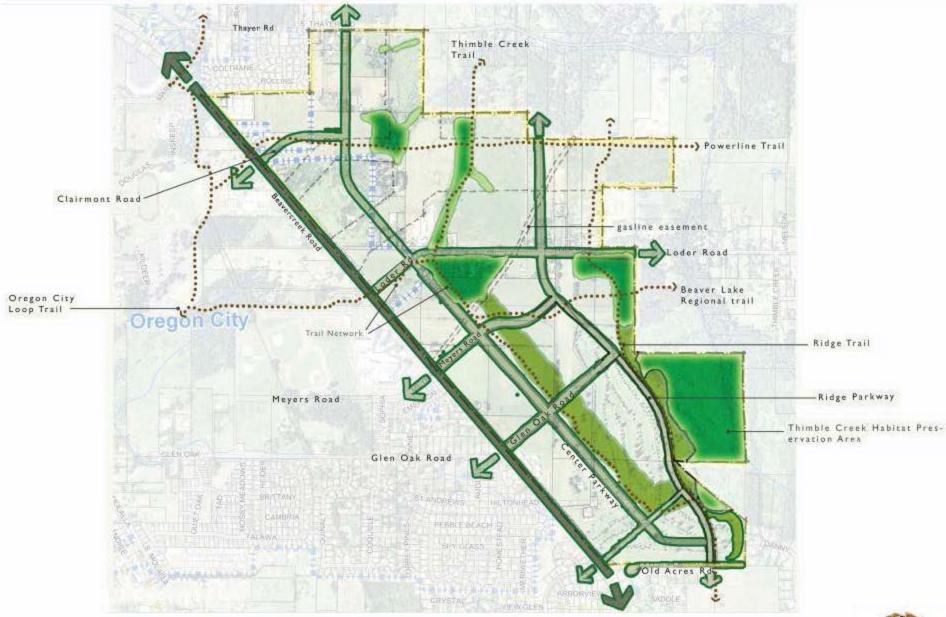
	Acres*	Gross	<u>Net</u>
North Employment Can	npus	149	127
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Main Street		10	8
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		284	235
Parks/ Open Space/ Na	tural	<u>113</u>	
Major ROW		56	
Total		~453	

^{*}Acres are preliminary and rounded

Jobs and Housing Estimates

	<u>Jobs</u>	<u>Housing</u>
North Employment Campus	3,678	
Mixed Employment Village	1,139	
Main Street	219	100
West Mixed Neighborhood	15	387
East Mixed Neighborhood	21_	<u>536</u>
	5,073	1,023

Based on Hybrid Plan – See draft plan for all stated assumptions.

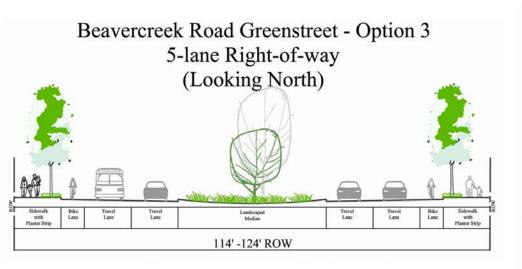


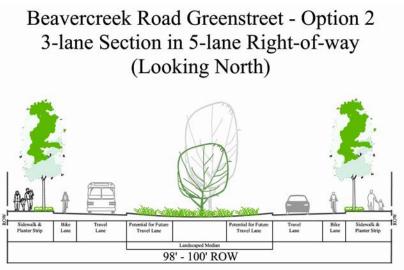




Beavercreek Road

• The concept plan specifies that Beavercreek Road will be improved as a green boulevard that will be a 5-lane arterial section to Clairmont, then a 3-lane arterial, with room for 5 lanes if needed, from Clairmont to the UGB. These projects on Beavercreek Road are included in TSP Table 2: Likely to Be Funded Transportation System as project D81 and D82.





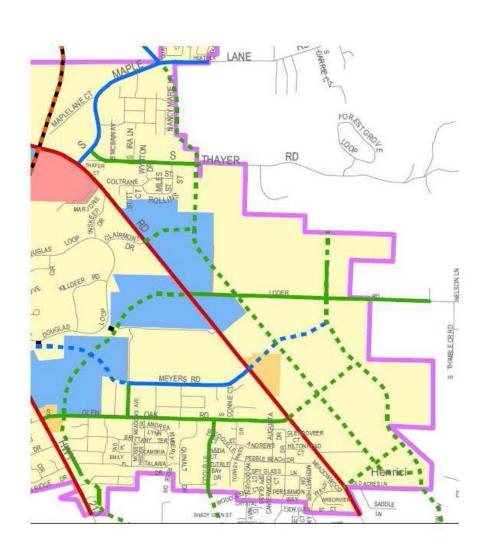
Transportation System Plan / Traffic

- Transportation Projects within the concept plan area will be development-driven and funded
- The TSP expands upon the Concept Plan by including preliminary construction cost estimates & financing options
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- Ensure that local connectivity and off-street pedestrian routes link together in a highly connected pedestrian system that is safe, direct, convenient and attractive and improves pedestrian and bicycle safety along Beavercreek Road.
- Transportation Planning Rule. To meet the requirements of OAR 660-012-0060, needed improvements & funding mechanisms have been identified to mitigate impacts of development in the area and shows that the mobility standards prescribed by the TSP, except where exempted, will be met.

Transportation System Plan (TSP)

- The 2013 TSP also recognizes the limitations brought about by the limited availability of funding.
- Despite the investments to the transportation system, intersection operating conditions at a few intersections (including the OR 99E/I-205 Northbound, OR 99E/I-205 Southbound, OR 213/Beavercreek Road, and I-205/OR 213 intersections) will be continue to be congested by 2035.
- For purposes of evaluating the impact of proposed development that is permitted, either conditionally, outright, or through detailed development master plan approval, the OR 99E/I-205 SB Ramps, OR 99E/I-205 NB Ramps, OR 213/ Beavercreek Road, and I-205/OR 213 intersections shall be exempt from meeting the state mobility targets until solutions (beyond those included in the TSP) or alternative mobility targets are explored for the intersections.
- City and ODOT are to work together with Clackamas County to prepare and adopt alternative mobility standards.

TSP Multi-Modal Street System





Meetings

•	City Commission Hearing #1	12/02/2015
•	Planning Commission Hearing #1	11/23/2015
•	City Commission Work Session	11/10
•	Hamlet of Beavercreek	10/28
•	Caufield Neighborhood Association	10/27
•	Parks & Recreation Advisory Committee	10/22
•	Transportation Advisory Committee	10/20
•	Natural Resources Committee	10/14
•	Citizen Involvement Committee	10/05
•	Planning Commission Work Session	09/28

How to do I stay involved / comment?

Website:

http://www.orcity.org/planning/landusecase/le-

15-0003-re-adoption-beavercreek-road-concept-

<u>plan</u>

Pete Walter, Associate Planner

PH: (503) 496-1568

Email: pwalter@orcity.org



Thank You



Concept Plan: Land Use Areas

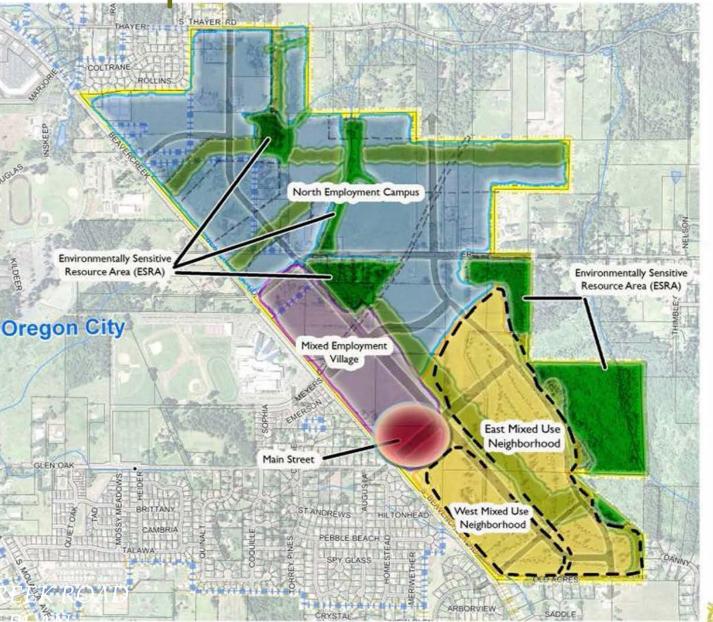
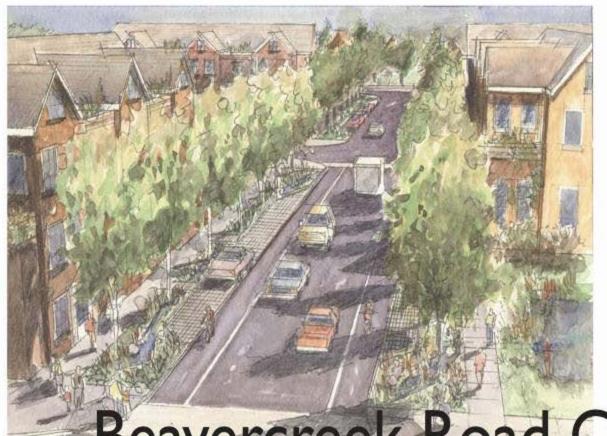






Figure 2: Beavercreek Zone Subdistricts



Beavercreek Road Concept Plan

Envisioning a Complete and Sustainable Community

City Commission Work Session Nov. 10, 2015



Goals

- 1. Complete and Sustainable Community
- 2. Model of Sustainable Design
- 3. Green Jobs
- 4. Sustainable Industries
- 5. Natural Beauty
- 6. Multi-Modal Transportation
- 7. Safety Along Beavercreek Road
- 8. OCHS and CCC
- 9. Unique Sense of Place
- 10. Ecological Health



BEAVERCREEK ROAD







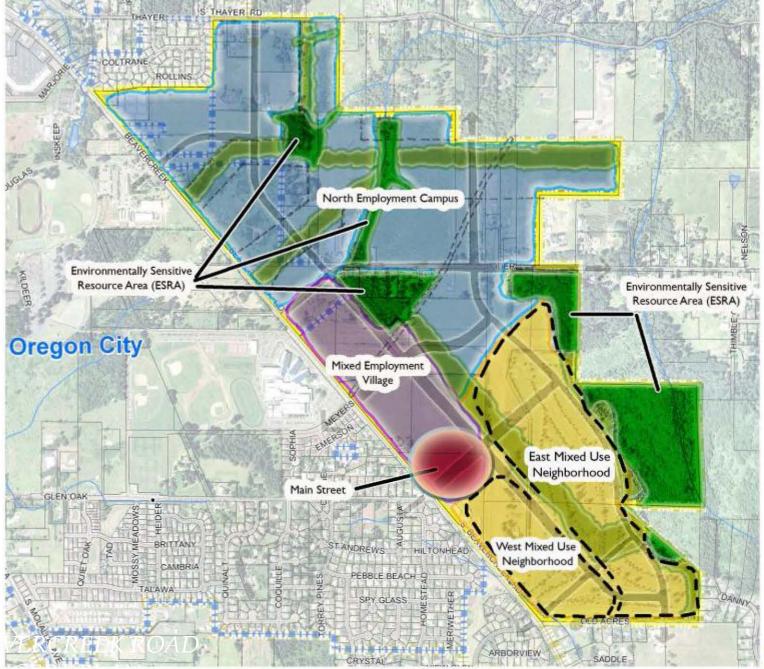






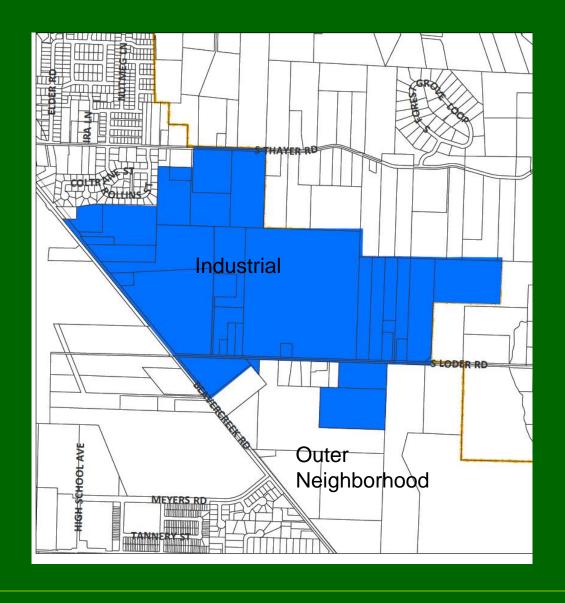
Figure 2: Beavercreek Zone Subdistricts

Current Status

- Overview of LUBA appeal, LCDC appeal and remand
- City Commission remanded to Planning Commission
- Re-open the record for the limited purpose of addressing the protection of the Title 4 lands, inserting the recently implemented transportation system plan and public utility plans, identifying transportation improvements and addressing police and fire services.

Limited Record

- Title 4 Industrial lands
- Transportation
 - TSP adopted August 2013
- Utilities
 - Sewer Master Plan adopted Nov 2014
 - Water Master Plan adopted Feb 2012
 - Stormwater standards adopted May 2015
- Police/ Fire Services



Metro 2040 Concept Plan Design Types

Metro Ord. 10-1244B Dec. 16, 2010

151 ac. (121 net) of Industrial

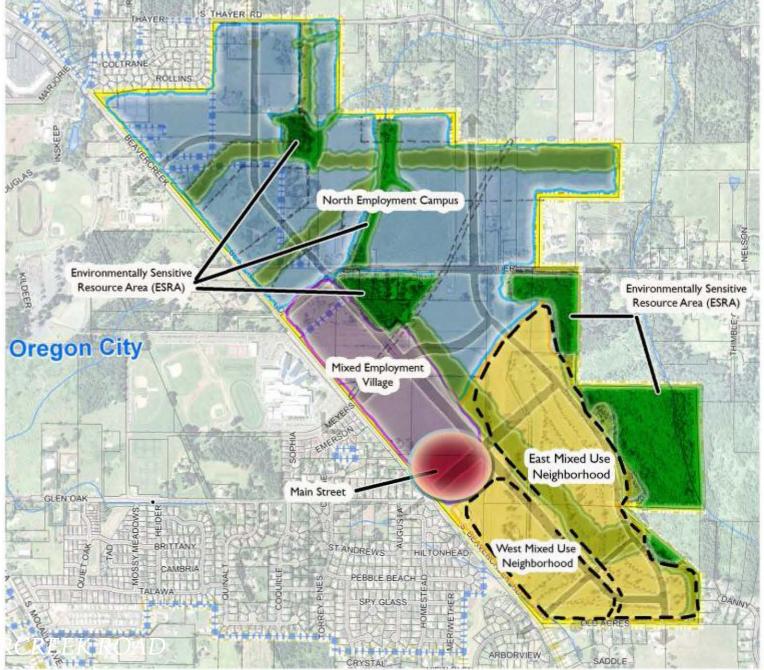


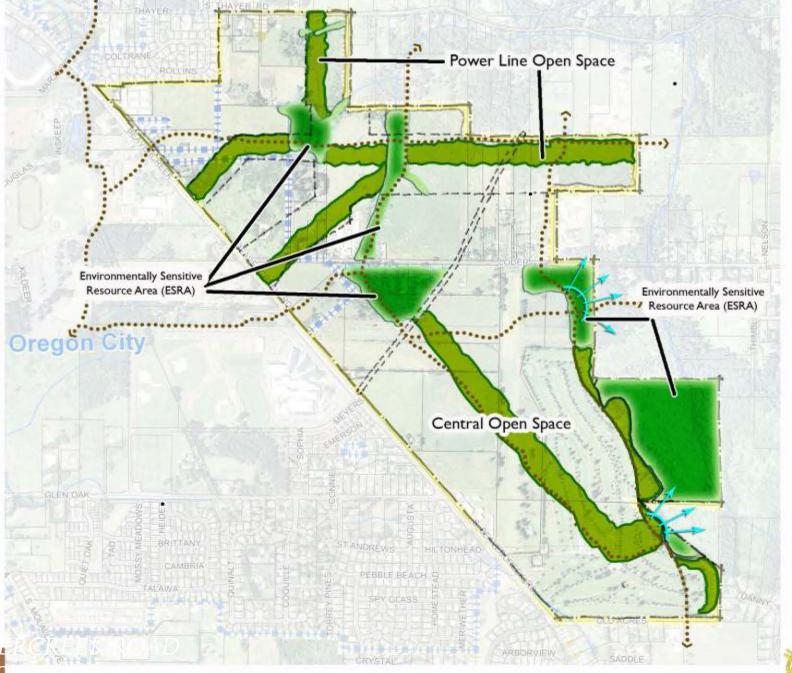




Figure 2: Beavercreek Zone Subdistricts

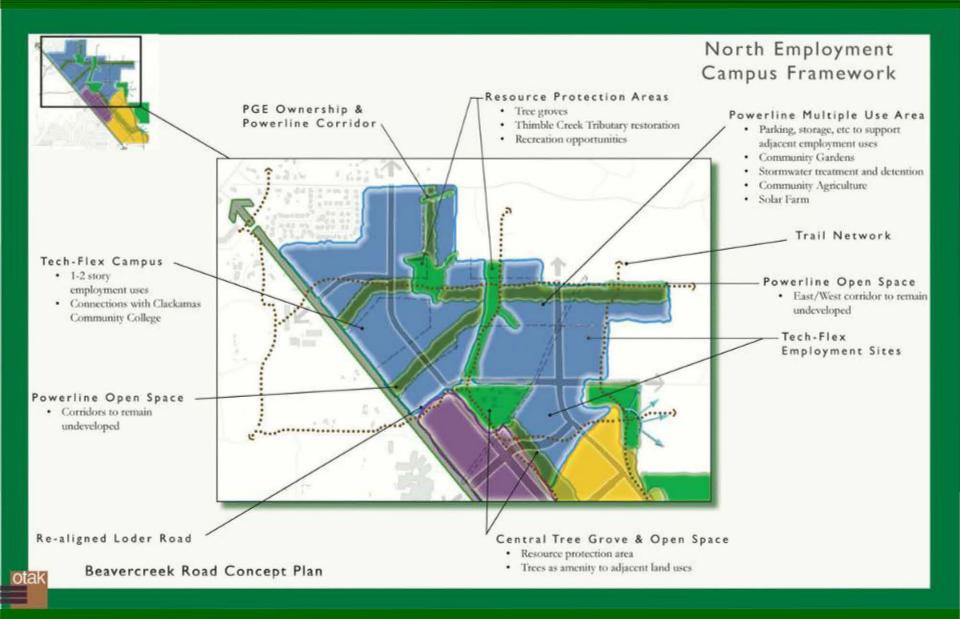
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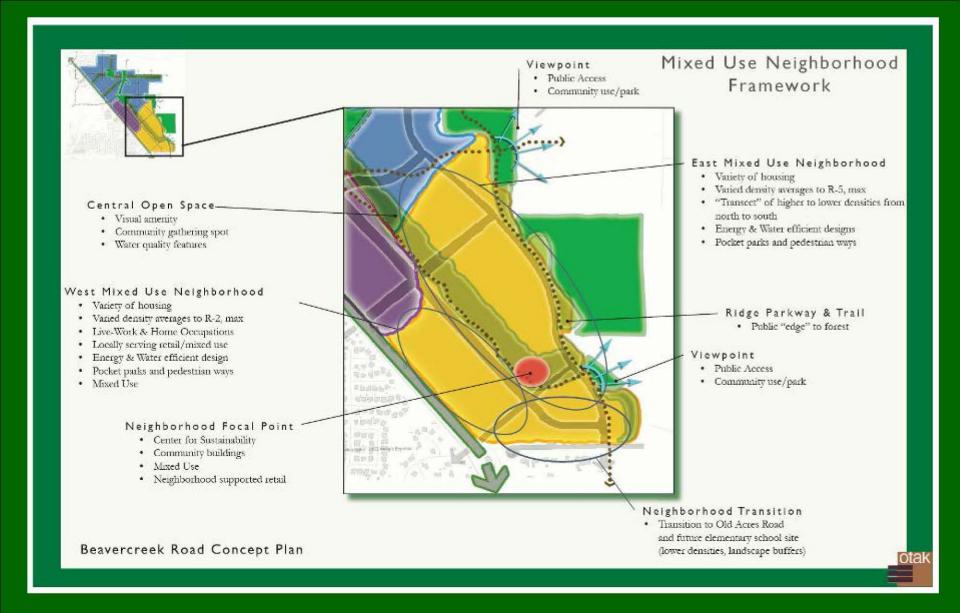






Beavercreek Road Concept Plan









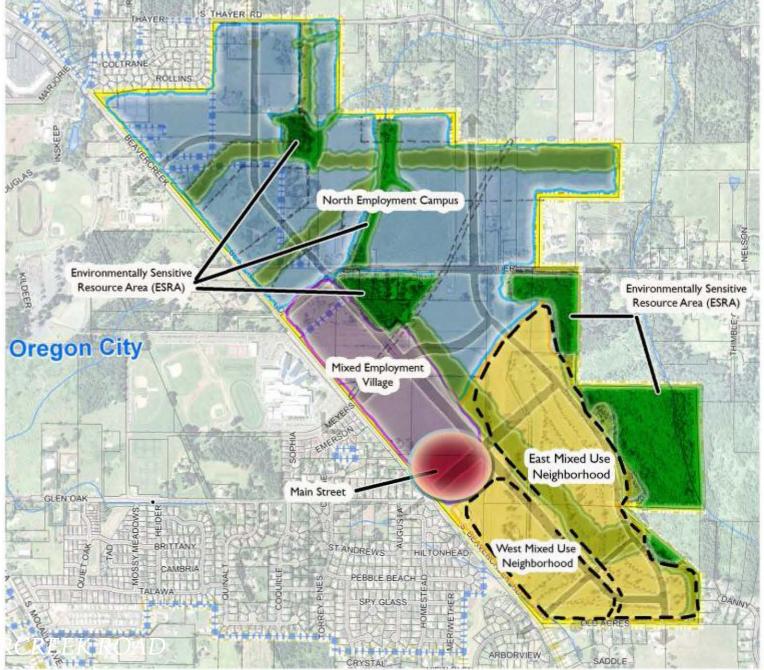






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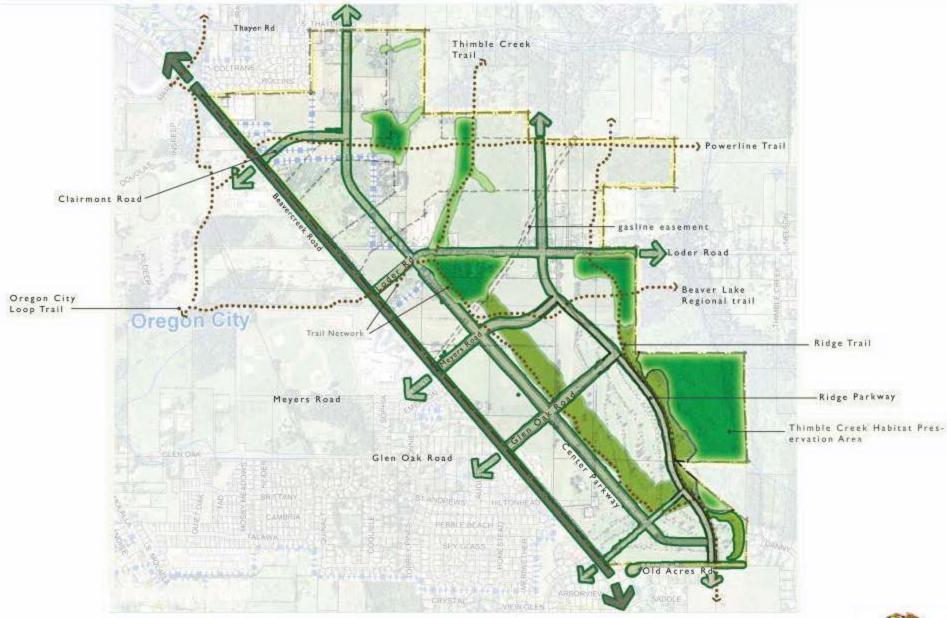






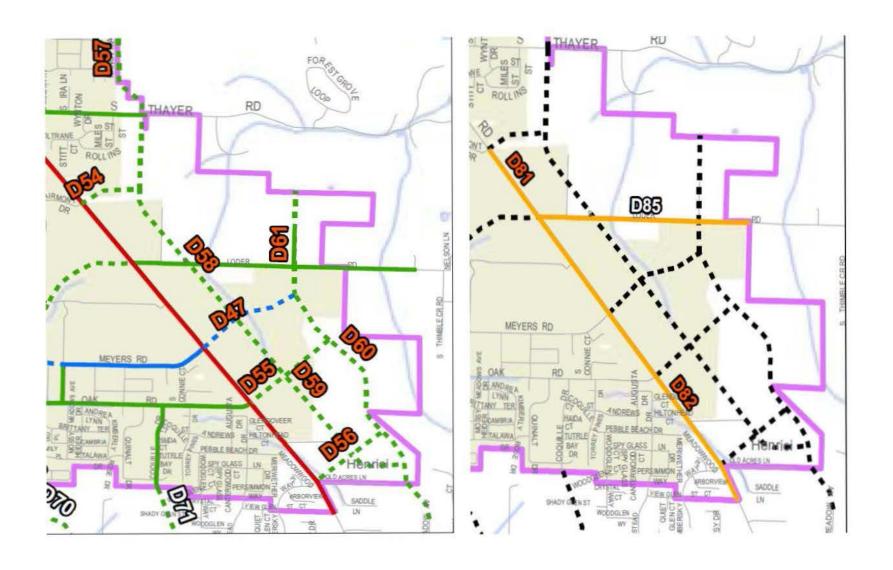


Figure 5: Beavercreek Zone Connectivity Options

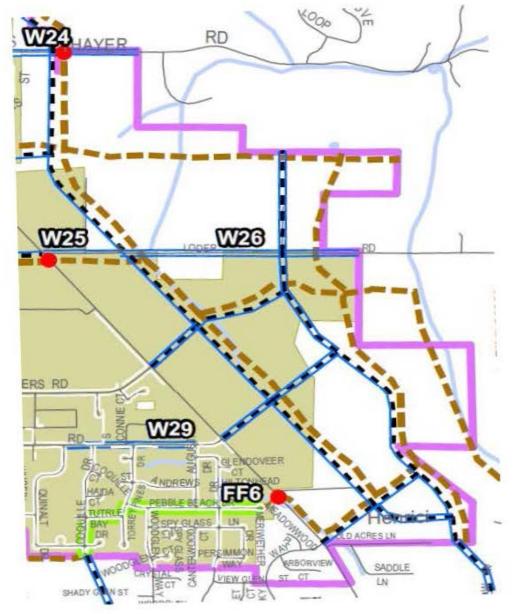
Likely to be Funded TSP Projects

Project #	Project	Project Extent	Project Elements	Priority
D47	Description Meyers Road East extension	Beavercreek Road to the Meadow Lane Extension	Extend Meyers Road from Beavercreek Road to the Meadow Lane Extension as an Industrial Minor Arterial. Between the Holly Lane and Meadow Lane extensions, add a sidewalk and bike lane to the south side of the street, with a shared-use path to be added on north side per project S19. Modify the existing traffic signal at	Medium-term
D54	Clairmont Drive extension	Beavercreek Road to Holly Lane South Extension	Beavercreek Road Extend Clairmont Drive from Beavercreek Road to the Holly Lane South extension as an Industrial Collector. Add a sidewalk and bike lane to the south side of the street, with a shared-use path to be added on north side per project S17.	Long-term
D55	Glen Oak Road extension	Beavercreek Road to the Meadow Lane Extension	Extend Glen Oak Road from Beavercreek Road to the Meadow Lane Extension as a Residential Collector. Install a roundabout at Beavercreek Road (per project D39)	Long-term
D56	Timbersky Way extension	Beavercreek Road to the Meadow Lane Extension	Extend Timbersky Way from Beavercreek Road to the Meadow Lane Extension as a Residential Collector. Add a sidewalk and bike lane to the south side of the street, with a shared-use path to be added on north side per project S20.	Long-term
D57	Holly Lane South extension	Maple Lane Road to Thayer Road	Extend Holly Lane from Maple Lane Road to Thayer Road as a Residential Collector. Add a sidewalk and bike lane to the west side of the street, with a shared-use path to be added on east side per project S14. Install a roundabout at Maple Lane Road (per project D37).	Medium-term
D58	Holly Lane South extension	Thayer Road to Meyers Road	Extend Holly Lane from Thayer Road to the Meyers Road extension as an Industrial Collector. Add a sidewalk and bike lane to the west side of the street, with a shared-use path to be added on east side per project S15.	Medium-term
D59	Holly Lane South extension	Meyers Road to the Meadow Lane Extension	Extend Holly Lane from the Meyers Road extension to the Meadow Lane Extension as a Mixed-Use Collector. Add a sidewalk and bike lane to the west side of the street, with a shared-use path to be added on east side per project S16.	Long-term
D60	Meadow Lane extension	Meadow Lane to Meyers Road	Extend Meadow Lane to the Meyers Road Extension as a Mixed-Use Collector. Between Old Acres Lane and the Glen Oak Road extension, add a sidewalk and bike lane to the west side of the street, with a shared-use path to be added on east side per project S21.	Long-term
D61	Meadow Lane extension	Meyers Road to UGB (north of Loder Road)	Extend Meadow Lane from the Meyers Road Extension to the UGB (north of Loder Road) as an Industrial Collector	Medium-term
D81	Beavercreek Road Upgrade	Clairmont Drive (CCC Entrance) to Meyers Road	Improve to Industrial Major Arterial cross-section	Medium-term
D82	Beavercreek Road Upgrade	Meyers Road to UGB	Improve to Residential Major Arterial cross-section	Long-term

TSP Street & Intersection Expansions



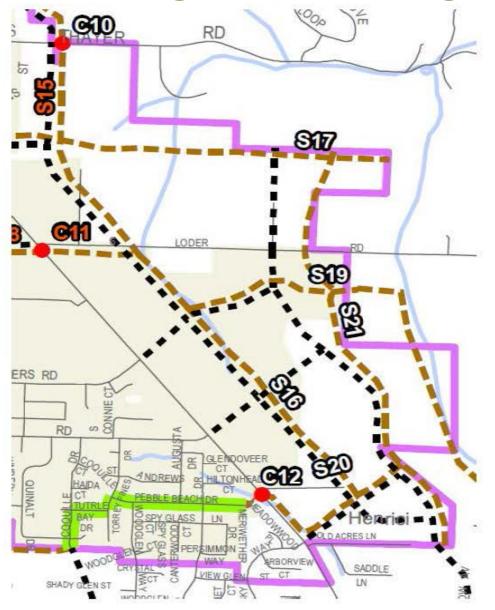
TSP Conceptual Walking Solutions



TSP Conceptual Biking Solutions

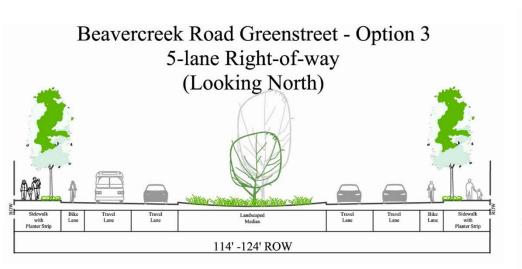


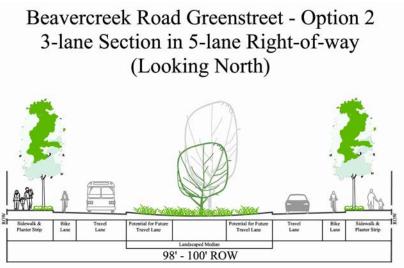
TSP Shared Biking and Walking Solutions



Beavercreek Road

• The concept plan specifies that Beavercreek Road will be improved as a green boulevard that will be a 5-lane arterial section to Clairmont, then a 3-lane arterial, with room for 5 lanes if needed, from Clairmont to the UGB. These projects on Beavercreek Road are included in TSP Table 2: Likely to Be Funded Transportation System as project D81 and D82.





Transportation System Plan / Traffic

- Transportation Projects within the concept plan area will be development-driven and funded
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Transportation System Plan (TSP)

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	<u>Acres*</u>	Gross	<u>Net</u>
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D. 1./O C / NI. (1	110	
Parks/ Open Space/ Nati	ıral	<u>113</u>	
Major ROW		56	
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*Acres are preliminary and roun	ded		

	<u>Jobs</u>	<u>Housing</u>
North Employment Campus	3,678	
Mixed Employment Village	1,139	
Main Street	219	100
West Mixed Neighborhood	15	387
East Mixed Neighborhood	21	_536
	5,073	1,023

Source: Table 2. BRCP Job & Housing Density Assumptions 7/10/2007

Meetings

- Citizen Involvement Committee 10/05
- Natural Resources Committee 10/14
- Transportation Advisory Committee 10/20
- Parks & Recreation Advisory Committee 10/22
- Caufield Neighborhood Association 10/27
- Hamlet of Beavercreek 10/28
- Planning Commission 11/23/2015
- City Commission 12/02/2015

Concept Plan: Land Use Areas

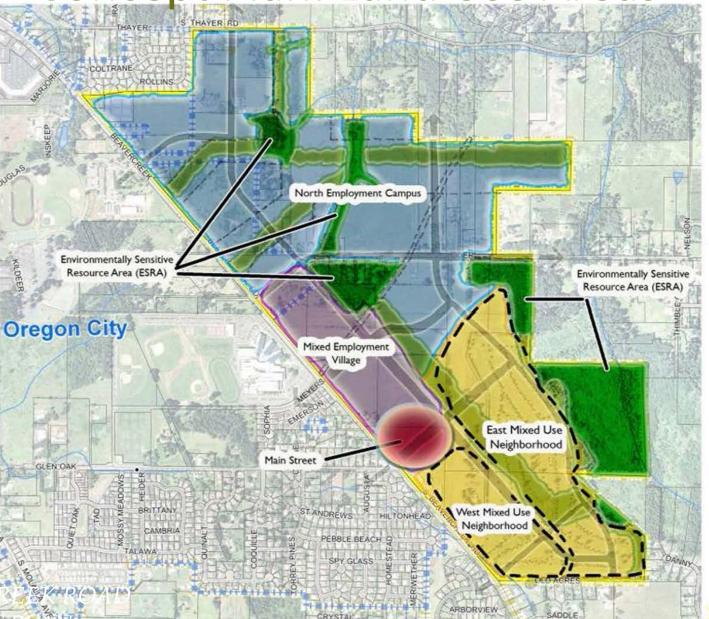






Figure 2: Beavercreek Zone Subdistricts

Thank You

- Website:
- http://www.orcity.org/planning/landuse
 case/le-15-0003-re-adoption-
 beavercreek-road-concept-plan
- Pete Walter, Associate Planner
- (503) 496-1568
- pwalter@orcity.org

17.04.580 - Home occupation.

"Home occupation" means an occupation carried on solely by the resident or residents of a dwelling unit as a secondary use, in connection with which no assistants are employed, other than residents of the home, no commodities are sold other than services, no sounds are heard beyond the premises, and there is no display, advertisement or sign board except such signs as by this title may be permitted in the district where the home or occupation is situated, including such occupations as lawyer, public accountant, artist, writer, teacher, musician, home office of a physician, dentist or other practitioner of any of the healing arts, or practices of any art or craft of a nature to be conveniently, unobstructively and inoffensively pursued in a residential dwelling or accessory building of a residence, and not more than one-half of the square-footage is devoted to such use. The business may have off-site employees or partners provided that they do not report for work at the subject residence. No outdoor storage of materials or commercial vehicles associated with the business shall occur on-site.

(Ord. No. 08-1014, §§ 1—3(Exhs. 1—3), 7-1-2009)

ENTERED INTO THE RECORD

DATE RECEIVED: 11/23/15

SUBMITTED BY: STAFF

SUBJECT: LE-15-0003

EXHIBIT C



November 23, 2015

Charles Kidwell, Chair Oregon City Planning Commission 625 Center Street Oregon City, OR 97045

Dear Chair Kidwell:

Thank you for providing the opportunity to comment on the city's re-adoption of the Beavercreek Road Concept Plan (LE-15-0003).

As you know, Metro staff was deeply involved with the development of the Beavercreek Road Concept Plan and supported the city's 2008 adoption of the concept plan through Oregon City Ordinance No. 07-1008. At that time, Metro provided a letter of support indicating the concept plan as proposed was in compliance with the Urban Growth management Functional Plan (Functional Plan). In addition, Metro amended its Title 4 Employment and Industrial Lands Map in 2010 to be consistent with the Beavercreek Road Concept Plan.

Metro appreciates the hard work staff, committee members and the community has undertaken to update a number of the city's public facilities plans including sewer, stormwater, water and the transportation system plan, resulting in refined public facility plans for the concept plan area. After reviewing the findings for LE-15-0003 and noting that no new amendments are proposed, staff has determined that the Beavercreek Road Concept Plan will continue to be in substantial compliance with Metro's Functional Plan.

Sincerely,

Tim O'Brien, AICP

Principal Regional Planner

c: Councilor Carlotta Collette, District No. 2
Jennifer Donnelly, Oregon Department of Land Conservation and Development
Roger Alfred, Metro Senior Assistant Attorney
Tom Kloster, Manager, Metro Planning & Development
Jeff Raker, Metro Associate Planner
John Williams, Deputy Director, Metro Planning & Development

ENTERED INTO THE RECORD

DATE RECEIVED: 11/23/2015
SUBMITTED BY: STAFF

SUBJECT: LE-15-0003

EXHIBIT D

Printed on recycled-content paper.



Beavercreek Road Concept Plan

Envisioning a Complete and Sustainable Community

Planning Commission November 23, 2015







DATE RECEIVED: 11/23/1
SUBMITTED BY: STAFF
SUBJECT: LE-15-000

Limited Record

- Title 4 Industrial lands
- Transportation
- TSP adopted August 2013
- Utilities
- Sewer Master Plan adopted Nov 2014
- Water Master Plan adopted Feb 2012
- Stormwater standards adopted May 2015
- Police/ Fire Services

Overview

transportation improvements and addressing police inserting the recently implemented transportation system plan and public utility plans, identifying Re-open the record for the limited purpose of addressing the protection of the Title 4 lands, and fire services.

