



City of Oregon City

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

Meeting Agenda Planning Commission

Monday, March 9, 2020

7:00 PM

Commission Chambers

1. **Call to Order**
2. **Public Comments**
3. **Public Hearing**
 - 3a. GLUA-19-00052: 914 & 950 South End Rd - River Terrace Memory Care
(Continuance Requested to March 23, 2020)
Attachments: [Applicant's Request for Continuance](#)

Continuance
 - 3b. GLUA-20-0010/VAR 20-0004 Fence Height Variance
Attachments: [Commission Report](#)
[GLUA 20-00010 Staff Report](#)
[Exhibit 1 Vicinity Map](#)
[Exhibit 3 Public Comments](#)
[Exhibit 2 Applicant's Narrative and Plans](#)
4. **General Business**
 - 4a. Review of the Comprehensive Plan
Attachments: [2004 Comprehensive Plan](#)
5. **Communication**
6. **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.

Pete Walter

From: Jeffrey Wellington <jeffrey.wellington@gmail.com>
Sent: Friday, January 31, 2020 8:34 AM
To: Pete Walter
Cc: Sam Thomas
Subject: Re: Land Use Notices

Pete,

I am requesting a continuance of the planning commission hearing for March 23rd.

Many thanks,

Jeffrey

On Fri, Jan 31, 2020 at 8:23 AM Pete Walter <pwalter@orccity.org> wrote:

Jeffrey,

OK we can certainly do that. People will still have the opportunity to testify at the hearing on March 9th, but staff will not provide a presentation and recommendation until the 23rd. Please can you send me a separate email requesting the continuance?

Thanks,

Pete

Pete Walter, AICP, Senior Planner

Oregon City Community Development Department

(503) 496-1568

From: Jeffrey Wellington <jeffrey.wellington@gmail.com>
Sent: Thursday, January 30, 2020 9:02 PM
To: Pete Walter <pwalter@orccity.org>
Cc: Sam Thomas <samt@lenityarchitecture.com>
Subject: Re: Land Use Notices

Pete,

I think we will switch the planning commission hearing to March 23rd so that I can be in attendance. I can appreciate that it takes some time to make sure all of the details are completed prior to such a hearing so understand that February 24th was not feasible.

Thanks,

Jeffrey

On Thu, Jan 30, 2020 at 4:08 PM Pete Walter <pwalter@orccity.org> wrote:

Hi Jeff,

Sorry – the agenda is already full for the 24th and both planning and public works have a steady workload of reviews ahead of your application. We need time to thoroughly review the application. The hearing date is actually pretty early in our 120-day decision deadline (day 40, to be exact).

I have already put together all of the notices. If you like, you could request a continuance of the hearing from March 9 to March 23 so you can be in attendance.

Pete

Pete Walter, AICP, Senior Planner

Oregon City Community Development Department

(503) 496-1568

From: Jeffrey Wellington <jeffrey.wellington@gmail.com>

Sent: Thursday, January 30, 2020 3:26 PM

To: Pete Walter <pwalter@orcity.org>
Cc: Sam Thomas <samt@lenityarchitecture.com>
Subject: Re: Land Use Notices

Hey Pete,

Thanks fir your help and hard work. The week of March 8th I am, unfortunately, out of town. Is there any way to do February 24th? I am more than willing to help you with posting notices or helping with mailings if that would help with accommodating that date. If the 24th does not work, no worries, I can adjust.

Thanks so much.

Jeffrey

Sent from my iPhone

On Jan 30, 2020, at 2:17 PM, Pete Walter <pwalter@orcity.org> wrote:

Good afternoon Jeffrey and Sam,

I am making the land use notices so they can be posted by tomorrow. We will have them ready to pick up in the morning.

Pete

Peter Walter, AICP, Senior Planner

City of Oregon City

Community Development – Planning

698 Warner Parrott Rd, Oregon City, OR 97045

(503) 496-1568 Direct

(503) 722-3789 Main

Email: pwalter@orccity.org

[Website](#)

[Interactive Maps and Apps](#)

[Draft Housing and Other Development Code Amendments](#)

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State Retention Schedule and may be made available to the public.