Concept Plan Goals

Complete and Sustainable Community

Model of Sustainable Design

Green Jobs

. Sustainable Industries

Natural Beauty

5. Multi-Modal Transportation

. Safety Along Beavercreek Road

OCHS and CCC

. Unique Sense of Place

0. Ecological Health

Embrace the Vision, Goals and Principles

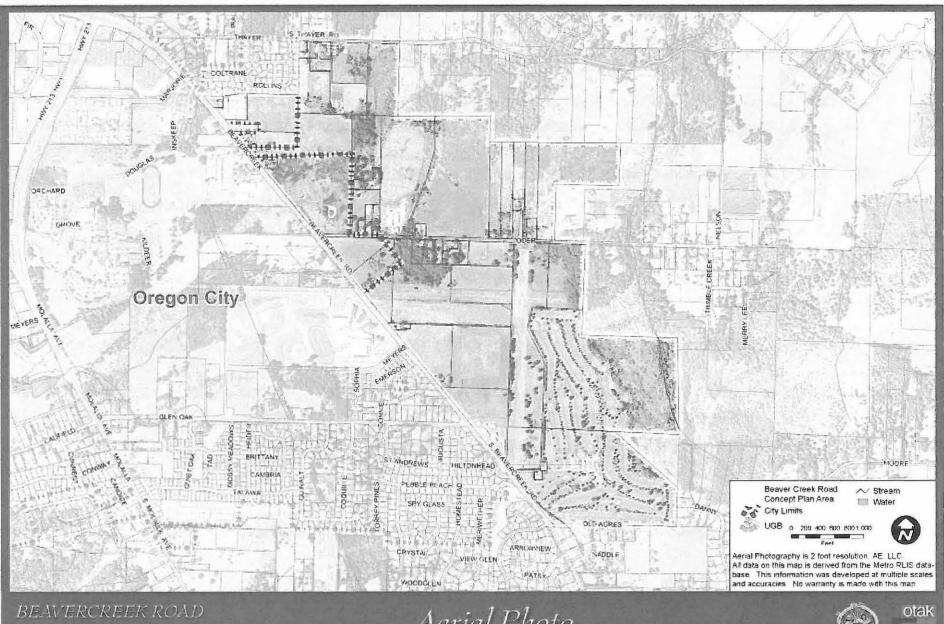
Overall Vision: "Create A Complete and Sustainable Community"

CAC Goals:

- "Be a model of sustainable design, development practices, planning and innovative thinking"
- "Incorporate the area's natural beauty into an ecologically compatible built environment"
- "Integrate Systems Integrate ecological and man-made systems to maximize function, efficiency and health"
- "Have a unique sense of place created by the mix of uses, human scale design, and commitment to sustainability"
- "Ecological Health Manage water resources on site to eliminate pollution to watersheds and lesson impact on municipal infrastructure by integrating ecological and man-made systems to maximize function, efficiency and health"

Principles and Strategies:

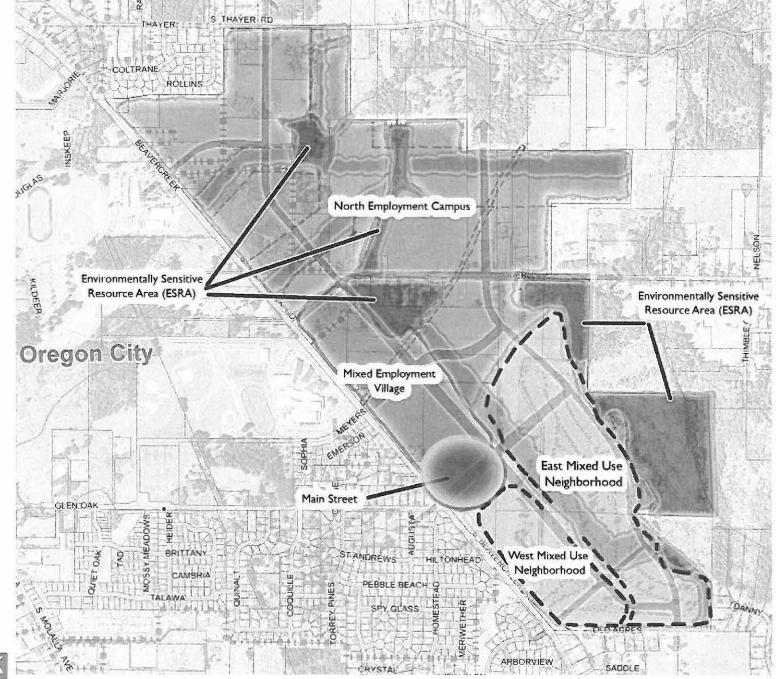
- "A sustainable stormwater management plan that supports low impact development, open conveyance systems, regional detention, and adequate sizing to avoid downstream flooding"
- "Open Space Protect and Maintain a functioning green space network for a variety of uses"
- "Integrate Systems Integrate ecological and man-made systems to maximize function, efficiency and health"
- "Watershed Health Manage water resources on site to eliminate pollution to watershed and lesson impact on municipal infrastructures"

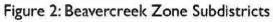


CONCEPT PLAN

Aerial Photo









otak

Planning for New Urban Areas Metro Code – Title II

2007

- Annexation;
- Housing density;
- Variety of housing types;
- Housing affordability;
- Commercial/Industrial development;
- Transportation;
- Mapping;
- Public Facilities and Services;
- Schools;
- Urban Growth Diagram; and
- Plan Amendments.

2014

- Plan Amendments
- Design Types
- Annexation
- Housing density
- Housing affordability
- Schools
- Parks
- Transportation (RTP)
- Public Facilities and Services and Financing
- Industrial Lands (Title 4)

Industrial and Employment Land Metro Code – Title 4

3.07.410 Purpose and Intent

3.07.430 Protection of Industrial Areas

Please see letter from Metro addressing Title 4 compliance and compliance with Metro's Functional Plan

Oregon City Comprehensive Plan

- . Plan implementation process.
- Adequacy of the Plan to guide land use actions, including an examination of trends.
- desires, attitudes and conditions. This shall include Whether the Plan still reflects community needs, changing demographic patterns and economics.
- Addition of updated factual information including that made available to the City of regional, state and federal governmental agencies.

Comprehensive Plan Goal 2.6

Ensure an adequate supply of land for major industrial employers with family wage jobs.

2.6.8, which are addressed in the recommended findings. This Goal is implemented through Policies 2.6.1 through

Statewide Planning Goals

Goal 1 - Citizen Involvement

Goal 2 - Land Use Planning

Goal 3 - Agricultural Lands and Goal 4 Forest Lands

Goal 5 - Open Spaces, Scenic and Historic Areas, and Natural Resources

Goal 6 - Air, Water and Land Resources Quality

Goal 7 - Areas Subject to Natural Disasters and Hazards

Goal 8 - Recreational Needs

Goal 9 - Economic Development

Goal 10 - Housing

Goal 11 - Public Facilities and Services

Goal - 12 Transportation

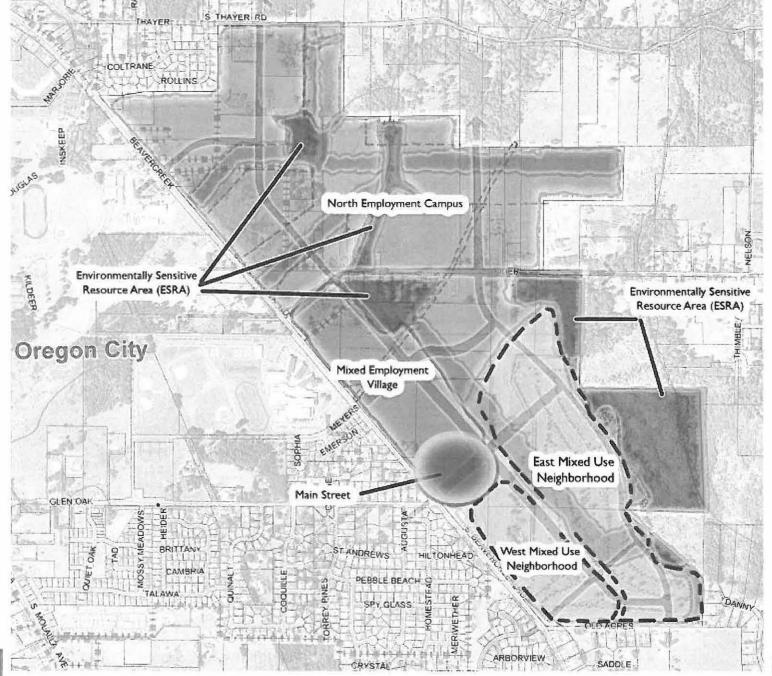
Goal 13 - Energy Conservation

Goal 14 - Urbanization



Metro 2040 Concept Plan Design Types Metro Ord. 10-1244B Dec. 16, 2010

151 ac. (121 net) of Industrial



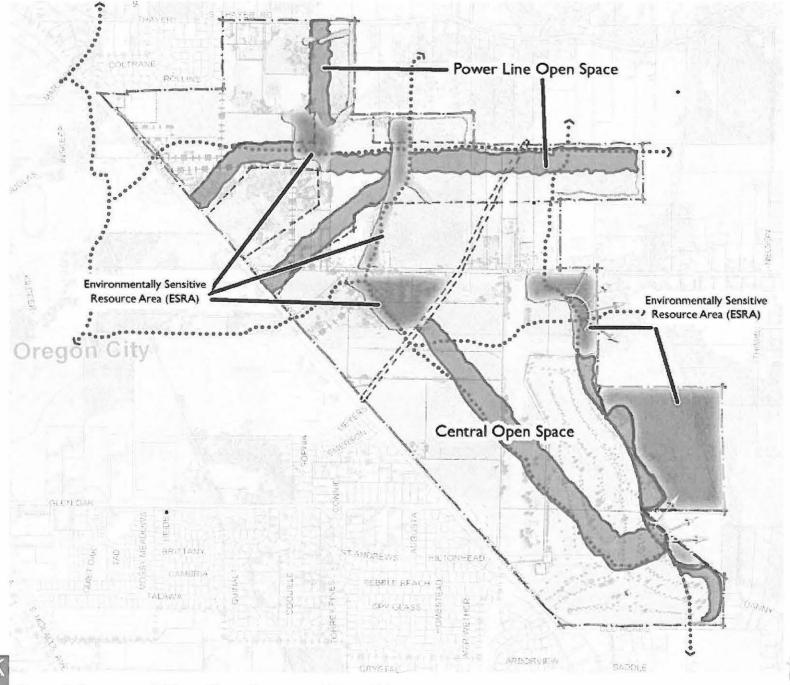




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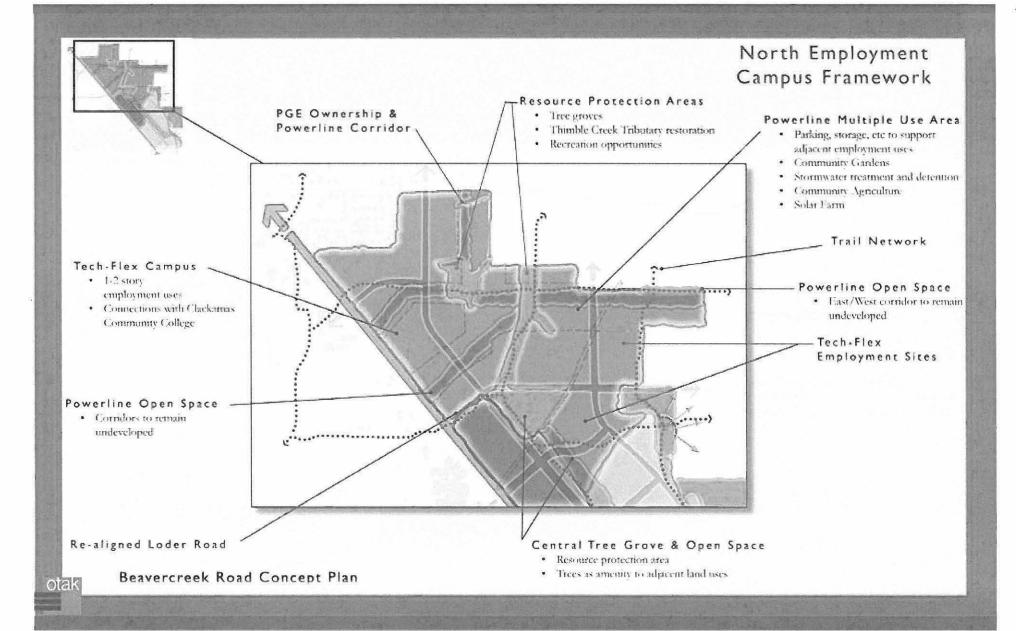
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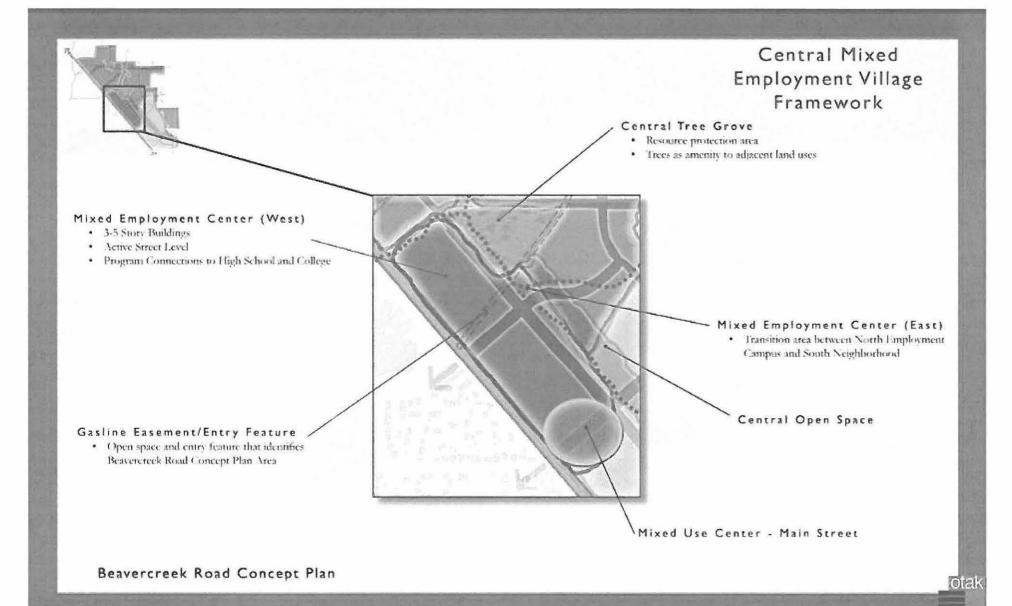




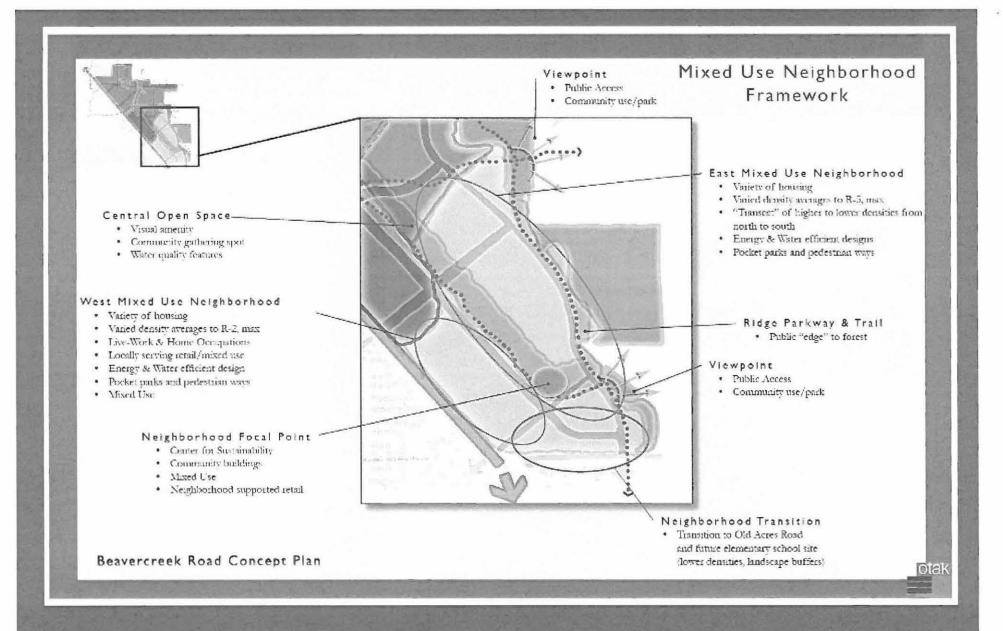




BEAVERCREEK ROAD CONCEPT PLAN



BEAVERCREEK ROAD CONCEPT PLAN



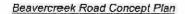


Figure 4: Hybrid Alternative Stormwater System

Legend

--- Streams

Teir 1 - Site Specific
(Not Illustrated)

Tier 2 - Greenstreets

Conveyance & Treatment

Tier 3 - Regional Facilities

Detention

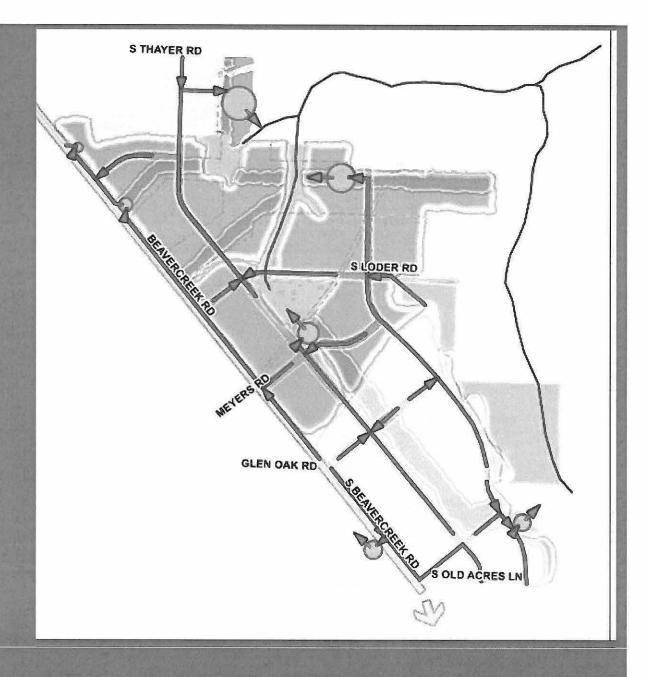
Detention Outfall

Map Creation Date: 03/01/07 (Based on CAD Data from 03/01/07)

0 250 500 1,000 Feet

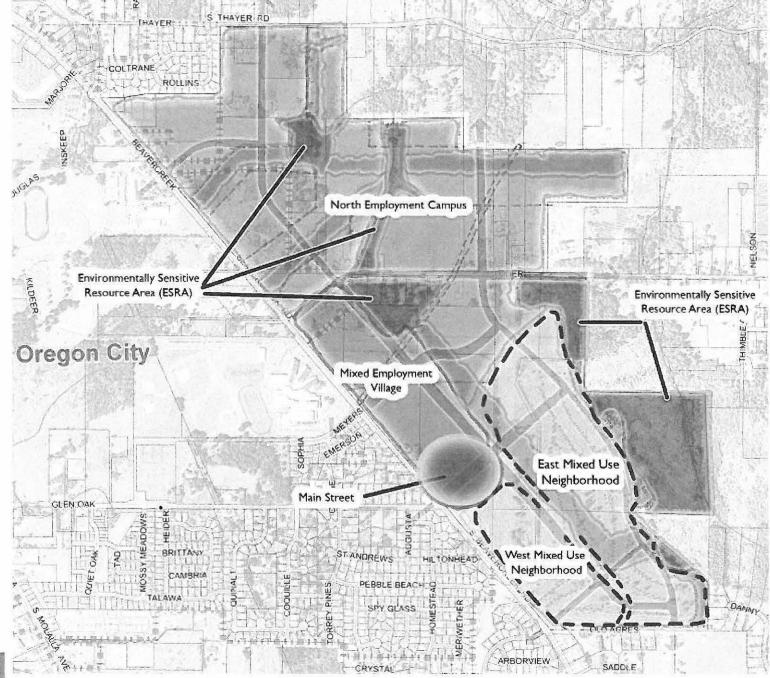


Aerial Photography is 2 foot resolution. AE, 11C
All date on this map is derived from the Metro RUS datebase. This information was developed at multiple scales and accuracies. No warranty is made with this map.



BEAVERCREEK ROAD CONCEPT PLAN

Stormwater System









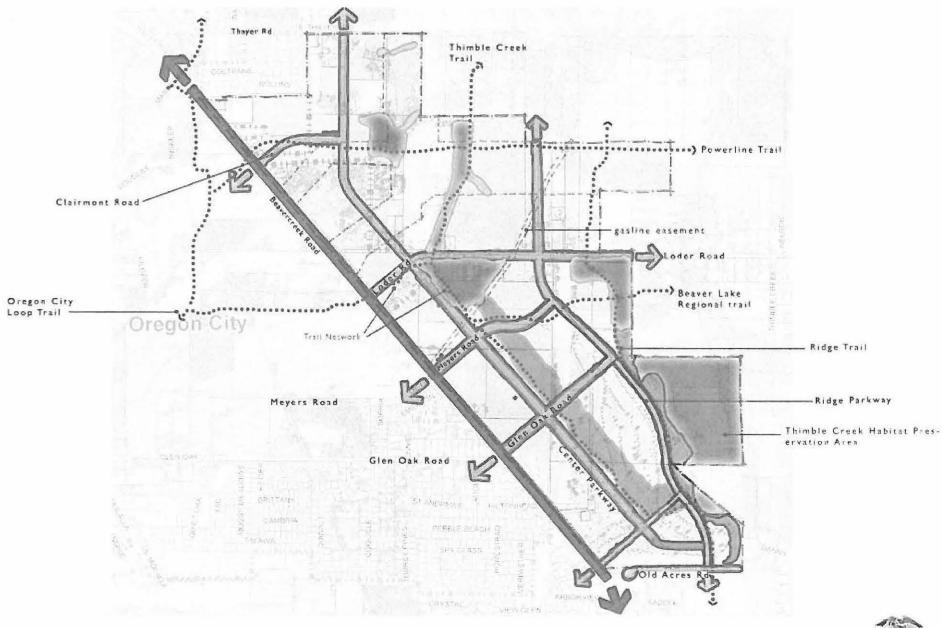






Figure 4: Beavercreek Zone Site Circulation

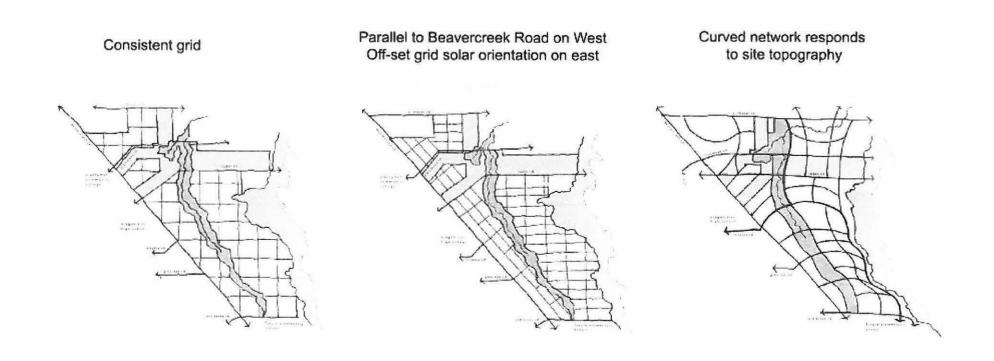
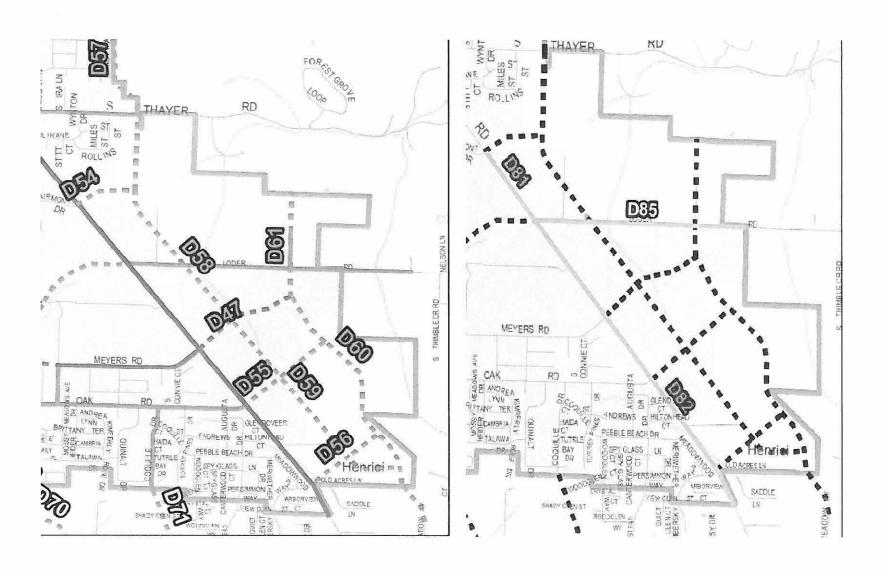


Figure 5: Beavercreek Zone Connectivity Options

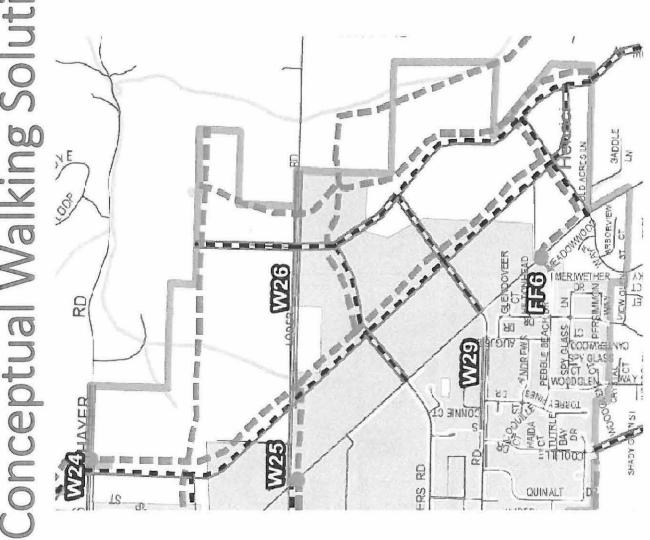
Likely to be Funded TSP Projects

Project #	Project	Project Extent	Project Elements	Priority
	Description			
D47	Meyers Road East extension	Beavercreek Road to the Meadow Lane Extension	Extend Meyers Road from Beavercreek Road to the Meadow Lane Extension as an Industrial Minor Arterial. Between the Holly Lane and Meadow Lane extensions, add a sidewalk and bike lane to the south side of the street, with a shared-use path to be added on north side per project S19. Modify the existing traffic signal at Beavercreek Road	Medium-term
D54	Clairmont Drive extension	Beavercreek Road to Holly Lane South Extension	Extend Clairmont Drive from Beavercreek Road to the Holly Lane South extension as an Industrial Collector. Add a sidewalk and bike lane to the south side of the street, with a shared-use path to be added on north side per project S17.	
D55	Glen Oak Road extension	Beavercreek Road to the Meadow Lane Extension	Extend Glen Oak Road from Beavercreek Road to the Meadow Lane Extension as a Residential Collector. Install a roundabout at Beavercreek Road (per project D39)	
D56	Timbersky Way extension	Beavercreek Road to the Meadow Lane Extension	Extend Timbersky Way from Beavercreek Road to the Meadow Lane Extension as a Residential Collector. Add a sidewalk and bike lane to the south side of the street, with a shared-use path to be added on north side per project S20.	
D57	Holly Lane South extension	Maple Lane Road to Thayer Road	Extend Holly Lane from Maple Lane Road to Thayer Road as a Residential Collector. Add a sidewalk and bike lane to the west side of the street, with a shared-use path to be added on east side per project S14. Install a roundabout at Maple Lane Road (per project D37).	Medium-term
D58	Holly Lane South extension	Thayer Road to Meyers Road	Extend Holly Lane from Thayer Road to the Meyers Road extension as an Industrial Collector. Add a sidewalk and bike lane to the west side of the street, with a shared-use path to be added on east side per project S15.	Medium-term
D59	Holly Lane South extension	Meyers Road to the Meadow Lane Extension	Extend Holly Lane from the Meyers Road extension to the Meadow Lane Extension as a Mixed-Use Collector. Add a sidewalk and bike lane to the west side of the street, with a shared-use path to be added on east side per project S16.	Long-term
D60	Meadow Lane extension	Meadow Lane to Meyers Road	Extend Meadow Lane to the Meyers Road Extension as a Mixed-Use Collector. Between Old Acres Lane and the Glen Oak Road extension, add a sidewalk and bike lane to the west side of the street, with a shared-use path to be added on east side per project S21.	Long-term
D61	Meadow Lane extension	Meyers Road to UGB (north of Loder Road)	Extend Meadow Lane from the Meyers Road Extension to the UGB (north of Loder Road) as an Industrial Collector	Medium-term
D81	Beavercreek Road Upgrade	Clairmont Drive (CCC Entrance) to Meyers Road	Improve to Industrial Major Arterial cross-section	Medium-term
D82	Beavercreek Road Upgrade	Meyers Road to UGB	Improve to Residential Major Arterial cross-section	Long-term

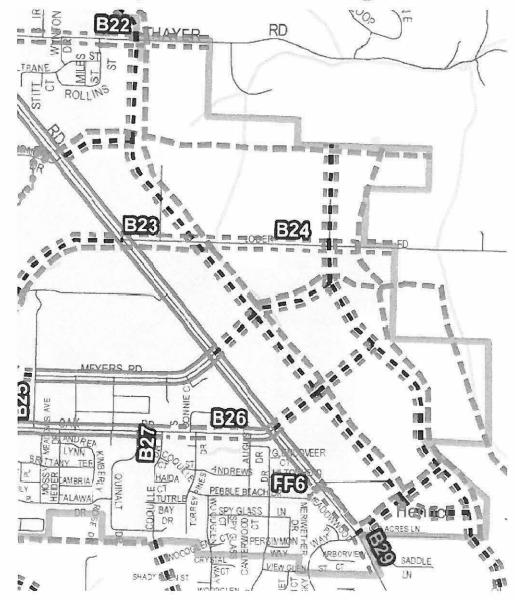
TSP Street & Intersection Expansions



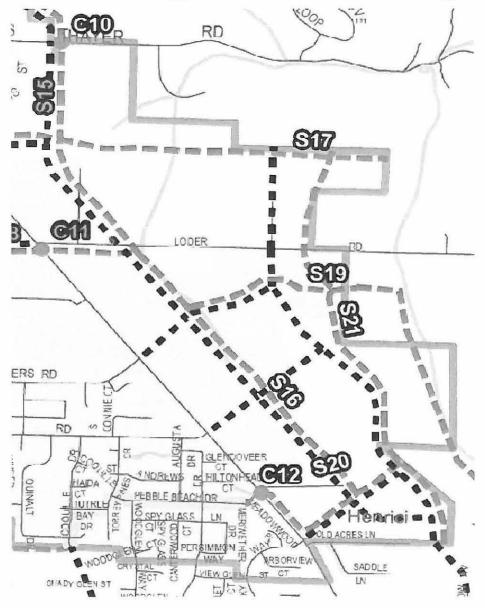
TSP Conceptual Walking Solutions



TSP Conceptual Biking Solutions



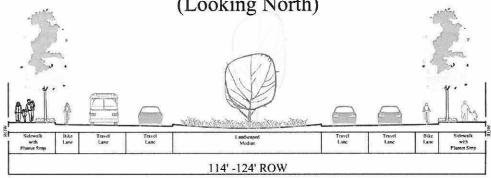
TSP Shared Biking and Walking Solutions



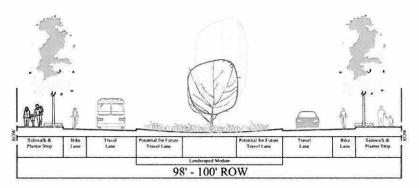
Beavercreek Road

• The concept plan specifies that Beavercreek Road will be improved as a green boulevard that will be a 5-lane arterial section to Clairmont, then a 3-lane arterial, with room for 5 lanes if needed, from Clairmont to the UGB. These projects on Beavercreek Road are included in TSP Table 2: Likely to Be Funded Transportation System as project D81 and D82.

Beavercreek Road Greenstreet - Option 3
5-lane Right-of-way
(Looking North)



Beavercreek Road Greenstreet - Option 2 3-lane Section in 5-lane Right-of-way (Looking North)



Transportation System Plan / Traffic

- Transportation Projects within the concept plan area will be development-driven and funded
- The TSP expands upon the Concept Plan by including preliminary construction cost estimates & financing options
- Multi-modal transportation links will be connected within the site as well as to the surrounding areas
- Land use reviews will support bus service by ensuring a mix of land uses, densities and design options that support public transportation and other alternative transportation methods
- Ensure that local connectivity and off-street pedestrian routes link together in a highly connected pedestrian system that is safe, direct, convenient and attractive and improves pedestrian and bicycle safety along Beavercreek Road.
- Transportation Planning Rule. To meet the requirements of OAR 660-012-0060, needed improvements & funding mechanisms have been identified to mitigate impacts of development in the area and shows that the mobility standards prescribed by the TSP, except where exempted, will be met.

Transportation System Plan (TSP)

- The 2013 TSP also recognizes the limitations brought about by the limited availability of funding.
- Despite the investments to the transportation system, intersection operating conditions at a few intersections (including the OR 99E/I-205 Northbound, OR 99E/I-205 Southbound, OR 213/Beavercreek Road, and I-205/OR 213 intersections) will be continue to be congested by 2035.
- For purposes of evaluating the impact of proposed development that is permitted, either conditionally, outright, or through detailed development master plan approval, the OR 99E/I-205 SB Ramps, OR 99E/I-205 NB Ramps, OR 213/ Beavercreek Road, and I-205/OR 213 intersections shall be exempt from meeting the state mobility targets until solutions (beyond those included in the TSP) or alternative mobility targets are explored for the intersections.
- City and ODOT are to work together with Clackamas County to prepare and adopt alternative mobility standards.

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North Employment Campus	149	127
oyment vmage	10	8
West Mixed Use Neighborhood	22	18
East Mixed Use Neighborhood	77	62
	284	235
Parks/ Open Space/ Natural	113	

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*Acres are preliminary and rounded

56 ~453

BEAVERCREEK ROAD CONCEPT PLAN

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	North Employment Campus 3,678	Mixed Employment Village 1,139	Main Street	West Mixed Neighborhood	East Mixed Neighborhood	5,073

Source: Table 2. BRCP Job & Housing Density Assumptions 7/10/2007

BEAVERCREEK ROAD CONCEPT PLAN

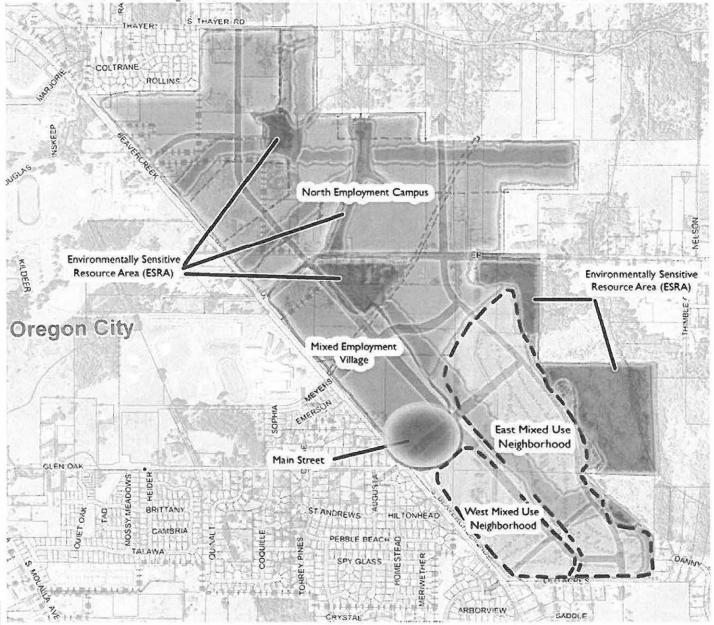
Meetings

- Planning Commission Work Session
- Citizen Involvement Committee
- Natural Resources Committee
- Transportation Advisory Committee
- Parks & Recreation Advisory Committee
- Caufield Neighborhood Association
- Hamlet of Beavercreek
- City Commission Work Session
- Planning Commission Hearing #1
- City Commission Hearing #1

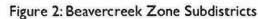
9/28/2015 10/05/2015 10/14/2015 10/22/2015 10/27/2015 11/10/2015 11/23/2015 12/02/2015

BEAVERCREEK ROAD CONCEPT PLAN

Concept Plan: Land Use Areas









Recommendation

- approval of the Beavercreek Road Concept Plan, file LE-15-Staff recommends that the Planning Commission provide
- information is required from staff, the Planning Commission Should the Planning Commission determine that additional hearing to the December 14, 2015 Planning Commission should leave the public hearing open and continue the date.

Thank You

- Website:
- http://www.orcity.org/planning/landuse peavercreek-road-concept-plan case/le-15-0003-re-adoption-
- Pete Walter, Associate Planner
- (503) 496-1568
- pwalter@orcity.org

BEAVERCREEK ROAD CONCEPT PLAN

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	gc	

From:

Wes Rogers Pete Walter

To: Cc:

Pete Walter Larry Didway

Subject:

Additional Info for Tonight

Date:

Monday, November 23, 2015 4:38:23 PM

Larry is hoping to be at the Planning Commission meeting tonight. He is coming from parent/teacher conferences at Gardiner.

Some additional info that may be helpful (if someone asks and Larry is not there) about timing of the District's ability to bring additional school capacity online. The perfect scenario would be for District voters to approve a bond renewal in November 2017. Design/build process would start soon after. With a very aggressive construction window of 18 months, we could have additional capacity open Fall of 2019. That is the soonest. Otherwise it will be the following Fall of 2020. Hope that helps.

..wes

Wes Rogers, Director of Operations Oregon City School District 62 PO Box 2110 Oregon City, OR 97045 503-785-8426 phone 503-657-2518 fax wes.rogers@orecity.k12.or.us

ENTERED INTO THE RECORD

DATE RECEIVED: 11/23/15

SUBMITTED BY: STAFF

SUBJECT: LE-15-0003

EXHIBIT F

From:

Kattie Riggs

To: Cc: <u>Laura Terway; Pete Walter</u> <u>Jaime Reed; Tony Konkol</u>

Subject:

FW: Planning File PC 15-229

Date:

Monday, November 23, 2015 1:27:51 PM

Attachments:

OCCCMinutes07202011.pdf

Laura and Pete,

Please see the e-mail below form Jim Nicita.

Thanks, Kattie

From: James Nicita [mailto:james.nicita@gmail.com]

Sent: Monday, November 23, 2015 1:21 PM

To: Tony Konkol <tkonkol@ci.oregon-city.or.us>; Kattie Riggs <kriggs@ci.oregon-city.or.us>

Subject: Planning File PC 15-229

Greetings:

I write to request that the attached minutes be entered into the record for the above-referenced hearing this evening on readoption of the Beavercreek Road concept plan.

Thank you,

James Nicita Oregon City

ENTERED INTO THE RECORD

DATE RECEIVED: NOV. 23, 2015

SUBMITTED BY: JAMES NICITA

SUBJECT: LE-15-0003

EXHIBIT 4

CITY OF OREGON CITY CITY COMMISSION MEETING MINUTES

July 20, 2011

1. Convene Regular Meeting of July 20, 2011, and Roll Call

Mayor Neeley called the meeting to order at 7 p.m.

Roll Call: Mayor Doug Neeley; Commissioner Betty Mumm; Commissioner James Nicita; Commissioner Kathy Roth; and Commissioner Rocky Smith, Jr.

Staff

David Frasher, City Manager; Ed Sullivan, City Attorney; Mike Conrad, Police Chief & Present: Public Safety Director; Scott Archer, Community Services Director; Tony Konkol, Community Development Director; David Wimmer, Finance Director; Jim Loeffler, Human Resources Director; Maureen Cole, Library Director; Nancy Ide, City Recorder; and Erik Wahrgren, Associate Engineer.

- 2. Flag Salute
- Ceremonies, Proclamations, Presentations 3.
- 4. Citizen Comments

Nathan Modlin, resident of Oregon City, was a Life Scout of Troop 258. His next step was to become an Eagle Scout and one of the requirements was to lead a service project. He proposed collaboration with the City to build and design a dog park.

Scott Archer, Community Services Director, stated the Parks and Recreation Advisory Committee had formed a dog park task force. An open house was scheduled in August. There was also a Friends of the Dog Park facebook page. He would help connect Mr. Modlin with the project.

Tom Geil, resident of Oregon City, presented Commissioner Smith a certificate from the Rose Festival Foundation for being an announcer at the Starlight Parade. He said there would be a change to the CIC bylaws to add a neighborhood association grievance process.

Christine Kosinski, resident of unincorporated Clackamas County, discussed safe and livable communities. She referred to a map as an example of several subdivisions in the City that would be affected by future development and cut through traffic. There was no park for these families. She wanted the Commission to think about the future for this area and to notify each homeowner in the Trail View subdivision of the City's plans for future development.

Amber Holveck, Chamber Director, announced the Oregon City Chamber of Commerce office move and ribbon cutting. She listed the elected leaders and community members who participated.

Rex Parks, resident of Oregon City, thought Commissioner Nicita's actions had been less than honorable especially in regard to the outcome of the Rivers project and the killing of Cabela's that would have brought jobs to the City. He submitted a petition for recall to the City Recorder.

City Commission Minutes July 20, 2011 Page 1 of 6

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Dan Holladay, resident of Oregon City, read an email from Scott Parker, owner of the Rossman Landfill, who discussed Commissioner Nicita's actions regarding the Rivers project and Mr. Parker's concern about the ability for any development on the property.

James Hamilton, resident of Oregon City representing the Common People of Oregon City, had previously proposed a charter amendment to elect the Municipal Court Judge and requested a public hearing to hear testimony regarding Code Enforcement practices. He took exception to Mr. Frasher's comments that the Commission could not protect the people's rights. He read from the Oregon Constitution and an email from Mr. Archer regarding this situation. They were asking for reform and an open forum to discuss these issues.

Elizabeth Graser-Lindsey, resident of Beavercreek, was surprised about the speakers stating one Commissioner was responsible for a decision that was made by the whole Commission and that someone thought Cabela's would bring career jobs to the City because these were retail jobs.

Mayor Neeley clarified the Commission did not make a decision on the Rivers project.

Adoption of the Agenda

The agenda was adopted as presented.

- 6. Public Hearings
- 7. General Business
- a. Ordinance for Introduction, No. 11-1008, Granting a Telecommunications

 Franchise to TCG Oregon to Occupy Certain Rights of Way within the City of

 Oregon City

Nancy Ide, City Recorder, introduced Nancy Werner, Franchise Attorney.

Ms. Warner said this agreement was similar to those done in the past. It would be a ten-year term to allow telecommunications facilities for TCG Oregon to serve customers in the City. The franchise fees were similar to other telecommunication franchises in the City.

Motion by Commissioner Kathy Roth, second by Commissioner Rocky Smith, Jr. to approve Ordinance No. 11-1008, granting a telecommunications franchise to TCG Oregon to occupy certain rights of way within the City of Oregon City.

A roll call was taken and the motion passed with Mayor Doug Neeley, Commissioner Betty Mumm, Commissioner James Nicita, Commissioner Kathy Roth, and Commissioner Rocky Smith, Jr. voting aye. [5:0:0]

b. Beavercreek Road Concept Plan Adoption Process

Tony Konkol, Community Development Director, said this was continued from the last Commission meeting to allow for public comment. He summarized the three options and stated staff's recommendation was still the same, to remand the Beavercreek Concept Plan back to the Planning Commission with limited issues to address.

Christine Kosinski, resident of unincorporated Clackamas County, discussed her concern regarding traffic. The traffic plan proposed creating another thoroughfare was development the citizens did not want and would continue to vote down. Oregon City needed no more homes, but needed jobs. She continued to support an alliance between Clackamas Community College and Concordia which would help produce programs for incubator and local businesses.

Rose Holden, resident outside of Oregon City, was uncomfortable with Commissioner Nicita being a paid professional and interested party to the Beavercreek area annexation appeals and concept plan appeals. She explained the relevance of documents she had forwarded to the Commission which demonstrated the public involvement and positive development impacts of the Beavercreek Road Concept Plan. She thought it would be fiscally responsible to remand this issue to the Planning Commission on a limited basis to get this approved as soon as possible.

Paul Edgar, resident of Oregon City, said a lot of developers had looked at the area and the current industrial zoning might not be the right fit for Beavercreek. He thought they needed to take a more serious look at the appropriate zoning. He was in favor of a more open remand.

Elizabeth Graser-Lindsey, Beavercreek resident, stated this was an opportunity to get industrial land for good jobs and taxes. She passed out a handout that showed the lack of yield that came from the 2002 and 2004 expansions. The City's current Home Occupation Code allowed professionals to work at home providing services, but did not allow for occupations resulting in commodities. There was strong opposition from the Caufield Neighborhood to the dense residential proposed and consequences that could be expected such as crowding of roads and schools. If the City Code was modified to have a buffer, segregate compatible uses, and include provisions to protect neighbors from noise or toxins, that would make the neighbors feel more comfortable. The Citizen Advisory Committee that addressed the Concept Plan scarcely had any citizens on it and citizens did not have a chance to speak at meetings.

Ms. Holden requested the documents she gave to the Commission be included in the record.

Commissioner Nicita thought there was opportunity to come up with something new and different for this area and thought the Concept Plan needed to be revised. He suggested a new kind of mixed industrial and employment zoning and to examine the uses currently in the Concept Plan.

Ms. Holden thought a lot of time had been taken to address these issues with specialists' input. The framework was already there in the Concept Plan and the zoning that would be written could incorporate everything Commissioner Nicita was talking about.

The Commission reviewed the adopted Concept Plan map. There was discussion regarding the vision of the plan and future zoning.

Ms. Kosinski stated the economy and retail were in a different place than when the Concept Plan was done and might not be appropriate for the present day. They needed to build in more vitality and visionary thinking for what was needed in Oregon City.

Mr. Holladay was frustrated that they were still talking about this. Multiple Commissioners had looked over this plan. Those who created jobs needed certainty and it was time to move forward.

Mr. Edgar said the Commission was not in a position to make a decision until they knew what LCDC decided. He suggested ironing out the little differences there were and coming back to the next

meeting with a plan for how to proceed.

Ms. Graser-Lindsey said Oregon City and the region needed good jobs and local production. The Concept Plan did not envision having product making jobs in this area. The densities planned for the yellow areas were part of the appeal that questioned the ability of the infrastructure to support the high densities. They needed to consider how to have industry in this area.

Commissioner Nicita thought the plan should be more amenable to cottage industry and manufacturing and less of an emphasis on residential.

Ms. Holden said this Concept Plan was visionary and allowed for change. They had to be adaptable and should not get stuck in a decade old paradigm.

Commissioner Nicita suggested having an Option A, the Concept Plan proposal, and Option B, less dense but more cottage industry model, for the west and east mixed use neighborhoods.

Ed Sullivan, City Attorney, explained the reason the Concept Plan was remanded was the City relied on Metro staff regarding residential and industrial land, and LUBA found even though Metro said it was ok, Metro never changed their map. Staff asked for the limited remand because things had changed since the original adoption that needed to be included in the plan.

MAIN MOTION:

Motion by Commissioner Betty Mumm, second by Mayor Doug Neeley to remand the Beavercreek Road Concept Plan to the Planning Commission and reopen the record for a limited purpose of addressing the protection of industrial lands, transportation, utility and service adequacy, and that the public hearings would not commence until the Department of Land Conservation and Development staff report had been issued.

AMENDMENT #1:

Motion by Commissioner James Nicita, second by Commissioner Kathy Roth to amend the motion to add reconsideration of the yellow areas for greater cottage manufacturing in those zones.

VOTE ON AMENDMENT #1:

A roll call was taken and the motion passed with Commissioner James Nicita, Commissioner Kathy Roth, and Commissioner Rocky Smith, Jr. voting aye and Mayor Doug Neeley, Commissioner Betty Mumm voting no. [3:2:0]

VOTE ON MAIN MOTION. AS AMENDED:

A roll call was taken and the motion passed with Mayor Doug Neeley, Commissioner Betty Mumm, Commissioner James Nicita, Commissioner Kathy Roth, and Commissioner Rocky Smith, Jr. voting aye. [5:0:0]

c. <u>Canemah Neighborhood Park Playground Equipment Purchase and Install</u> Agreement

Mr. Archer stated construction was underway at Canemah Park. The playground was being done as a separate item to involve the neighborhood in the design. The neighborhood volunteered to install the playground equipment which would save \$12,000. The purchase of the equipment was being done through the State procurement process. The total cost of the project was \$92,118 and was well within the budget.

Paul Edgar, Land Use Chair of the Canemah Neighborhood Association, said the neighborhood appreciated the opportunity to install the equipment and encouraged the Commission to approve the agreement.

Motion by Commissioner Kathy Roth, second by Commissioner Rocky Smith, Jr. to approve the Canemah Neighborhood Park playground equipment purchase and install agreement.

A roll call was taken and the motion passed with Mayor Doug Neeley, Commissioner Betty Mumm, Commissioner James Nicita, Commissioner Kathy Roth, and Commissioner Rocky Smith, Jr. voting aye. [5:0:0]

- 8. Consent Agenda
- a. Contract for Construction 2011 Paving Projects
- b. Public Improvement Contract for the Main Street Improvement Projects
- c. Minutes of the July 6, 2011 Regular Meeting

Motion by Commissioner Rocky Smith, Jr., second by Commissioner Betty Mumm to approve the Consent Agenda.

A roll call was taken and the motion passed with Mayor Doug Neeley, Commissioner Betty Mumm, Commissioner James Nicita, Commissioner Kathy Roth, and Commissioner Rocky Smith, Jr. voting aye. [5:0:0]

9. Communications

a. City Manager

Mr. Archer updated the Commission on permit parking for homeowners on residential streets. There was a residential parking permit program mainly around the McLoughlin neighborhood area. There was also a petition process for applying to the program. It did not give the permit holder the ability to violate other parking laws.

Mayor Neeley suggested this information be presented to the McLoughlin Neighborhood Association.

Mr. Archer reminded the Commission of upcoming meetings regarding the downtown parking plan implementation on July 26 and 27.

Mike Conrad, Police Chief and Public Safety Director, described a weeklong camp for disadvantaged youth in Oregon City.

David Frasher, City Manager, reported on a meeting with the bankruptcy trustee and marketing firm for the Blue Heron site. He had suggested calling this site the Willamette Falls property. He also discussed the reasons for Code Enforcement to be placed under the Police Department. This change would be effective August 1. He would be going on vacation beginning July 22 and Mr. Archer would be acting as City Manager in his absence.

b. Mayor

Mayor Neeley reported on the Metro Advisory Committee meeting.

c. Commissioners

Commissioner Smith reported on the O.C. Together meeting. He announced the fundraiser for infrastructure needs at the Rose Farm site with the production of *Oklahoma* on August 10. He thought Code Enforcement should be under the Police Department.

Commissioner Roth reported on a meeting between Clackamas Community College, Concordia, and the School District.

Commissioner Nicita also was in favor of the move of Code Enforcement and also attended the meeting of Clackamas Community College and Concordia.

Commissioner Mumm said there was a Concert in the Park on July 21. She would be at a C4 meeting and would not be able to attend.

10. Adjournment

Mayor Neeley adjourned the meeting at 9:34 p.m.

Respectfully submitted,

Nancy Ide, City Recorder

City Commission Minutes July 20, 2011 Page 6 of 6

From:

Kattie Riggs

To: Cc: Pete Walter; Laura Terway Tony Konkol; Jaime Reed

Subject:

FW: Planning File PC 15-229

Date: Attachments: Monday, November 23, 2015 2:20:53 PM

Importance:

NorthPlains.docx High

Please see the additional item for tonight's Planning Commission meeting.

From: James Nicita [mailto:james.nicita@gmail.com]

Sent: Monday, November 23, 2015 1:54 PM **To:** Kattie Riggs kriggs@ci.oregon-city.or.us

Subject: Re: Planning File PC 15-229

Thanks, Kattie,

After further thought, I would also like to request that the attached LUBA case be entered into tonight's record on the Beavercreek Concept Plan file as well.

Thanks,

James Nicita

On Mon, Nov 23, 2015 at 1:28 PM, Kattie Riggs < kriggs@ci.oregon-city.or.us > wrote:

James,

Thank you. I have forwarded this to Laura Terway and Pete Walter in the Planning Department.

Thanks, Kattie



Kattie Riggs City Recorder

kriggs@orcity.org City of Oregon City PO Box 3040 625 Center Street Oregon City, Oregon 97045 503-496-1505 Direct phone 503-657-0891 City phone 503-657-7026 fax

Website: www.orcity.org | Recorder Page | Facebook! | Twitter PUBLIC RECORDS LAW DISCLOSURE: This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: James Nicita [mailto:james.nicita@gmail.com]

ENTERED INTO THE RECORD

DATE RECEIVED: NOV. 23, 2015

SUBMITTED BY: JAMES NICITA

SUBJECT: LE-15-0003

EXHIBIT H

Sent: Monday, November 23, 2015 1:21 PM

To: Tony Konkol < tkonkol@ci.oregon-city.or.us >; Kattie Riggs < kriggs@ci.oregon-city.or.us >

Subject: Planning File PC 15-229

Greetings:

I write to request that the attached minutes be entered into the record for the above-referenced hearing this evening on readoption of the Beavercreek Road concept plan.

Thank you,

James Nicita Oregon City

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Page 1

1000 FRIENDS OF OREGON, Petitioner, v.

CITY OF NORTH PLAINS, Respondent.

DEPARTMENT OF LAND CONSERVATION
AND DEVELOPMENT, Petitioner,
v.

CITY OF NORTH PLAINS, Respondent.
OREGON DEPARTMENT OF
TRANSPORTATION, Petitioner,

CITY OF NORTH PLAINS, Respondent.

LUBA No. 93-154.

LUBA No. 93-159.

LUBA No. 93-160.

Oregon Land Use Board of Appeals.

June 23, 1994.

Header ends here. Appeal from City of North Plains.

Mary Kyle McCurdy, Portland, filed a petition for review and argued on behalf of petitioner 1000 Friends of Oregon.

Celeste J. Doyle, Assistant Attorney General, Salem, filed a petition for review and argued on behalf of

Page 2

petitioner Department of Land Conservation and Development (DLCD). With her on the brief was Theodore R. Kulongoski, Attorney General; Thomas A. Balmer, Deputy Attorney General; and Virginia L. Linder, Solicitor General.

Lucinda Moyano, Assistant Attorney General, Salem, filed a petition for review and argued on behalf of petitioner Oregon Department of Transportation (ODOT). With her on the brief was Theodore R. Kulongoski, Attorney General; Thomas A. Balmer, Deputy Attorney General; and Virginia L. Linder, Solicitor General. James M. Coleman, Portland, filed the response brief and argued on behalf of respondent. With him on the brief was O'Donnell, Ramis, Crew & Corrigan.

KELLINGTON, Chief Referee; HOLSTUN, Referee; SHERTON, Referee, participated in the decision.

REMANDED.

You are entitled to judicial review of this Order. Judicial review is governed by the provisions of ORS 197.850.

FINAL OPINION AND ORDER

Page 3

Opinion by Kellington.

NATURE OF THE DECISION

Petitioners appeal a city ordinance approving a comprehensive plan text amendment revising plan urbanization policies, approving a plan map amendment expanding the city's urban growth boundary (UGB) to add 306 acres, and amending the city's Urban Planning Area Agreement with Washington County.

FACTS

The petition for review of 1000 Friends of Oregon sets out the relevant facts as follows:

"This is a proposal to almost double the size of the North Plains [UGB], by adding 306 acres to its existing 418 acres. The 306 acres consists of farmland located west of the existing UGB. Currently, this land is designated Rural Resource Land in the Washington County Plan and is zoned for exclusive farm use (EFU). It consists primarily of Class I and II soils, is irrigated, and is presently in agricultural production. Crops grown on the land include wheat, corn, hay, clover, beans and vetch. There is one farm-related dwelling.



"The [challenged] decision does not change the existing county plan and zone designations on the property; rather, redesignation will be made as the city annexes the land.

"The subject property is generally surrounded by other EFU lands. The land is bordered on the south by State Highway 26, and on a portion of its eastern border by the existing North Plains UGB.

"The city's * * * comprehensive land use plan * * * was updated through the periodic review process in 1988. It anticipated a year 1990 population of 1,110 and a year 2000 population of 1,720, using

Page 4

an annual growth rate of 4.5%. In fact, in 1990, the population of North Plains had reached only 972.

"The city's plan finds that the current UGB can accommodate a population of 4197, meaning the city has sufficient residential capacity until the year 2025. The plan also finds that there is enough land zoned commercial, and unconstrained by flood plain, to accommodate the 20 year planning period.

"In the periodic review process, the city also concluded that it lacked sufficient industrial land for the planning period; it could expect a shortfall of about 9.5 acres. Therefore, as part of periodic review, the city expanded its UGB to add 70 acres east of the city for industrial use. However, as the plan states, '[d]ue to an inadequate [water] storage and distribution system, industrial development will be somewhat restricted within the city limits.' This 70 acre parcel does not now have water or sewer services. The parcel has not yet been annexed to the city.

"Currently, not including this proposed UGB expansion, North Plains has more undeveloped land inside its UGB, in all use categories, than developed land.

"North Plains is not within the [Metropolitan Service District] regional urban growth boundary, but rather has its own UGB.

"The North Plains Planning Commission and City Council held hearings on this proposal, and adopted [the challenged decision] on September 7, 1993. * * *" (Record citations omitted.)

Petition for Review (1000 Friends) 3-5.

PRELIMINARY ISSUE

Petitioners contend, among other things, that the challenged decision is subject to reversal or remand because it is not supported by substantial evidence in the whole record. The city argues the proposal is a legislative

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planning action and, therefore, need not be supported by substantial evidence. We resolve this scope of review issue before addressing the merits of petitioners' claims.

ORS 197.835(7) makes no distinction between legislative and quasi-judicial land use decisions.1 However, the Oregon Court of Appeals has held that the predecessor to ORS 197.835(7), written in substantially identical terms, does not, in itself, impose a substantive requirement that legislative decisions be supported by substantial evidence. Lima v. Jackson County, 56 Or App 619, 625, 643 P2d 355 (1982). Specifically, in Lima, the court determined that in the absence of an independent requirement that a legislative decision be supported substantial evidence in the record, legislative planning and zoning decisions affecting



numerous individual parcels are not subject to review for substantial evidence.

However, <u>Lima</u> says nothing about the independent requirement of Statewide Planning Goal 2 (Land Use Planning)² that planning actions have an adequate factual

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base.³ The Goal 2 requirement for an adequate factual base applies regardless of the legislative or quasi-judicial nature of the challenged decision. Oregon Electric Sign Association v. Beaverton, 7 Or LUBA 68 (1982), rev'd on other grounds 66 Or App 436, rev den 296 Or 829 (1984). In addition, in League of Women Voters v. Klamath County, 16 Or LUBA 909, 914 (1988), this Board determined the Goal 2 requirement for an adequate factual base requires a legislative land use decision to be supported by substantial evidence:

"We do not agree with respondent's claim that there is no requirement that the [challenged legislative plan amendment decision] be supported by substantial evidence. [G]oal 2 * * * requires that there be an `adequate factual base' for any land use decision. Arguably, this adequate factual base may be different than substantial evidence. However, the parties do not argue that there is any such difference, and we do not see much point in making any such distinction. We conclude for the purposes of this review proceeding, that our responsibility is to review the decision for substantial evidence."

Here, as in League of Women Voters v. Klamath County, supra, the city does not explain the difference between a determination that the challenged decision is supported by an adequate factual base or that it is supported by substantial evidence in the whole record. Further, we find no principled basis upon which to distinguish these two

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concepts. Substantial evidence is evidence a reasonable decision maker would rely upon to support a conclusion. Younger v. City of Portland, 305 Or 346, 752 P2d 262 (1988). We see no reason to conclude that the Goal 2 requirement for an adequate factual base requires any less. We conclude the legislative or quasi-judicial nature of the challenged decision has no particular bearing on our review of the evidentiary support for the challenged decision.4

FIRST ASSIGNMENT OF ERROR (1000 FRIENDS)

"The city misconstrued the applicable law, failed to make adequate findings, and made a decision not supported by substantial evidence in determining that the expansion of the urban growth boundary satisfies factors 1 and 2 of Goal 14 [Urbanization]."

SECOND ASSIGNMENT OF ERROR (1000 FRIENDS)

"The city misconstrued the applicable law, failed to make adequate findings, and made a decision not supported by substantial evidence in the whole record in determining that the expansion of the urban growth boundary satisfies factors 3-7 of Goal 14."

FOURTH ASSIGNMENT OF ERROR (ODOT)

"The city failed to comply with the requirements of Goal 14 as it relates to transportation impacts."

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SEVENTH ASSIGNMENT OF ERROR (DLCD)

"The city misconstrued the applicable law and failed to comply with the requirements and criteria of Goal 14 in expanding its urban growth boundary by 306 acres." Petitioners contend the proposal to expand the city's UGB violates Goal 14 (Urbanization). To establish or change a UGB, Goal 14 requires consideration of seven factors.⁵ The first two of those factors are called "need" factors. The remaining five factors are called "locational" factors. We address the "need" and "locational" factors separately below.

A. Goal 14, Factors 1 and 2 (Need Factors)

The Goal 14 need factors require the city to base a UGB

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amendment upon consideration of the following:

"(1) Demonstrated need to accommodate long-range urban population growth requirements consistent with [Land Conservation and Development (LCDC)] goals[.]

"(2) Need for housing, employment opportunities, and livability[.]"

The challenged decision determines that under the Goal 14 need factors, the proposed UGB amendment is required to enable the city to provide housing and employment opportunities for anticipated growth, to improve the livability of the community and to increase the city's tax base. Specifically, the challenged decision determines:

"[T]he proposed UGB expansion is necessary in order to improve the availability of housing and employment opportunities and improve the overall livability in North Plains. The reason is simple: the existing supply of land within the [North Plains] UGB is not sufficient, nor configured in large enough parcels, nor located to attract the new business and industry required to improve livability in North Plains." Record 32.

The determinations concerning anticipated growth relied on in the challenged decision are based on (1) projections of enhanced city growth assuming the proposed enlarged UGB will attract commerce and industry to the city, and (2) undisputed population growth projections for the Metropolitan Service District (Metro) UGB. Although the city is not located within the Metro UGB, the decision nevertheless relies upon the city's close proximity to the Metro UGB to justify the conclusion in the challenged

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decision that some of the anticipated Metro UGB growth can be captured by the city.6

Petitioners argue it is improper for the city to plan to capture growth otherwise planned to occur within the Metro UGB. Petitioners contend the city must establish it has a specific need for the proposed additional urbanizable land, at the proposed expansion site. Petitioners argue it is improper for the city to justify the proposed UGB amendment based on the theory that if the city has large blocks of undeveloped land, industry and people will move to the city.

The challenged decision determines:

"Opponents have said that the expansion creates the demand for more urban land, that without the expansion, there would be no need for more urban land. Opponents have said the City's experts say there is enough land already to serve the North Plains future needs.

"The [City] Council finds these arguments miss the point: the demand exists, without UGB expansion the City's status quo will be maintained and the status quo is not acceptable. Because of its prime location on a high capacity transportation corridor and just outside the Metro UGB, North Plains is going to grow along with the Metro region if urban



land is available in the City UGB, but how the City grows up is up to the City. The City has the same obligation to plan for the future as Metro. The people of North Plains have problems. Solutions to those problems take public money. One piece of the solution is through a

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growth strategy that includes an expanded urban area with more and larger commercial and industrial sites to provide employment and services. The changes also include more residential property for more diverse housing opportunities. This addition to the City's land base will lead to a higher per capita tax base resulting from the larger urban land base. After the change, North Plains will be in a better position to compete with other communities in the Portland Metropolitan area for its fair share of economic opportunities that can translate into jobs, expanded commercial and retail services and a wider mix of housing; leading to enhanced livability." (Emphasis in original.) Record 31.

The city further explains in its brief:

"[T]he record shows a need for more urbanizable land in order to provide housing and employment opportunities necessary to enhance the City's livability. * * *

"* * * The city's property values are low. More important from a planning standpoint, they are stagnant even with the City's high growth. * * *

"The implications of this for the City's finances are clear. Depressed property values give the city a lower tax capacity than other governments in the region. This puts the City on a vicious cycle; having to overcome greater social problems with fewer resources. * * *"
Respondent's Brief 35-36.

Reduced to its essentials, the parties' dispute under these assignments of error

centers on two things. First, the dispute concerns whether the city may attempt to enhance its livability by expanding its UGB to create large blocks of land to attract commerce and industry to the city. Second, the dispute concerns whether the city may justify expanding its UGB by relying on growth planned to occur

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within the Metro UGB.7

Clearly, as a general proposition, a need to improve the livability of the city may provide a reason for adding land to the city's UGB. 1000 Friends of Oregon v. Metro Service Dist., 18 Or LUBA 311 (1989). Further, increased city population projections are not the only basis upon which the city may expand its UGB. Rather, we have stated:

"We find nothing in Goal 14 to suggest that enlargement of the acknowledged UGB necessarily must be preceded by an increase in projected population. We are cited to no authority holding otherwise. We believe that [a need consistent with Goal 14 factors 1 and 2] could be demonstrated by (1) increasing population projections; (2) amending the economic, employment and other assumptions [the local government] applied to those population figures in originally justifying the UGB, or (3) doing both." (Footnote and citation omitted.) BeniFran Development v. Metro Service Dist., 17 Or LUBA 30, 41-42, aff'd 95 Or App 22 (1988).

Here, the city undertook the third alternative identified by the above quoted portion of our decision in <u>BenjFran</u> to establish a need to enlarge the city's UGB.

The proper application of the livability element of the Goal 14 need analysis:

"* * requires, in addition to identification of



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a significant livability problem, an evaluation of probable positive and negative livability impacts that may occur if the UGB is amended to solve the identified livability problem. Once the probable positive and negative livability impacts are identified [the local government] would be in a position to explain why the probable livability benefits of the UGB amendment outweigh any negative impacts on livability that could be expected if the amendment were approved." (Footnote omitted.) 1000 Friends of Oregon v. Metro Service Dist., 18 Or LUBA 311, 320 (1989).

The city identifies a number of socioeconomic problems it hopes will be solved by the proposed UGB amendment. These problems include high unemployment of, and low job market participation by, city residents. The city essentially determines it must increase employment opportunities and its tax base to improve the quality of life enjoyed by city residents and its ability to deliver city services to residents.8 The challenged decision reflects the city considered both the benefits of the proposed UGB expansion and the <u>negative</u> impacts associated with the proposal. Negative impacts are identified in the city decision as loss of resource land and "loss of small town feeling." Record 39-40. After balancing the benefits and burdens of the proposal, the challenged decision concludes that converting the subject rural land to

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urbanizable land outweighs the identified negative impacts associated with the proposal.

While the challenged decision follows the analytical mechanics required under 1000 Friends of Oregon v. Metro. Service Dist., supra, the factual base for the challenged decision is inadequate to support the city's analysis. The city decision relies in large part

upon a study assuming a particular combination of land uses within the proposed UGB expansion area - housing (52 acres), commercial uses (150 acres) and industrial uses (104 acres).9 Record 54. The city decision justifies the proposed UGB expansion based on the subject land becoming available for commercial and industrial development and, to a lesser extent, residential development. However, the challenged decision does nothing to ensure the planning designations and zoning districts applied to the land within the proposed UGB expansion area will accommodate those uses.10 Instead, the challenged decision simply includes the following "condition":

"* * * The land use for the UGB area shall be a

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mixed use designed to implement the employment center concept. Land use shall be allocated for multi-family residential, industrial, and all types of commercial uses. The zoning for the area shall be fixed at annexation. * * *" Record 103.

This condition is inadequate. As stated above, the city's livability analysis is dependent upon a particular mix of uses. If it is contemplated that the proposed UGB expansion will provide large blocks of land for new commercial and industrial (employment center model), then the decision must limit the subject land to those uses.11 If, on the other hand, the idea is to provide land for new housing developments and commercial uses (other than proposed under the employment center model), then the decision must limit the subject land to those uses. However, it is not possible for the city to justify a need to nearly double its UGB to solve a particular set of livability problems, when the decision provides no basis to conclude the UGB expansion area will actually be used to address those livability problems.12 See Johnson v.



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Tillamook County, supra.

On a related issue, as indicated above, the challenged decision states the proposed UGB expansion is needed, in part, to provide more housing for city residents. However, there is no dispute there is currently a surplus of residentially zoned land within the city. The challenged decision fails to explain why the existing residentially zoned land located within the city's existing UGB cannot satisfy the need for housing that the challenged decision identifies.

Further, the challenged decision's Goal 14 need analysis is flawed because it relies, in large part, upon growth otherwise planned to occur within the Metro UGB, of which the city is not a part. It is impermissible for one local government, such as the city, unilaterally to decide to capture growth otherwise planned to occur within another planning jurisdiction. If the city wishes to plan to capture growth currently anticipated to occur within the

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Metro UGB, it must specifically coordinate that desire with the affected units of government within the Metro UGB. See City of Portland v. City of Beaverton, Or LUBA ____ (LUBA No. 92-225, May 6, 1994); City of Portland v. Washington County, Or LUBA ____ (LUBA No. 93-195, May 6, 1994); Washington County v. City of Portland, Or LUBA (LUBA No. 93-142, May 6, 1994). Such coordination is particularly important within the Metro UGB, as the Metro UGB is based on a complex comprehensive planning scheme for three counties, as well as various cities and special districts, based upon a set of assumptions which may or may not include planned growth being captured by local governments located outside of the Metro UGB.13 Because the city's proposed UGB amendment erroneously relies upon capturing growth otherwise planned for the Metro UGB, the city's decision must be remanded to allow the city either to coordinate its expanded UGB plan with Metro and other affected units of government or to attempt to justify the enlargement of its UGB without relying upon growth anticipated to occur within the Metro UGB.

We conclude the city's Goal 14 need analysis is

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inadequate.14

This subassignment of error is sustained.

- B. Goal 14, Factors 3-7 (Locational Factors)
- Preliminary Issue Effect of Urban
 Planning Area Agreement (UPAA)

The challenged decision determines the proposed UGB amendment is consistent with UGB expansion criteria contained in the acknowledged UPAA between the city and Washington County. Record 30-31. The property to be added to the UGB under the challenged decision is identified as an "area of interest" under the UPAA.15 Respondent's brief assigns special significance to the fact that the subject property is included within an area of interest under the UPAA. We resolve what bearing, if any, the subject property's designation as an "area of interest" under the UPAA has on the application of the Goal 14 locational factors to the proposed UGB amendment.

Section III of the UPAA agreement includes policies and definitions governing city UGB amendments as follows:

"Special Policies

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"A. Definitions



"1. <u>Urban Growth Boundary</u> means the area within which urban development will occur as represented in the City of North Plains' Comprehensive Plan. The CITY is responsible for comprehensive planning within the Urban Growth Boundary.

"2. Area of Interest means the area adjacent to but outside of the existing Urban Growth Boundary which is not currently identified as needed for urban development by the CITY but is the most logical area for urban expansion should a future need be demonstrated. The COUNTY is responsible for comprehensive planning and development actions within the area of interest until such time as the CITY Urban Growth Boundary is expanded and the area annexed to the CITY.

"3. <u>Urban Planning Area means the combined area of the Urban Growth Boundary and the Area of Interest</u>. The CITY and the COUNTY shall notify one another of proposed comprehensive planning and development actions within the Urban Planning Area according to the provisions of this Agreement.

"B. Approval of any annexations outside the CITY's Urban Growth Boundary must be preceded by or in conjunction with a comprehensive plan amendment to the CITY's Urban Growth Boundary. Such amendments shall be subject to the major amendment provisions of the CITY Comprehensive Plan and shall adequately address all applicable LCDC Statewide Planning Goals.

"C. Amendments to the CITY Urban Growth Boundary within the identified Area of Interest shall not require an amendment to Exhibit `A' of this Agreement. Amendments to the Urban

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Growth Boundary outside of the identified Area of Interest shall require an amendment

to Exhibit `A' as outlined in Section IV of this Agreement." (Emphases supplied.)

In its brief, the city contends the acknowledged UPAA creates a presumption that once a need is shown to exist for a UGB amendment, areas within an "area of interest" are proper locations for that UGB amendment. As we understand it, the city contends this alleged presumption means the Goal 14 locational factors are applied only to determine whether the Goal 14 factors undermine this presumption created by the UPAA.

In League of Women Voters v. Metro Service Dist., 17 Or LUBA 949, 965-68, aff'd 99 Or App 333 (1989), rev den 310 Or 70 (1990) (League), we determined that where a local government has an acknowledged process intended to implement the requirements of Goal 14 for certain UGB amendments, it is appropriate for the local government to apply that process in determining whether the UGB amendment complies with Goal 14, rather than to apply the Goal 14 factors directly to the proposal. Specifically, we stated:

"LCDC acknowledged the local adjustment ordinance the as chosen mechanism to carry out the goals for small locational adjustments of the Metro UGB. The ordinance does not apply factors 1 and 2 of Goal 14, does not require an exception pursuant to Goal 2, Part II and ORS 197.732 and does not apply the exact text of factors 3-7 of Goal 14. However, LCDC specifically concluded in the findings supporting its * * * order acknowledging the locational adjustment ordinance that Metropolitan Service District complies with Goal

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14, Factors 1-7, * * * and Goal 2: Part II(C).' *



"The time for appealing LCDC's determination of the goal compliance of the locational adjustment ordinance has passed. ORS 197.650, ORS 183.482. If acknowledgment is to have any function it must mean that application of unamended and acknowledged plan or land use regulation criteria continues to `comply with the goals' until periodic review or some other event changes the acknowledged provisions. * * *" League, supra, 17 Or LUBA at 967-68.

We believe League is distinguishable from this case. In League, it was clear the adjustment Metro UGB process acknowledged as the methodology establishing the Goal 14 compliance of certain kinds of UGB amendments. Further, the UGB amendment provisions at issue in League made it clear they were intended to replace direct application of Goal 14 to certain Metro UGB amendments. In contrast, we are aware of nothing in the UPAA, or in any other document, establishing that the designation of a particular area as an "area of interest" is intended to replace the direct application of Goal 14 to a proposed UGB amendment, or to create any sort of presumption, as the city alleges in its brief. As far as we can tell, the UPAA does not clearly establish standards other than Goal 14 to govern the addition of land, within an "area of interest, to the city's UGB."

In addition, the challenged decision directly applies the Goal 14 locational factors to the proposed UGB amendment. The challenged decision gives no indication the

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city interprets the UPAA to replace the direct application of any of the Goal 14 factors to the proposed UGB amendment, or to create a particular presumption concerning how those factors are to be applied. Rather, the challenged decision specifically discusses the UPAA area of interest designation and directly applies the Goal 14 locational factors.

This strongly suggests the city determined in the challenged decision that the UPAA area of interest designation creates neither a presumption concerning the manner in which the Goal 14 locational factors are to be applied, nor replaces the direct application of the Goal 14 locational factors to the proposed UGB amendment.

Even if the challenged decision <u>does</u> support the arguments advanced by the city in its brief, the argument that designation of land under the UPAA as an area of interest means the land is presumptively appropriate for a proposed UGB amendment under the Goal 14 locational factors, is unpersuasive. The city simply provides no legal basis for determining such a presumption is created by the UPAA "area of interest" designation, and we do not see any basis

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in the UPAA for such a conclusion.

Therefore, as relevant here, we determine no particular significance is attached to land being designated an "area of interest" under the UPAA.

2. Factor 3

Petitioners contend the challenged decision erroneously applies Goal 14, factor 3, requiring orderly and economic provision for public facilities and services, because the nature and intensity of the uses ultimately to be made of the subject land are uncertain. Specifically, petitioners contend the city cannot claim it is currently able, or in the future will become able, to provide public facilities and services to the UGB expansion area in an orderly and economic fashion. Petitioners contend this is so because the challenged decision provides no limitation on the planning designations and zoning districts that can ultimately be applied to the subject property. Petitioners contend the city's ability to provide public facilities and



services depends upon it specifying the type and intensity of uses which may occur within the UGB expansion area. We agree with petitioners. <u>Johnson v. Tillamook County, supra.</u>

Petitioners also suggest the city is required to establish it <u>currently</u> has adequate capacity to serve uses to be made of the proposed UGB expansion area in the future. We are aware of no such requirement. Rather, we stated in <u>City of La Grande v. Union County</u>, <u>supra</u>, 25 Or LUBA at 60,

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that to justify a UGB amendment under Goal 14, factor 3, a local government must show its public facilities will have adequate capacity to serve the uses contemplated within a UGB expansion area over the local government's planning period. In addition, we stated a local government must establish that:

"* * providing water and sewerage service to the subject property will not leave the [local government] unable to provide water and sewerage service to the land already included within the UGB." Id.

Thus, the city need only establish an adequate factual basis to conclude that public facilities and services can reasonably be provided to the UGB expansion area over the planning period, without leaving the area already included within the UGB with inadequate facilities and services.

The challenged decision includes findings that existing public facilities are adequate to "reasonably accommodate future development of the site." Record 43. Conversely, other findings state the existing capacity of public facilities and services will likely require enhancement to enable service accommodate adequate to development of the UGB expansion area. This apparent inconsistency between the findings may be attributable to the lack of specificity in the challenged decision (discussed above) concerning the type and intensity of development proposed for the subject UGB expansion area. On remand, consistent with our discussion above, the city must identify and limit the type

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and intensity of development allowable within the proposed UGB amendment area. Once the city takes that step, then it may be in a position to determine whether public facilities and services can be provided to serve those uses in an orderly and economic fashion, while maintaining adequate public facilities and services for the land already included within the existing UGB.

This subassignment of error is sustained.

3. Factor 4

Goal 14, factor 4 requires the city to establish the proposed UGB amendment maximizes the efficiency of land uses within, and on the fringe of, the existing urban area. We have previously determined this requires "the encouragement of development within urban areas before the conversion of urbanizable areas." Turner v. Washington County, 8 Or LUBA 234, 258 (1982).

The city concedes that 44% of its "developable property is currently available for development." Further, an area recently added to the city's UGB (referred to by the parties as the eastside UGB), is not now currently developed or served with public facilities. As we explain above, the proposal does not specify the type or intensity of uses to be made of the subject land. Under these circumstances, we

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do not understand how the city can establish the proposed UGB amendment encourages development in urban areas of the city and



will not result in the premature conversion of urbanizable areas to urban uses that Goal 14, factor 4 seeks to avoid.

This subassignment of error is sustained.

This subassignment of error is sustained.

4. Factor 5

Petitioners contend the challenged decision fails to include an adequate analysis of the proposal's environmental, social, energy, and economic (ESEE) consequences under Goal 14, factor 5. Petitioners contend the city's ESEE analysis is inadequate because the challenged decision does not limit the type of uses or identify the nature or intensity of the uses to be made of the subject land. We agree. Halvorson v. Lincoln County, 14 Or LUBA 730, 738, aff'd 82 Or App 302 (1986).

This subassignment of error is sustained.

5. Factor 6

Goal 14, factor 6 requires a determination that the proposal provides for retention of high priority agricultural land. There is no dispute the subject land consists of 20% U.S. Soil Conservation Survey Class I soils and 70% Class II soils, and that class I and II soils are the highest priority agricultural land.

The findings do not address whether there may be other

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less valuable agricultural land available elsewhere to accommodate the proposed UGB amendment. Instead, the findings simply determine UGB expansion must occur within the UPAA area of interest. However, we state above the fact that the subject land is included within the UPAA area of interest does not replace the necessity of the city determining the proposal is consistent with the Goal 14 factors. Simply put, the UPAA

area of interest designation covering the subject land is not the equivalent of a determination that the proposal retains high priority agricultural land as required by Goal 14, factor 6.

We conclude the challenged decision fails to determine that other sites with less impact on high priority resource land are unavailable or unsuited to satisfy a particular need which justifies the proposed UGB amendment.

This subassignment of error is sustained.

6. Factor 7

This factor requires a determination concerning the proposed UGB expansion's compatibility with nearby farming activities. We agree with petitioners that a determination cannot be made under this factor regarding compatibility between the proposed UGB expansion and nearby farming activities until the city identifies and limits the type and intensity of uses allowed in the UGB expansion area.

This subassignment of error is sustained.

These assignments of error are sustained.

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FIRST ASSIGNMENT OF ERROR (DLCD)

"The City did not comply with the requirements of Goal 2 in that it * * * misconstrued the Goal 2 exceptions criteria."

THIRD ASSIGNMENT OF ERROR (1000 FRIENDS)

"The city misconstrued the applicable law, failed to make adequate findings, and made a decision not supported by the whole record in determining that the UGB amendment satisfied the requirements of Goal 2, Part II(c), ORS 197.732(1), and OAR 660-04-010(1)(c)(B)."



Goal 14 includes a requirement that to approve an amendment to an acknowledged UGB, a local government must follow the procedures and requirements for a statewide planning goal exception. Those procedures and requirements are set out at ORS 197.732, Goal 2, Part II, and OAR 660-04-000 through 660-04-035. Among the requirements for a statewide planning goal exception of the type adopted here, is the requirement that the county determine that "[a]reas within the existing **UGB** cannot reasonably accommodate the use[.]" OAR 660-04-010(1)(c)(B)(ii); ORS 197.732(1)(c)(B); Goal 2, Part II(c)(2).

We pointed out in <u>BenjFran</u> <u>Development v. Metro Service Dist.</u>, <u>supra</u>, 17 Or LUBA at 48, that consideration of alternative sites is largely "meaningless unless a need has already been shown under [Goal 14, factors 1 and 2]." We determine above the city's demonstration of need under Goal 14, factors 1 and 2 is erroneous. Nevertheless, we address some of petitioners' remaining arguments as we

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believe it will assist the parties on remand to do so.

The challenged decision reflects a city determination it was not required to address alternative sites for the proposed UGB expansion because the subject land is designated an "area of interest" under the UPAA. However, as we state above with regard to Goal 14 requirements, the fact that the subject land is designated as an area of interest does not relieve the city of its obligation under the statutory, goal and administrative rule requirements for exceptions to examine alternative sites for the proposed UGB amendment.

In <u>BenjFran Development v. Metro</u> <u>Service Dist.</u>, <u>supra</u>, we concluded a local government should consider the potential of using lands already located within its UGB to satisfy an identified need for urbanizable land. Further, in BeniFran Development, we accepted an argument that a decision approving an expansion of a UGB to include more land for a large proposed industrial use must address the potential of consolidating existing industrially planned parcels within the UGB, even though such parcels by themselves might be smaller than needed for the particular proposed industrial use.18 In addition, we concluded that under the circumstances presented in BeniFran Development, the local government was required to consider the

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possibility of redesignating lands already within the UGB, but planned for other than industrial uses.