City of Oregon City

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

Staff Report

File Number: PC 20-047

Agenda Date:

Status: Draft

To: Planning Commission

Agenda #: 3b.

From: Sr. Planner Christina Robertson-Gardiner

File Type: Planning Item

SUBJECT:

GLUA-20-0010/VAR 20-0004 Fence Height Variance

RECOMMENDED ACTION (Motion):

Approval GLUA-20-0010/VAR 20-0004

EXECUTIVE SUMMARY:

The Applicant is requesting approval of a Planning Commission Variance to the front yard fence height to accommodate the location of a transmission line tower onsite and provide a more usable yard. The maximum height for fencing in the front yard is 3 1/2 feet.

A preliminary analysis of the applicable approval criteria is enclosed within the staff report. All applicable criteria shall be met, or met with conditions, in order to be approved. The Planning Commission may choose to adopt the findings as recommended by staff or alter any finding as determined appropriate. Staff finds that the attached findings and proposed conditions demonstrate compliance with the Oregon City Municipal Code.

BACKGROUND:

The Oregon City Municipal Code requires front yard fences to be limited to 3 ½ feet tall within 40 feet of the Right-of-Way. Shorter front yard fences provide clear vision to the street from the house and does not create a visual barrier for pedestrians, which encourages a more pedestrian-friendly environment. In this instance, the 120-foot Portland General Electric (PGE) Easement onsite has pushed the house to the rear of the lot, which has created a large front/side yard

A transmission tower is located on-site within a 120-foot Portland General Electric (PGE) Easement. The large tower is located toward the middle of the yard. This is a private easement regulated by PGE. The applicant contacted PGE and was told that a 6-foot fence and plantings are allowed within the easement as long as there is an access gate. It is up to the applicant to confirm this or any other requirements from the private easement, which will not be part of this review. If PGE does not allow the 6-foot fence or mitigation plantings within their easement, the applicant is not allowed to place a fence taller than 3 ½ feet in the front yard.

The applicant is proposing 6-foot wood fence setback 10-feet from the back of the sidewalk with landscape mitigation on both Myrtlewood Way and Cherrywood Way. The applicant has proposed a combination of 30-35 shrubs be planted in the front of the fence along both street frontages as

mitigation and to soften the pedestrian experience.

OPTIONS:

1. Approve GLUA-20-0010/VAR 20-0004 as proposed.
2. Approve GLUA-20-0010/VAR 20-0004 with revised conditions.
3. Deny GLUA-20-0010/VAR 20-0004.
4. Continue the matter to March 23, 2020.

BUDGET IMPACT:

Amount: N/A

FY(s):

Funding Source:



TYPE III STAFF REPORT AND RECOMMENDATION

A preliminary analysis of the applicable approval criteria is enclosed within the following staff report. All applicable criteria shall be met, or met with conditions, in order to be approved. The Planning Commission may choose to adopt the findings as recommended by staff or alter any finding as determined appropriate.

March 2, 2020

FILE NUMBER: GLUA-20-0010/VAR 20-0004 Fence Height Variance

**OWNER/
APPLICANT:** Wendy Forrester
PO Box 2559
Oregon City, OR 97045

Submitted: February 3, 2020
Complete: February 18, 2020
120 Day Deadline: June 17, 2020
PC Hearing: March 9, 2020

REQUEST: Applicant is requesting approval of a Planning Commission Variance to the front yard fence height to accommodate the location of a transmission line tower onsite.

LOCATION: 12777 Myrtlewood Way/ Lindsay Anne Too, Lot 3

REVIEWER: Christina Robertson-Gardiner, Senior Planner

RECOMMENDATION: Approval with Conditions.

PROCESS: Type III decisions involve the greatest amount of discretion and evaluation of subjective approval standards, yet are not required to be heard by the city commission, except upon appeal. Applications evaluated through this process include conditional use permits. The process for these land use decisions is controlled by ORS 197.763. Notice of the application and the planning commission hearing is published and mailed to the applicant, recognized neighborhood association and property owners within three hundred feet of the subject property. Notice must be issued at least twenty days pre-hearing, and the staff report must be available at least seven days pre-hearing. At the evidentiary hearing held before the planning commission, all issues are addressed. The decision is final unless appealed and description of the requirements for perfecting an appeal. The decision of the planning commission is appealable to the city commission within fourteen days of the issuance of the final decision. The city commission hearing on appeal is on the record and no new evidence shall be allowed. Only those persons or a city-recognized neighborhood association who have participated either orally or in writing have standing to appeal the decision of the planning commission. Grounds for appeal are limited to those issues raised either orally or in writing before the close of the public record. A city-recognized neighborhood association requesting an appeal fee waiver pursuant to OCMC 17.50.290.C must officially approve the request through a vote of its general membership or board at a duly announced meeting prior to the filing of an appeal. The city commission decision on appeal from the planning commission is the city's final decision and is appealable to the Land Use Board of Appeals (LUBA) within twenty-one days of when it becomes final.

Conditions of Approval
Planning File GLUA-20-0010/VAR 20-0004 Fence Height Variance

(P) = Verify that condition of approval has been met with the Planning Division.

(DS) = Verify that condition of approval has been met with the Development Services Division.

(B) = Verify that condition of approval has been met with the Building Division.

(F) = Verify that condition of approval has been met with Clackamas Fire Department.

The applicant shall include the following information with submittal of a public improvement and/or grading permit associated with the proposed application. The information shall be approved prior to issuance.

1. The applicant shall provide written approval from PGE to place a fence or any plantings within their 125' transmission line easement. If the applicant cannot provide written approval, the applicant is not allowed to place a fence taller than 3 ½ feet in the front yard of the property.
(DS)

If the applicant can provide written approval from PGE to place a fence or any plantings within their 125' transmission line easement, the following conditions apply:

2. The applicant is allowed to place a 6-foot tall fence in the front yard of the house which shall be no closer than 10 feet from the property line. No portion of the fence is allowed to be located within the 10' public utility easement. (P)
3. The applicant shall record a covenant that requires a minimum of 35 shrubs be planted in front of the 6-foot tall fence with a minimum mature height of 2 feet and a maximum mature height of 5 feet. A minimum of 10 shrubs shall be planted along Cherrywood Way and a minimum of 25 shrubs shall be planted along Myrtlewood Way. The covenant shall require all dead or dying plants to be replaced with plants that meet the above requirements as long as there is a 6-foot fence located within the front yard or the Oregon City Municipal Code is amended to allow the fence location as installed without requiring a Variance. (P)
4. The required mitigation landscaping is located within the City's Public Utility Easement (PUE). The property owner is responsible for replacing any landscaping that is damaged in the event the City or a private utility provider needs to access, place, or repair utility lines within the PUE.
(P,DS)
5. The owner is encouraged to contact <https://digsafelyoregon.com/> to verify the location of any existing private utility lines within the PUE before planting landscaping. (DS)

I. BACKGROUND:

1. Existing Conditions

The subject site is located at 12777 Myrtlewood Way- Lot 3 of the Lindsay Anne Too Subdivision Plat. The property is a corner lot with frontage on both Myrtlewood Way and Cherrywood Way. The subject site is developed with a single-family home with a large portion of the site constrained by a powerline easement and a transmission tower. The lot is approximately 29,075