On remand, the city should conduct an alternatives analysis consistent with the direction provided in <u>BenjFran Development</u> and this opinion.

These assignments of error are sustained.

FIRST ASSIGNMENT OF ERROR (DLCD)

"The city did not comply with the requirements of Goal 2 in that it (A) failed to carry out its land use planning obligation, (B) failed to coordinated [sic] its actions with other affected governmental units * * *."

Goal 2 requires that a county's comprehensive plan "and related implementing measures shall be coordinated with the plans of affected governmental units." (Emphasis added.) In Rajneesh v. Wasco County, 13 Or LUBA 202, 209-11 (1985), we explained that under Goal 2 and the statutory definition of "coordinated," the obligation to coordinate involves essentially two steps:



"1. The makers of the [comprehensive] plan [must engage] in an exchange of information between the planning jurisdiction and affected governmental units, or at least invite such an exchange.

"2. The jurisdiction [must use] the information to balance the needs of all governmental units as well as the needs of citizens in the plan formulation or revision."

Coordination is achieved by balancing the needs of all affected governmental units and selecting a particular course of action from among the competing proposed courses

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of action. Clearly, the city may not, consistent with Goal 2, unilaterally take action to amend its acknowledged comprehensive plan to adopt a provision that is inconsistent with the provisions of the acknowledged comprehensive plan of an affected jurisdiction. City of Portland v. Washington County, supra. Thus, to maintain such consistency, affected local governments must be notified of the details of a proposed plan amendment so that they may provide comments concerning it. See Davenport v. City of Tigard, 23 Or LUBA 565 (1992).

Under these assignments of error, petitioners argue the city failed to coordinate the proposed UGB amendment with the Oregon Department of Environmental Quality (DEQ), Tri-Met, Unified Sewerage Agency (USA) and three school districts affected by the challenged decision.¹⁹

The city contends its coordination obligations were satisfied when it provided notice of the proposed UGB amendment to DLCD pursuant to ORS 197.610(1). Further, it contends it did coordinate with USA, by sending letters to it concerning the proposal. In addition, the city argues it was not required to specifically coordinate with DEQ, alleging DEQ's interests were effectively

represented by petitioner 1000 Friends of Oregon during the local proceedings. The city also contends it is not required to

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coordinate the challenged decision with Tri-Met because the city is not within Tri-Met's jurisdictional boundaries. Finally, the city maintains it is premature to coordinate the challenged decision with the school districts, because coordination with the school districts will occur when the subject land is annexed to the city. According to the city, the school districts are only affected when the land is annexed.

Providing notice to DLCD under ORS 197.610(1) is inadequate to satisfy a local government's coordination obligations. See Twin Rocks Water Dist. v. Rockaway Beach, 2 Or LUBA 36, 45-46 (1980). Further, the city is required to coordinate with affected units of government regardless of the fact that some of the persons appearing during the local proceedings may have interests aligned with those of a unit of government.

With regard to coordination with Tri-Met, the challenged decision states:

"[A]uto use can be limited through effective transportation planning and coordination of public transportation facilities and services with Tri-Met." Record 50.

Clearly, the above quoted finding from the challenged decision contemplates Tri-Met will likely be affected by the challenged decision. Therefore, Tri-Met is an "affected unit of government" and the city is required to coordinate the proposal with Tri-Met.

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The findings also explain the subject land is within the boundaries of three different school districts. The challenged UGB decision



articulates (1) a need for a UGB amendment, and (2) the means chosen to satisfy that need. By identifying a need to be satisfied by particular planning actions that will result in changes to the acknowledged plan designations and zoning districts applied to the subject land, the city necessarily affects the school districts' planning efforts for providing service to the subject land. Therefore, the school districts are affected units of government with which the proposed UGB amendment must be coordinated.²⁰

Finally, regarding whether the city adequately coordinated the proposed UGB amendment with USA, the city did submit a request to USA for specific information regarding current sewer flow and capacity at the Hillsboro Sewerage Treatment Plant. However, as far as we can tell, the city never provided USA with notice clearly explaining the nature of the proposal and soliciting comments concerning the proposal. Therefore, the city failed to coordinate the proposed UGB amendment with USA. See Davenport v. City of Tigard, supra, 23 Or LUBA at 576.

This assignment of error is sustained.

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FIRST ASSIGNMENT OF ERROR (ODOT)

"The city failed to comply with the requirements of Goal 12 and OAR 660-12-060(1) and (2)."

SECOND ASSIGNMENT OF ERROR (ODOT)

"The city failed to comply with Goal 12 and the interpretative provisions of the Transportation Planning Rule (TPR) by not undertaking the necessary planning to make its transportation plan consistent with the county and state plans."

THIRD ASSIGNMENT OF ERROR (ODOT)

"The city justified the expansion of the UGB on the existence of a transportation facility which is in violation of OAR 660-12-060(4)."

FOURTH ASSIGNMENT OF ERROR (1000 FRIENDS)

"The city erred in finding that the amendment to its urban growth boundary was consistent with the identified function, capacity, and level of service of the surrounding transportation facilities, as required by OAR 660-12-060."

SIXTH ASSIGNMENT OF ERROR (DLCD)

"The city failed to comply with the requirements of Goal 12 and the Goal 12 Implementing Rule."

The subject land is adjacent to state Highway 26, Dersham Road and the Dersham Road interchange with Highway 26. These transportation facilities are considered "rural" facilities and are not planned to carry an urban level of traffic. Record 443-44, 543-44. We do not understand these facts to be in dispute in this appeal proceeding.

Petitioners allege that changing the character of the subject land from rural to urban or urbanizable land is inconsistent with the functional capacity of these

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transportation facilities. Petitioners argue the city must comply with TPR standards concerning these transportation facilities in adopting a decision to amend the UGB in the manner proposed.

The parties' disagreement under these assignments of error primarily centers on



whether a decision to amend the UGB is the time at which the city must address TPR requirements concerning impacts on Highway 26, Dersham Road and the Dersham Road interchange and, if so, what must be done to establish compliance with such TPR requirements. We first address whether and to what extent the TPR applies to the proposal and second, whether the decision demonstrates compliance with applicable TPR requirements.

A. Applicability of the TPR

The TPR was adopted by LCDC in 1991. The TPR purpose statement, OAR 660-12-000, explains the TPR serves the following purposes:

- 1. To implement Statewide Planning Goal 12 (Transportation).
- 2. To explain how local and state transportation planners may demonstrate compliance with the statewide planning goals.
- 3. To identify how transportation facilities may be provided on rural lands, consistent with the statewide planning goals.
- 4. To set "requirements for coordination among affected levels of government for preparation, adoption, refinement, implementation and amendment of transportation system plans."

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5. To establish that transportation system plans adopted under the TPR "fulfill the requirements for public facilities planning required under ORS 197.712(2)(e), Goal 11 and OAR Chapter 660, Division 11, as they relate to transportation facilities.

Transportation planning under the TPR is divided into three parts: (1) preparation of transportation system plans, (2) transportation project development and, as

relevant here, (3) comprehensive plan and land use regulation amendments which "significantly affect a transportation facility." Specifically, OAR 660-12-060(1) requires:

"Amendments to functional plans, acknowledged comprehensive plans, and land use regulations which significantly affect a transportation facility shall assure that allowed land uses are consistent with the identified function, capacity and level of service of the facility. * * *

OAR 660-12-060(2) provides:

"A plan or land use regulation amendment significantly affects a transportation facility if it:

** * * * *

"(c) allows types or levels of land uses which are inconsistent with the functional classification of a transportation facility[.]

As relevant here, under OAR 660-12-060(1)(a), an amendment significantly affecting a transportation facility is permissible so long as the decision affecting such facility:

"Limit[s] allowed land uses to be consistent with

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the planned function, capacity and level of service of the transportation facility[.]"

The city adopted alternative findings concerning the proposed UGB amendments' compliance with the TPR. The city first determined the proposal does not significantly affect a transportation facility. Second, the city determined that if the proposal does significantly affect a



transportation facility, the proposal satisfies the TPR. We address these issues separately below.

B. Significant Effect on a Transportation Facility

The challenged decision determines:

"This plan amendment designates land in an area to be included within the North Plains UGB. The comprehensive plan amendment in and of itself will not significantly affect transportation facilities. Until annexation County resources designations will apply and the land remains urbanizable not urban land. At annexation, specific use types will be assigned to each parcel and the land is reclassified as urban. The UGB amendment is conditioned to ensure full compliance with the [TPR]. Moreover, the full impact of the plan amendment can only be measured through the build out period. This decision establishes the need for this urban land. The [TPR] must be applied in a manner which helps meet this need. * * *" Record 66.

We believe this finding reflects a misapplication of the TPR requirement specified in OAR 660-12-060(1), quoted supra. The TPR clearly states that plan amendments which significantly affect a transportation facility must be consistent with TPR provisions. The challenged decision is a plan amendment. Although it may be that some aspects of

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the TPR need not be addressed at this stage and are appropriately deferred to the time of annexation, the city does not explain why compliance with the TPR need not be addressed at all at the time the UGB is amended.

To comply with the Goal 14 need and locational factors, a decision amending the UGB must include limitations on the plan designations and zoning districts to be applied to the subject property to ensure that the property satisfies the identified need. We determine above that the challenged decision fails to establish such limitations. Once those limitations have been adopted, the city must consider whether amending its UGB will significantly affect Highway 26, Dersham Road and the Dersham Road interchange and, if so, must comply with applicable requirements of the TPR.

This subassignment of error is sustained.

C. Compliance with the TPR

1. OAR 660-12-060(1)(a)

Alternatively, the city determined the proposal significantly affects a transportation facility, but that application of the following limitations on development establishes compliance with OAR 660-12-060(1)(a):

"1. Urban zoning/land use designations for the UGB area shall be fixed by plan amendment at the time of annexation to the City. Until that time, the affected area shall retain the existing County land use designations unless changed pursuant to county process. In approving an annexation, the City shall make findings which demonstrate that: 1) the proposed land uses are consistent with the

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state's [TPR] (OAR 660-12-060), and 2) that adequate public facilities are assured. If annexation of the UGB area occurs incrementally, the estimated cumulative impacts of likely uses in the entire UGB annexation shall be considered. The land use for the UGB area shall be a mixed use designed to implement the employment center concept. Land shall be allocated for multi-family residential, industrial, and all types of commercial uses. The zoning for the area shall be fixed at the time of annexation.



The allocation of mixed use urban designations to implement the employment center concept shall be consistent with the provisions of the [TPR] (OAR 660-12-060). The zoning actions may include conditions which are intended to mitigate the impacts of development allowed by the City zone and to ensure the provision of adequate public facilities and services.

"2. No development of land may be allowed on land within the UGB amendment area until annexation occurs and specific development impacts are assessed and mitigated. Development review of this area shall address impacts to state and County transportation facilities.

"3. No development of land may be allowed on land within the UGB amendment area unless a finding is made that allowed land uses are consistent with the identified function, capacity, and level of service of transportation facilities significantly affected by the development." Record 103.

We determine above that in adopting the challenged decision, the city must provide specific limitations on the plan designations and zoning districts ultimately applied to the subject property, in order to satisfy the Goal 14 need and locational factors. Conversely, to be consistent with

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OAR 660-12-060(1)(a), the adoption of such a limitation on allowable uses in the UGB amendment area must be consistent with the planned function and level of service of Highway 26, Dersham Road and the Dersham Road interchange.

This subassignment of error is sustained.

2. OAR 660-12-060(1)(b) and (c)

OAR 660-12-060(1)(b) and (c) provide the following alternative means for local

governments to establish compliance with the requirement of OAR 660-12-060(1) for consistency with the identified function, capacity and level of service of an affected transportation facility:

"(b) Amending the [Transportation System Plan] to provide transportation facilities adequate to support the proposed land uses consistent with the requirements of [the TPR]; or,

"(c) Altering the land use designations, densities, or design requirements to reduce demand for automobile travel needs and meet travel needs through other modes."

Petitioner ODOT argues as follows:

"* * * The city finds that it is `premature and unreasonable' to amend the various transportation plans since the development pattern [of the UGB amendment expansion area] is unknown. To support this finding, the city relies on the evidence that at least one potential scenario, the Land Air Transportation Ouality Connection (LUTRAQ)] model of development, would have no impact on the transportation facilities. The revised traffic impact study reviewed the use of the LUTRAQ model of development. [However, t]hroughout the UGB amendment, the city relies on the 'employment center' scenario as justification for the [proposed UGB expansion]. [T]his scenario, which calls for 52 acres of residential property,

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104 acres of light industrial property and 150 acres of commercial property, is, according to the city, the 'worst case' scenario from a traffic analysis viewpoint. As a result, the city denounces the use of such a development pattern in determining whether there will be impacts on the transportation system while relying on this pattern to justify the need for the UGB expansion. The city cannot have it



both ways. If the UGB extension is needed based on the 'employment center' scenario, then the impacts to the surrounding transportation facilities that result from this development scenario must be analyzed and appropriately planned for." Petition for Review (ODOT) 7-8. (Record citations and footnotes omitted.)

We agree with petitioner that the city's findings concerning the proposal's compliance with OAR 660-12-060(1)(b) and (c) are inconsistent with the findings relied on to establish a need for the proposed UGB amendment.

This subassignment of error is sustained.

3. OAR 660-12-060(3)

Under OAR 660-12-015, coordinated state, regional and local Transportation System Plans are required.²¹ OAR 660-12-060(3) requires that plan amendments which significantly affect a transportation facility be "coordinated with transportation facility and service providers and other affected local governments." Because the city determined it was not required to establish current

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compliance with the TPR at this plan amendment stage, the city erroneously failed to address the coordination requirement of OAR 660-12-060(3). On remand, the city must do so.

This subassignment of error is sustained.

4. OAR 660-12-060(4)

OAR 660-12-060(4) provides as follows:

"The presence of a transportation facility or improvement shall not be a basis for an exception to allow residential, commercial, institutional or industrial development on rural lands under this division or OAR 660-04-022 and [660-04-]028."

Petitioners contend the challenged decision relies to a great degree on the subject property's location adjacent to Highway 26 and nearby Dersham Road and the Dersham Road interchange. Petitioners argue the city improperly uses proximity of the subject property to these transportation facilities as a basis for rejecting consideration of alternative sites for a UGB amendment.

Petitioners cite the following findings to illustrate their point:

"* * * If North Plains is to improve its livability, there must be additional large parcels of commercial and industrial land within the UGB, with good access to and good visibility from Highway 26. If adequate sites were made available, the City would have an excellent opportunity to attract retailers who prefer to locate on the periphery of a metropolitan area. * * * * " Record 60.

"The expansion area is ideally located adjacent to the Sunset Highway [Hwy. 26], with high visibility

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and access through the Dersham Road interchange. The industrial/commercial property in the existing inventory lacks these characteristics." Record 61.

OAR 660-12-060(4) prohibits using the existence of transportation facilities as a basis for approving certain kinds of exceptions. This would appear to mean OAR 660-12-060(4) prohibits justifying certain exceptions to allow particular uses on the basis of actual or proposed transportation facilities being near the exception area, or justifying certain exceptions on the basis that the area is located away from such transportation facilities.



We have never interpreted the scope or meaning of OAR 660-12-060(4). However, we believe it is relatively clear that OAR 660-12-060(4) applies to (1) exceptions to the requirements of OAR 660-12-065 adopted under OAR 660-12-070, and (2) exceptions to statewide planning goals adopted under OAR 660-04-022 (reasons exceptions) or OAR 660-04-028 (committed exceptions). The challenged decision, on the other hand, approves an exception for a change to an established UGB under OAR 660-04-010. OAR 660-12-060(4) does not list exceptions adopted under OAR 660-04-010 as being within its prohibition against the consideration of transportation facilities. We conclude the exception approved in the challenged decision is not within the scope of OAR 660-12-060(4) and, therefore, that rule is not applicable to the challenged decision.

This subassignment of error is denied.

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These assignments of error are sustained.

FIFTH ASSIGNMENT OF ERROR (ODOT)

"The city failed to comply with Goal 6 and make findings not supported by substantial evidence in the record when it concluded that the proposed development of the expanded UGB would have no significant impacts on air or water quality."

SECOND ASSIGNMENT OF ERROR (DLCD)

"The city failed to comply with Goal 6 and made findings not supported by substantial evidence in the record when it concluded that the proposed development of the expanded UGB would have no significant impacts on air or water quality." Goal 6 (Air, Water and Land Resources Quality) is:

"To maintain and improve the quality of the air, water and land resources of the state." Goal 6 requires that

"All waste and process discharges from future development, when combined with such discharges from existing developments shall not threaten to violate, or violate applicable state or federal environmental quality statutes, rules and standards. With respect to the air, water and land resources of the applicable air sheds and river basins described or included in state environmental quality statutes, rule, standards implementation plans, such discharges shall not (1) exceed the carrying capacity of such resources, considering long-range needs; (2) degrade such resources; or (3) threaten the availability of such resources.

"Waste and Process Discharges — refers to solid waste, thermal, noise, atmospheric or water pollutants, contaminants or products therefrom. Included here also are indirect sources of air pollution which result in emissions of air contaminants for which the state has established standards."

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Petitioners argue the challenged decision violates Goal 6 because it fails to adequately establish the proposed UGB amendment will not adversely affect air and water quality. We address petitioners' arguments concerning air and water quality separately below.

A. Clean Air

Petitioners advance different arguments concerning the proposed UGB amendment's effect on air quality. Petitioners argue (1) the challenged decision fails to establish compliance with the Clean Air Act, and (2) the record lacks substantial evidence to support the determination in the challenged decision that the proposal will not have an adverse impact on air quality.



1. Compliance With Clean Air Act

Petitioners argue the city erroneously failed to apply the requirements of the Clean Air Act, 42 USC §§7401 et seq., to the challenged decision.²² Petitioners contend the Clean Air Act is applicable to the challenged decision through the requirement of Goal 6 that waste or process discharges not violate federal statutes, and through a

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provision of the TPR, OAR 660-12-035(3)(b).²³

We do not understand the city to dispute the applicability of the Clean Air Act to the challenged decision.²⁴ Rather, the challenged decision expresses uncertainty as to how the Clean Air Act should be applied to the proposal. Specifically, the challenged decision determines:

"* * * The ODOT memo states that North Plains is within `the Air Quality Management Area.' Without more specific guidance from ODOT, the City does not understand how to apply the Clean Air Act to this UGB [amendment] proposal. * * * " Record 72.

The city also contends until there are specific development proposals, it cannot establish the UGB amendment complies with the Clean Air Act requirements of Goal 6.

We determine above that the city must coordinate the challenged decision with DEQ. After coordinating with DEQ, the city will become aware of at least DEQ's view of the applicable requirements of the Clean Air Act. However, it is ultimately the city's responsibility to correctly apply

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the Clean Air Act under Goal 6. It is inadequate for the city to take the position that it does not know what it must do to establish such compliance.

Further, we state above that the city must provide limits on the uses to be made of the subject land, as a part of its decision to amend the UGB. Once the city does so, it will be in a better position to determine compliance with the Clean Air Act, as it will then have a better idea of the potential air quality impacts associated with those uses.

This subassignment of error is sustained.

2. Adverse Impact on Air Quality

The challenged decision determines the following:

"[T]he city hired Chester has Environmental and Peter Patterson (Professional Engineering Geologist) provide a preliminary analysis of the impacts on air and water quality, respectively, that may be caused by development of the subject site. Both consultants conclude that the proposed development of the subject site will have no significant adverse impact on the air and water quality for the North Plains area or the region. * * *" Record 63.

Petitioners allege the record lacks evidentiary support for the above quoted city findings because:

"* * * (1) the Chester report addresses potential air quality impacts from automobile traffic only, disregarding the impacts from stationary sources and the fact that the City is within a non-attainment area for ozone; (2) the report considers impacts on ambient [carbon monoxide] concentrations only, and fails to address or consider other regulated air pollutants; (3) the report considers potential impacts only in the UGB expansion area; and (4) the report assumes that

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certain unspecified roadway improvements *

* * will be made, even though such improvements are not planned or made a condition of development in the [UGB] expansion area. * * *" Petition for Review (DLCD) 18.

Petitioners do not contend the evidence relied upon by the city is inaccurate. Rather, petitioners argue the evidence supporting the city's Goal 6 findings is incomplete, and the Goal 6 analysis is, therefore, inadequate. Petitioners are correct that the city failed to consider (1) pollutant sources other than those associated with automobile emissions, and (2) the cumulative impacts of waste and process discharges from the uses to be established in the subject UGB amendment area and the existing discharges from existing sources. Therefore, although the existing findings are supported by substantial evidence, the record lacks an adequate factual base for determining the proposal complies with Goal 6 with regard to impacts on air quality.

This subassignment of error is sustained.

B. Clean Water

Petitioners argue the proposed UGB amendment has impermissible negative water quality consequences in two respects. First, petitioners allege that storm water runoff will be inadequately controlled. Petitioners contend the city misconstrued applicable law by concluding storm water runoff could be controlled by certain treatment methodologies. However, petitioners do not explain how the

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city misconstrued the law or why they believe the proposed storm water runoff will be inadequately controlled. We can see no violation of law, and it is not our function to make petitioners' arguments for them. Deschutes Development Corp. v. Deschutes County, 5 Or LUBA 218, 220 (1982). Petitioners' allegations regarding storm water runoff provide no basis for reversal or remand of the challenged decision.

Second, separate from their contentions concerning storm water runoff, petitioners contend the challenged decision does not determine the proposed UGB amendment will or could feasibly comply with various applicable state and federal water quality standards. We agree.

This subassignment of error is sustained, in part.

These assignments of error are sustained, in part.

THIRD ASSIGNMENT OF ERROR (DLCD)

"The city misconstrued the applicable law and failed to comply with the requirements of Goal 9 and the Goal 9 Rule * * *."

Petitioner DLCD offers a number of reasons why the challenged decision fails to comply with Goal 9 (Economy of the State). At the outset, we note we agree with petitioner DLCD that the city's Goal 9 analysis must be revised based on the kinds of uses to be made of the subject property to satisfy a specific need identified by the city. Accordingly, on remand, if the city establishes a need under the Goal 14 need factors and limits the kinds of uses that

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may be established on the subject property, the city will also be required to adjust its Goal 9 analysis. However, petitioner DLCD makes other points that we address below.

Petitioner DLCD argues the city failed to comply with OAR 660-09-025, which requires the city to adopt:



"* * * measures to implement policies adopted pursuant to [OAR] 660-09-020. * * * Appropriate implementing measures include amendments to plan and zone map designations, land use regulations and public facilities plans."

We understand petitioner DLCD to argue the city is required to plan and zone the proposed UGB area for its ultimate uses as part of the UGB decision. We disagree. Although the city is required to limit the uses allowable in the area to be included within the UGB consistent with the city's needs analysis, we do not agree the only way this may be accomplished is by contemporaneously applying the ultimate plan and zoning required to allow those uses. Further, we do not read OAR 660-09-025 to require the adoption of the specific implementing plan designations and zoning districts, concurrent with the adoption of a UGB amendment, in all OAR 660-09-020 simply instances. establishes certain Goal 9 driven requirements that are applicable at the time the city adopts measures implementing a UGB amendment.

This assignment of error is sustained, in part.

FOURTH ASSIGNMENT OF ERROR (DLCD)

"The city did not comply with the requirements of Goal 10 in that it did not demonstrate a need for additional land within its urban growth boundary

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for housing."

Petitioner DLCD contends the challenged decision fails to comply with Goal 10 (Housing). As we understand it, petitioner DLCD contends the city may not justify expanding its UGB on the basis of a need for more housing, because the "needed housing"

policies of Goal 10 do not apply to cities (such as the City of North Plains) having a population of less than 2,500.

We disagree. That the city is not <u>required</u> to apply the "needed housing" provisions of Goal 10, does not mean the city may not justify a UGB expansion to accommodate a mix of needed housing types within the city, so long as it provides an adequate factual basis for determining the city requires additional housing.

In the alternative, petitioner DLCD argues the city failed to establish a need for additional housing. Specifically, petitioner DLCD argues:

"* * The City ignores its pre-UGB expansion inventory of lands for housing, which contains capacity for dwellings for approximately 3,000 new people. That inventory and capacity is well above the [year] 2010 population projection [for the UGB] of 1796 [people].

"The City's position that it has only 24 acres of land buildable for housing, and thus not enough to accommodate the projected [year] 2010 population, is unsupported. Although some of the City's land that is zoned for housing and currently undeveloped is in a flood plain and therefore not buildable, the city has a 'density transfer' clause in its acknowledged plan. By that clause, the City can increase the density in another area

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of buildable land to make up for the planned for, but unbuildable housing in the floodplain area. The City did not analyze the impact of that clause. The City cannot justify a UGB expansion based on a need for housing when it has not analyzed its options to accommodate additional housing within its current boundaries." Petition for Review (DLCD) 30.



We agree with petitioner DLCD.

This assignment of error is sustained, in part.

FIFTH ASSIGNMENT OF ERROR (DLCD)

"The city failed to comply with Goal 11 by not adequately inventorying current public facilities and services and by not adequately demonstrating that the UGB expansion area could be adequately served."

Petitioner DLCD argues the proposal fails to comply with Goal 11 (Public Facilities and Services).

We believe that because the challenged decision fails to provide adequate limitations on the kinds of planning designations and zoning districts to be applied to the subject land, the city has an inadequate factual basis for concluding that any particular level of public facilities can be provided. See Johnson v. Tillamook County, supra. Specifically, at this point, the city is not in a position to determine what public facilities and services will be required to serve the UGB expansion area or whether that level of service can be provided to that area.

Until the city establishes meaningful limitations on the planning designations and zoning districts potentially applicable to the subject property, it will not likely be

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able to establish compliance with Goal 11. Finally, we note that we agree with petitioner DLCD that in establishing compliance with Goal 11, the city must determine the adequacy of all public facilities and services, including elementary and secondary schools.

This assignment of error is sustained.

EIGHTH ASSIGNMENT OF ERROR (DLCD)

"The city's revised Annexation/Urbanization Policy is in violation of state law, ORS 222.111."

During the oral argument for this appeal, petitioner DLCD specifically withdrew this assignment or error. Therefore, we need not consider it further.

NINTH ASSIGNMENT OF ERROR (DLCD)

"The city has adopted an unenforceable condition on the challenged urban growth boundary expansion."

Petitioner DLCD challenges the three conditions adopted by the city generally requiring that no development of the UGB expansion area be allowed prior to annexation and that urban planning and zoning designations be applied to the subject land at the time of annexation.²⁵ We determine above that these conditions fail to provide an adequate limitation on possible uses that could be established on the subject property. Petitioner DLCD is correct that these conditions provide no enforceable limitation on the planning

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and zoning designations eventually applied to govern the mix of uses allowed on the subject property.

This assignment of error is sustained.

The city's decision is remanded.

Notes:

1. ORS 197.835(7)(a)(C) authorizes the Board to reverse or remand a land use decision if the local government:



"Made a decision not supported by substantial evidence in the whole record[.]"

2. The purpose of Goal 2 is:

"To establish a land use planning process and policy framework as a basis for all decisions and actions related to the use of land and to assure an adequate factual base for such decisions and actions."

- 3. Apparently, in <u>Lima</u>, the parties did not raise an issue concerning the adequate factual base requirement of Goal 2.
- 4. We have stated in other cases that legislative land use decisions need not be supported by findings or substantial evidence in the whole record. See Alexiou v. Curry County, 22 Or LUBA 639 (1992). The independent Goal 2 requirement was not raised in those cases, and the point of those cases was there must be some basis independent of our scope of review statute for requiring legislative land use decisions to be subject to a requirement that they be supported by substantial evidence.
- 5. The Goal 14 "establishment" factors are as follows:
- "(1) Demonstrated need to accommodate long-range urban population growth requirements consistent with LCDC goals;
- "(2) Need for housing, employment opportunities, and livability;
- "(3) Orderly and economic provision for public facilities and services;
- "(4) Maximum efficiency of land uses within and on the fringe of the existing urban area;
- "(5) Environmental, energy, economic and social consequences;
- "(6) Retention of agricultural land as defined, with Class I being the highest

priority for retention and Class VI the lowest priority; and,

- "(7) Compatibility of the proposed urban uses with nearby agricultural activities."
- 6. The challenged decision specifically states the proposal is to attempt to capture .2% of the anticipated Metro UGB growth.
- 7. The challenged decision determines the city's supply of commercially and industrially zoned land is 73.5 acres short, based on existing demographic projections in the city's comprehensive plan. Record 40-41. Petitioners challenge donot this determination or that the city may expand its UGB to accommodate some growth. The issue here has to do with the scope of the proposed expansion — to nearly double the size of the city's existing UGB, based in large part on projected growth within the Metro UGB.
- 8. The city did not single out increasing its tax base as the reason for the proposed UGB expansion, as petitioners suggest. Rather, enhancing the city's tax base was identified as one important beneficial aspect of the proposal. There is nothing wrong with the city considering an improved tax base as one of the reasons justifying the expansion of its UGB.
- 9. This mix of uses is identified in a study supporting use of an employment center development model after the city UGB is enlarged as proposed. However, the challenged decision also appears to rely upon different development models to justify the challenged decision.
- 10. We note that while the city is not required to identify specific development proposals for the proposed UGB expansion area, a decision to expand the UGB must include some limitation on the uses to be made of the expansion area for the city to have a reasonable basis to conclude the proposal will do what the city adopts the proposal to



accomplish. <u>Johnson v. Tillamook County</u>, 16 Or LUBA 855 (1988).

11. In particular, we note petitioners cite evidence in the record that based on recent planning and zoning actions (other than the challenged decision), the city has ten acres of "surplus" industrial land. We understand the challenged decision to take the position that ten acres is not a large enough block of industrial land to solve the city's need for such land. However, if this is the case, the city must take some action in the challenged decision to ensure that large block(s) of industrial land will result. Otherwise, the city fails to ensure implementation of its Goal 14 need analysis with regard to land needed and available for industrial use.

12. The city answers this issue in its brief, in part, as follows:

"Employment center mixed use development could occur under either scenario. The City is not required nor is it ready to pin down the exact square footages of particular use types as a part of this UGB amendment process. * * * " Respondent's Brief 45.

While the city is correct that it is not required to "pin down exact square footages of particular use types," it must determine in the challenged decision the general uses to be made of the proposed UGB expansion area, and provide a means to ensure those uses occur there. In other words, the city must choose and justify a city development model or plan, and limit permissible development within the UGB expansion area to uses consistent with the model chosen.

- 13. We address below petitioners' allegations concerning the city's failure to satisfy its coordination obligations in adopting the challenged decision.
- 14. We determine the city erroneously applied the Goal 14 need analysis. Therefore, we do not consider petitioners' remaining

allegations concerning the evidentiary support for that analysis.

15. In addition to the disputed UGB amendment, the challenged decision amends the UPAA to include land other than the proposed UGB expansion area, as an "area of interest." No challenge is made to the city's decision to designate this additional land as an "area of interest" under the UPAA. The dispute here centers on the significance of the subject property's inclusion in the existing "area of interest" is established under the UPAA.

16. The challenged decision is 79 pages long and includes a number of appendices. It is possible that some findings to this effect may be buried somewhere in the decision. However, no party cites any determination in the decision, and a cursory review by this Board reveals no such findings. We do not believe that we are required to search a lengthy decision, without assistance, to find material supporting a party's argument. See Eckis v. Linn County, 110 Or App 309, 313, 821 P2d 1127 (1991) (LUBA is not required to search the record to find evidence to support a challenged decision.)

- 17. Petitioners characterize the situation a little differently. Petitioners contend that over half of the land within all use categories inside the existing UGB is vacant.
- 18. The industrial use at issue in <u>BenjFran</u> <u>Development</u> required 500 acres.
- 19. There is no dispute ODOT, Washington County and Metro are "affected governmental units" within the meaning of Goal 2.
- 20. If the subject land is eventually annexed, that annexation decision must also be coordinated with the affected school districts.
- 21. The state Transportation System Plan is prepared by ODOT. As relevant here, the regional Transportation System Plan is prepared by the Metropolitan Service District.



Washington County is responsible for preparing a local Transportation System Plan covering the subject property.

22. Petitioners also suggest the city erroneously failed to comply with the State Implementation Plan adopted under the federal Clean Air Act. See OAR 660-12-035(3)(b), quoted infra, at n 23. However, petitioners acknowledge the State Implementation Plan was not yet adopted at the time the challenged decision was made. We do not understand how the challenged decision can be erroneous for failing to comply with standards not in effect at the time the decision was adopted.

23. OAR 660-12-035(3)(b) provides:

"The transportation system shall be consistent with state and federal standards for protection of air, land and water quality including the State Implementation Plan under the Federal Clean Air Act and the State Water Quality Management Plan[.]"

24. The city does contend that it need not establish compliance with state clear air regulations that are not yet in place. While this may well be accurate, it does not answer petitioners' allegation that the city must, and did not here, establish the challenged decision is in compliance with Goal 6.

25. These conditions are quoted in full in the text, <u>supra</u>.



Good evening Commissioners,

My name is Tammy Stevens & I reside in The Hamlet of Beavercreek.

Norm Andreen and I are here this evening representing the Board and Citizens of The Hamlet of BC. We both sit on the Board and have extensive experience as Clackamas County Planning Commissioners.

First, and importantly, we are not against development. We are, however, 100% for planned development that provides safety and livability regarding transportation and public services.

The BC Road Concept Plan has a **very long** and detailed history that we, unfortunately, cannot discuss here this evening. We understand that in order for our testimony to be accepted and shared with the City Commission, we must limit all testimony to transportation and public services.

Transportation is a great concern for us (and we hope for you too) especially in the face of the many development projects earmarked along BC Road and Highway 213. To see the big picture (map) this is BC Road and this is Highway 213. The BC Road Concept Plan development is in this area, the Evergreen (Meyers/BC Roads) 9 acre development is here, the new Oregon City School District bus barn is here, the CCC \$111MM

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improvement/development area is here, the old bus barn development by Dan Fowler is here, the Linn, Leland and Meyers Road corridor/development is here and the economic enterprise zone is here, here, here and here. As you can see, this is a lot of development along BC Road & Hwy 213.

Mayor Dan Holladay at the October 27th Caufield Neighborhood Association meeting shared his vision of BC Road as Oregon City's economic future with a 5 lane highway from Hwy 213 to Henrici Road. It is no secret that both Highway 213 and BC Road (not to mention their intersection) are failing. Clackamas County has jurisdiction of BC Road, but has stated frequently the County's focus is on road maintenance throughout the County and not on the development of BC Road. Unfortunately, that leaves 6,500 BC rural residents (and the citizens in Colton, Molalla, Carus, Mulino, Clarkes, the Highlands, etc.) facing the same fate as that of the Happy Valley citizens many, many years ago.

As we all know, Happy Valley and the Clackamas area grew, and Sunnyside Road (under Clackamas County jurisdiction) became a parking lot. As a result, the federal government, ODOT, Metro and Clackamas County's Development Agency has spent over \$150MM to fix poorly planned growth with the development of Sunnyside, the extensive creation of Sunnybrook, overpasses, fish habitat, etc.

Unfortunately, ODOT and Clackamas County don't have those types of funds any more to "fix" BC Road and Highway 213 due to poorly planned growth.

Before we move onto services, it is vital to note that the development of Highway 213 from Molalla Avenue to I-205's Environmental Impact Study resulted in Ordinance 92-1002 signed by Mayor Dan Fowler in 1992 agreeing that no development will occur if any roads in the vicinity of the Highway 213 and BC intersection (including the intersection) are operating at lower than a D level. And, if that happened, Oregon City would participate in a grade separation upgrade of the intersection. The current estimate to upgrade the intersection to a grade separation is \$45MM and includes Dan Fowler's recently purchased old bus barn property. In addition, the State's Transportation Planning Rule #12 puts a moratorium of development with a failed intersection. To consider this amount of development without the plans or funds to fix roads and intersections is seriously irresponsible.

With regard to water, Clackamas River Water has been contacted regarding servicing of the BC area as Oregon City does <u>not</u> have the pressure to provide service. Normally, providing water through an intergovernmental agreement would not be a problem, however, after this year's drought and its devastating impact on the habitat of the Clackamas River,

the residents in BC are extremely concerned that water is available to existing clients and that the Clackamas River habitat is valued and protected. As stated in CRW's July 23, 2015, letter to the Clackamas County Commissioners, quote "It is our belief that as water providers on the Clackamas River we must begin to view the river less as an exclusive source of revenue and more as a valuable, finite resource that must be protected. To ignore the current river conditions and push off streamflow and temperature concerns would be irresponsible. While we do not discredit our collective utility's need to be financially stable, we believe that the long-term sustainability of the Clackamas River as a source of drinking water should trump the immediate needs of greener lawns and greater revenue," end quote.

For CRW to extend an IGA to Oregon City for all of the development planned in the next decade would most probably put the entire CRW southern service area into an annual drought conservation practice... not conducive for a successful timber, livestock, agricultural Mecca of Clackamas County and extremely devastating to any surviving habitat in the Clackamas River water area.

And, finally, sewer, the last we heard, to pursue just the 9 acre Evergreen development at Meyers and BC Roads, the sewer line lids along Glen Oak Road have to be bolted down so they

didn't overflow with sewer. In addition, residents along the sewer line testified of **frequent** sewer backfills into their basements. The City admitted that the sewer capacity for the development was problematic as there was a sewer bottleneck on Highway 213 at the College, but there are no funds to solve the problem. If you hear this about 9 acres of development along BC road, how can hundreds of acres along BC road and Highway 213 be serviced without extensive sewer planning and funding?

We repeat, we are not against development, only poorly planned development that will clearly put all of us traveling, working and living in and around this BC and Hwy 213 area into a bottleneck of transportation and no clear path to functional and environmentally responsible services.

Thank you for your time and consideration of our concerns!

Clackamas River Water

P.O. Box 2439 Clackamas, Oregon 97015-2439 (503) 722-9220 Fax (503) 656-7086 16770 SE 82nd Drive, Clackamas customerservice@crwater.com



To: Board of Commissioners of Clackamas County

From: Clackamas River Water

Date: July 23, 2015

Re: Water Use on the Clackamas River

On July 21, 2015 Clackamas River Water received a memorandum, *Re: Water Use on the Clackamas* written by Ernest Hayes of Clackamas County Administration. The policy question proposed was "Is the Clackamas River impacted by water shortage?" The memo ultimately concluded that, "After receiving feedback from several of the managers of local water districts, including Clackamas River Water Providers, there does not seem to be a present risk of a water shortage on the lower Clackamas River. Further, should a shortage occur, human consumption would not be limited until truly dire circumstances were met. There is no fear of this transpiring in the foreseeable future. "Clackamas River Water disagrees with Mr. Hayes' conclusion.

The state of Oregon is facing its worst drought in decades. Governor Brown has declared drought emergencies in 23 of 36 counties. Although Clackamas County eluded a drought declaration to date, it is not immune to the environmental pressures exerted upon it by low snowpack and hot, dry days. The Clackamas River, a vital resource for Clackamas County's urban centers, serves as a source of high quality drinking water for over 200,000 people and is no exception.

It is true that despite record low snowpack on Mt. Hood in the Upper Clackamas River Basin, the precipitation rate remained stable. Precipitation fell as rain, rather than snow. This is due to above average temperatures in the region. The elevation of the Upper Clackamas Basin is located near the current mid-winter snowline, as a result even minor deviations toward greater than normal temperatures can limit snow accumulation. While the Clackamas River is influenced by groundwater from large aquifers in the Upper Clackamas River Basin, the River will likely experience greater loss of streamflow and continued strain is put on the aquifer system. Trends toward warmer winters with more rain than snowpack will result in low flows on the River occurring earlier and increased stream temperatures. 2015 may very well be a preview of years to come.

Abnormally warm temperatures and record low snowpack in the Clackamas River
Basin should be of great concern to water providers as the dense network of
streams in the Upper Basin are strongly influenced by melting snow during the
spring and summer, which in turn helps to maintain river flow and temperature. As
early as May the effects could be observed on the river. Streamflows were at their
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lowest in over a decade (Figure 1), and temperature was elevated (Figure 2). By mid-June fish kills were observed at the confluence of the Clackamas and Willamette Rivers, due primarily to elevated water temperatures (Figure 2), prompting the Oregon Department of Fish and Wildlife to restrict fishing on the Clackamas River below the I-205 bridge.