Figure 3 Site Photos



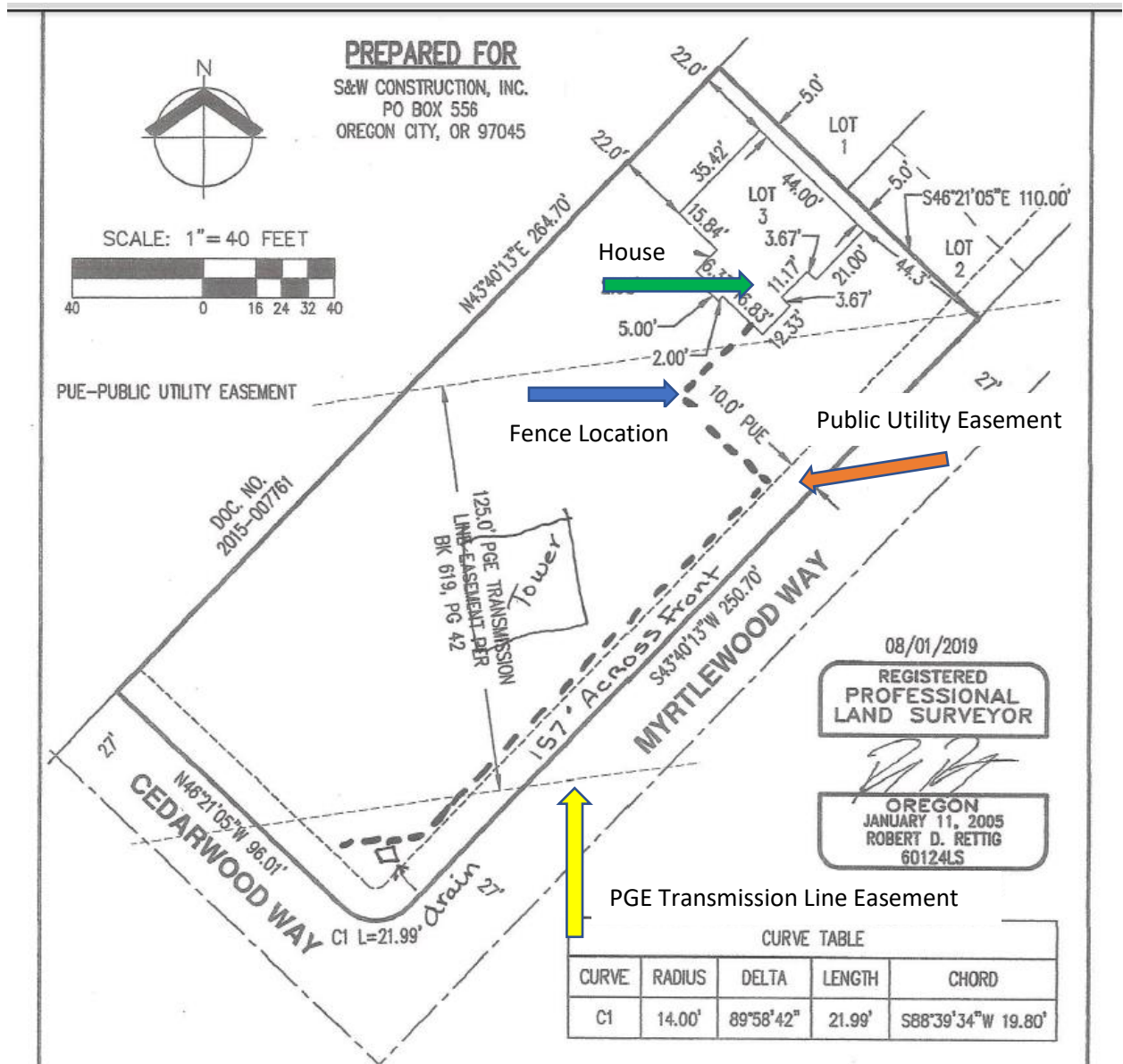
Fig 3.1 Looking North at Intersection of Myrtlewood and Cherrywood Ways.



Fig 3.2 Looking South at Intersection of Myrtlewood Way and Leland Road.

GLUA-20-0010/VAR 20-0004 Fence Height Variance

Figure 4: Proposed fence location



2. Project Description

The Applicant is requesting approval of a Planning Commission Variance to the front yard fence height to accommodate the location of a transmission line tower onsite and provide a more usable side yard. The maximum height for fencing in the front yard is 3 1/2 feet. Oregon City Municipal Code requires front yard fences to be limited to 3 1/2 feet tall within 40 feet of the Right-of-Way. Shorter front yard fences provide clear vision to the street from the house and does not create a visual barrier for pedestrians, which encourages a more pedestrian-friendly environment. In this instance, the 120-foot Portland General Electric (PGE) Easement onsite has pushed the house to the rear of the lot, which has created a large front/side yard

GLUA-20-0010/VAR 20-0004 Fence Height Variance

The applicant is proposing 6-foot wood fence setback 10-feet from the back of the sidewalk with landscape mitigation on both Myrtlewood Way and Cherrywood Way. It is unclear from the map below, if the fence will extent the full frontage of Cherrywood. Staff has prepared a condition of approval that allows the option allowing the 6-foot fence to be located along the full frontage of Cherrywood Way

The applicant is proposing to plant the mitigation shrubs in the City's Public Utility Easement, the length of which is 10 feet from back of sidewalk on both frontages. A utility easement is an easement that allows a utility the right to use and access specific area of another's property for laying utilities. A utility easement is attached to the property deed so that it passes on even when the property is transferred or sold. In Oregon City, landscaping is allowed within the PUE, though no buildings or fences are allowed.