Currently the streamflow of the Clackamas River is well below average, at levels not seen in more than a decade, and dropping. Water providers, as good stewards of the watershed, are subject to minimum allowable flows for fish persistence and passage. The State of Oregon requires each drinking water provider to develop a Water Management Conservation plan with a clearly defined curtailment plan that would maintain fish flows while allowing for sustainable water consumption. On the Clackamas River after September 15th that flow is 640 CFS. For Clackamas River Water and one other member of the Clackamas River Water Providers, as per our adopted Water Management Conservation Plans, Stage 3 Water Curtailment (mandated water conservation) would be implemented at streamflows less than 730 CFS after September 15^{th} . While this is not the first time water providers have seen low streamflows in July, it is important to note that currently the streamflow of the Clackamas River is below 750 CFS with prolonged periods of hot dry weather predicted in combination with the development of an El Niño event (Figure 1). The likelihood of water providers having to implement curtailment practices come September is strong.

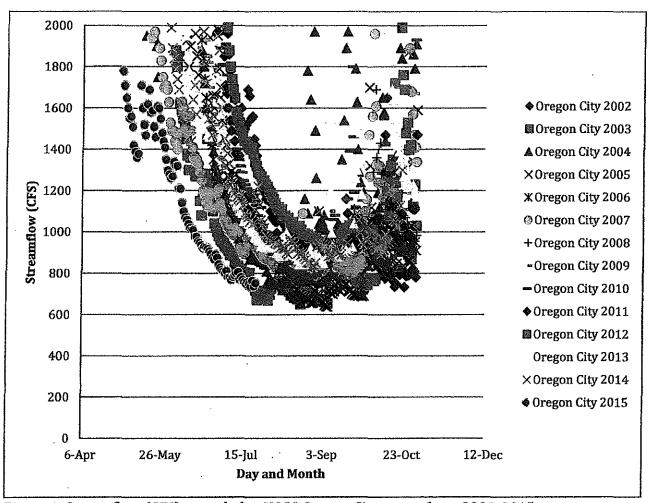


Figure 1. Streamflow (CFS) recorded at USGS Oregon City gauge from 2002-2015

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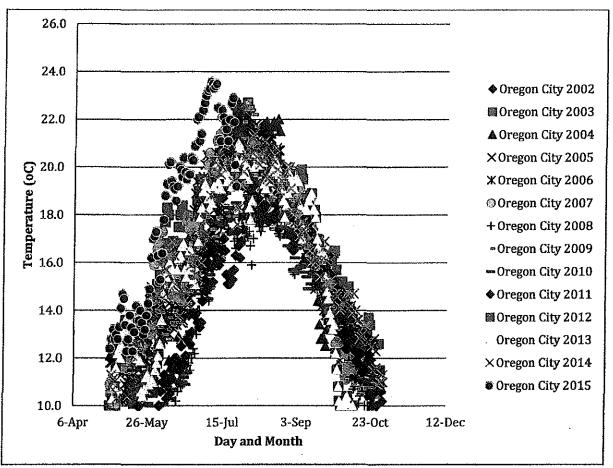


Figure 2. Water temperature (°C) recorded at the USGS Oregon City gauge from 2002-2015

Clackamas River Water issued a Stage 1 Water Advisory encouraging its customers to conduct voluntary water conservation measures in early June as dictated by our Water Management Conservation Plan upon observation of below average streamflows. Continued low flows, or a declaration of drought, will soon prompt CRW to issue a Stage 2 Water Advisory with more stringent conservation measures.

While there may not be an immediate water shortage on the Clackamas River, elevated temperatures and low streamflow suggest that mandated conservation measures for water providers may be on the horizon. It is our belief that as water providers on the Clackamas River we must begin to view the river less as an exclusive source of revenue and more as a valuable, finite resource that must be protected. To ignore the current river conditions and push off streamflow and temperature concerns would be irresponsible. While we do not discredit our collective utility's need to be financially stable, we believe that the long-term sustainability of the Clackamas River as a source of drinking water should trump the immediate needs of greener lawns and greater revenue. Responsible management of a water source does not mean simply navigating into maximum withdrawals allowed by the State of Oregon. It means preserving a drinking water source for a

larger portion of Clackamas County, preserving fish habitat and recreation, and ensuring our water source for the future.

Clackamas River Water is a special district that serves over 50,000 people in unincorporated Clackamas County, which includes Clackamas, and parts of Oregon City, Beavercreek, Milwaukie, and Portland.

We would like to offer our thanks to the Board of Commissioners for affording the water providers the opportunity to comment on this critical issue. As you are aware it is the County's role to notify the Governor when more extreme action is warranted.

Sincerely,

Lee E. Moore Sr.

General Manager

Clackamas River Water District

On behalf of the Board of Commissioners and Staff:

Ken Humberston; President Hugh Kalani; Secretary Naomi Angier; Treasurer Larry Sowa; Commissioner David McNeel; Commissioner

September 10, 1993

MEMORANDUM

TO:

Charlie Leeson, Henry Mackenroth, Denyse McGriff, City of Oregon City

Mark Greenfield

FROM:

John Spencer, Oregon City Urban Renewal Agency

RE:

HWY. 213/BEAVERCREEK ROAD INTERSECTION (Revised from

9/9/93)

As a follow-up to the meeting on June 24 with Clackamas County and ODOT officials, I agreed to summarize our discussions which will be the basis for a revised Memorandum of Understanding between the City, County, and ODOT.

Overall Intent

It is the intent of all parties to provide for and implement the various transportation projects called for in the Draft Warner-Parrott Rd.-Oregon City Bypass Environmental Assessment. These projects include an at-grade interchange improvement of the Highway 213/Beavercreek Road intersection, and the future construction of a grade-separated interchange. All parties agree that existing traffic congestion at this intersection is at unacceptable levels. Until intersection and other improvements have been constructed, any new development permitted in the vicinity of this intersection should not increase the congestion problems beyond current levels. It is also agreed that if the sponsors of new development can prove that proposed development will not increase the congestion problems, then development will be allowed only when in compliance with adopted plans for an at-grade interchange at the Highway 213/Beavercreek Road intersection.

Proposed Modifications to the Draft MOU of 2/92

The Draft Memorandum of Understanding is attached. The following changes are proposed:

Paragraph 4.a., add the following:

The State, County and City consider the interchange project as high priority.

Delete paragraph 4.b.

Delete paragraph 7 and add the following:

The County and City agree that grade-separated interchange improvements for Highway 213/Beavercreek Road are adopted as part of their Comprehensive Plans. The County and City also agree that their respective Comprehensive Plans require that major intersections operate at Level of Service (LOS) D or better. The County

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and City agree that when new developments are proposed for properties along Beavercreek Road prior to construction of grade-separated interchange improvements, a professional traffic analysis shall be required prior to the issuance of any land use permits. Land use permits shall not be approved unless the traffic analysis demonstrates that the Highway 213/Beavercreek Road intersection and other nearby intersections will operate at Level of Service D or better with the proposed development. If the traffic analysis demonstrates that the Highway 213/Beavercreek Road intersection will operate at LOS D or better with the proposed development, the development plan, including access to Beavercreek Road, will not interfere with, impede the implementation of, or substantially increase the cost of the adopted grade-separated interchange improvements for Highway 213/Beavercreek Road.

First Draft Comprehensive Plan Amendments

In order to meet the obligations outlined in the paragraph above, Oregon City will need to amend the transportation element of its Comprehensive Plan. The first obligation is to adopt the interchange plan. That has been done with Ordinance 92-1002 attached. Following are draft policies to meet the other obligations outlined above.

- a. All intersections requiring full signals as shown on Figure 2, Traffic Signal Locations,

 Oregon City Transportation Master Plan, 1989, and any other intersections where full

 traffic signals are warranted, shall operate at Level of Service D or better. Level of

 Service (LOS) is defined in Appendix B of the Oregon City Transportation Master

 Plan, 1989.
 - A professional traffic analysis shall be required prior to the issuance of any land use permits when new developments are proposed for properties in the vicinity of fully signaled intersections. Land use permits shall be approved only when the traffic analysis demonstrates that the signalized intersection will operate at Level of Service D or better with the proposed development, and that the development plan will not interfere with, impede the implementation of, or substantially increase the cost of any adopted transportation improvements identified in the City's Comprehensive Plan

Right-of-way shall be required as a condition of approval when developments are proposed near adopted transportation improvements identified in the City's Comprehensive Plan.

Please provide comments on these proposed plan amendments to me by the end of next week. Thanks,

John

MEMORANDUM OF UNDERSTANDING
Betwoen the
STATE OF OREGON,
CLACKAMAS COUNTY,
And
CITY OF OREGON CITY

- The Oregon Department of Transportation, Highway Division, hereinafter referred to as "State"; CLACKAMAS COUNTY, a political subdivision of the State of Oregon, acting by and through its Board of Commissioners, hereinafter referred to as "County"; CITY OF OREGON CITY, a municipal corporation of the State of Oregon, acting by and through its City Officials, hereinafter referred to as "City"; enter into this Memo of Understanding to set forth the principles of mutual commitment to the proposed Cascade Highway South at Beavercreek Road Interchange.
- ② State and County previously entered into a construction finance agreement No. 8119, on June 21, 1984 for the Warner-Parrott Rd. Oregon City Bypass project.
- (3) When the Warner-Parrott Rd. Oregon City Bypass project is constructed, State, County, and City agree the increased traffic flow will cause congestion at the Cascade Highway South / Beavercreek Rd. intersection, and all parties agree that improvements may be necessary. Proposed at this time is an at-grade interchange at Cascade Ewy. South / Beavercreek Rd.
- (4) State, County, and City agree to the following conditions in preparation for the proposed interchange agreement:
 - @ State will support County and City in seeking the necessary funds from Metro to construct the interchange project.
 - The County and/or City will be responsible for the survey, writing the descriptions, and the acquisition of any necessary right-of-way for construction of at-grade interchange.
 - The County will have the lead role in project engineering and construction management.
 - Prior to construction of the Cascada Rwy. South / Beavercreek Rd. Interchange, State, County, and City shall enter into a cooperative improvement agreement for construction and maintenance responsibilities for the at-grade interchange.

B3193001

Dis.



CITY OF OREGON CITY

May 27, 1993

DEVELOPMENT SERVICES
DEPARTMENT
Plenning, Swilding, Engineering
320 Warner-Milne Road
Oregon City, OR 97045
(503) 657-0895
FAX (503) 657-3339

Ron Weinman Clackamas County 902 Abernethey Road Oregon City, Oregon, 97045-1100

Mr. Weinman:

The Oregon City Commission, at its May 19th meeting, rescinded its approval given on February 17th, of the Memorandum of Understanding between the State of Oregon, Clackamas County and the City regarding the proposed interchange on Cascade Highway South at Beavercreek Road, effective immediately.

The Commission is concerned about the provisions and implications of the paragraph addressing the prevention of development on private lands. They further understood that the agreement was in it's final form when they originally authorized signing.

The City Commission has directed staff to reopen negotiations regarding this agreement. An identical letter is being transmitted to Ted Keasy at Region 1, of Oregon State Highway Division.

Please contact me to arrange further discussions on this matter.

Charles Leeson City Manager

cc: City Commission
Ed Sullivan, City Attorney
Flenry Mackenroth, Project Manager



ORDINANCE 92-1002

AN ORDINANCE AMENDING THE TRANSPORTATION MASTER PLAN AND THE TRANSPORTATION ELEMENT PLAN OF THE COMPREHENSIVE PLAN TO ADD TWO FUTURE ROAD PROJECTS AND A POLICY FOR COLLECTOR STREETS.

WHEREAS, the State Highway Division has requested that a proposed road project at Highway 213 and Beavercreek Road be included in the Oregon City Comprehensive Plan, and

WHEREAS, based on development patterns a future collector street needs to be designated outside of the City limits, but in the Urban Growth Boundary, and

WHEREAS, a policy on access management is needed to guide development along collector streets, and

WHEREAS, the Oregon City Planning Commission, on December 12, 1991, conducted a public hearing to consider the adoption of these proposals, and

WHEREAS, the proposed amendments to the Transportation Master Plan and Transportation Element of the Comprehensive Plan is designed to best meet the land use planning needs of the City.

OREGON CITY ORDAINS AS FOLLOWS:

Section 1. That the Transportation Master Plan and the Transportation Element of the Comprehensive Plan are hereby amended to add the following to read as follows:

Add the grade separation of Highway 213/Beavercreek Road.

- a. The State Highway Division has forwarded a request to add the grade separation at Highway 213/Beavercreek Road. The proposal would include maps of the proposed Phase 1 and 2 project to page 63 of the Transportation Master Plan as an addition to the roadway laneage and access control map.
- b. Roadway Laneage/Access Control Plan, page 64 of the Transportation Master Plan - Widen Highway 213 to six lanes between Beavercreek Road and I-205, with a grade separation at Beavercreek Road (to include Phase 1 and Phase 2 roadway and laneage needs).

PAGE 1 - ORDINANCE NO. 92-1002

- Add S. Caufield Road as a future collector street (For approximately 500 feet from Highway 213 to a proposed street that would be located between S. Caufield Road and S. Canyon Ridge Drive; added to page 60 of the Transportation Master Plan.
- Add a policy Regarding access management on collector streets to Policy 4 on page L-35 of the Transportation Element of the Comprehensive Plan:

New subdivision/residential development shall minimize access on collector streets unless infeasible. If feasible, lots shall be oriented to have from age on local streets with back yards to the collector street.

Read first time at a regular meeting of the City Commission held on the 5th day of February, 1992, and the foregoing ordinance was finally enacted by the City Commission this 5th day of February, 1992.

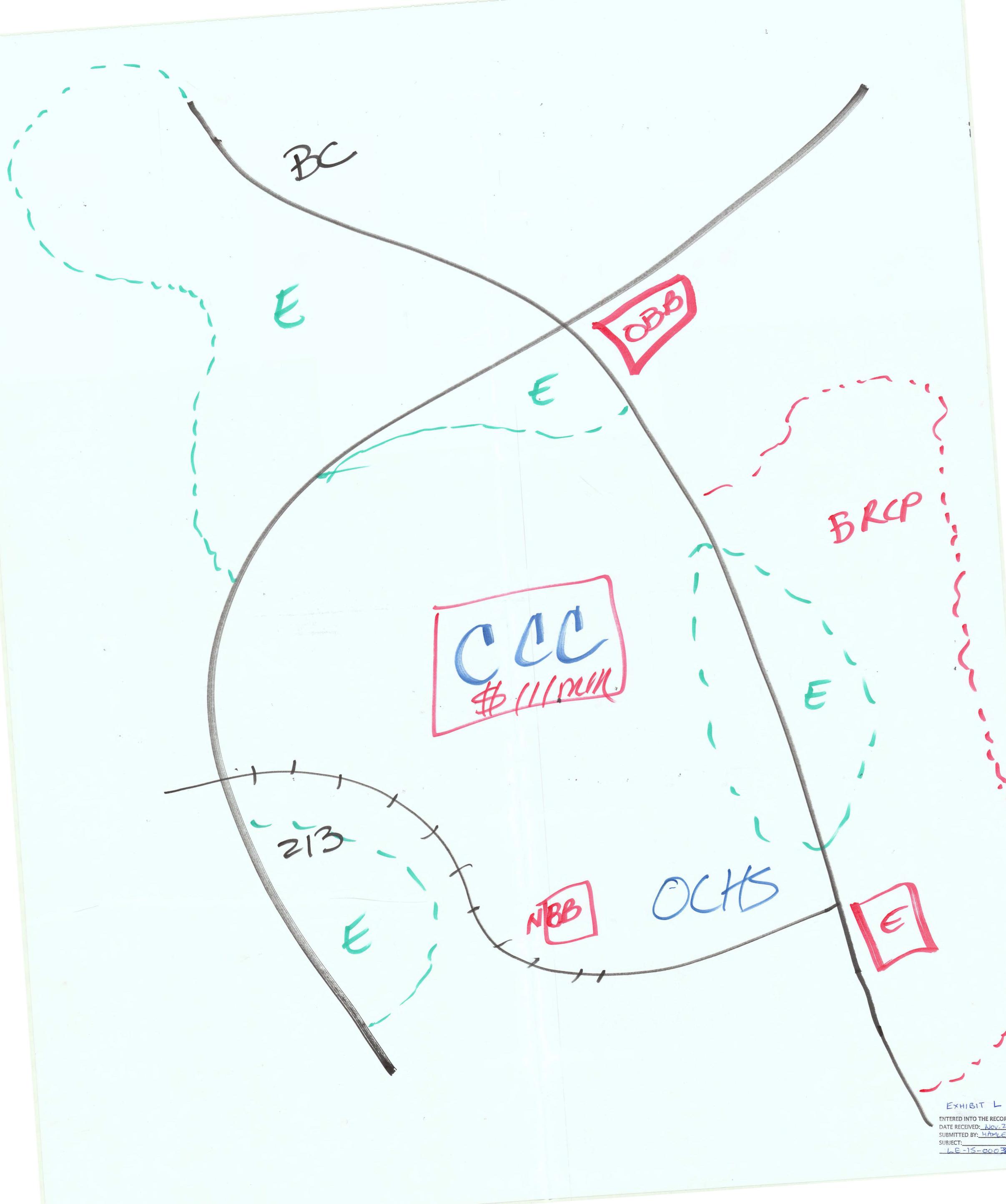
FAN K. ELLIOTT, City Recorder

ATTESTED this 5th day of February, 1992.

DANIEL W. FOWLER, Mayor

ORDINANCE NO. 92-1002

Effective: March 6, 1992



Public Hearing on the Beavercreek Road Concept Plan ReAdoption Planning Commission Nov. 23, 2015 Elizabeth Graser-Lindsey

The City and its Industrial Land Commitment

City Attorney 11-20-15 memo to you errs: "After LUBA's decision, the City Commission decided not to revise the BRCP to designate more industrial land." (p. 1 final paragraph). The City Commission minutes show that the City Commission itself did not make this decision and were not aware that it was made (11-9-2010, 7-20-2011) despite Tony Konkol telling you and Metro that the City Commission had made such a decision. Rather the City Commission instructed staff to consider more industry (specifically cottage industry). That is, a simple re-adoption with expanded findings violates the official instructions that the City Commission last gave to staff.

The memo further distorts the matter (p. 1 final paragraph to p. 2 first paragraph). Without the authority of the city, your staff (Tony Konkol) asked Metro to change its Industrial lands map. It was purported that Oregon City no longer needed the industrial land; however, no evidence of that has ever been presented. In fact even now, the Oregon City News reports (10-28-15 p. A1, A11): "Clackamas county... officials... are looking for more industrial and employment lands... Clackamas County has a shortage of employment land." "50-100 acre", "flat, continguous sections of land" are particularly lacking -- just the type of land that this airport and golf course present. OCCP Policy 2.6.1, 2.6.2, 2.6.3 and others require ensuring there is enough industrial land in the UGB, that land planned for industrial is so used and

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protected, and that citizens should have an opportunity to be close to their workplace.

Because of confusion about the legislature's "grand bargain" on urban and rural reserves, the court failed consider this case, which allows Metro's error to stand.

In your staff report (p. 3) the acreages of the concept plan sub-districts are compared with the 2002 and 2004 UGB expansions for industrial land and the now-shrunken Metro Title 4 Industrial Land. The staff report fails to mention that the 2002 and 2004 308-acre expansion, justified soley to meet industrial need, yielded 0 net acres (or 0%) for the 2004 portion and 75 net acres (or 30.6%) for the 2002 expansion (or 24% overall). Even the shrunken Title 4 industrial lands continue to be 22% wasted with NEC campus being 47 acres smaller (173 of the 220 acres or 78.6%). The NEC industrial subdistrict is on the mostly unbuildable part of the concept plan area, dissected by canyons and crossed by a network of regional transmission line corridors. (See the Buildable Lands map from p. 13 Fig. 7 of the remanded BRCP).

The BRCP violate Statewide Planning Goal 9: Economic Development in that it does not contribute to a stable an healthy Oregon City in terms of the job:housing ratio and it does not "include an analysis of the community's economic patterns, potentialities, strengths, and deficiencies as they relate to state and national trends" an it does not "provide for... an adequate supply of suites of suitable sizes, types, locations, and service levels for a variety of industrial and commercial uses consistent with plan policies."

The Planning Commission should honor the justification given to the public for these expansions yield industrial lands; it should honor LUBA's decision that the yield is insufficient; and it should honor the City's commissions instructions that more industrial land be considered in the "yellow" residential zone. The staff needs to do this right.

Citizen Involvement and Public Comment

The City has not fulfilled its Goal 1 Citizen Involvement responsibilities regarding this concept plan, because the 15-member Citizen Advisory Committee did not have its couple citizen seats filled with citizens, but instead was filled with developers and officials, because surveys of the public, including the city's own, indicated strong public opposition to this plan which violates Criteria 3, and because of similar reasons previously given before LUBA.

Infrastructure Funding

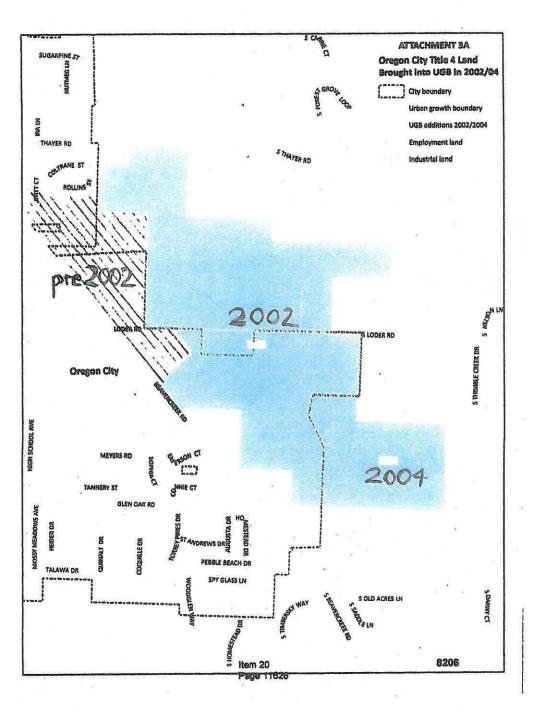
The City has not yet determined how it could fund the Beavercreek Rd. Concept Plan infrastructure and violates Title 11 #8 ("provision for the financing") Its recent master plans on water, sewer and transportation were unable to find a funding mechanism adequate to fund the necessary infrastructure.

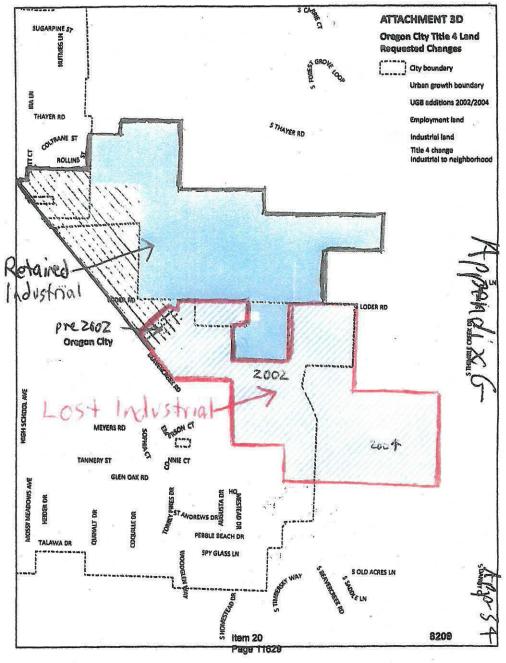
The water master plan is unable to decisively determine how \$2 million in annual maintenance can be funded; it makes no effort to determine how new water infrastructure could be funded e.g. a water reservoir that would be needed to provide water pressure to the BRCP area. As the Beavercreek Apts, within the BRCP area, were approved, it was based on out-of-district water. Although the Water Master Plan anticipated need would trigger

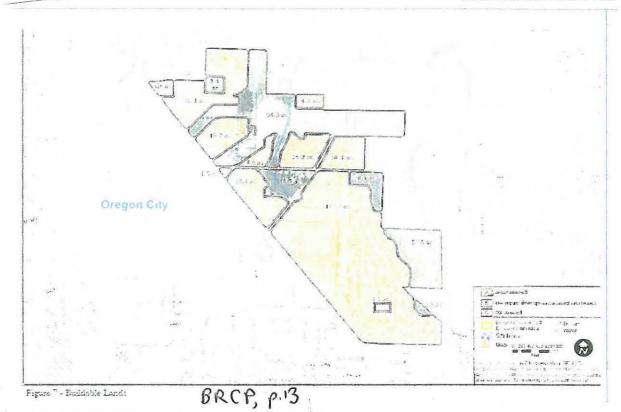
the provision of infrastructure, that trigger failed to operate in its first test – with the Beavercreek Apts.

The sewer master plan does not provide a working, funding mechanism to get the sewer into Beavercreek Rd. as would be needed to build out the BRCP. As the Beavercreek Apts, in the BRCP area, were approved, their sewage was diverted to an adjacent drainage basin despite that capacity being needed for the adjacent basin's own buildout. The conditions of approval determined that the first BRCP development will not have to help fund its portion of the Beavercreek Rd. sewer. (Staff Report, p.21 errors in paragraph 2). It also will not have to fund removal of constriction in the 213 portion of the system where the City nearly declared a moratorium according to the City.

The transportation system plan shows that the cost of providing needed road infrastructure is more than tens of millions beyond the city's available finances. Beavercreek Rd. will be constricted to 3 lanes by the Beavercreek Apts; however, the parallel roads in the BRCP cannot be built out due to lack of funding and the TSP shows these roads do not have funding in a time frame relevant to the BRCP. Some of these failures are already serious with current city capacity e.g. the Hwy 213/Beavercreek Rd. intersection, further intersections down Hwy 213, Beavercreek Rd. capacity, and I205. Proceeding with the BRCP violates Statewide Planning Goal 12: Transportation because of the "adverse social, economic and environmental impacts" that result from the congestion increasing further above standards. Title 11 #9 is violated by the failure to protect the capacity and function of state highway interchanges.







Industrial Lands are unbuildable Oregon City BRCP, p. 16 Figure 3 - Land Use Sub-districts

County: Ludlow blasts Eagle Landing project

From page 1

that a similarly long battle lies ahead between the county and Tri-City's member cities.

"It's all about producing the lowest rate possible," Savas said. "But unfortunately politics enters a lot of decisions.

On Dec. 10, the regional wastewater committee will have its last meeting of the year, when Savas sees an urgent need to find some consensus.

"I don't see a lot of fame or fortune in controlling a local wastewater district," Savas said.

Ludlow argued that the fact that all three cities have interim managers has led to a steep learning curve for county officials to get city leaders in the loop on sewer issues.

"Sooner or later we are going to have to agree on the facts,' Ludlow said. "The last thing that this county needs is that M-word called moratorium."

Enough sites for development?

The next question about a perceived local shortage of lands for job creation struck a nerve among commissioners, who are divided on the regional government's position that the Portland metropolitan area currently has enough developable sites.

Recommendations recently issued by Martha Bennett,

chief operating officer of Metro, calls for no further expansion of the urban growth boundary at this time. The report sparked controversy among Clackamas County and Washington County officials who are looking for more industrial and employment

The majority of the county commission, including Ludlow, recommended that Commissioner Martha Schrader vote against the report as the county's representative to the Metro Policy Advisory Committee. She decided to vote in its favor, after an amendment to the report passed addressing some of Clackamas County's concerns. She resigned from her position as Clackamas County's representative to Metro after Ludlow expressed his dismay at her vote.

Metro President Tom Hughes donated \$1,000 to Schrader's re-election campaign on Aug. 13, just three weeks before her vote. Schrader is being challenged by Steve Bates, a former chairman of the Boring Community Planning Organization. While Bates accuses her of Metro over the trust of her colleagues, Schrader has explained that she needed to tailor her vote to changing circumstances.

Schrader acknowledged that

Clackamas County has a shortage of employment land. However, she said the county has a great-economic development team to help developers find shovel-ready sites. The team also identifies future land-use needs and what rules might need to change to accommodate new development.

"I do think this county will be successful," Schrader said.

Standing with Schrader on the issue, Commissioner Jim Bernard said if "we keep creeping out into our valuable farmland," it would be at the cost of ignoring available land that's underdeveloped and wellserved by public transportation and other transportation infrastructure.

"McLoughlin Boulevard is an opportunity that is not unlike Kruse Way." Bernard said.

"There are no 50 or 100-acre sites on McLoughlin," Savas retorted, although he agreed that there were some good opportunities on the thorough-

"None of us can even imagine," Bernard argued, what the future of business needs will be, so he called into question county commissioners who argued that the county needed flat contiguous sections of land for development.

"Are we planning for the future or are we just looking at the status quo?" Ludlow asked.

Eagle Landing project

County commissioners expressed fears that the Eagle Landing project would not be going forward, but they declined to elaborate on the reasons that the developer might be getting cold feet.

\$10 million is a lot of money, but in the scheme of things of 100 million square feet, it's chump change," Ludlow said of the county's potential contribution to the project. "I got a real problem," Ludlow said, with traffic and depsity at the site of what he called a "corporate giveaway."

When Ludlo wadded that the county needed to look at other ways to help working people and create jobs, Bernard joked. "You sound like a liberal there, John."

Savas, Schrader, and Commissioner Tootie Smith took issue with Ludlow's "giveaway" interpretation. Savas called the project a "great deal" for Clackamas County, and Schrader pointed out that the deal would not go through if the project doesn't work out. Schrader said that the county's offer to forgive certain project fees if the project moves forward gained the support of the nearby city.

"Our partners in Happy Valley were very, very interested in seeing a deal like this un-

fold," she said.

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Oregon City Commission Meeting – Public Comments August 19, 2015 Elizabeth Graser-Lindsey

I was surprised to hear Tony Konkol tell the Planning Commission on June 22, 2015 that in the fall the Beavercreek Road Concept Plan, remanded by LUBA, will be re-adopted rather than revised and adopted. The City Commission never decided in favor of a simple re-adoption.

In 2002 and 2004 Oregon City and Metro said more industrial land was needed in Oregon City. 308 acres were added to the UGB for industrial (2002: 245 acres and 2004: 63 acres). 453 acres were planned as the Beavercreek Rd. Concept Plan which included this and pre-existing industrial land. The concept plan yielded only 54.7 industrial acres of the 308 new industrial acres, none of which is from the 2004 UGB expansion¹. This low acreage yield was not reported to the PAC (committee), City Commission or the public, so they didn't know. The concept plan said that it had the 120 acres of industrial land as Metro wanted, but this industrial land largely pre-dated the new land. The concept plan also placed those few new industrial acres in the most unbuildable, dissected part of the site. (Attachments A and B). LUBA remanded the concept plan decision for not

¹ Graser-Lindsey v. Oregon City, 59 Or LUBA 388 (2009), 407, 412. LUBA's numbers range from 54.7 to 74 to 81 acres.

protecting the industrial land (according to Metro Title 4). Graser-Lindsey v. Oregon City, 59 Or LUBA 388 (2009).

Oregon City continues to need those industrial land as the City continues to have a very poor job:housing ratio. Consequently City residents have to commute out of the City to often distant jobs, congesting the roadways. The lack of jobs deprives the City of business taxes which are more lucrative than residential taxes, because business uses less services than residential.

In response to the remand of the Beavercreek Rd. Concept Plan, the Oregon City Commission never decided to have Metro shrink the City's industrial land on Metro's map by making the industrial land residential. (Attachments C and D). That was done behind the scenes by Tony Konkol and Metro staff. A transcript of the Nov. 9, 2010 City Commission Work Session (Attachment E) shows that the commission did not make the decision on how the remand was handled and they were not informed about what the staff was doing – including after their request. By false answers² and vagueness Tony Konkol prevented the commission from

² For example, when Mayor Neeley (00:05:05) and Commissioner Nicita (00:03:35) think the City could revise its concept plan rather than Metro revise its design type designations and question how the City will decide, Konkol doesn't reveal to them that he has told Metro that the Oregon City Commission has requested this design type change. He is acting without authority and lying to the commission and Metro about it.

Tony Konkol (00:02:29) says to the commission, "most likely in January" when the Metro schedule (Attachment F) shows the decision will be made Dec. 16, 2010.

		6	

learning what he was about finished doing with Metro without the commission's awareness or approval.

At the July 20, 2011 City Commission meeting it was decided how to proceed. "Reconsideration of the yellow areas for greater cottage manufacturing in those zones" was decided to be part of the city's remand process. (Attachment G). However, in summarizing the Commission's decision on Jan. 11, 2013, Tony Konkol omitted the Commission's decision to look at cottage manufacturing. (Attachment H). That omission continued on June 22, 2015 when Tony said to the Planning Commission that the concept plan would come up for re-adoption in the fall. He claimed erroneously that that was the City Commission's decision and he determined that none of the Planning Commissioners had institutional memory of the previous decision making.

It is false that the previous City Commission wanted a simple readoption. In addition, residential use of land included in the UGB for industrial use harms the City which needs the full measure of family wage jobs. It violates OCCP Policy 2.6.8 "... lands east of Clackamas

Community College... should be designated in a manner that encourages family-wage jobs in order to generate new jobs and move towards the city's employment goals." And it violates the public trust. Finally, the concept

plan industrial lands should be useable and not fragmented by unbuildable canyons and easements.

Oregon City could be run with just staff, but the City needs the City

Commission to oversee what is happening and ensure that it is in the public interest. When you disregard your instincts and don't guide staff, the City loses³. LUBA will defer to you, but if you go against your better judgment, it can harm Oregon City. If you let staff ignore the need for the full measure of industrial land, the City loses its opportunity to improve its job:housing ratio and its budget.

Much of your staff themselves seem concerned as indicated in their reports. They indicated the similarity of Glen Oaks to sewage moratorium areas, untested I&I needed for Glen Oaks itself, the 213/Beavercreek Rd. intersection unable to meet state standards and so forth.

³ Recently, the commission agreed Beavercreek Rd. needs 5 lanes of right of way, but you didn't require this relatively easy modification; harm, such as degradation of mobility and liveability, can come from your deferring to staff. You let the BC apartments take sewage capacity needed for Glen Oaks buildout; that could choke off build out of that neighborhood. You allowed the BC apartment developer not to contribute to the Beavercreek Rd. sewer line; that could compromise that line, needed by the concept plan area, ever being built.

ATTACHMENTS

- A. Buildable Lands (Beavercreek Rd. Concept Plan, p. 13)
- B. Land Use Sub-districts (Beavercreek Rd. Concept Plan, p. 16)
- C. "Attachment 3D Oregon City Title 4 Land Requested Changes"
- D. Metro Design Types Compared with BRCP Sub-districts
- E. Transcript of City Commission Nov. 9, 2010 Work Session
- F. Metro schedule for "2010 proposed capacity ordinance"
- G. Minutes of City Commission July 20, 2011 Meeting
- H. 1/11/2013 Staff Report on Beavercreek Rd. Concept Plan

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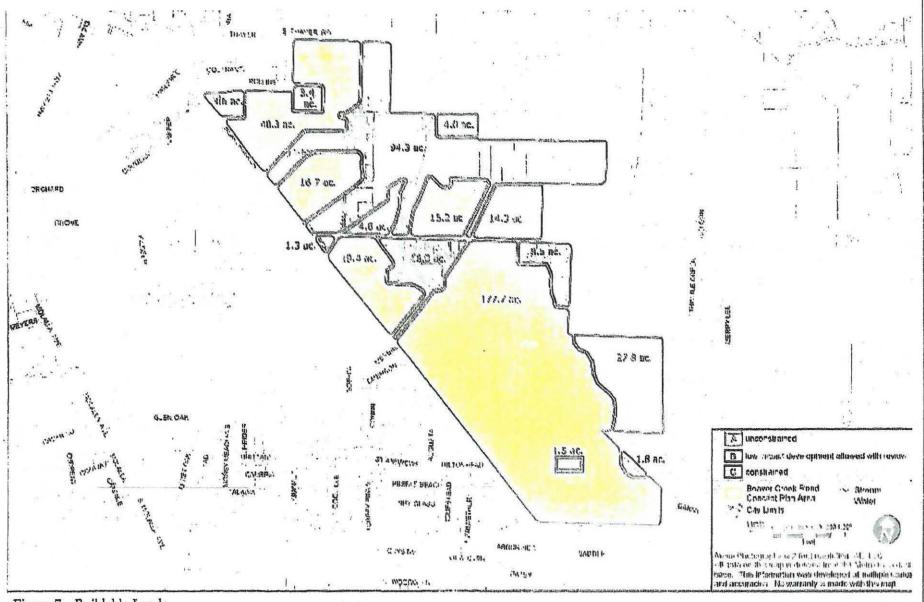


Figure 7 - Buildable Lands

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Land Use Sub-Districts

16

Figure 8 illustrates the five land-use "subdistricts" of the concept plan area. Each has a specific focus of land use and intended relationship to its setting and the plan's transportation and open space systems. Each is briefly described below and illustrated on Figures 9 through 12.

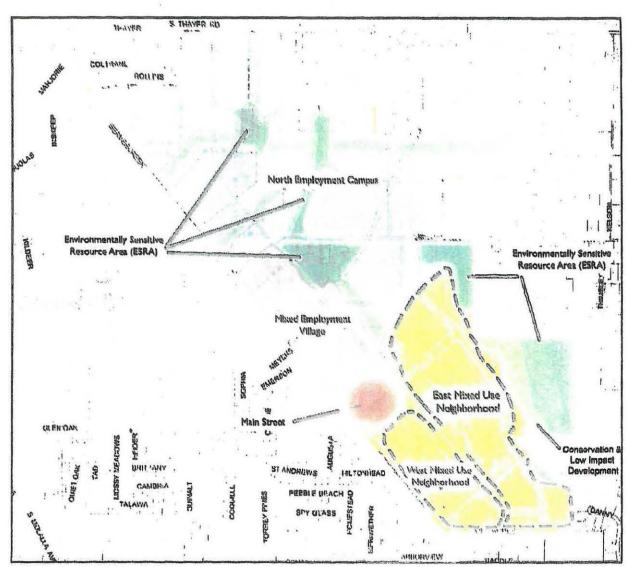
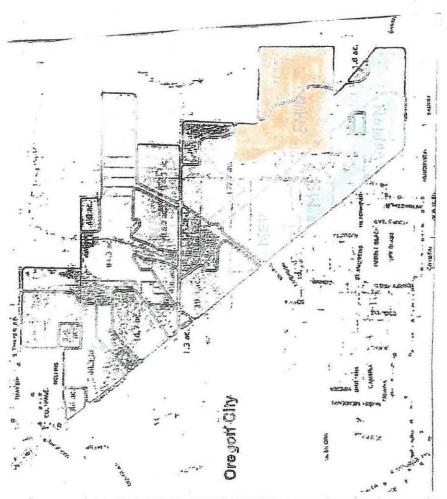


Figure 8 - Land Use Sub-districts

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ACHMEN S CARAIR CT **ATTACHMENT 3D** SUGARPINE ST NUTWEG LN **Oregon City Title 4 Land Requested Changes** S FORES City boundary Urban growth boundary IRA LN UGB additions 2002/2004 THAYER RD **Employment land** STHAYER RD COLTRANE ST Industrial land Title 4 change STITICT ROLLINS 5 Industrial to neighborhood LODER RD S-LODER RD-S THIMBLE CREEK OR Oregon City HIGH SCHOOL AVE EL SON CT MEYERS RD SOPHIACY SNNIE CT TANNERY ST GLEN OAK RD MOSSY MEADOWS AVE NESTEAD DR ORACE PINES DR. ANGUSTA DR. ANGUSTA DR. HEIDER DR QUINALT DR COQUILLE DR PEBBLE BEACH DR TALAWA DR SPY GLASS LN 2 SADDIE LA S OLD ACRES LIN 8209 Item 20 Page 11629

ATTACHMENT D



Map Color	Metro 2040 Gnowth Concept Design Type	UGB Expansion	City Zoning or County	Acreage.	Record page
Pink	Industrial	2002		245	42, 1524 & 725, Appendix B
Orange	Industrial	2004		63	42, 1524 & 725, Appendix B
Yeliow	Employment	Pre-existing	Campus Industrial	~50	44, Appendix B, 1524 ·
Green	Employment	Pre-existing	County .	~14	Appendix B
Blue	Outer Neighborhood	Pre-existing	County	~74 ~2	1524 & 725, 42, 801, 1525, Appendix B
			Loder Rd.	5	Rec. 44

		* *

ATTACHMENTE

City Commission Work Session

November 9, 2010 http://oregon-city.granicus.com/MediaPlayer.php?view_id=6&clip_id=519

Doug Neeley, City Commission President 00:00: 17 And with that we will go ahead and convene the work session. And have the roll call.

[Roll Call: Wuest, Smith, Nicita, Neeley]

Neeley: Does anyone have any future agenda items for the current commission?

Jim Nicita, City Commissioner (00:00:39): Uhm, I do. Uhm I'd like to uhm There has been some discussion recently. And I have just caught glimpses of it being mentioned and I'd like to have a fuller discussion and what it relates to is the effort of City to work with Metro on having uhm whatever its standards are regarding what they have set up for the Beavercreek Concept Plan area to be reconfigured and rezoned to conform to with the Beavercreek Concept Plan. I have never been completely sure what that is all about uhm but I think I would like to have a deeper discussion of that.

Neeley: I think that's fine. And I think we'll have our attorney here to participate in that study session

Nicita: What's the timeline on that?

[City Administrator] (00:01:40): So just so I am clear you want a work session perhaps on the Metro plans and how they mess with our Beavercreek concept plan.

Neeley (00:01:4): Yah, in terms of the appeal, right?.

Nicita: Yah, there is a land use appeal that got remanded to us regarding Beavercreek and we have to address that some how. And the discussion that I think I have heard from you Tony was that part of one of the options and there are actually going to be some Metro hearings on this in the not too distant future about whether we are going to conform to Metro's prototypes or we're going to have to ask Metro to change theirs to conform to ours. I am not sure what all that is

about and I would like to have a deeper discussion about that uhm and I was wondering if you know the time lines are for the Metro hearings on that.

Konkel (00:02:29): So, so, right now we have these design types from Metro and one of the main findings on the remand from LUBA was that the concept plan didn't conform to the design types on the Metro urban design type map. So right now Metro is going through their hearing process and they're going to change the employment designation on their 2040 map that we need to comply with to match the Beavercreek concept plan so that's what they are going through right now. They're going to start their hearings in uhm mid December, it's probably, most likely in January I imagine uhm in order to get through all the information so that would be then Metro would make that decision to amend their 2040 design type map and then obviously their decision is appealable through that process. Once that decision is final, we would come back through the city commission to make new findings demonstrating compliance with the 2040 map as newly adopted.

Nicita (00:03:35): I think the issue that I am confronting that I want to discuss either during a work session in December or before hand and if that is what Metro's hearing schedule is on is I don't know that uhm the commission ever, ever requested... I can't remember during my tenure. Or whether it might have happened before hand. I am not sure how this city arrived at the decision to ask Metro to change its design type to conform to the Beavercreek [microphone dimmed] concept plan rather than us reconforming the concept plan according to the LUBA remand to conform with their design type. I don't know what is preferable I am just I am just completely unaware of what the processes have been what the considerations have been. Uhm And I think that is a commission decision, uhm but I don't know when or how that decision was made. And that is why I want to go into it in some detail.

[City Administrator]: Well let me let me suggest that we can do a little research on that and get back to the council with something in writing for you first. And then if you get the information you need from that in the meantime it looks like Metro they're going to be getting closer to making some decisions on that too. So why don't we produce that first and then if you still want if there is a need for more discussion at a workshop or another decision we can accommodate that too.

Neeley (00:05:05): I just have one question of follow up that I will address to Mr. Konikl. Did the remand go back to Metro though and not to us? Or do you know? If you don't know that off hand.

Koncl: I don't know that off hand. It was a Metro requirement but it was our decision so we were remanded.

Neeley: It's just that Metro is the one that is addressing it and not us.

Konkol: It was a Metro code criteria that was very vague.

Neeley: Alright, well, is that alright for you?

Nicita (00:05:36): Yes, I have another item.

ATTACHMENTF



2010 proposed capacity ordinance

The Metro capacity ordinance proposes to amend regional policies with the intent of focusing more of the region's residential and employment growth, over the next 20 years, inside the current urban growth boundary to create safe, livable communities, promote economic development and good jobs, and protect our natural areas.

The capacity ordinance includes policies aimed at:

- Prioritizing regional investments to support development in town and regional centers,
 employment areas and transportation corridors, in order to promote compact urban form,
 reduce greenhouse gas emissions, and get more out of investments already made in these areas
- Protecting industrial lands from conversion to non-industrial uses, such as for places of assembly, schools and parks, in order to preserve that land to meet needs for new manufacturing jobs
- Making town centers and areas along major streets and transit corridors more walkable and convenient for all modes of travel
- Planning more thoughtfully for future expansions of the urban growth boundary, ensuring that there are public structures and financing available – from private and public sources – <u>before</u> the UGB is expanded so that growth and development can be supported once a UGB expansion occurs
- · Providing more housing choices for people at all income levels in future UGB expansion areas

It is anticipated that, by adopting the capacity ordinance, the Metro Council will accommodate at least half of the expected residential and employment growth that our region will see over the next 20 years, within the current urban growth boundary. Any remaining amount of growth not accommodated by the capacity ordinance will be considered by the Metro Council through possible UGB expansions sometime in 2011.

Public hearing schedule for capacity ordinance

5 p.m. Monday, Nov. 29 — Clackamas County Public Services Building, 2051 Kaen Rd., Oregon City

5 p.m. Thursday, Dec. 2 — Hillsboro Civic Center Auditorium, 150 E. Main St., Hillsboro First read of ordinance

5 p.m. Thursday, Dec. 9 — Metro Council Chamber, 600 NE Grand Ave., Portland Vote on amendments

2 p.m. Thursday, Dec. 16 — Metro Council Chamber, 600 NE Grand Ave., Portland Second read of ordinance, review of public testimony, final decision

Written and oral public testimony will be taken at each public hearing. Comments may also be sent to 2040@oregonmetro.gov. The Metro Council is scheduled to vote on the proposed capacity ordinance at its Dec. 16 meeting.

ATTACHMENT

P.4.

CITY OF OREGON CITY CITY COMMISSION **MEETING MINUTES**

July 20, 2011

1. Convene Regular Meeting of July 20, 2011, and Roll Call

Mayor Neeley called the meeting to order at 7 p.m.

Roll Call: Mayor Doug Neeley; Commissioner Betty Mumm; Commissioner James Nicita; Commissioner Kathy Roth; and Commissioner Rocky Smith, Jr.

Staff

David Frasher, City Manager; Ed Sullivan, City Attorney; Mike Conrad, Police Chief-

Present: Public Safety Director; Scott Archer, Community Services Director

Community Development Director, David Wimmer Plan was remanded was the City relied Human Resources Director Mastrial land, and LUBA found even though Metro said it Recorder; and Egit their map. Staff asked for the limited remand because things had

ged since the original adoption that needed to be included in the plan.

MAIN MOTION:

Motion by Commissioner Betty Mumm, second by Mayor Doug Neeley to remand the Beavercreek Road Concept Plan to the Planning Commission and reopen the record for a limited purpose of addressing the protection of industrial lands, transportation, utility and service adequacy, and that the public hearings would not commence until the Department of Land Conservation and Development staff report had been issued.

AMENDMENT #1:

Motion by Commissioner James Nicita, second by Commissioner Kathy Roth to amend the motion to add reconsideration of the yellow areas for greater cottage manufacturing in those zones.

VOTE ON AMENDMENT #1:

A roll call was taken and the motion passed with Commissioner James Nicita, Commissioner Kathy Roth, and Commissioner Rocky Smith, Jr. voting ave and Mayor Doug Neeley, Commissioner Betty Mumm voting no. [3:2:0]

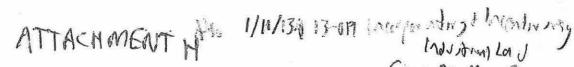
VOTE ON MAIN MOTION, AS AMENDED:

A roll call was taken and the motion passed with Mayor Doug Neeley, Commissioner Betty Mumm. Commissioner James Nicita, Commissioner Kathy Roth, and Commissioner Rocky Smith, Jr. voting aye. [5:0:0]

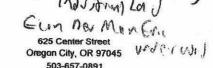
Canemah Neighborhood Park Playground Equipment Purchase and Install Agreement

Mr. Archer stated construction was underway at Canemah Park. The playground was being done as a separate item to involve the neighborhood in the design. The neighborhood volunteered to install the playground equipment which would save \$12,000. The purchase of the equipment was being done through the State procurement process. The total cost of the project was \$92,118 and was well within the budget.

City Commission Minutes July 20, 2011 Page 4 of 6









Staff Report

File Number: 13-049

Agenda Date: 1/11/2013

r iic realliber. 10-0-10

To: City Commission

From: Community Development Director Tony Konkol

Status: Agenda Ready

Agenda #:

10

File Type: Report

SUBJECT:

Beavercreek Road Concept Plan

RECOMMENDED ACTION (Motion):

Goal 4: Enhance the Livability of the Community

Milestone: Complete the adoption process of the Beavercreek Road Concept Plan

BACKGROUND:

The Beavercreek Road Concept Plan was adopted by the City Commission in September of 2007 and was subsequently appealed to the Land Use Board of Appeals and remanded to the City in August, 2008. In December, 2010 the Metro Council adopted Ordinance 10-1244B, which reduced the amount of land designated for industrial use in the Title 4 Employment and Industrial Areas map to conform to the City's Beavercreek Road Concept Plan, reflecting the determination that the region had sufficient employment capacity for the next 20 years. Ordinance 10-1244B, which also includes the expansion of the Urban Growth Boundary throughout the region, was submitted to the Land Conservation and Development Commission (LCDC) in May of 2012. A decision was issued by LCDC in December of 2012, and is premised on a separate issue, the urban and rural reserves decision, which is currently pending a hearing before the Court of Appeals. The deadline to appeal the LCDC decision is January 11, 2013, through there is a possibility that the court will hold the UGB/Title 4 appeal in abeyance until the urban and rural reserve decision is issued.

In July of 2011, the Beavercreek Road Concept Plan adoption process was discussed with the City Commission and the recommendation was to remand the concept plan to the Planning Commission and re-open the record for the limited purpose of addressing the protection of industrial lands and transportation, utility and service adequacy and that the public hearings would not commence until Department of Land Conservation and Development staff report had been issued.

In light of the reliance of the UGB/Title 4 decision on the outcome of the urban and rural reserves decision, additional delays in processing the concept plan are expected.

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November 23rd, 2015

City of Oregon City City Commission Meeting

Testimony of Christine Kosinski, Unincorporated Clackamas County

RE: File LE 15-0003 Re-Adoption of The Beavercreek Road Concept Plan State Goal 7, Failure to meet State Goal 12 Title 4 ORS 105.465 – Real Estate Disclosure Law

I request that the City keep the hearing open and continue it, giving the Planning Commission the time needed to research and validate the fact that homeowners in the Holly Ln neighborhood, as well as many other citizens of Oregon City, are unable to obtain Landslide and Earthquake Insurance to cover any losses they may incur. Your research will lead you to understand that the City and County must go to the State and Federal Government to legislate plans for Hazard/Landslide/and Earthquake insurance. Until this is done, for the City to approve continuous development in hazardous areas and not tell new property owners that their property lies in a landslide zone and NO Landslide or Earthquake insurance is available, this would simply be perpetuating a lie. See attached article from "Professor Scott Burns" which validates that Landslide insurance does not exist.

The City has NO Transportation System Plan to move traffic from Beavercreek Road to the I-205 transportation corridor.

Your Number ONE priority "is to protect the safety of the people", but you fail miserably. The people of Holly Ln came before you many times, filling your chambers, testifying to the many Landslide and Safety Issues existing on Holly Ln, they begged you to take Holly Ln out your TSP, but the City refused, even knowing future expansion of Holly Ln would jeopardize the safety and the lives of the people living here. (failure to meet requirements of Goal 7)

The Landslide in Oso, Washington, took the lives of 43 innocent people. These people lost everything, their lives, their homes, their families, absolutely everything because they COULD NOT get Landslide Insurance. The State of Washington now has a task force working to vastly improve their regulations over hazardous areas of landslides.

Two weeks ago, I testified that Lloyd's of London will not underwrite Landslide/Earthquake coverage if property is within one mile of a previous landslide. Therefore, the numerous landslides on Henrici Rd, at Beaver Lake, on Thayer & Hwy 213, all of these will virtually make it impossible for homeowners in the Beavercreek Plan to obtain Landslide/Earthquake Insurance. (failure to meet requirements of Goal 7)

All developments in the hilltop area, Beavercreek & Meyers, the Enterprise Zone, Beavercreek Rd Concept Plan, Old Bus Barn, all are affected by the inability to purchase Landslide/Earthquake insurance, Thus, my suggestion to Oregon City to meet with the State and Federal Governments to develop a plan to cover these areas with risk insurance. This must be done prior to any approvals for development. The City is tasked, by State Law, to "protect life and property from natural disasters and hazards." (failure to meet requirements of Goal 7)

DATE RECEIVED: 11/23/2015
SUBMITTED BY: CHRISTINE KOSING
SUBJECT: LE-15-0003

Your Number One responsibility is to "protect the people." If you approve this plan then you are just continuing to perpetuate a big lie to the people. You are not protecting them when you approve development in hazardous areas and where the people can't get insurance to cover their losses. By your reluctance to act, you are killing citizens should a disaster strike. You are placing people in dangerous situations without their knowledge. Let me ask you, just how many SDC's in money is worth a human life? In Oso, Washington, 43 human lives were lost due to government's failure to act and protect the people. Will you do the same? State Law demands more of you, it demands the full truth!

The Beavercreek Rd Concept Plan should not be approved for all the above reasons, as well as all additional reasons listed below:

Failure to meet requirements of Goal 12
Failure to upgrade City Comprehensive Plan (must be done every 5 years)
Failure to Protect the Safety of the People
Failure to support State Law ORS 105.465 – Real Estate Disclosure Law
Beavercreek Plan approved by City against the will of the people
Failure to listen to the people and allowing them to participate in every part of development
City has NO Transportation Plan to move traffic from hilltop to the I-205 Transportation Corridor
City continues to refuse to take Holly Ln out of the TSP, even realizing the danger to their lives.
City should take Thayer Rd, Maplelane, Morton Rd, Holly Crest, Donovan out of TSP for slides.
City continues to approve development in hazardous areas of steep slopes and landslides
City has failed to upgrade their Landslide Regulations, using City of Salem Template
City has not changed Landslide Regulations as suggested by GRI Consultants – Park Place Plan

City has not been pro active in meeting with State/Federal Government to provide insurance coverage for homeowners living in hazardous areas who are unable to obtain insurance for their losses.

City has not placed a temporary stop on development in risk areas, pending legislation from the State.

City lacks Infrastructure to develop in the Hilltop area, not enough water, close to moratorium in some areas due to sewer incapacities as well as storm water, no roads, no transportation system.

City continues to develop on Beavercreek Rd even though Beavercreek & Hwy 213 is failing.

Comply with SB 1211 (1997)

A Call For Landslide Insurance For Homeowners

By <u>DAVID HYDE (/PEOPLE/DAVID-HYDE)</u> & <u>MARCIE SILLMAN (/PEOPLE/MARCIE-SILLMAN)</u> • MAR 26, 2014

Twitter (http://twitter.com/intent/tweet?url=http%3A%2F%2Fwww.tinyurl.com%2Fk9hh9uk&text=A%20Call%



 $(http://mediad.publicbroadcasting.net/p/kuow/files/styles/x_large/public/201403/osomudslide-GovInsleeaerial1.jpg)\\$

The death toll continues to rise as crews search under the debris after Saturday's mudslide in Oso.

FLICKR PHOTO/GOVINSLEE (CC-BY-NC-ND)

Listen

6:31



Marcie Sillman talks with Scott Burns (http://geology.pdx.edu/node/67), a geologist and landslide expert at Portland State University, about how he hopes the tragedy in Oso will lead to landslide insurance for homeowners and better landslide hazard maps to prevent future devastation.

Sillman: Where in Washington state do we have good landslide hazard maps?

Burns: One of the best ones is down in Cowlitz County. They had the 1998 landslide, the Kelso landslide, which was an incredible landslide that destroyed 60 houses. [Department of Natural Resources] in Washington responded and put out what I think is an excellent example of landslide susceptibility or hazard mapping for that county.

Sillman: It sounds like a great idea in response to a tragedy. Why don't more cities or counties act proactively to get good landslide hazard mapping?

Burns: I wish they would, but every county budget or city budget is stressed. They just don't have enough money. Unless they are pushed to the point of being asked to do that, they won't spend money for that.

We have the ability to make really, really good maps because we have LIDAR, which is this laser imaging system where we can see right through the trees, see the ground, and see where past landslides have occurred. That's the first step in making a really good quality map.

Sillman: The Army Corps of Engineers did have a report on the risk of a catastrophic slide [near Oso] that dated back to 1999. We spoke to the author of that particular report, Dan Miller, yesterday. Would better information or better mapping necessarily have made people safer?

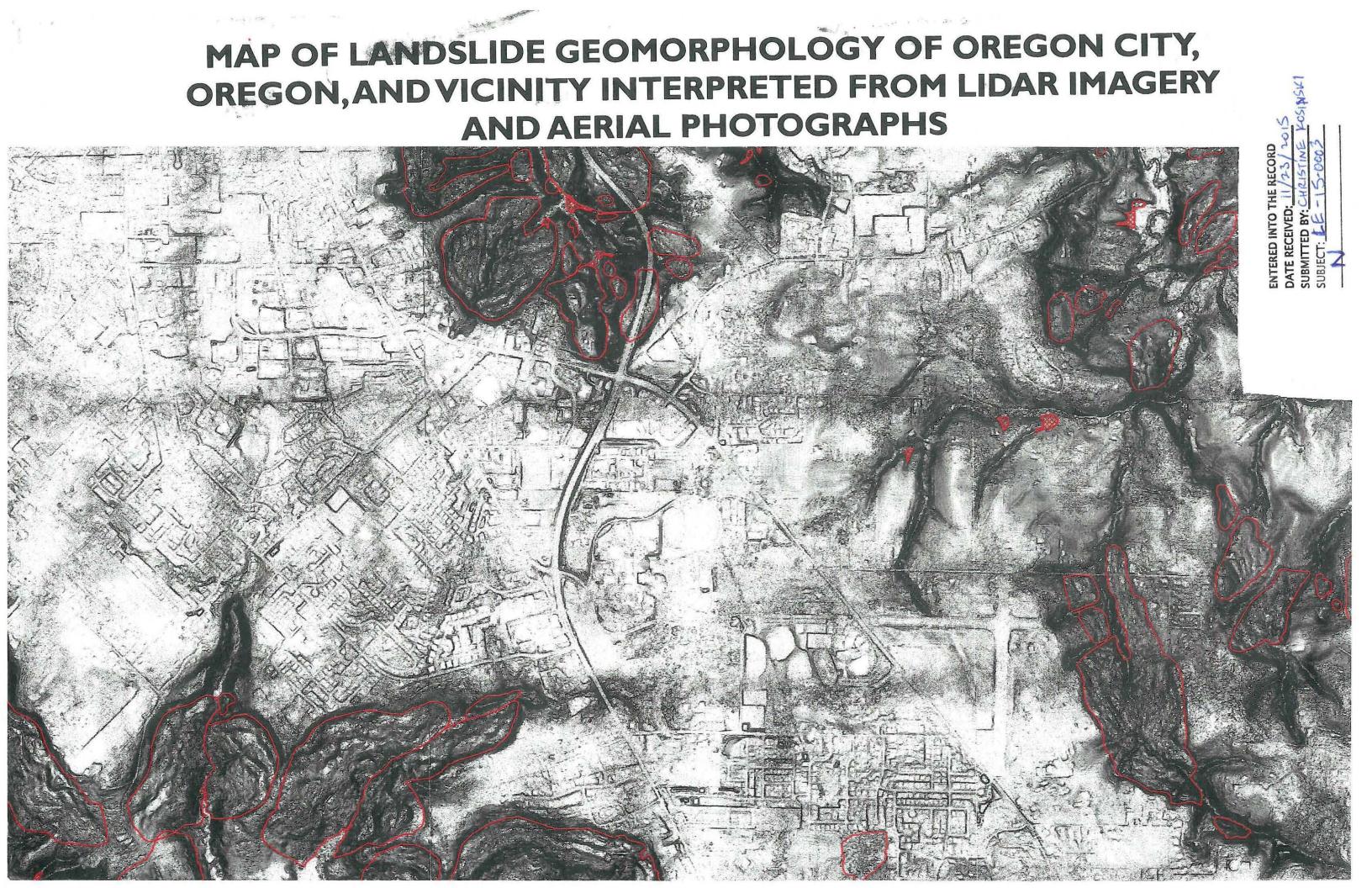
Burns: It's all a communication thing. Dan Miller's report was excellent. So, the county had the information. The problem is that it did not get communicated to the commissioners in the county or the land-use planners. And they should have not allowed those permits to have been given.

Sillman: One of the issues in this whole tragedy is landslide insurance. Why do you think that landslide insurance is a key to make people safer?

Burns: This is the last of the major geological hazards that normal homeowner's insurance does not cover, and it is rare that people will get landslide insurance. You can buy it through Lloyd's of London. They're the ultimate insurers, but it's so expensive — a minimum of \$1,000 a year and it goes up from there.

All those people who lost their houses in the Oso landslide have lost everything, and there's no insurance covering them. We lost lives. That is the worst thing. But then property is the second thing. Hopefully, this will be enough of an impetus to take us to the next level and put more pressure on insurance companies to possibly come forward with landslide insurance.

A great example is New Zealand, where I used to live. I was down in the country when they had the big earthquake a couple of years ago. Every house in the country has all-hazard insurance, which covers earthquakes, floods, volcanic eruptions, tsunamis and landslides. Everybody pays into this, so if you have an event you're covered. I'm hoping that someday we get to that level here in the United States. It's going to take time.







625 Center Street | Oregon City OR 97045 Ph (503) 657-0891 | Fax (503) 657-7892

December 14, 2015

Vanessa Vissar TriMet 1800 SW 1st Avenue, Suite 300 Portland, OR 97201

RE: Draft SE Service Enhancement Plan

Miss Vissar:

We are pleased to see the proposed increase in service in Oregon City! The draft SE Service Enhancement Plan includes increased frequency during the week, the addition of service hours on weekends. We welcome these enhancements as they showcase the importance of a public transportation system and strengthen the value of this resource. Additionally, we would like to see planning for the following future areas:

Meyers Road Extension

Oregon City, Clackamas Community College (CCC) & the Oregon City School District continue to work together to get Meyers Road extended to Hwy 213. This extension of Meyers Road will allow:

- Increased Safety & Efficiency: Routing TriMet buses through the Community College and out Meyers Road once it is constructed provides better flow and safer routes.
- *Spur Development of Industrial Sites:* Properties along the Meyers Road extension are projected to bring over 1,000 family wage jobs, helping to support the region's economic growth.

Clackamette Cove Development

The Clackamette Cove comprises approximately 80 acres of land and water just north of historic downtown, and is easily accessible from Main Street. The proposed project includes 439 dwelling units, 85,000 sf of general office, 15,000 sf of restaurants, 50,000 sf of medical/dental office space, a marina with private boat docks, and a public park surrounding the Cove.

• *Expanded Service:* We would love to see service to this area in the future to serve this upcoming development.

TriMet Service Enhancement Plan Comments December 14, 2015 Page 2

South Oregon City Community/Jobs Connector Shuttle

Oregon City looks forward to working with TriMet, Clackamas County and Clackamas Community College on the opportunity to implement a shuttle between the current Oregon City Transit routes and Clackamas Community College, through the southerly areas of Oregon City. This service will provide necessary transportation connections.

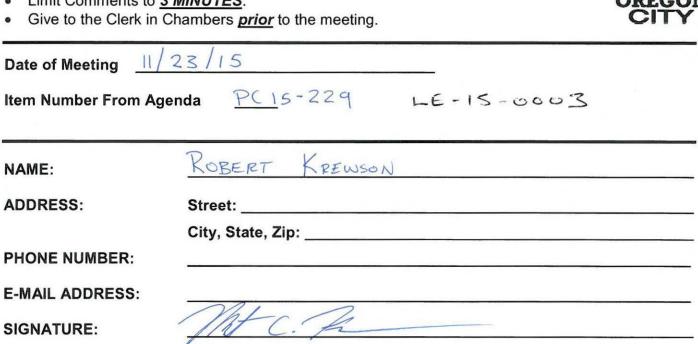
- *Economically Distressed:* Business Oregon considers Oregon City as a distressed City in 2015, the factors that contribute to this are lower than state average for Bachelor's Degree or higher, higher unemployment rate than state average and lower than state average per capita personal income. All factors that could be improved with increased transportation options to CCC.
- Access to Education: Improving access to CCC will allow more residents access to higher education and career technical education programs, 20% of students have cited transportation as a significant barrier to education. This is a key component of expanding the pool of trained workers in the region.
- South End Concept Plan: In April 2014 the City adopted the South End Concept Plan. This work included looking at how to serve this future development area with Transit. One option in the plan included a new local loop route that connects to the Oregon City Transit Center and serves the South End Concept Plan area, and the residential areas along South End Road, Partlow Road, Central Point Road, Warner Parrott Road, Canemah Road, Telford Road, and Center Street not currently served by transit.

Thank you for allowing us the opportunity to comment on the Draft SE Service Enhancement Plan. Public transportation performs a significant role in finding solutions to the many challenges facing our residents today.

Sincerely,

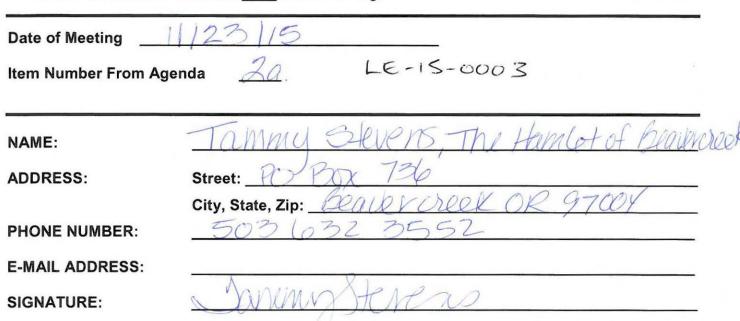
Public Works Director

- SPEAK INTO THE MICROPHONE AND STATE YOUR NAME AND RESIDING CITY
- Limit Comments to 3 MINUTES.





- SPEAK INTO THE MICROPHONE AND STATE YOUR NAME AND RESIDING CITY
- Limit Comments to <u>3 MINUTES</u>.
- Give to the Clerk in Chambers prior to the meeting.





- SPEAK INTO THE MICROPHONE AND STATE YOUR NAME AND RESIDING CITY
- Limit Comments to 3 MINUTES.
- Give to the Clerk in Chambers <u>prior</u> to the meeting.



Date of Meeting	11-23-15
Item Number From A	genda <u>2a</u> LE-15-0003
NAME:	Norm Andreen
ADDRESS:	Street: 15331 S. Tioga Rd.
	City, State, Zip: Oregon C. ty, Or 97045
PHONE NUMBER:	503-632-4338
E-MAIL ADDRESS:	nandreen @ bet online. com
SIGNATURE:	Tomostydsen



PLEASE PRINT CLEARLY

- SPEAK INTO THE MICROPHONE AND STATE YOUR NAME AND RESIDING CITY
- Limit Comments to 3 MINUTES.

Item Number From Agenda

Date of Meeting

NAME:

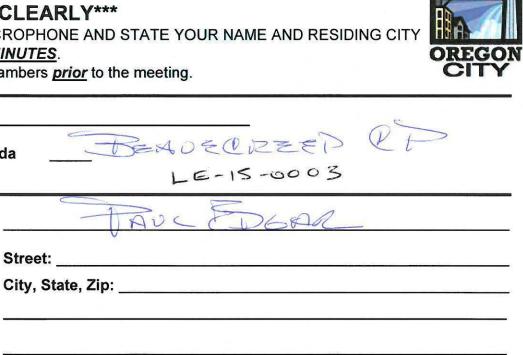
ADDRESS:

PHONE NUMBER:

E-MAIL ADDRESS:

SIGNATURE:

Give to the Clerk in Chambers prior to the meeting.





- SPEAK INTO THE MICROPHONE AND STATE YOUR NAME AND ADDRESS
- Limit Comments to 3 MINUTES.
- Give to the City staff in the Chambers prior to the meeting.



Date of Meeting	11/23/2015 LE-15-0003
Item Number Fro	m Agenda Deaver creek
NAME:	James Nicola
ADDRESS:	Street: 300 Blue Street
	City, State, Zip: Oregul Con 9704
PHONE NUMBER	07 - 0 9 9 7 0 0 -
SICNATURE.	

- SPEAK INTO THE MICROPHONE AND STATE YOUR NAME AND ADDRESS
- Limit Comments to 3 MINUTES.
- Give to the City staff in the Chambers prior to the meeting.



Date of Meeting	11-23-15	
Item Number From Age	enda Za	LE-15-0003
NAME.	Rlian loss to	h Graceral indien
NAME:	Street: 2134	1 5 Formion led
ADDRESS:	City, State, Zip:/	3-Parer 12 0 12 9 7-00 4
PHONE NUMBER:	503 632-5	56B
SIGNATURE:	Elizald	et govern

- SPEAK INTO THE MICROPHONE AND STATE YOUR NAME AND ADDRESS.
- Limit Comments to <u>3 MINUTES</u>.
- Give to the City staff in the Chambers prior to the meeting.



Date of Meeting				
Item Number From Agenda - Read of tion of Be avarage K Courept Plan				
NAME:	Your Meeley			
ADDRESS:	Street: 11614 Par vis a Rd			
	City, State, Zip: Overy Overyon 4 7045			
PHONE NUMBER:	503-650-5035			
SIGNATURE:	Day Wally			

- SPEAK INTO THE MICROPHONE AND STATE YOUR NAME AND RESIDING CITY
- Limit Comments to <u>3 MINUTES</u>.
- Give to the Clerk in Chambers <u>prior</u> to the meeting.



Date of Meeting Item Number From A	11-23-15 genda BERVERCKEEK PLAN LE-15-0003
NAME:	CHRISTINE KOSINSKI
ADDRESS:	Street: HOLLY LN
	City, State, Zip:
PHONE NUMBER:	
E-MAIL ADDRESS:	
SIGNATURE:	Christini Korashi

- SPEAK INTO THE MICROPHONE AND STATE YOUR NAME AND ADDRESS
- Limit Comments to <u>3 MINUTES</u>.
- Give to the City staff in the Chambers prior to the meeting.



Date of Meeting	3-20 11-23-2015
Item Number From Agen	LE-15-0003
2a. PC-15-	229
NAME:	Rose Holden
ADDRESS:	Street: 20124 S Beavercreek Rd
	City, State, Zip: Oregon City Op 97045
PHONE NUMBER:	503 807 8865
SIGNATURE:	Roseffolden



EXHIBITS ENTERED INTO THE RECORD AT A HEARING



Community Development Department, 221 Molalla Avenue, Suite 200, P.O. Box 3040, Oregon City, OR 97045, (503) 722.3789 www.orcity.org

Hearing Date: 11/23/2015

File Number: LE-15-0003 - Beavercreck 12oad Concept Plan 12eadoption

Exhibit Number:	Description of Exhibit:	Submitted By:		
A	LUBA Nº 2008-170 FINAL OPINION & ORDER	STAFF		
B	GIVEN TO COMMITTEES (ELECTRONIC)	STAFF		
C	HOME OCCUPATION CODE 17.04.580	STAFF		
D	LETTER FROM TIM OBRIEN-	STAFF		
E	POWERPOINT PRESENTATION	STAFF		
F	EMAILE - OCSD - Wes Rogers	STAFF		
G	JULY 20, 2011 CITY COMMISSION MINUTES	JAMES NICITA		
H	LUBA # NO- 93-154	JAMES NICITA		
I	TAMMY STEVENS TESTIMONY	HAMLET OF BEAVERCREEK		
J	CRW , JULY 23, 2015	14		
K	213/ BRCR RD INTERSECTION O.C. URBAN RENGUAL MEMO 9/9/93	11		
L	FLIP CHART OF PEVELOPMENT TRANSPORTATION 30" × 40"	H		
M	TESTIMONY	Elizabeth Graser-		



EXHIBITS ENTERED INTO THE RECORD AT A HEARING



Community Development Department, 221 Molalla Avenue, Suite 200, P.O. Box 3040, Oregon City, OR 97045, (503) 722.3789 www.orcity.org

Hearing Dat	te: $\frac{11/23/2015}{}$	n
File Numbe	r: LE-15-0003 - Beavercreek Concept Plan	Re-adoption.
Exhibit Number:	Description of Exhibit:	Submitted By:
N	Landslide Map Testimony about Landslide Fusurance	Christine Kosinski
		*



City of Oregon City

625 Center Street Oregon City, OR 97045 503-657-0891

Meeting Minutes Planning Commission

Monday, April 8, 2013 7:00 PM Commission Chambers

1. Call To Order

Chair Kidwell called the meeting to order at 7:06 PM.

Present: 7 - Paul Espe, Zachary Henkin, Damon Mabee, Denyse McGriff, Robert

Mahoney, Charles Kidwell and Tom Geil

Staffers: 5 - Tony Konkol, Carrie Richter, Laura Terway, Christina Robertson-Gardiner

and John Lewis

3. Public Comments

There were no public comments.

4. Public Hearing

PC 13-027

Pavilion Park 2: Request for an 11-Lot Subdivision, Zone Change and Geologic Hazards review.

Chair Kidwell reopened the public hearing.

Laura Terway, Planner, stated the applicant was requesting a continuance to April 22, 2013, to address concerns about storm water.

Tracy Owens, resident of Oregon City, lived across the street from the property. Her concern was about the smaller size lots which added more cars to the area and caused a safety issue. She had young children and there was already a problem with speeding. There were also issues with water drainage.

Linda Stroehecker, resident of Oregon City, lived adjacent to the property. She appreciated that City staff had come to look at the problems on her property that she discussed at the last public hearing on this application. She was concerned about chemicals in the water that ended up dumping onto her property. Regarding the rezoning to an R-6, the more houses that went up around her the more sunlight was blocked from her property in the backyard which kept it damper with the water.

Commissioner Geil was concerned about the driveways going onto Pease Road and suggested putting in a side road instead.

A motion was made by Commissioner McGriff, seconded by Commissioner Espe, to continue TP 12-04, with public comment to remain open, to April 22, 2013. The motion carried by the following vote:

Aye: 7 - Paul Espe, Zachary Henkin, Damon Mabee, Denyse McGriff, Robert Mahoney, Charles Kidwell and Tom Geil

PC 13-026

Clackamas County Red Soils Master Plan: Planning Files CP 12-01 and DP

12-01.

Chair Kidwell reopenend the public hearing. He read the hearing statement describing the hearing format and correct process for participation. He asked if the Commission had any ex parte contact, conflict of interest, bias, or statements to declare.

Commissioner McGriff spoke with the County's representative for clarification on the proposed iron fence.

Commissioner Mabee visited the site.

Chair Kidwell was familiar with the site and had been to the site on several occasions.

Ms. Terway presented the staff report. She explained the subject site in the Redsoils campus off of Beavercreek Road owned by Clackamas County and adjacent properties, master plan amendment to include the Silver Oak site for the Sheriff's evidentiary storage facility, Detailed Development Plan, revision to the 12 foot chain link fence to an 8 foot wrought iron fence, landscape mitigation, and Oregon City Municipal Code adjustments. Staff recommended the applicant have three months after occupying the Silver Oak facility to complete all of the construction before occupying it for evidentiary storage use. The building could be used for office without any approval from the Planning Commission. Staff recommended approval with conditions.

Becky Epstein, SERA Architects, and Kevin Poppin, Clackamas County Sheriff's Department, were the applicants.

Commissioner Mahoney disclosed he was the next door neighbor of Mr. Poppin.

Ms. Epstein said there would be other tenants in the building, not just the Sheriff's department. The State's court records facility and emergency management would also use the building. She explained the wrought iron fence proposed and passed around a sample.

Mr. Poppin said the storage of evidence was vitally important and discussed how this site would have daytime shifts instead of 24 hour shifts and security was a concern. The fencing would not provide guarantees that there would not be a breaching of security, but it would provide additional deterrant as one of the security measures in place.

Commissioner Mabee was concerned about children running into the fence since the park was nearby.

Ms. Epstein said the colors for the fence would be black for the infill material and the columns would be painted the same color as the building. They could occupy the building now for office and other storage, but when evidence and State court records went in they would need the fence to be up.

Mr. Poppin said there would be many security measures and a monitoring system for the building.

William Gifford, resident of Oregon City, was the Land Use Chair for the Hillendale Neighborhood Association. He thanked the applicant for their response to the neighborhood's concern about the fence. He thought it would provide the security needed and with the additional landscaping in front of it, it would be adequate for the neighborhood. He asked about the conditions of approval regarding replacing

existing fencing that did not specify the material for the fencing.

Ms. Terway said it did not specify material because the applicant did not propose any adjustments and it would have to be a permitted material either in the current Code or the Code that was in place when the master plan was approved in 2005. Chain link was a permitted material in 2005.

Mr. Gifford asked if landscaping included fencing? Ms. Terway said all development proposed had to be completed within three months which would include the landscaping and fence.

Mr. Gifford clarified the fence columns would be every 48 feet. He discussed buildings 11 and 12 which were for retail and office, were those the areas not to be considered for a library? The County had said no to the City purchasing property here for a new library and he did not see any footprint that would not be eligible for a library. He asked the applicant if they would look at the possibility again.

Ms. Epstein stated the court records was going to move into the building in May/June of this year and would already be in place before the evidence area. Regarding the library, it was not a conforming use on the site.

Tony Konkol, Community Development Director, said the library was not included in the original master plan that was approved. Those two buildings were later phases of the whole master plan. There was no discussion regarding putting a City facility on the County property at the time the master plan was approved. The master plan could be amended to include a library if there were negotiations in the future.

Chair Kidwell closed the public hearing.

A motion was made by Commissioner Mabee, seconded by Commissioner Henkin, to approve CP 12-01 and DP 12-01. The motion carried by the following vote:

Aye: 7 - Paul Espe, Zachary Henkin, Damon Mabee, Denyse McGriff, Robert Mahoney, Charles Kidwell and Tom Geil

PC 13-028

L 13-01: Transportation System Plan (TSP)

L 13-02: Associated Amendments to the Oregon City Municipal Code

Chair Kidwell reopened the public hearing.

Christina Robertson-Gardiner, Planner, and Ms. Terway presented the staff report. Ms. Terway gave an overview of the Transportation System Plan update. She entered the PowerPoint presentation and public comments received on the website into the record.

Ms. Robertson-Gardiner gave an update on the parking code amendments. Two districts would be created, a McLoughlin Commercial Overlay District and Downtown Parking Overlay District. She entered the revised parking overlay map into the record to extend the Downtown Overlay to the Amtrak station. She discussed a letter from Rick Williams of Rick Williams Consulting who did the parking study for downtown. Mr. Williams looked at the proposed changes and he not only supported the changes, but also suggested to continually work with the City Commission, Code Enforcement, and parking management to keep on the pulse of how to actively manage the existing on street parking. She discussed what a 25% reduction would look like for the Mcloughlin District as opposed to the 35% and what the 50% reduction for the Downtown District would look like. She then discussed the parking management for how they could be enforced. She explained these districts were for

new development for off street parking.

There was discussion regarding concerns about the parking proposal and clarifying the letter from Mr. Williams.

Commissioner McGriff was concerned about people parking in the McLoughlin neighborhood and suggested a neighborhood parking management plan before approval of the proposed change in McLouhglin.

John Ripplinger of Ripplinger and Associates gave an update on mobility standards. He discussed the shift to a volume to capacity ratio to determine the performance of an intersection and the increased congestion it would allow. There would be no performance standard applicable for minor streets. There would be more congestion than there was today during peak hours. The proposed recommendation was: where they were obligated to apply the Regional Transportation Plan within the regional center and designated arterials and corridors, the City would apply the volume to capacity ratio. For those entirely within the City's jurisdiction, the level of service standard would be retained.

Commissioner Mabee pointed out the boundary of the regional center was not adopted by the City and was something that needed to be done moving forward.

Mr. Ripplinger said they would be abandoning the am peak hour as a performance area to be analyzed and would need to change the Code language and traffic impact study guidelines to match what was adopted. The highest and second highest of the peak hours would be analyzed, which were typically the pm peak hours.

Ms. Terway said four intersections would not meet the mobility standards and were State facilities. Staff proposed to look at these four intersections in greater detail.