A transmission tower is located on-site within the 120-foot Portland General Electric (PGE) Easement. The large tower is located toward the middle of the yard. This is a private easement regulated by PGE. The applicant contacted PGE and was told that a 6-foot fence and plantings are allowed within the easement as long as there is an access gate. It is up to the applicant to confirm this or any other requirements from the private easement, which will not be part of this review.

If PGE does not allow the 6-foot fence or mitigation plantings within their easement, the applicant is not allowed to place a fence taller than 3 ½ feet in the front yard.

The applicant has proposed a combination of 30-35 shrubs and trees to be planted in the front of the fence along both street frontages as mitigation and to soften the pedestrian experience. While landscaping is allowed within a City Public Utility Easement (PUE), trees are not recommended as the roots may interfere with private utility lines that may be located in the PUE such as cable or gas lines. Development Services recommends that the applicant provide landscaping limited to shrubs and ground cover. A condition of approval has been added to reflect this concern.

3. Permits and Approvals: The applicant is responsible for obtaining approval and permits from each applicable governmental agency and department at Oregon City including but not limited to the Engineering and Building Divisions.

4. Public Comment

Public comments submitted include (Exhibit 3):

- A comment from ODOT identifying no concerns with the proposed development.
- A comment from Hillendale Neighborhood Association identifying no concerns with the proposed development.

Comments of the Public Works Department and Development Services Division are incorporated into this report and Conditions of Approval.

None of the comments provided indicate that an approval criterion has not been met or cannot be met through the Conditions of Approval attached to this Staff Report.

II. ANALYSIS AND FINDINGS:

Municipal Code Standards and Requirements: The following chapters of the Oregon City Municipal Code are applicable to this land-use approval:

CHAPTER 17.08 LOW-DENSITY RESIDENTIAL

CHAPTER 17.50 ADMINISTRATION AND PROCEDURES

CHAPTER 17.54 SUPPLEMENTAL ZONING REGULATIONS AND EXCEPTIONS

CHAPTER 17.60 VARIANCES

The City Code Book is available on-line at www.orcity.org.

REQUIRED CODE RESPONSES:

CHAPTER 17.08 LOW DENSITY RESIDENTIAL DISTRICTS

17.08.020 - Permitted uses.

Permitted uses in the R-10, R-8 and R-6 districts are:

- A. Single-family detached residential units;*
- B. Accessory uses, buildings and dwellings;*
- C. Internal conversions;*
- D. Corner duplexes;*
- E. Cluster housing;*
- F. Residential homes;*
- G. Parks, playgrounds, playfields and community or neighborhood centers;*
- H. Home occupations;*
- I. Family day care providers;*
- J. Farms, commercial or truck gardening and horticultural nurseries on a lot not less than twenty thousand square feet in area (retail sales of materials grown on-site is permitted);*
- K. Temporary real estate offices in model homes located on and limited to sales of real estate on a single piece of platted property upon which new residential buildings are being constructed;*
- L. Transportation facilities.*

Finding: Complies as Proposed. The property is developed with a single-family home, which is a permitted use.

17.08.025 - Conditional uses.

The following uses are permitted in the R-10, R-8 and R-6 districts when authorized by and in accordance with the standards contained in OCMC 17.56:

- A. Golf courses, except miniature golf courses, driving ranges or similar commercial enterprises;*
- B. Bed and breakfast inns/boarding houses;*
- C. Cemeteries, crematories, mausoleums and columbariums;*
- D. Child care centers and nursery schools;*
- E. Emergency service facilities (police and fire), excluding correctional facilities;*
- F. Residential care facilities;*
- G. Private and/or public educational or training facilities;*
- H. Public utilities, including sub-stations (such as buildings, plants and other structures);*
- I. Religious institutions;*
- J. Assisted living facilities; nursing homes and group homes for over fifteen patients;*

Finding: Not Applicable. The applicant has not proposed a conditional use.