Gail Curtis of ODOT said the Highway Commission had recognized the problem with these intersections and had developed policy language that allowed for an alternative mobility standard. This was a region wide problem and it was possible there would be a region solution. She recommended adopting the TSP with the recommendations of staff and agree to a refinement plan effort for these State facilities that would not meet the current mobility standards in 2035. They could not build their way out of the problem and it was a balancing act between the local and State interest. The State was committed to working with the City and would help look for funding opportunities.

There was discussion regarding how the lack of capacity would affect development and the need for a refinement plan.

Ms. Terway then discussed the concerns regarding development of Holly Lane. Mr. Konkol explained what was meant by urban and rural reserve areas, Urban Growth Boundary, and City limits.

Ms. Terway said part of Holly Lane had been planned through the Park Place Concept Plan, but no planning had been done for the part outside of the Urban Growth Boundary and City limits. She said the question was how would it develop over time, was the City on the same page as the County, and how did it work with the TSP to the year 2035. Both the City and County designated the road as a minor arterial, but the County would have a rural minor arterial standard and the City would have an urban minor arterial standard. For all of Holly Lane to develop to City standards, the street would have to have a concept plan and come into the Urban Growth Boundary and be annexed.

Carl Springer, DKS and Associates, discussed the projects proposed for Holly Lane including sidewalks and better pedestrian facilities and the funding.

Paul Edgar, resident of Oregon City and representing the Citizens Involvement Council, discussed the downtown parking issue. The Clackamas County Courthouse was used by the whole county, people did not usually have a choice to come, and one in five were legally handicapped. There was no parking for the people coming to the Courthouse or the employees of the Courthouse and they wanted to reduce parking further. Tri-Met was reducing bus service and there were no handicapped parking spots downtown.

Bob Nelson, resident of unincorporated Clackamas County, submitted a letter into the record as Exhibit 2. He lived on Holly Lane and thought this would degrade the lifestyle of the current residents and increase the potential for traffic, safety hazards, and landslides. If the City upgraded the road to urban standards, 50 homes would be destroyed. He requested Holly Lane be taken out of the TSP, to stop putting more traffic on Holly Lane with other roads leading to it, and to work with the County to develop a good, viable alternative system.

Wendy Nelson, resident of unincorporated Clackamas County, submitted a letter into the record as Exhibit 3. She lived on Holly Lane and thought this fragile neighborhood needed to be protected. Increased construction and traffic would aggravate the known landslides in the area. There was already too much traffic on Holly Lane and it was too fast. It was a major route for school buses and she questioned the safety of the children. If the road did come into the City and was improved, the road would come 24 inches within her house.

Kristi Byer, resident of unincorporated Clackamas County, submitted a letter into the record as Exhibit 4. She lived on Holly Lane. Holly Lane was a narrow two lane road with no shoulder and deep ditches. It had severly limited site distance and there had been numerous accidents due to speed and traffic flow. There were pedestrians on the road as well. Since the development on Maple Lane, the number of average daily trips had increased. She suggested checking again to make sure Holly Lane traffic was not surpassing what was originally predicted by the development and school. The County had reduced the speed to 40 mph and improved a sharp curve, yet the City had not improved conditions on their boundary. Newell Creek Canyon was a protected wetlands and there would be impacts if Holly Lane was improved. The TSP was lacking in very important data and she requested the Commission answer the questions presented before moving forward with the TSP.

Jackie Calwell, resident of unincorporated Clackamas County, lived on Holly Lane. She thought it was inconsiderate of Oregon City to plan changes to Holly Lane without consideration of the impact those changes would have on the residents on Holly Lane. Those changes would adversely affect the quality of life on Holly Lane. The increase in traffic would substantially affect them.

Christine Kosinski, resident of unincorporated Clackamas County, submitted a handout into the record as Exhibit 5. She was on the hamlet of Beavercreek board and read a letter from the hamlet. Most of Holly Lane was in the boundaries of the hamlet, yet there was no representative on the City's transportation committee from the hamlet of Beavercreek to represent their concerns. The City had not addressed the speeding on Holly Lane or discussed the dramatic impacts the proposed changes would have on the hamlet of Beavercreek. The extension of Holly to Henrici was based on a concept plan that had not been approved. The hamlet of Beavercreek voted for denial of the proposed changes to the TSP based upon the lack of safety.

Ms. Konsinski then read a portion of a letter she had written regarding the landslides in the area which could not be mitigated. She explained the landslide map she provided to the Commission and the effects of widening Holly Lane. A new north/south connector needed to be created. She requested keeping the hearing open until the DOGAMI susceptibility maps were released in May and a complete geologic study was performed for the entire length of Holly Lane and the proposed extension of Holly Lane to Holcomb. She did not think a decision on the TSP could be made without this new information. The two biggest threats to Holly Lane were landslides and safety. She thought the City was liable for anyone who might be hurt on Holly Lane due to the increased traffic and speeds.

Kevin Manning, resident of Clackamas County, lived on Holly Lane. Widening Holly Lane and putting in sidewalks would make him lose his front yard, he may be forced to hook up to City sewer, and backing out into more traffic would be a problem. Currently the livability was excellent and he had invested a lot of money into his house. Now he thought he might not want to live there anymore if this was what was coming down the pike. He was behind Ms. Konsinski and her recommendations.

Donna Gates, resident on Holly Lane, lived near Redland Road and had a lot of road frontage and canyon on her property. If it had not been for filling the canyon, Holly Lane would have been washed out. If Holly Lane was enlarged, the City would have to fill in the canyon first to stabilize the road.

Leslie Fish, resident on Holly Lane, said the school buses drivers told him that they had been told to use Holly Lane and not Highway 213. There was construction at the intersection of Holly Lane and Maple Lane. The trucks far exceeded the weight limit for the bridge at the bottom of Holly Lane.

Chair Kidwell suggested keeping the record open and postponing the Commission discussion until the next meeting.

Commissioner Geil suggested adding a project D48a, which would add a natural resources evaluation with a complete geotechnical survey and wildlife impact report.

The Planning Commission was meeting in a joint Work Session with the City Commission on April 9 to discuss the hot topic issues. The parking proposals and parking management plan, Courthouse parking, Holly Lane, regional center adoption, and refinement of the mobility standards would be issues brought back to the next Planning Commission meeting on April 22.

Commissioner McGriff encouraged the residents on Holly Lane to be involved in the County's Transportation System Plan update process as well. The County would be coming to the Planning Commission in May regarding the County's TSP.

A motion was made by Commissioner Mabee, seconded by Commissioner Espe, to continue the Transportation System Plan hearing to April 22, 2013. The motion carried by the following vote:

Aye: 7 - Paul Espe, Zachary Henkin, Damon Mabee, Denyse McGriff, Robert Mahoney, Charles Kidwell and Tom Geil

5. Communications

Mr. Konkol gave an update on the Blue Heron project and stated the RFP applications were due April 15. Commissioner McGriff volunteered to serve on the RFP review board.

6. Adjournment

Chair Kidwell adjourned the meeting at 10:38 PM.



City of Oregon City

625 Center Street Oregon City, OR 97045 503-657-0891

Meeting Minutes - Final Planning Commission

Monday, April 22, 2013 7:00 PM Commission Chambers

1. Call To Order

Chair Kidwell called the meeting to order at 7:00 p.m.

Present: 6 - Paul Espe, Damon Mabee, Denyse McGriff, Robert Mahoney, Charles

Kidwell and Tom Geil

Absent: 1 - Zachary Henkin

Staffers: 6 - Carrie Richter, Pete Walter, Laura Terway, Tony Konkol, John Lewis and

Christina Robertson-Gardiner

2. Public Comments

Christine Kosinski, resident of unincorporated Clackamas County, discussed a comment made at a prior meeting that people of Holly Lane are against growth and development. She wanted the Commission to know the residents of Holly Lane are not against growth and development, but instead would like to see smart development in the area that addresses safety and landslide concerns. Ms. Kosinski also thanked the Commission for their attention to detail, research and solution seeking.

3. Public Hearing

PC 13-033

CU 12-01, SP 12-19, VR 12-05: Conditional Use, Site Plan and Design Review, and Variance Application for new Modular 8-Classroom Building At Gardiner Middle School.

Chair Kidwell explained the rules related to the public hearing process. Mr. Kidwell asked if the commission had any ex parte contact to declare. Commissioner McGriff stated she sits on a board of directors that has property directly adjacent to the School District property and she received notice of the hearing. Commissioner Mabee excused himself because he is employed by the School District and that is his primary source of income. Commissioner Mabee left the dais to sit in the audience. Commissioner Espe declared he had a son enrolled in Gardiner Middle School last year and his wife also works for the School District. Carrie Richter, City Attorney, explained he would need to excuse himself due to his wife being employed by the School District. Commissioner Espe left the dais to sit in the audience. There were no other declarations of ex parte.

Pete Walter, Associate Planner, gave a description of the Site Plan and Design Review for the proposed module being requested from the Oregon City School District. Mr. Walter gave a background and history of the site. Staff recommended approval of CU 12-01, SP 12-19 and VR 12-05 as submitted by the applicant with the recommended conditions of approval and with the exception of request for a variance from OCMC 17.52.040.B (number of bicycle parking spaces).

Commissioner Mahoney asked what would happen if the Commission approved the application with the variance. Mr. Walter explained that the building and the variance went hand and hand, and the applicant would be required to provide the full amount of bicycle parking spaces as a new rack in a new location.

Commissioner Geil asked how the students are currently parking their bicycles and how the variance affects the approval of the application.

Commissioner McGriff asked about the analysis of the landscape. Mr. Walter explained the proposed landscape and the requirements from the City. There was discussion regarding what types of trees would be planted in the landscape and trees that were going to be removed. The Commission discussed the lighting plan being proposed by the applicant.

Mr. Kidwell asked how staff came to the conclusion the applicant had met the building material requirements. Mr. Walter explained how staff came to that conclusion.

Chair Kidwell opened the public hearing.

Rick Givens, Planning Consultant working with the School District and Ted Thonstad, Director of Operations for the School District, were present representing the applicant, and Zach Stokes with ZCS Engineering was in the audience to answer any engineering related questions about the project. Mr. Givens discussed the project and the considerations that went into the project to provide adequate facilities to the students in the District while keeping to City Code requirements.

Mr. Thonstad discussed the reasons the School District decided to add sixth grade to the middle school. First, the 2 million dollar savings over the next three years to the School District; second, the new Common Core Standards adopted in 2010 which need to be implemented by 2014; third, better utilization of classroom space in the elementary schools. Mr. Thonstad addressed Commissioner McGriff's concerns regarding the proposed removal of trees and the reason for their removal.

Mr. Givens reviewed the conditions of approval suggested by staff. The School District would like to modify the existing bicycle racks and place all racks in a new location that added more safety. Regarding condition five, the School District proposed taking the wall out, extending the sidewalk and add a curve out for buses. They believed this proposal addressed bus safety concerns they have and would like the Commission to adopt this as part of their approval. There was further discussion regarding landscape and native plants versus non-native plants. The School District had no problem using native plants. They discussed the Commission's questions about this being a permanent structure or temporary and the cost savings to the School District for a modular building versus keeping the students at Mt. Pleasant.

William Gifford, resident of Oregon City, agreed with Commissioner McGriff regarding native plants. He asked if the Fire District had been out to the proposed site, and if the Commission or applicant had considered a covered walkway.

Damon Mabee, resident of Oregon City, discussed his concern for increased foot, bus, bike and car traffic to Hood and Ethel streets and the surrounding community. He suggested adding a continuous sidewalk from these streets to Linn Avenue. He was worried about the family homes near the abandoned schools and families moving away to an area closer to schools that were not abandoned.

Commissioner McGriff asked staff if there were any proposed plans to do any improvements in this area.

John Lewis, Public Works Director, stated he didn't know of any plans currently to add sidewalks to this area.

Commissioner McGriff suggested a work session to discuss the roads and sidewalks that surround the schools in the district.

Chair Kidwell called for a point of order and called the applicants up to address comments made.

Mr. Givens and Mr. Thonstad addressed the question regarding extra bus trips. Mr. Thonstad explained they will be using the same bus system and that didn't result in any extra trips. Additional traffic was detailed in the report from Lancaster. Mr. Givens affirmed the road met the fire safety requirements.

There was discussion regarding the amount of foot traffic to and from school versus bus traffic.

Tony Konkol, Community Development Director, discussed the transportation report by John Repplinger and the ADA sidewalk improvement on site, the bus pull-out on the north side and the landscaping requirements associated with the parking lot. Staff would be recommending the applicant consider making an adjustment and either put in additional sidewalk or a planter strip giving them the flexibility to meet the sidewalk standards and the planting requirements.

Carrie Richter, Attorney, would draft the conditions and include findings as part of the final decision that would support modifications for sidewalks.

Chair Kidwell closed the Public Hearing.

Pete Walter, Associate Planner, summarized the application, traffic analysis report from John Repplinger and recommendations from staff.

Commissioner McGriff suggested Pete Walter work with the School District on the native plants list for the project.

Commissioner Mahoney, doesn't see any adverse effects on the community.

Carrie Richter, Attorney, read into the record the conditions of approval for conditions number seven(OCMC 17.52.060(C)1(A)) and five (OCMC 17.52.040) as set forth by staff and the Planning Commission.

A motion was made by Commissioner McGriff, seconded by Commissioner Geil, to approve CU 12-01, SP 12-19, VR 12-05, Conditional Use, Site Plan and Design Review, and Variance Application for new Modular 8-Classroom building at Gardiner Middle School with the amended conditions of approval. The motion carried by the following vote:

Aye: 4 - Denyse McGriff, Robert Mahoney, Charles Kidwell and Tom Geil

Excused: 2 - Paul Espe and Damon Mabee

PC 13-012

19370 Pease Road: Request for a Zone Change and approval of an 11-lot subdivision and geologic hazards review. Planning Files ZC 12-01, TP12-04 and US 12-01.

Chair Kidwell explained this item was continued from a previous meeting. Mr. Kidwell

asked if the Commissioners had any ex parte contact to declare. Commissioner Geil, Mahoney, Espe and Mabee had visited the site.

Laura Terway, Planner, gave a brief overview of the proposed development. This application was for a zone change from R-10 to R-6 and approval of an 11-lot subdivision and geologic hazards review. Subject site is adjacent to Pease Road and a little over 2 acres. Conditions of approval include demolition of the existing single family home and accessory building before being platted. Site was annexed in 2008 and annexation agreement included the fee of \$3,500 for each lot. Site is adjacent to R-6 and R-8 lots. Ms. Terway gave the conditions of approval and traffic impacts. Stormwater concerns were brought up at the last meeting. Ms. Terway introduced Todd Martinez and Gordon Monroe who would discuss the stormwater concerns.

Todd Martinez, Project Engineer, and Gordon Monroe, Kennedy Jenks Consultants, were there to address the concerns related to stormwater issues.

Commissioner McGriff wanted to make sure they would be discussing the stormwater concerns that were not addressed in the report. Staff assured her they would.

Mr. Monroe, discussed the discharge location and the potential impact to another home owner. The proposal is for lots 1-6 and 10-11 to be diverted and go down to a stormwater basin located in Pavilion Park 1, the only stormwater that will be going into the existing stormwater drainage are lots 7, 8 and 9. The proposal includes Kennedy Jenks Consultant review the data once the homes are built to determine if there is less stormwater going there after the development than before. If not, then the applicant would be required to mitigate and improve the site. They have also suggested that lots 7, 8, and 9 have soaking trenches, acting as detention and mitigating the flow of water. Storm drainage study will be continuous throughout the process. The proposal showed that diverting two-thirds of stormwater to a new catch basin would either keep the flow the same or less than. If the flow of stormwater is greater, then they are required to build new improvements across the property.

Commissioner Geil asked when the data was taken.

Mr. Monroe explained when and how they gathered the data.

Mr. Mahoney asked if this will help the neighboring house with runoff of stormwater.

Mr. Monroe stated that the runoff will either be the same or less than what occurs now. The impact from the subdivision will not make the matter worse based on what the applicant has proposed and the conditions of approval.

Carrie Richter, City Attorney, explained they are discussing condition no. 28 and that they could delete the last sentence deferring determination to city staff, and instead review the updated data report through a type II procedure thereby allowing neighbors the opportunity to comment and potentially appeal to the planning commission for further review.

There was discussion regarding the current stormwater conditions in the neighborhood, how the addition of the new subdivision would affect current conditions and who would be responsible for future stormwater conditions and concerns.

Todd Martinez, Project Engineer, continued with the presentation, discussed the road and alignment improvements to Pease Road, and lighting.

Commissioner Geil discussed his concerns regarding driveway entrances backing out onto the main road.

Mr. Konkol explained that Pease Road is considered a neighborhood connector and not a main road.

Ms. Terway, explained the driveway condition of approval for lots 8 and 9. If the applicant wanted the driveway of lot 8 to face Pease Road, staff suggested combining the driveway for lot 8 and 9. Ms. Terway continued to discuss the criteria for the conditions of approval.

Commissioner Mabee asked about the police fee associated with the annexation.

Ms. Terway explained the annexation agreement required a fee of \$3,500 per lot to pay for police and that the fee was included with the building permit process.

Chair Kidwell called the applicant to speak.

Rick Givens, Planning Consultant for the applicant, and Bruce Goldson, Theta Engineering, discussed the data in the report related to stormwater and the suggested language to condition no. 28. The applicant preferred the suggested language be added to condition no. 28 that kept it at the staff level as opposed to requiring it be handled as a type II decision.

Mr. Givens discussed the change from R-10 to R-6 and asked if the commission had any further questions regarding the zone change.

Chair Kidwell asked if they had followed up to evaluate what the impact R-8 would have to the site.

At this time, the applicant entered into the record an updated stormwater document and maps of the site.

Mr. Givens discussed the difference between R-8 and R-6 and how zoning of R-8 would affect the site versus the requested R-6 zone and the reasons why the applicant is asking for R-6 zoning and the history behind the development of the property.

Commissioner Mabee asked for confirmation regarding zero runoff of additional stormwater. The applicant confirmed.

Chair Kidwell opened the public hearing.

Jeff Strohecker, resident of Oregon City, was concerned there was not enough existing stormwater data at the site to determine if there is an increase to the stormwater once the subdivision were to go in and expressed his concern in determining the responsible party if there is an increase in stormwater to the existing home owners in the area.

Linda Stroehecker, resident of Oregon City and property owner adjacent to proposed site, expressed her concerns about traffic increase on Pease Road, the increase of water at the property and water runoff once the subdivision was built.

Christine Kosinski, resident of unincorporated Clackamas County, discussed her concerns related to water drainage and the possibility of landslides to the site.

Chair Kidwell called the applicant back to address citizen comments.

Mr. Givens, said they understood the water concerns from other homeowners in the area and stated the applicant is supportive of the conditions of approval. Mr. Givens briefly discussed the traffic report and the issue of potential landslides in proximity to the detention ponds on the site.

Commissioner Mabee, asked staff how water levels are measured.

There was discussion regarding how water levels are measured.

Chair Kidwell closed the public hearing.

Carrie Richter, City Attorney, explained the new stormwater documents which have been entered into the record by the applicant and rules related to closing the public hearing. Ms. Richter explained the Commission has two options: to leave the record open or close the record.

Mr. Konkol explained this was typical and staff has reviewed the new material and set forth condition no. 28 with staff's recommendation of approval.

Commissioner Geil discussed his concerns with traffic safety.

Ms. Terway explained condition no.11, and the requirement of our code is to orient towards Pease.

A motion was made by Commissioner Mabee, seconded by Commissioner Espe, to approve, Planning Files ZC 12-01, TP 12-04, and US 12-01, Development of 12370 Pease Road to include conditions of approval. The motion carried by the following vote:

Aye: 5 - Paul Espe, Damon Mabee, Denyse McGriff, Robert Mahoney and Charles Kidwell

Nay: 1 - Tom Geil

PC 13-028

L 13-01: Transportation System Plan (TSP)

L 13-02: Associated Amendments to the Oregon City Municipal Code

Tony Konkol, Community Development Director, recommended in the interest of time to take public comments first.

Chair Kidwell opened the public hearing.

Bob Nelson, resident of Holly Lane, presented a map and discussed his concerns regarding landslides that have occurred in the past, possible future landslides and the cluster of water infiltration in this area if this becomes a major road. He was requesting Holly Lane be removed from the TSP.

Christine Kosinski, unincorporated Clackamas County, representing the hamlet of Beavercreek, discussed concerns to TSP upgrades to Holly Lane, residents of Holly Lane being left out of the noticing process, concerns related to landslides on Holly Lane and Hwy. 213, concerns regarding compliance of State Goals 1 and 7 and requests the City to meet with the residents of the hamlet of Beavercreek.

John Lewis, Public Works Director, explained the Beavercreek hamlet residents were invited to stakeholders meetings and that posters were placed outside Oregon City including Beavercreek.

Laura Terway, said the hamlet of Beavercreek is identified on the stakeholder team and included in emails. She explained that residents of Holly Lane were mailed a notice.

Commissioner Mahoney believes the City does a good job of noticing.

Jackie Cowell, resident of Holly Lane, explained that she did not receive a notice from the City. She was only aware because Christine Kosinski informed her and together they noticed residents of Holly Lane.

Chair Kidwell, closed the public testimony of the hearing.

Laura Terway, Planner, and Christina Robertson-Gardiner, Planner, gave a presentation on the public process for the TSP, transit, map of the regional center, work with the County on Holly Lane, and geologic hazards.

There was discussion regarding Holly Lane and it being the jurisdiction of the County.

Commissioner McGriff was concerned about geologic hazards and looking at the bigger picture.

Ms. Gardiner explained it is difficult to plan in areas outside the City without knowing if an area will be annexed into the City.

There was discussion about the TSP, geologic study, parking management plan and funding, Holly Lane, and involvement from the County. The Commission discussed whether to close the public hearing, deliberate and bring this item back to the next meeting or if there was consensus to vote on this tonight.

Commission consensus was recommendation to the City Commission to reduce the downtown area by 50% and defer 35% percent in the McLoughlin District at this time and require a geologic hazard study for any road that is developed in any hazardous zone prior to development.

A motion was made by Commissioner McGriff, seconded by Commissioner Espe, to recommend to the City Commission approval of L 13-01, Transportation System Plan (TSP) L 13-02, subject to the two recommendations by the Planning Commission. The motion carried by the following vote:

Aye: 6 - Paul Espe, Damon Mabee, Denyse McGriff, Robert Mahoney, Charles Kidwell and Tom Geil

4. Communications

5. Adjournment

Chair Kidwell adjourned the meeting at 11:52 P.M.



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MEMORANDUM

To: Planning Commission

From: Pete Walter, AICP, Associate Planner

Re: LE-15-03, Re-Adoption of the Beavercreek Road Concept Plan

Date: January 18, 2016 (Hearing Date – January 25, 2016)

The Planning Commission has closed the record public for LE 15-03 and will deliberate on January 25, 2015. Staff has recommended that the Planning Commission find that file LE 15-03, re-adoption of the Beavercreek Road Concept Plan and appendices, meets the requirements of the Statewide Land Use Goals, Metro Title 11, Metro Title 4, as well as the applicable Comprehensive Plan criteria, based on the record and findings.

The record for the re-adoption is large and includes multiple sets of public comments, reports, memoranda and staff responses. This memorandum is intended to address the final issues raised on January 11, 2016, and summarize the concerns/ recommendations that the Planning Commission will forward to the City Commission as they consider re-adoption.

Tri-Met

Please see attached a recent letter from Public Works Director to Tri-Met regarding the Southeast Service Enhancement Plan. As you may recall, Tri-Met representatives testified about this planning process during the City CommissioHolly Lanen hearing process for the South End Concept Plan. The draft SE Service Enhancement Plan includes increased frequency during the week, the addition of service hours on weekends. The City welcomes these enhancements as they showcase the importance of a public transportation system and strengthen the value of this resource. Additionally, The City wishes to see planning for the following areas, as discussed in more detail in the letter:

- Meyers Road Extension
- Clackamette Cove Development
- South Oregon City Community / Job Connector Shuttle

Additionally, Public Works Director John Lewis informed the Planning Division that Clackamas Community College has applied for a Connect Oregon Grant that includes an impressive project at their front entrance which includes a new transit facility that will do a much better job of managing area transit and better facilitate new routing in the Beavercreek Road area. John thinks they have a great project and have high hopes that they will get the grant.



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Holly Lane

The commission heard testimony demanding removal of Holly Lane from the City's Transportation System Plan (TSP). This is not the appropriate proceeding to consider amendments to the City's TSP. That said, the Planning Commission heard similar testimony during the adoption process for the TSP (April 8, 2013 and April 22, 2013 - attached). According to the minutes from those meetings, there was discussion at the time about the need for further geologic study, funding, Holly Lane, and involvement from the County.

Regarding the issue of road construction near in or near geologic hazard areas, the City Commission found that the TSP update was consistent with Statewide Planning Goal 7, Natural Hazards:

"This goal is implemented through the applicable Goals and Policies in Section 7 of the Oregon City Comprehensive Plan: Natural Hazards. This goal primarily addresses how the city should plan development to avoid hazard posed by floods, steep slopes, geologically unstable areas and other natural hazards. The projects recommended in the TSP update were established through a "solutions identification process" with evaluation criteria that accounted for environmental hazards and impacts.

Even when transportation projects are permitted outright in underlying zones, the Flood Management Overlay District (OCMC Chapter 17.42), US-Geologic Hazards Overlay District (OCMC Chapter 17.44) and Natural Resource Overlay District (OCMC Chapter 17.49) provide development standards for transportation projects in these overlay districts.

All projects within the TSP, whether they are within the Geologic Hazards Overlay District or not, include detailed surveys conducted to identify hydrologic, topographic or other geological constraints that could hinder the widening and future extensions of the planned streets before construction is initiated. All street extensions included in this Plan are shown with conceptual alignments with a planning level illustration that street connectivity enhancements are needed in these areas. Final street alignments will be identified after these surveys have been completed. Based on development standards and review processes defined in the Oregon City Municipal Code, the TSP update is consistent with Statewide Planning Goal 7."

This issue has been addressed.



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The functional classifications, improvements and funding needs required for Holly Lane are all set by the updated 2013 Transportation System Plan which mirrors the transportation plans in both the Beavercreek Road Concept Plan and the Park Place Concept Plan. There is a need to address safety issues that have long been identified on Holly Lane. More drivers will continue to use Holly Lane. It would be imprudent not to plan for future improvements to Holly Lane. No direct alternative North-South alignment has been identified elsewhere between Maplelane Road and Redland Road to serve future development. Safety issues cannot be addressed by removing needed projects from the TSP and ignoring the impacts on the entire system.

The various portions of Holly Lane from north to south, classifications, and funding sources are consistent between the City and County TSP, as shown in the following table:

Segment	Length	Concept	UGB	Functional Classification			Funding
	(mi)	Plan?		Clackamas	Oregon	Metro	
				County TSP	City TSP	RTP	
Holcomb	1.1	Yes - Park	In	New Minor	Planned	Minor	Likely
Boulevard to		Place		Arterial	Minor	Arterial	
Redland Road					Arterial		
Redland Road to	0.6	Yes - Park	In	Minor	Minor	Minor	Likely
UGB (Existing)		Place		Arterial	Arterial	Arterial	
UGB to Maplelane	0.6	None	Out	Minor	Minor	Minor	N/A
Road				Arterial	Arterial	Arterial	
(Existing)							
Holly Lane South Ex	tension (pl	anned)					
Maplelane Road to	0.43	None	Out	New	Planned	Collector	Likely
Thayer Road			(most	Collector	Collector		
			ly)				
Thayer Road to	.8	Yes -BRCP	In	New	Planned	Collector	Likely
Meyers Road				Collector	Collector		
Meyers Road to	.8	Yes -BRCP	In	New	Planned	Collector	Likely
Meadow Ln				Collector	Collector		

Finally, both the Holly Lane North Extension and the Holly Lane South Extension within the UGB as well as the other arterial road connections and collector road connections needed to complete an arterial/collector system are identified as a Medium to Long-Term, Likely to be Funded projects as part of the financially constrained projects list. This issue has been addressed.



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Alternative Mobility Targets

Please refer to the findings in the Staff Report regarding this issue. The Planning Commission heard testimony from ODOT's Region 1 Planning Manager regarding this issue and the City will be working with ODOT, Clackamas County and other stakeholders to develop the refinement plan for Alternative Mobility Targets for the Beavercreek / 213 intersection in the short term as it is the only way to accommodate further growth within the existing city limits and within the UGB.

This issue has been addressed.

Open Space

The amount of Open Space in the plan is not a remand issue from the LUBA appeal. Please refer to the findings on Pages 15-16 of the Staff Report regarding this issue. The standard of 16-acres per 1,000 population was amended to a standard of 6 to 10 acres per 1,000 population as discussed in the record, which also reflects that the Parks and Recreation Advisory Committee was involved in this determination. As discussed in the findings, the Parks and Recreation Advisory Committee (PRAC) met on October 22, 2015 to hear staff's presentation on the re-adoption process. The PRAC voted unanimously to support the parks, open space and recreation elements of the Beavercreek Road Concept Plan. To change this allocation now and provide additional open space would result in either a reduction in designated industrial lands, as established by Title 4, or a reduction in lands set aside to accommodate housing.

This issue has been addressed.

Cottage Manufacturing and Employment / Home Occupations

The Planning Commission heard testimony from James Nicita that the City Commission directed staff on July 20, 2011 to include greater cottage manufacturing in the yellow zones". Staff has reviewed the meeting video¹ and minutes of that meeting – which are copied below:

Motion by Commissioner Betty Mumm, second by Mayor Doug Neeley to remand the Beavercreek Road Concept Plan to the Planning Commission and reopen the record for a limited purpose of addressing the protection of industrial lands, transportation, utility and service adequacy, and that the public hearings would not commence until the Department of Land Conservation and Development staff report had been issued.

A roll call was taken and the motion passed with Mayor Doug Neeley, Commissioner

-

¹ See http://oregon-city.granicus.com/MediaPlayer.php?view_id=2&clip_id=678 at 1:41



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Betty Mumm, Commissioner James Nicita, Commissioner Kathy Roth, and Commissioner Rocky Smith, Jr. voting aye. [5:0:0]

Motion by Commissioner James Nicita, second by Commissioner Kathy Roth to amend the motion to add reconsideration of the yellow areas for greater cottage manufacturing in those zones.

A roll call was taken and the motion passed with Commissioner James Nicita, Commissioner Kathy Roth, and Commissioner Rocky Smith, Jr. voting aye and Mayor Doug Neeley, Commissioner Betty Mumm voting no. [3:2:0]

In reviewing the meeting of July 20, 2011, staff did not find a specific determination by the Commission that the plan document itself must be modified to include the provision of greater cottage manufacturing in the "yellow areas" (i.e. the west and east mixed use areas). This is in all practicality a zoning issue, and staff maintains the position that the adoption of the BRCP does not preclude the provision of cottage manufacturing or a great variety of home occupations, and that these are issues that are best addressed when the city adopts zoning to implement the plan through a separate process. Rather than revise the plan, if the Planning Commission views the provision of cottage manufacturing favorably, the recommendation to the City Commission could include a request that the Commission instruct staff to consider including cottage manufacturing or the expansion of home occupations as part of the implementing zoning.

This issue has been addressed.

Conclusion

No further issues have been raised that require further staff response as of the close of the record by the Planning Commission on January 11, 2016.

Staff recommends that the Planning Commission forward LE- 15-03 to the City Commission with a recommendation of approval.



City of Oregon City

625 Center Street Oregon City, OR 97045 503-657-0891

Staff Report

File Number: PC 16-033

Agenda Date: 2/22/2016 Status: Agenda Ready

To: Planning Commission Agenda #: 3a.

From: Planner Pete Walter File Type: Planning Item

SUBJECT:

L 15-01: Beavercreek Road Concept Plan approval.

RECOMMENDED ACTION (Motion):

Consider and approve memorandum recommending approval of LE 15-01 to the City Commission.

BACKGROUND:

On January 25, 2016 the Planning Commission voted 6-0 to recommend approval of the Beavercreek Road Concept Plan re-adoption to the City Commission with amendments to the staff report finding regarding Goal 5 resources, requesting that staff solicit comments from Tri-Met regarding the plan, and directing staff to prepare a memorandum from the Planning Commission to the City Commission to be placed in the record for the City Commission's consideration.

Please see attachments for inclusion in the City Commission record.

BUDGET IMPACT:

Amount:

FY(s):

Funding Source:



City of Oregon City

625 Center Street Oregon City, OR 97045 503-657-0891

Staff Report

File Number: PC 16-017

Agenda Date: 1/25/2016 Status: Agenda Ready

To: Planning Commission Agenda #: 2b.

From: Community Development Director Tony Konkol File Type: Planning Item

SUBJECT:

Re-adoption of the Beavercreek Road Concept Plan (Planning File LE 15-03)

RECOMMENDED ACTION (Motion):

Staff recommends that the Planning Commission approve the Re-Adoption of the Beavercreek Road Concept Plan - Planning File LE-15-03, and forward their recommendation to the City Commission.

BACKGROUND:

This hearing was continued from January 11, 2016.

The Planning Commission has closed the record public for LE 15-03 and will deliberate on January 25, 2015.

Staff has prepared a final memorandum responding to issues raised on January 11, 2016, which included Tri-Met public transportation service, Holly Lane and it's place in the City and County TSPs, Alternative Mobility Targets, open space amounts, and cottage manufacturing and employment.



February 2, 2016

Pete Walter
Community Development Department, Planning Division
City of Oregon City
221 Molalla Avenue, Ste. 200
Oregon City, Oregon 97045

Dear Pete,

TriMet is pleased to submit this letter of support for the Beavercreek Concept Plan, a project which Oregon City and TriMet staff have discussed on multiple occasions dating back to 2007 when the original plan was proposed. TriMet is committed to improving public access to growing communities in our region and meeting the mobility needs of Oregon City and Clackamas County residents.

Clackamas Community College has recently engaged TriMet concerning their master plan, which specifically recognizes the planned extension of Meyers Rd east of Hwy 213 to Beavercreek Rd. TriMet acknowledges the future potential for routing bus service in and out of the college campus via this new connection. We are supportive of the planned changes at the college to grow and serve more students, especially their willingness to add more bus parking capacity for future increases in transit service.

Additionally, through TriMet's Southeast Service Enhancement Plan initiative, TriMet staff have been coordinating with Oregon City staff, among other stakeholders, to assess transit service needs and identify improvements. The plan proposes future service for the Beavercreek Concept Plan area that will be made in coordination with the City of Oregon City and will be guided by the timing and scale of future development. This is a shared vision, so please share your thoughts with us at trimet.org/southeast.

We recognize the Plan identifies several potential transit options and look forward to further working with the City on specific cost-effective transit solutions that support the City's vision.

Sincerely,

Alan Lehto

Director of Planning & Policy

City of Oregon City Attention: City Commission 625 Center Street Oregon City, Oregon 97045

Dear Commissioners:

Development resulting from the Beavercreek Road Concept Plan will create a nightmare for transportation access to and from Beavercreek, Clarkes, Mulino and other parts of south Clackamas County. The BRCP should not be adopted with the roadway standards currently provided for in the plan.

Oregon City and south Clackamas County motorists need a much more robust highway system now, even without the BRCP. The new street configuration and number of lanes in the BRCP will not be sufficient to offset the higher traffic counts and lower speed limits that will naturally accompany new development. Congestion will increase dramatically.

Street conditions from new development will push more slow traffic back onto state Highway 213 and into central Beavercreek, resulting in increased congestion in those areas. This will substantially increase commute times, and harm the livability of the entire region.

The way to overcome these concerns has been obvious to some people for a number of years. The way to properly accommodate growth is to turn the roads currently identified as expressways into freeways, and turn the roads identified as major arterials into expressways.

Highway 213 should be a freeway from I-205 to at least Henrici Road, while Beavercreek Road southeast of Highway 213 should be an expressway to Henrici Road. Absolutely no BRCP development should be allowed to occur until these improvements have been agreed to and funded.

Respectfully Submitted,

Craig Loughridge

Linda Eskridge P.O. Box 915 Molalla, OR 97038

City of Oregon City Attention: City commission 625 Center Street Oregon City, Oregon 97045

Dear Commissioners:

I am always supportive of well-designed growth plans, but only if the transit system is considered with that development. What I am reading in this plan, does not really address the congestion of Hwy 213. It only increases an already problematic, congested area with a LOS F rating.

The Beaver Creek Concept Pan will dramatically increase congestion, and cost to all cities south of the Beavercreek road. Hwy 213 needs to become a major freeway from I-205 before this plan is even considered. The cities south of the Beavercreek plan should have input into this matter too, since it may affect their livelihood and growth.

Thank you for your time and understanding in this matter. Sincerely, Linda Eskridge

From: <u>Kattie Riggs</u>

To: <u>Brian Shaw; Carol Pauli; Dan Holladay; Renate Mengelberg; Rocky Smith, Jr.</u>

Cc: Tony Konkol; Pete Walter; Laura Terway

Subject: Citizen Comment for Tonight"s City Commission meeting

Date: Wednesday, January 20, 2016 6:20:41 PM

Attachments: <u>letter-to-oregon-city.pdf</u>

Beaver creek Plan.docx

Commissioners.

Please see the e-mail below and attachments that will be entered into the record at tonight's City Commission meeting.

Thank you, Kattie



Kattie Riggs City Recorder

kriggs@orcity.org City of Oregon City PO Box 3040 625 Center Street Oregon City, Oregon 97045 503-496-1505 Direct phone 503-657-0891 City phone 503-657-7026 fax

Website: www.orcity.org | Recorder Page | Facebook! | Twitter PUBLIC RECORDS LAW DISCLOSURE: This e-mail is subject to the State Retention Schedule and may be made available to the public.

From: Dan Holladay

Sent: Wednesday, January 20, 2016 6:01 PM

To: Kattie Riggs

Subject: Fwd: Agenda for 1-20-2016 Oregon City

Fyi

Please include in the record

Dan

Sent from my Verizon Wireless 4G LTE smartphone

----- Original message -----

From: Linda Eskridge <<u>db@molalla.net</u>> Date: 01/20/2016 5:58 PM (GMT-08:00) To: Dan Holladay <<u>dholladay@orcity.org</u>>

Subject: FW: Agenda for 1-20-2016 Oregon City

Dan,

Tom and I had planned to come to your meeting tonight, but he is having some health issues and we are unable to attend. We have been receiving information on the Beavercreek concept

plan from Paul Edgar and he is very concerned about how this plan will affect all cities south of the plan. I have shared this information with a few other people and Craig Loughridge asked if I could give his attached letter to your board in Oregon city. I have a letter that I am attaching too. Please include it in tonight's consideration of the Beavercreek plan. Sincerely,

Tom and Linda Eskridge

I have included Paul Edgars information below:

Click on the attachment and then on PC 16-016, which is the Beavercreek Rd. Concept Plan. This Concept Plan was initially adopted in September 2007, approximately 8 1/2 years ago, then appealed.

The studies that support this Concept Plan, were from approximately 10-years ago and that is light years away, with what has happen in Urban Planning and Transportation Planning worlds. With the change in how congestion is measured at this intersection, from ITE Standard of, Level of Service to Volume over Capacity is a whole new Ball Park.

Vehicle Trip Generation, from all sources, have gone up maybe 50% (from the time of the 2006 transportation studies - time frames) and that is even with a great depression in between.

The Beavercreek Rd. Concept Plan was initially approved 8 and 1/2 years ago with a Fly-Over, Diamond Overpass Interchange, with Beavercreek Rd. going over Hwy 213 and Oregon City which is now a major change when it was eliminated within the Oregon City TSP.

The next 10-years can bring about a potential of even the doubling of vehicle trip through the Hwy 213 and Beavercreek Rd. intersection, with no-expansion of the Urban Growth Boundary, new housing starts, Enterprise zone and future planned economic expansion.

With ODOT recently expanding the timing of the Intersection light frequency cycle, to increasing priority with through Hwy 213 traffic, AM Peak Period traffic west bound traffic on Beavercreek Rd. is now experiencing delay of around 7-lights cycles to get through the Hwy 213 and Beavercreek Rd. Intersection right now. (This is said in the Planning Commission by its Chair.)

There is just as lot of housing and activities east on Beavercreek Road that is funneled through this intersection, Molalla is not the only people and businesses that are negatively effected.