17.08.030 - Master plans.

The following are permitted in the R-10, R-8 and R-6 districts when authorized by and in accordance with the standards contained in OCMC 17.65.

- A. Single-family attached residential units.*

Finding: Not Applicable. The applicant has not proposed a master plan.

17.08.035 - Prohibited uses.

Prohibited uses in the R-10, R-8 and R-6 districts are:

- A. Any use not expressly listed in OCMC 17.08.020, 17.08.025 or 17.08.030;*
- B. Marijuana businesses.*

Finding: Complies as Proposed. The applicant has not proposed a prohibited use.

17.08.040 - Dimensional standards.

Dimensional standards in the R-10, R-8 and R-6 districts are as follows:

Table 17.08.040

<i>Standard</i>	<i>R-6</i>
<i>Minimum lot size</i>	<i>6,000 sq. ft.</i>
<i>Maximum height</i>	<i>35 ft.</i>
<i>Maximum building lot coverage With ADU</i>	<i>40%, except 45%</i>
<i>Minimum lot width</i>	<i>50 ft.</i>
<i>Minimum lot depth</i>	<i>70 ft.</i>
<i>Minimum front yard setback</i>	<i>10 ft., except 5 ft. - Porch</i>
<i>Minimum interior side yard setback</i>	<i>5 ft.</i>
<i>Minimum corner side yard setback</i>	<i>10 ft.</i>

<i>Minimum rear yard setback</i>	20 ft, except 15 ft - Porch 10 ft - ADU
<i>Garage setback</i>	20 ft. from ROW, except 5 ft. Alley

Notes:

For land divisions, lot sizes may be reduced pursuant to OCMC 16.08.065.

Accessory structures may have reduced setbacks pursuant to OCMC 17.54.010.B.

Finding: Complies with Condition. The proposed development is in compliance with all dimensional standards of the R-6 zoning district, which was reviewed during the subdivision (TP 17-07) and Single-Family house construction permit review.

17.08.045 - Exceptions to setbacks.

A. Projections from buildings. Ordinary building projections such as cornices, eaves, overhangs, canopies, sunshades, gutters, chimneys, flues, sills or similar architectural features may project into the required yards up to twenty-four inches.

Finding: Complies as Proposed. The proposed development is in compliance with all dimensional standards of the R-6 zoning district, which was reviewed during the subdivision (TP 17-07) and Single-family house construction permit review.

B. Through lot setbacks. Through lots having a frontage on two streets shall provide the required front yard on each street. The required rear yard is not necessary.

Finding: Not Applicable. The applicant has not proposed a through lot.

17.08.050 - Density standards.

A. Density standards in the R-10, R-8 and R-6 districts are as follows:

Table 17.08.050

<i>Standard</i>	<i>R-10</i>
<i>Minimum net density</i>	<i>3.5 du/acre</i>
<i>Maximum net density</i>	<i>4.4 du/acre</i>

B. Exceptions.

1. Any dwelling units created as accessory dwelling units or internal conversions do not count towards the minimum or maximum density limits in Table 17.08.050.

2. Corner duplexes shall count as a single dwelling unit for the purposes of calculating density.

3. Cluster housing is permitted at higher densities exempt from the standards in Table 17.08.050; see OCMC 17.20.020.

Finding: Complies as Proposed. The proposed development is in compliance with all dimensional standards of the R-6 zoning district, which was reviewing during the subdivision review (TP 17-07) and Single-family house construction permit review.

Chapter 17.54 Supplemental Zoning Regulations and Exceptions

17.54.100 Fences, Hedges, Walls, and Retaining Walls.

A. A fence, hedge, wall, retaining wall, or combination thereof may be located on real property, not within the right-of-way, subject to all of the following:

1. A fence, hedge, wall, retaining wall, or combination thereof located in front of a building may be up to 3.5-feet in total height as measured from the finished grade at any point on the fence.

2. A fence, hedge, wall, located next to, or behind the forward most building, or within more than forty feet of the right-of-way, whichever is less may be up to:

a. Six feet in total height for residential properties with less than five units as measured from the finished grade at any point on the fence; or

b. Eight feet in total height for all other uses as measured from the finished grade at any point on the fence.

Finding: Complies as Conditioned. The applicant is proposing to install a 6-foot fence in front of house within 40 feet of the Right of Way which requires a Planning Commission Variance. Variance findings can be found in Section 17.60 of the staff report.

3. A retaining wall or combination of a fence, hedge, wall located next to and behind the forward most building, or within more than forty feet of the right-of-way, whichever is less, may be up to (as measured from the finished grade) 8.5 feet in height from the finished grade.

4. Fences, hedges, and/or walls located within two feet above a retaining wall, as measured on a horizontal plane, shall be measured together for the purposes of determining height.

Finding: Not Applicable. The proposed fence is located on a flat grade. No retaining walls are needed.

Property owners shall ensure compliance with the Traffic Sight Obstruction requirements in Chapter 10.32 of the Oregon City Municipal Code.

Finding: Complies as Proposed. The fence is setback 10 feet from the back of sidewalk which is in compliance with Traffic Sight Obstruction requirements.

Retaining walls completely below the elevation of the right-of-way may be up to six feet in height.

Finding: Not Applicable The proposed fence is located on a flat grade. No retaining walls are needed.

Minimum fall protection required by the Building Official, such as railings, is not included in the height of a retaining wall but must comply with the fence height requirements.

Finding: Not Applicable The proposed fence is located on a flat grade. No retaining walls or railings are needed.

B. When no other practicable alternative exists, the City Engineer may permit a fence, hedge, wall, retaining wall, or combination thereof to be located within the right-of-way subject to all of the following:

1. A Revocable Permanent Obstruction in the Right of Way permit is granted per OCMC 12.04.120;

2. Retaining walls, fences, or hedges comply with OCMC 17.54.100.A, unless determined to be impracticable by the City Engineer.

3. The abutting property owner shall ensure compliance with the Traffic Sight Obstruction requirements in Chapter 10.32 of the Oregon City Municipal Code.

Finding: Not Applicable The proposed fence is not located within the Right of Way.

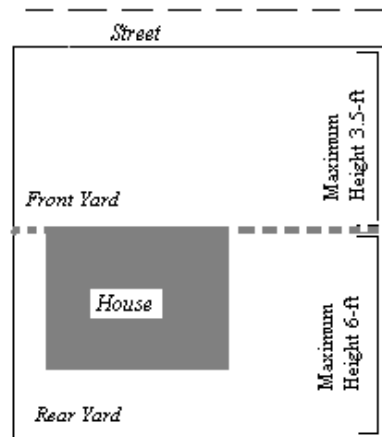
C. It is unlawful for any person to erect any electric fence or any fence constructed in whole or in part of barbed wire or to use barbed wire, except as erected in connection with security installations at a minimum height of six feet, providing further that prior written approval has been granted by the City Manager.

Finding: Not Applicable. The applicant is not proposing to install an electric or barbed wire fence.

Residential Height Requirements

Any fence, hedge or wall located in front of may be up to 3.5-feet in total height.

A fence, hedge or wall located next to and behind your home may be up to 6-feet in total height.



CHAPTER 17.50 ADMINISTRATION AND PROCEDURES

17.50.010 - Purpose.

This chapter provides the procedures by which Oregon City reviews and decides upon applications for all permits relating to the use of land authorized by ORS 92, 197 and 227. These permits include all form of land divisions, land use, limited land use and expedited land division and legislative enactments and amendments to the Oregon City Comprehensive Plan and Titles 16 and 17 of this code. Pursuant to ORS 227.175, any applicant may elect to consolidate applications for two or more related permits needed for a single development project. Any grading activity associated with development shall be subject to preliminary review as part of the review process for the underlying development. It is the express policy of the City of Oregon City that development review not be segmented into discrete parts in a manner that precludes a comprehensive review of the entire development and its cumulative impacts.