When one examines what can be brought to the table within the use of "Alternative Mobility Targets" to mitigate congestion within Volume over Capacity Methods, the ODOT Planning Manager brought up changing the cycle timing of the stop lights. There is only 60-seconds in a minute and 60-minutes in an hour. You cannot expand the clock. You can make Rush Hour time frames expand to 2 or 3-hours, however.

Next he suggested that an option might be to run maybe more buses with greater frequency. History however has told us, that the market for TriMet buses has been so low and unprofitable that TriMet has reduced bus routes in Oregon City and they stay away from this intersection.

Oregon City's mitigation plans reflects an attempt to get more Bikes Commuters and walkers. History again has however shown us, that this very wide intersection has virtually no-one attempting to use either of those methods to get across Hwy 213. Secondary opportunities to address problem are problematic in that maybe 85%+ of the job's are to the north and west and there is no-way where buses, PED and Bike commuting will work.

Oregon City "Magnet" High School is to the east on Beavercreek Rd. and it enrollment has expanded greatly. It is now a major factor in all incidents of travel that pass through this intersection, cars and school buses.

Oregon City in their transportation Plan and TSP suggests, that they can divert some traffic away from Beavercreek Rd west bound (coming in from east of the OC High School) on to Myers Rd. and let them back track over to Hwy 213 south of Clackamas Community College. When you are heading into Multnomah County and/or Portland for your job/employment, that can mean a mile and half out of the way in re-direction. If someone believes that is a solution, I also have bridge to sell them too.

All of this Volume over Capacity - Mitigation with "Alternative Mobility Targets" is just a smoke screen to where everyone just has to learn how to accept significant delay, coming from greater congestion.

Now lets talk about what congestion delay means:

- 1. It results in greater costs in doing business for all businesses, making the cost of doing business in Clackamas County higher.
- 2. This also means greater inflation, because someone has to pay for this new cost. Those with less income get hurt more then anyone.
 - 3. This will result in reduced employment opportunities.
- 4. This will have a negative effect on cars and truck idling and putting more carbon into the air.
 - 5. This will result in less investment, less property tax and reduced economic growth.
 - 6. We can go on and on, with these far reaching negative impacts.

Paul Edgar

Attached is the agenda for the January 20, 2016 City Commission meeting held in the Commission Chambers beginning at 7:00 PM.

The City Commission Executive Session will begin at 6:30 PM in the Clackamas River Conference Room, upstairs at City Hall.

The City Commission Regular meeting will begin at 7:00 PM in the Commission Chambers.



On 1/31/2016 1:51 PM, Paul Edgar wrote to Karen Buehrig, Trans Planning Mgr CC and Jon Makler, Trans Planning Mgr - Region ! ODOT:

Can a group of us come by and get a copy of the required specifications and engineering drawings of a Major Arterial & Urban Freight Route, as in the Beavercreek Road, from Highway OR213 intersection east bound and Highway OR213 south bound through Oregon City.

Maybe a educational Town Hall and Work Shops could be developed in Oregon City, where Oregon Department of Transportation, Clackamas County Transportation, the City of Oregon City and outlining communities, Cities and CPO's can all sort out and go through the studies and proposals for OR213 and Beavercreek Road.

We will leave it up to you to identify, that we have received the necessary information to protect the interests of all effected parties with their Transportation Infrastructural needs, in the OR213 corridor and the Beavercreek Road Corridor, in anticipation of the Beavercreek Road Concept Plan possible approval, with all of its zoning implications and implied permissions.

Also include what is needed in addition, adequate information that reflects having a separated "Bike and PED Path", where identified in our Clackamas County Comprehensive Plan and TSP, out to the Beavercreek CPO.

We need to have to have all Regional Transit (TriMet) understands and firm commitments in hand, before any local legislative efforts should be approved as in a the Beavercreek Road Concept Plan and zoning changes.

We need complete understandings of what "real world and effective" mitigation could take place within "Volume over Capacity" adjudication at the Intersection of OR213 and Beavercreek Road, without an overpass.

If there are preliminary specifications and engineering understands/drawings of what a Diamond Style Fly-Over Overpass might look like, to allow OR213 to pass under a Beavercreek Road with this Overpass, that is equally needed.

What is critical is knowing that we have enough land and necessary ROW identified and set-aside, so that in the future - this "Maybe Required Fly-Over Overpass" can be accomplished. We need to know this, ASAP.

In addition, we would also like to re-review the reasons/justifications for the Highway OR213 Jug-Handle Project and how the appropriations were acquired, necessary to permit virtually any additional development in the Rossman Land Fill Area, close to the I-205 corridor.

This Jug-Handle Project was equally necessary to provide the mitigation to new - future incidents of travel and their impacts in the creation of future unacceptable levels of congestion on the Highway OR213, as to not create "Choke Points" on a strategic Major Arterial - Urban Freight Route.

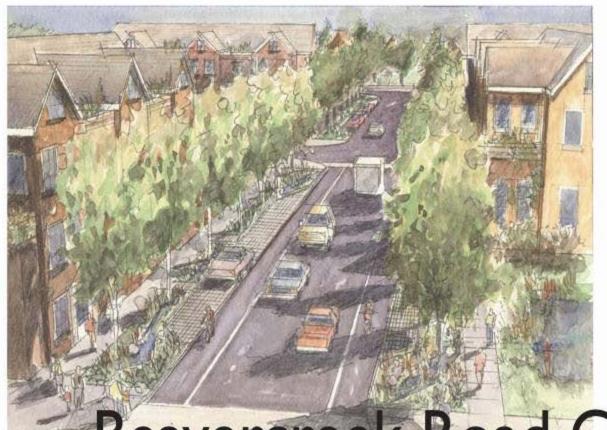
We need to glean from a History Lesson, what was said and done, in successfully gaining approval, prioritization and funding for the Jug-Handle Project on the same OR213 Corridor, in the recent past.

We need all partners to help with the identification of funding opportunities, impact funding fees on development and those who create new unacceptable levels of congestion.

The burden of paying for what is needed to create permanent solutions to the problems of generating unacceptable levels of congestion has to be part of the passage of the Beavercreek Road Concept Plan and any zoning changes, that will result in and lead to exceeding our current LOS "F" = V/C.1 status, at the OR213 and Beavercreek Road Intersection.

What was said and done in the past, is equally true in its prioritization and need, at the top of the hill of Highway OR213 in Oregon City, with its intersection with Beavercreek Road and on.

Paul Edgar, Oregon City



Beavercreek Road Concept Plan

Envisioning a Complete and Sustainable Community

Planning File LE 15-03, City Commission, March 2,



Recommendation

• Staff recommends the City Commission open the Public Hearing, take testimony for the for re-adoption of the Beavercreek Road Concept Plan (Planning file LE-15-03), close the public record portion of the hearing and make a tentative oral decision. The matter will be continued to March 16, 2016 where staff will return with final written findings and an Ordinance for introduction.

Planning Commission

• After six meetings (4 public hearings)
Planning Commission voted unanimously
to recommend re-adoption of the
Beavercreek Road Concept Plan (Planning
File LE 15-01) to the City Commission.

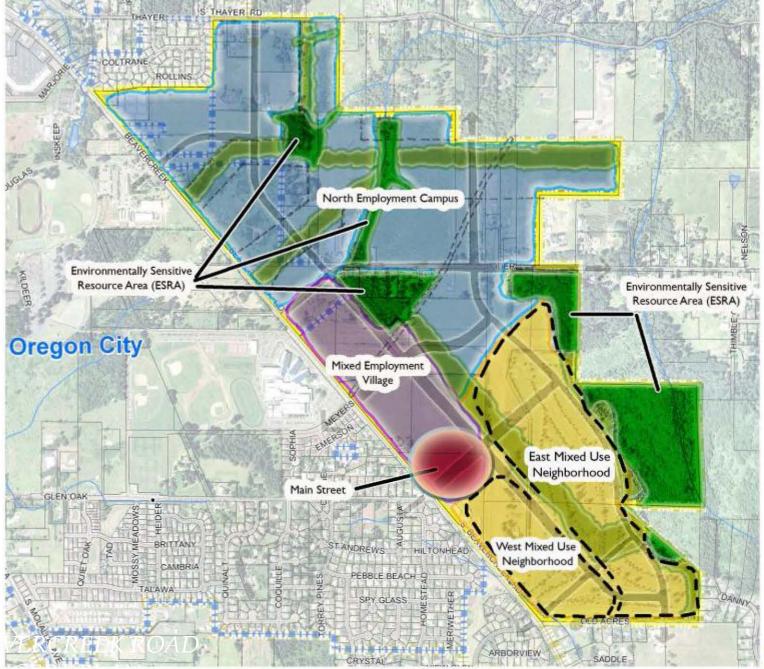






Figure 2: Beavercreek Zone Subdistricts

2006 – 2007 Process Summary

- 12 CAC/ TAC meetings
- Study Area Site Visit
- 2 Open Houses
- Meeting with Metro Employment Discussion
- Community Design Workshop Meeting
- Market Focus Group
- Sustainability Focus Group
- Website
- Project posters, signs, mailers
- 10 City Commission hearings
- 4 Planning Commission hearings

Public Meetings to date

•	Planning Commission Work Session	9/28/2015
•	Citizen Involvement Committee	10/05/2015
•	Natural Resources Committee	10/14/2015
•	Transportation Advisory Committee	10/20/2015
•	Parks & Recreation Advisory Committee	10/22/2015
•	Caufield Neighborhood Association	10/27/2015
•	Hamlet of Beavercreek	10/28/2015

11/10/2015

- Four (4) Planning Commission Hearings
- City Commission Hearings

City Commission Work Session

	<u>Acres*</u>	Gross	<u>Net</u>
North Employment Can	npus	149	127
Mixed Employment Vill	age	26	21
Main Street		10	8
West Mixed Use Neighb	orhood	22	18
East Mixed Use Neighbo	orhood	<u>77</u>	<u>62</u>
		284	235
D. 1./O C / NI. (1	110	
Parks/ Open Space/ Nati	ıral	<u>113</u>	
Major ROW		56	
Total		~453	
*Acres are preliminary and roun	ded		

BEAVERCREEK ROAD CONCEPT PLAN

	<u>Jobs</u>	Housing
North Employment Campus	3,678	
Mixed Employment Village	1,139	
Main Street	219	100
West Mixed Neighborhood	15	387
East Mixed Neighborhood	21	<u>536</u>
	5,073	1,023

Source: Table 2. BRCP Job & Housing Density Assumptions 7/10/2007

Planning Commission

- The Planning Commission is satisfied that all of the issues raised through the initial hearings have been addressed in the record, subject to the concerns detailed in their memorandum:
 - Transportation Issues Alternative Mobility Targets,
 Tri-Met Service and Holly Lane
 - Cottage Manufacturing / Zoning
 - Goal 5 Cultural and Historic Resources

Planning Commission

• The Planning Commission finds that Beavercreek Road Concept Plan meets the requirements of the Statewide Land Use Goals, Metro Title 11, Metro Title 4 and the Oregon City Comprehensive Plan.

ENTERED INTO	THE RECORD
DATE RECEIVED	: 3/2/14
SUBMITTED BY:	Flirabeth
SUBJECT:	Graser Linksey

Testimony from Elizabeth Graser-Lindsey Regarding LE-15-0003 Beavercreek Road Concept Plan March 2, 2016

The proposal should not be approved because it does not comply with the city's rules, Metro's rules, State law such as the Transportation Planning Rule and the Statewide Planning Goals.

Comprehensive Plan

Land Use 3.

The BRCP does not reflect community needs, desires, attitudes and conditions.

The city needs jobs and has a job to housing imbalance (poor for the region) and yet the city by this plan converts land it obtained for family-wage industrial job creation into primarily housing and low-wage service jobs intensifying the job to housing imbalance, lack of business revenue, and the commuting disaster. The county continues to comment on the lack of jobs in the county. This violates Policy 2.6.1 to 2.6.8. because more industrial land is needed and this land was planned for industrial. It is unfortunate that city staff continues to express satisfaction with low acreage yields from the UGB expansion when LUBA already discounted these low yields as not satisfying Metro's Title 4 (or Statewide Planning Goal 9 Economic Development "adequate opportunities... for ... economic activities") requirements when this plan was remanded. The city's use and mis-use of 10 year old studies does not constitute an adequate factual base as required by Statewide Planning Goal 2. The recent BC Apt. at Meyers Rd. evidenced how the non-industrial concept plan areas are falling short of the job projections of the concept plan besides their failure to be family wage jobs.

The testifying public has indicated previously and now, as evidenced in the record, that they are not happy with this plan and it is diametrically opposed to their **desires and attitudes** particularly because the housing will decrease their liveability and compete with existing neighborhoods for infrastructure because the city does not have a plan on how to afford infrastructure upgrades – roads, sewer,

water, schools, emergency services. Statewide Planning Goal 1 and the city's related plan objectives are violated by the lack of citizen awareness of this plan going forward and the consequences. The abbreviated re-adoption process ensured that citizens could not be "involved in all phases of planning" and the city was unwilling to consider any citizen-suggested changes; this follows the first process being Goal-1 flawed.

The community **conditions** such as failing sewer, low-water pressure and congested and failing roads contra-indicate this concept plan particularly in the absence of any evidence that these conditions can or will be overcome or that sufficient funds could be obtained from any source to overcome them; on the contrary, evidence in the record, in the city's master plans and in the LUBA appeal indicate that the funds cannot be obtained and the problems will persist and degrade the living conditions in Oregon City. The city's use of its 10-year old concept plan document, which itself lacked adequate analysis of the infrastructure issue and evidence of a plan to achieve adequate infrastructure, does not constitute an adequate factual base as required by Statewide Planning Goal 2.

10-year old **transportation** studies, which already were showing declining roadway conditions, do not meet the current need for transportation studies, which are absent, when other development has moved forward with its traffic over this decade likely increasing traffic volumes. The City's unwillingness to include up-to-date traffic studies suggests that the City expects bad news. Traffic congestion is not just inconvenient for commuters and freight routes, but it is also dangerous: the City's TSP shows that the BC Rd. and Hwy 213 intersection is exceptionally dangerous at 2.05 MEV (for context, the city flags intersections over 1.0 as having a very high accident rate and the county is working to lower it standard for safe to below 1.0).

Statewide Planning Goal 12 Transportation is violated because the transportation system is already failing and the concept plan will not "provide and encourage a safe, convenient, and economic transportation system." The decade-old analysis depended on an interchange and the 2013 Transportation System Plan depends on 50% of trips occurring by alternative modes (bus, bike,

ped); the old analysis is obsolete and a new analysis to determine how the concept plan can get by on less vehicle trips than it was planned for missing from the old concept plan or any new documents – it's just wishful thinking. Even though the concept plan anticipates routing traffic by Holly Lane to avoid the failing BC Rd./Hwy 213 intersection and others and 3-lane Beavercreek Rd. (the only route for residents of Beavercreek and communities to the south – like a cul du sac), the TSP capital improvement project list indicates that Holly Lane won't be funded, at best, in the medium¹ and long term, making the concept plan without a traffic solution. The list of funding mechanisms does not analyze if any of these can work.

The Transportation Planning Rule is violated by the concept plan. The change significantly affects the transportation facility because the change would allow land uses and levels of development that would increase traffic over existing zoning and that would result in projected traffic — both immediately and in the planning horizon — that would reduce performance of the transportation network below minimum acceptable performance standards and it would worsen the performance.

- 1. The application fails to provide and the city fails to require up-to-date traffic studies.
- 2. The performance of the transportation network would be greatly worsened from current failing conditions both it would worsen conditions and it would perform below minimum acceptable performance standards. The traffic volumes are already failing to meet the LOS F standard or the V/C 1.0 standard currently and for the future. Even though the City has exempted itself from considering the failing BC Rd./Hwy 213 intersection, the county and state still do have standards and the city has other rules that effectively keep standards in place (e.g. Goal 12 Transportation "safe, convenient, economic", " Comprehensive Plan *Policy 14.3.2* "Ensure that the extension of new services does not diminish the delivery of those same services to existing areas and residents in the city." and so forth). It is

¹ The definition of medium term is 20-40 years in other TSPs.

wrong and outside of the law for the city to adopt the concept plan planning and permitting more development before it is able (Findings: "likely... within one to five years...") to plan or execute solutions to its transportation problems which are fundamental aspects of the plan. The intent of the concept plan is to be a complete with "consideration for protection of the capacity, function and safe operation" of transportation facilities including for moving freight e.g. Metro Title 4 and 11. Without the BC Rd./Hwy 213 interchange the development goals of the BRCP may need to be scaled back for fit the fundable transportation system; it's too late to do that after adoption.

The city's argument that the concept plan is already part of the TSP is fallacious because the concept plan had not been adopted and it was not know what form the final concept plan would take so only a place holder could be considered in the TSP; an more-skimpy place holder was also considered in the previous TSP and it did not prevent the need for the concept plan to properly deal with transportation. Considering a place holder does not eliminate the need to do the detailed analysis in a concept plan. Since the concept plan cannot take effect until the alternative mobility analysis is completed (and zoning per Findings p. 29), it is wrong to adopted it prematurely.

The City's response to Statewide Planning Goal 11 **Public Facilities and Services** and its own comprehensive plan requirements concerning infrastructure is not "to plan and develop a timely, orderly and efficient arrangement of public facilities and services" or "provision of the financing of ... public facilities and services" to serve this concept plan area, but to "kick the can down the road" ignoring the need for now and the planning horizon and letting the problem land in the future again. The adoption of master plans does not constitute a plan to serve this concept plan area – in fact, the master plans suggest the unlikelihood of this being possible as most show giant financial deficits for the city to even maintain its current urban services. For example, the city is continuing a large

sewage moratorium and the city has not been able to repair its water system at a sustainable rate. Currently, the concept plan violates Policy 14.3.2.

The old **sewer** consideration is similarly out-dated after 10 years. During this decade the city nearly had a sewage moratorium in the Glen Oaks/Hwy 213 area and has sewage back ups along Hwy 213 (shown in the Sewer Master Plan) and no prospect of funding for a sewer main in Beavercreek Rd. (and the first development at Meyers Rd. was recently except from contributing. There is no hint in the staff report/(March 2, 2006 Findings) or Sewer Master Plan how the concept plan infrastructure would be financed: listing SDCs, developer funded improvements and reimbursement district does not demonstrate that these financing methods would achieve the financing of the needed infrastructure and it does not rise to the legal standard necessary to adopt this concept plan. The Findings incorrectly state the BC Rd. Apt-Live Work (SP 14-01) would be required to pay for a component of the future Beavercreek Rd. trunk line when in fact the development was specifically exempted and was allowed to pay for I&I in another area. The developer appeared to find that cost prohibitive; that is likely to continue to be the case. The City has also not address how the concept plan area can build out when its sewer district is already exceeding safe capacity and is a lower system retention time than any other sewer plant in the region.

The water infrastructure consideration is similarly out-dated after 10 years. The city also lacked adequate water pressure to serve the BC Rd. Apts. at Meyers Rd. and is requesting service from a rural water district which can't service the entire concept plan area and which suffered from the drought last summer which resulted in a fish kill and asked its customers to save water. The City apparently hasn't the funds or prospects for finding the funds to put in the needed reservoir, described in the Water Master Plan, because it is mum about a solution. Listing in the Findings SDCs, Developer funded improvements and Reimbursement District in the Findings does not constitute a plan or analysis on how the water infrastructure funding would occur and it does not rise to the legal standard necessary to adopt this concept plan. Already the city has allowed the new BC Rd. Apt-Live-Work development to not contribute to the reservoir making funding of it even more difficult.

How can **emergency services** meet good response times now and for the future planning horizon when Beavercreek Rd. is failing as even acknowledged by the City's own TSP?

Intersection Collisions

The total number of crashes experienced at an intersection is typically proportional to the number of

vehicles entering it. Therefore, a crash rate describing the frequency of crashes per million entering vehicles (MEV) is used to determine if the number of crashes should be considered high. Using this technique, a collision rate of 1.0 MEV or greater is commonly used to identify when collision occurrences are higher than average and should be further evaluated.

As shown in Table A1, crash rates were calculated (based on the past five years of collision data) for each of the 21 intersections reviewed in Oregon City.

High Collision Locations

The following locations were identified as a high collision location (top ten percent of state highways in Oregon) on the ODOT SPIS:

> I-205 Northbound just past the onramp from OR 99E

This high collision segment experiences an increase in traffic from the OR 99E on-ramp and is impacted by traffic exiting I-205 at OR 213. These factors could be contributing to the amount of collisions.

 OR 99E from one-tenth of a mile north of Dunes Drive to I-205

This high collision segment includes two congested intersections (I-205 Westbound Ramps and Dunes Drive) and is

often impacted by queues from the I-205 interchange.

OR 99E from I-205 to 12th Street

This high collision segment includes several signalized intersections and is often impacted

December 2011 Page A9

Intersection	Collision Rate
OR 99E/Dunes Drive	0.51
OR 99E/I-205 WB Ramps	0.43
OR 99E/I-205 EB Ramps	0.34
Main Street/14th Street	1.07
Washington Street/12th Street	0.95*
7th Street-Singer Hill/High Street	0.11
High Street/2nd Street	0.31
Taylor Street/7th Street	0.03
Molalla Avenue/Division Street	0.16
South End Road/Warner Parrott Road	0.29
South End Road/Lafayette Avenue- Partlew Road	0.18
Central Point Road/Warner Parrott Road	0.13
Molalla Avenue/Clainnont Way	0.59
Molalla Avenue/Gaffney Lane	0.73
Molalla Avenue/Fir Street	0.28
OR 213/Beaverereck Road	2.05
Maple Lane Road/Beavercreek Road	0.38
Maple Lane Road/Thayer Road	0.19
Maple Lane Road/Walnut Grove Way	0,00
OR 213/Czufield-Glen Ozk Road	0,92
Bezverereek Road/Glen Oak Road	0,36

Table A1: Intersection Collision Evaluation

Bolded Red and Shaded indicates collision rate execution 1.0 MEV

^{*}Collision rate at this intersection would be 0.74 if the six collisions that occurred during a single snow event in 2009 are not considered. Bolded Red and Shaded indicates collision rate exceeds

OREGON DEPARTMENT OF TRANSPORTATION - TRANSPORTATION DEVELOPMENT DIVISION TRANSPORTATION DATA SECTION - CRASH ANALYSIS AND REPORTING UNIT CRASH SUMMARIES BY YEAR BY COLLISION TYPE

OR 213 Cascade Highway South (Hwy 160) & Beavercreek Rd January 1, 1985 through December 31, 2014

W1000000000000000000000000000000000000	FATAL	FATAL	PROPERTY DAMAGE			PEOPLE	SE DISTRICTORIS STATE	DRY	WET	Salestinophistic Cities	. material a state		INTER- SECTION	OFF-
COLLISION TYPE	CRASHES	CRASHES	ONLY	CRASHES	KILLED	INJURED	TRUCKS	SURF	SURF	DAY	DARK	SECTION	RELATED	ROAD
YEAR: 2014														
REAR-END	0	9	10	19	0	11	0	16	2	11	7	19	0	0
SIDESWIPE - OVERTAKING	ō	ő	1	1	Ö	0	Ö	0	1	i	Ó	1	Ö	Ö
TURNING MOVEMENTS	ő	ŏ	1	1	ő	0	Õ	0	1	ò	1	1	0	Ö
2014 TOTAL	. 0	9	12	21	Ö	11	0	16	4	12	8	21	Ö	0
2014 TOTAL	0	9	14	-1	u	8.5	U	10	7	2	•	4 1	U	U
YEAR: 2013														
ANGLE	0	0	1	1	0	0	Ω	0	1	0	1	1	0	0
BACKING	ñ	ō	1	1	Ō	Ō	Õ	Ō	1	Ō	Ó	1	Ö	Ö
REAR-END	Ď	17	11	28	ō	18	ō	22	5	20	8	28	Ö	ō
SIDESWIPE - OVERTAKING	ő	0	1	1	ō	o.	Ô	1	ñ	1	Õ	1	Õ	ő
TURNING MOVEMENTS	ő	2	ó	2	Ö	3	ĭ	2	0	1	1	2	Ö	0
2013 TOTAL	0	19	14	33	ő	21	4	25	7	22	10	33	0	0
2013 TOTAL	U	19	17	33	U	21	1182	20		44	10	33	U	U
YEAR: 2012														
ANGLE	0	0	1	1	0	0	0	1	0	1	0	1	0	0
FIXED / OTHER OBJECT	ñ	1	Ó	1	ŏ	1	Õ	i	Õ	1	Ö	i	Ď	1
PEDESTRIAN	n	1	ŏ		ō	i	Õ	1	Õ	•	Õ	1	0	'n
REAR-END	0	18	6	24	ŏ	24	n	16	6	16	9	24	ő	õ
TURNING MOVEMENTS	ŏ	2	0	2	Ö	3	Ö	2	0	0	2	2	Ö	0
2012 TOTAL	. 0	22	7	29	0	29	0	21	6	19	10	29	Ö	Ų
2012 TOTAL	U	- 44	•	25	U	25	U	41	0	10	10	25	U	
YEAR: 2011														
ANGLE	1	0	2	3	1	2	1	1	2	2	1	3	0	0
REAR-END	Ò	12	13	25	0	13	0	19	6	18	7	25	Ö	Ö
TURNING MOVEMENTS	Ō	2	Ö	2	0	3	ō	O	2	0	2	2	ő	ŏ
2011 TOTAL	1	14	15	30	1	18	1	20	10	20	10	30	0	ő
LOTT TOTO		3.50			e		2.48			a. U	10		•	J
YEAR: 2010														
REAR-END	0	10	10	20	0	13	0	13	7	17	3	20	0	0
2010 TOTAL	0	10	10	20	0	13	0	13	7	17	3	20	0	0
													(40)	10.770
YEAR: 2009														
ANGLE	0	2	1	3	0	2	0	1	2	0	3	3	0	0
REAR-END	0	6	3	9	0	7	1	6	3	7	2	9	0	0
TURNING MOVEMENTS	0	1	1	2	0	1	0	2	0	1	1	2	0	0
2009 TOTAL	0	9	5	14	0	10	1	9	5	8	6	14	0	0
VEAD. 2000														
YEAR: 2008	102	. 29		52		74	120	<u> </u>	2	94		123	1629	12
REAR-END	0	1	2	3	0	1	0	3	0	2	1 1	3	0	0
TURNING MOVEMENTS	0	3	1	4	0	9	0	2	2	1	3	4	0	0
2008 TOTAL	0	4	3	7	0	10	0	5	2	3	4	7	0	0
YEAR: 2007														65
ANGLE	^	0	:20	124	'n	0	D	W.	0	. 2		20	•	
REAR-END	0		4	1	0	1 To 1	0	1 6	0	1 6	0	1	0	0
		3	4	1	1000	5 0	0	٥	0	95	1	7	0	0
TURNING MOVEMENTS	0		1	1	0	* 7 .0		1	7	0	1	1	0	0
2007 TOTAL	0	3	6	9	0	5	0	8	1	7	2	9	0	0

OREGON DEPARTMENT OF TRANSPORTATION - TRANSPORTATION DEVELOPMENT DIVISION TRANSPORTATION DATA SECTION - CRASH ANALYSIS AND REPORTING UNIT CRASH SUMMARIES BY YEAR BY COLLISION TYPE

OR 213 Cascade Highway South (Hwy 160) & Beavercreek Rd January 1, 1985 through December 31, 2014

				and the second s			re remarkamentalistati							
	FATAL	NON- FATAL	PROPERTY DAMAGE		PEOPLE	PEOPLE		DRY	WET			INTER-	INTER- SECTION	
COLLISION TYPE	CRASHES	CRASHES	ONLY	CRASHES	KILLED	INJURED	TRUCKS	SURF	SURF	DAY	DARK	SECTION	RELATED	ROAD
YEAR: 2006 ANGLE REAR-END SIDESWIPE - OVERTAKING TURNING MOVEMENTS 2006 TOTAL	0 0 0 0 0	1 1 0 3 5	0 0 1 0	1 1 1 3 6	0 0 0	1 1 0 6 8	0 0 0 0	1 0 0 3 4	0 1 1 0 2	0 0 1 1 2	1 1 0 2 4	1 1 1 3 6	0 0 0	0 0 0
YEAR: 2005 REAR-END 2005 TOTAL	0	4	8 8	12 12	0	6 6	0	9	2 2	10 10	2 2	12 12	0	0
YEAR: 2004 ANGLE REAR-END 2004 TOTAL	0 0	1 1 2	0 2 2	1 3 4	0	2 1 3	1 0 1	1 2 3	0 1 1	0 3 3	1 0 1	1 3 4	0 0 0	0 0 0
YEAR: 2003 ANGLE REAR-END 2003 TOTAL	0 0	1 2 3	0 5 5	1 7 8	0	3 6 9	0 2 2	1 5 6	0 2 2	0 6 6	1 1 2	1 7 8	0 0 0	0 1 1
YEAR: 2002 ANGLE REAR-END TURNING MOVEMENTS 2002 TOTAL	0 0 0	0 2 1 3	2 4 1 7	2 6 2 10	0 0 0	0 2 1 3	0 0 0	1 3 1 5	1 3 1 5	2 4 1 7	0 2 1 3	2 6 2 10	0 0 0	0 0 0
YEAR: 2001 REAR-END TURNING MOVEMENTS 2001 TOTAL	0 0	4 3 7	7 2 9	11 5 16	0 0 0	5 5 10	1 0 1	6 3 9	5 2 7	7 3 10	4 2 6	11 5 16	0 0 0	0 0 0
YEAR: 2000 FIXED / OTHER OBJECT REAR-END TURNING MOVEMENTS 2000 TOTAL	0 0 0	0 3 2 5	1 6 2 9	1 9 4 14	0 0 0	0 3 2 5	0 0 0	0 4 2 6	1 4 2 7	1 7 3 11	0 2 1 3	1 9 4 14	0 0 0	1 0 0 1
YEAR: 1999 FIXED / OTHER OBJECT REAR-END TURNING MOVEMENTS 1999 TOTAL	0 0 0	0 2 0 2	1 4 1 6	1 6 1 8	0 0 0	0 3 0 3	0 0 0	0 3 1 4	1 3 0 4	0 4 0 4	1 2 1 4	1 6 1 8	0 0 0	1 0 0
YEAR: 1998 ANGLE REAR-END TURNING MOVEMENTS 1998 TOTAL	0 0 0	2 3 0 5	0 3 2 5	2 6 2 10	0 0 0	2 6 0 8	0 0 0	2 4 1 7	0 2 1 3	2 5 1 8	0 1 1 2	2 6 2 10	0 0 0	0 0 0

CDS150 02/10/2016

OREGON DEPARTMENT OF TRANSPORTATION - TRANSPORTATION DEVELOPMENT DIVISION TRANSPORTATION DATA SECTION - CRASH ANALYSIS AND REPORTING UNIT CRASH SUMMARIES BY YEAR BY COLLISION TYPE

PAGE: 3

OR 213 Cascade Highway South (Hwy 160) & Beavercreek Rd January 1, 1985 through December 31, 2014

				canaary 1,	1000 1111003	,								
		NON-	PROPERTY										INTER-	
	FATAL	FATAL	DAMAGE	TOTAL	PEOPLE	PEOPLE		DRY	WET			INTER-	SECTION	OFF-
COLLISION TYPE	CRASHES		ONLY	CRASHES	KILLED	INJURED	TRUCKS	SURF	SURF	DAY	DARK		RELATED	
YEAR: 1997														110/10
BACKING	1.	1	0	1	0	1	0	4	0	1	0	4	•	•
REAR-END	0	5	1	6	ő	6	1	5	1	3	3	6	0	0
SIDESWIPE - OVERTAKING	Ö	0	1	1	0	0	ò	1	ò	1	0	1		100
1997 TOTAL	0	6	2	8	0	7	1	7	1	5	3	8	0	0
1997 TOTAL	U	0	2	•	U	,		,	•	3	3	0	U	U
YEAR: 1996														
REAR-END	0	5	2	7	0	12	0	4	3	6	1	7	0	0
TURNING MOVEMENTS	0	1	0	1	0	1	0	0	1	1	0	1	0	Ō
1996 TOTAL	0	6	2	8	0	13	0	4	4	7	1	8	Ō	Ō
STATE OF THE STATE													•	
YEAR: 1995														
REAR-END	0	4	5	9	0	7	0	4	5	8	1	9	0	0
TURNING MOVEMENTS	0	1	0	1	0	3	0	1	0	0	1	1	0	0
1995 TOTAL	0	5	5	10	0	10	0	5	5	8	2	10	0	0
YEAR: 1994														
				1		4	•	•			_		_	-
REAR-END	0	3	1	4	0	4	0	3	1	4	0	4	0	0
TURNING MOVEMENTS	0	0	1	1	0	0	0	0	1	0	1	1	0	0
1994 TOTAL	0	3	2	5	0	4	0	3	2	4	1	5	0	0
YEAR: 1993														
ANGLE	0	1	0	1	0	2	0	1	0	0	1	1	0	0
FIXED / OTHER OBJECT	Ô	ò	1	1	ō	ō	1	ó	1	1	ó	1	ő	1
REAR-END	ő	2	i	3	ŏ	4	2	1	2	2	1	3	ŏ	'n
SIDESWIPE - MEETING	ō	ō	1	1	0	Ó	ō	Ó	1	1	0	1	Ö	Ô
TURNING MOVEMENTS	Ō	1	Ó	1	ō	1	ŏ	1	ó	ò	1	1	ŏ	Ô
1993 TOTAL	õ	4	3	7	ō	7	3	3	4	4	3	ż	ő	1
							~			100		15.72	•	
YEAR: 1992														
ANGLE	0	0	2	2	0	0	2	2	0	2	0	2	0	0
REAR-END	0	1	3	4	0	2	0	2	2	2	2	4	0	0
TURNING MOVEMENTS	0	2	1	3	0	3	0	2	1	2	1	3	0	0
1992 TOTAL	0	3	6	9	0	5	2	6	3	6	3	9	0	0
YEAR: 1991														
							•							
ANGLE	0	0	1	1	0	0	0	ŭ	1	0	1	1	0	0
FIXED / OTHER OBJECT REAR-END	Ü	Ü	3	1	0	0	1	1	Ü	1	0	.1	0	0
	Ų	0		11 3	9	10	0	9	2	9	2	11	0	0
TURNING MOVEMENTS	1	9	1	16		4	0	3	0	2	1	3	0	0
1991 TOTAL	1	9	0	10	1	14	1	13	3	12	4	16	0	0
YEAR: 1990														
ANGLE	0	1	0	1	0	7	0	1	0	1	0	1	0	0
REAR-END	0	5	1	6	0	5	1	2	4	4	2	6	ő	Õ
TURNING MOVEMENTS	0	0	1	1	0	0	O	ō	1	Ó	1	1	ő	Õ
1990 TOTAL	0	6	2	8	0	12	1	3	5	5	3	8	Ö	ő
		-		76 - 110	1000		-150	9/2017	0.25	.		•	•	•

CITY COMMISSION ENTERED INTO THE RECORD

DATE RECEIVED: 3/3/16

SUBMITTED BY: C. KUSINSKI

SUBJECT: LE 15-01

BRCP

City of Oregon City City Commission Meeting of March 2nd, 2016

RE: Testimony of Christine Kosinski - Holly Lane, unincorporated Clackamas County

For: Agenda Item 6C – PC 16-037 Re-adoption of the Beavercreek Road Concept Plan Failure to meet State Goals 2, 4, 5, 7, 12
Failure to support State Law ORS 105.465 – Real Estate Disclosure Law Failure to meet Comprehensive Plan Landslide requirements
City lacks Transportation Plan & Infrastructure for development on hilltop

I request that the City keep the hearings open until such time that they can meet ALL STATE GOALS. The City has failed to prove that it has the Transportation Plan, and the Financial Plan in place to provide adequate roads and infrastructure for the very large amount of Additional Daily Trips that will come from this Concept Plan, both commercial and residential, as well as all other planned development on Beavercreek Road, from Henrici Road to the Hwy 213 and Beavercreek Rd intersection.

Here is a list of the ADT's the City proposes to add to the transportation system, which is very inadequate to accommodate these huge amounts of additional traffic, given the fact that the City can't handle the current trips per day, of which some are,

Beavercreek Road East of Hwy 213, Westbound	14,390 per day as of February, 2015
Beavercreek Road East of Hwy 213, Eastbound	12,258 per day as of February, 2015

List of ADT's the City is proposing to add to its alre	eady failing Transportation System Plan
Beavercreek Road Concept Plan	33,000 Per Kittleson & Assoc, commercial
Beavercreek Road Concept Plan	13,000 Per Kittleson & Assoc, residential
Park Place Concept Plan	20,000 Per Kittleson & Assoc
Beavercreek/Meyers Live-Work units	1,000 approximate trips
Enterprise Zone, 5700 jobs-2 trips per day in & out	11,400 approximate trips
Enterprise Zone, trucks, manufacturing, others	30,000 approximate trips
School Buses	1,500 approximate per day
Industrial area off Holly Ln extension	5,000 approximate trips
Added trips from Linn, Leland, Meyers Extension	5,000 approximate trips at minimum
Old Bus Barn proposed development	900 approx. per day
Add CCC Expansion, more apartments in future	10,000 approx. per day

All built out, this comes to a whopping total of..... 130,900 more trips per day

As I stated above, the City can't handle the small amount of ADT's at the present time in the intersection of Beavercreek Rd and Hwy 213. It would take a war chest of money, which the City, County, State or Feds do not have, to build a Transportation System capable of handling these huge amounts of traffic that will come from all proposed development the City is intending on approving. Let us see your Financial Package, and I know from attending your TSP upgrade meetings, the City was already going to be vastly underfunded and had to cut more than half of the intended projects. The City is unable to meet Goal 12, meaning a moratorium on development until the City can financially put a plan in place to provide the transportation infrastructure necessary to support the huge amount of development being proposed, this also includes Sewer, Water, Storm water.

Alternate mobility studies will not help. Isn't this just new language for, "sorry folks we have no money for roads to support our development". Your population is aging, our weather is cold, rainy, and icy for almost 7-8 months of the year. Your older people cannot stand out in the cold, risking pneumonia, to wait for a bus or to walk where currently our streets are very unsafe.

Approving an Urban Renewal District will not work. This is just a back door into taxing your people. The monies taken from schools, fire, police and city services that will go into the Urban Renewal District are never made up, thus the taxpayers wind up having measures on the ballot to fund fire, police, city services that cannot meet their budgets. You need to be honest with your taxpayers. We are living in stressful economic times. Your people are having a hard time meeting their current obligations given the fact that most people's wages are lower than they were 8-10 years ago, people on Social Security have had little to no increases with costs for food and medical escalating.

Air Quality will be dramatically impacted in adding more than 130,000 more trips to your transportation system. Those living in apartments, in condos and others living very close to the major intersections will suffer from huge increases in lead levels from emissions.

The City presently cannot fund its Sewer Plan, Storm water nor its Water Plan. Until such time that the City can prove to its taxpayers that a Financial Plan is in place to fully fund all the development the City is proposing, no further development should be approved.

Holly Lane should be taken out of the TSP. Your Planning Commission has advised that its supports removing the street from the TSP due to a plethora of landslides and the fact that no homeowners in the Holly Lane neighborhood can obtain Landslide Insurance, as evidenced by the denial my Husband and I have received from Lloyd's of London. This denial was turned into your Planning Commission and is part of the record for this proposed plan.

The City has not supported ORS 105.465, neither the City nor the developers are disclosing to prospective new property owners if their land lies in a landslide zone, along with the fact that they will be unable to obtain Landslide Insurance if their property is within one mile of a previous landslide. Lloyd's of London is presently the only Underwriter of landslide insurance, they do use DOGAMI Lidar Maps when considering approval or disapproval of a certain property. For my Husband and I, we were denied landslide coverage by Lloyd's of London due to risk from six landslides within one mile of our property, one of these landslides is the Newell Creek landslide by the Forest Edge apartments with this landslide continuing underneath Hwy 213 and coming up under Dan Fowler's Old Bus Barn property.

I cannot support any approval of the Beavercreek Road Concept Plan for all reasons I have listed above, the fact that the City cannot meet the State Goals which are a requirement prior to any consideration for approval. The City falls very short in meeting Goal 12 for transportation, Goal 7 to protect areas subject to natural hazards, Goal 2 for land use planning, Goal 5 to protect natural resources. The City has been irresponsible in meeting State Law ORS 105.465 – realtor disclosure law. The City simply cannot accommodate another 130,000 trips per day down an antiquated and ill thought out transportation system plan. They have brought no financial plan forward to their taxpayers for this huge build-out which is irresponsible and morally wrong. The City owes this to their people.