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

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

Table 17.50.030: PERMIT APPROVAL PROCESS

PERMIT TYPE	I	II	III	IV	Expedited Land Division
Annexation				X	
Compatibility Review for Communication Facilities	X				
Compatibility Review for the Willamette River Greenway Overlay District			X		

GLUA-20-0010/VAR 20-0004 Fence Height Variance

Code Interpretation			X		
Master Plan/Planned Unit Development - General Development Plan			X		
Master Plan/Planned Unit Development - General Development Plan Amendment	X	X	X		
Conditional Use			X		
Detailed Development Plan ¹	X	X	X		
Extension	X				
Final Plat	X				
Geologic Hazards		X			
Historic Review	X		X		
Lot Line Adjustment and Abandonment	X				
Manufactured Home Park Review (New or Modification)		X			
Placement of a Single Manufactured Home on Existing Space or Lot within a Park	X				
Minor Partition		X			
Nonconforming Use, Structure and Lots Review	X	X			
Plan or Code Amendment				X	
Revocation				X	
Site Plan and Design Review	X	X			
Subdivision		X			X
Variance		X	X		
Zone Change				X	
Natural Resource Overlay District Exemption	X				
Natural Resource Overlay District Review		X	X		
Live/Work Dwelling Review		X			
Cluster Housing Development Review		X			
Residential Design Standards Review for Single Family Attached, Single Family Detached, Duplexes, 3-4 Plexes, Internal Conversions and Accessory Dwelling Units	X				
Modification of Residential Design Standards		X			

1 If any provision or element of the Master Plan/Planned Unit Development requires a deferred Type III procedure, the Detailed Development Plan shall be processed through a Type III procedure.

A. Type I decisions do not require interpretation or the exercise of policy or legal judgment in evaluating approval criteria. Because no discretion is involved, Type I decisions do not qualify as a land use, or limited land use, decision. The decision-making process requires no notice to any party other than the applicant. The Community Development Director's decision is final and not appealable by any party through the normal City land use process.

B. Type II decisions involve the exercise of limited interpretation and discretion in evaluating approval criteria, similar to the limited land use decision-making process under state law. Applications evaluated through this process are assumed to be allowable in the underlying zone, and the inquiry typically focuses on what form the use will take or how it will look. Notice of application and an invitation to comment is mailed to the applicant, recognized active neighborhood association(s) and property owners within three hundred feet. The Community Development Director

accepts comments for a minimum of fourteen days and renders a decision. The Community Development Director's decision is appealable to the City Commission, by any party who submitted comments in writing before the expiration of the comment period. Review by the City Commission shall be on the record pursuant to OCMC 17.50.190 under ORS ORS 197.195(5). The City Commission decision is the City's final decision and is subject to review by the Land Use Board of Appeals (LUBA) within twenty-one days of when it becomes final.

C. Type III decisions involve the greatest amount of discretion and evaluation of subjective approval standards, yet are not required to be heard by the City Commission, except upon appeal. In the event that any decision is not classified, it shall be treated as a Type III decision. The process for these land use decisions is controlled by ORS 197.763. Notice of the application and the Planning Commission or the Historic Review Board hearing is published and mailed to the applicant, recognized neighborhood association(s) and property owners within three hundred feet. Notice shall be issued at least twenty days pre-hearing, and the staff report shall be available at least seven days pre-hearing. At the evidentiary hearing held before the Planning Commission or the Historic Review Board, all issues are addressed. The decision of the Planning Commission or Historic Review Board is appealable to the City Commission, on the record pursuant to OCMC 17.50.190. The City Commission decision on appeal from is the City's final decision and is subject to review by LUBA within twenty-one days of when it becomes final, unless otherwise provided by state law.

D. Type IV decisions include only quasi-judicial plan amendments and zone changes. These applications involve the greatest amount of discretion and evaluation of subjective approval standards and shall be heard by the City Commission for final action. The process for these land use decisions is controlled by ORS 197.763. Notice of the application and Planning Commission hearing is published and mailed to the applicant, recognized neighborhood association(s) and property owners within three hundred feet. Notice shall be issued at least twenty days pre-hearing, and the staff report shall be available at least seven days pre-hearing. At the evidentiary hearing held before the Planning Commission, all issues are addressed. If the Planning Commission denies the application, any party with standing (i.e., anyone who appeared before the Planning Commission either in person or in writing within the comment period) may appeal the Planning Commission denial to the City Commission. If the Planning Commission denies the application and no appeal has been received within fourteen days of the issuance of the final decision, then the action of the Planning Commission becomes the final decision of the City. If the Planning Commission votes to approve the application, that decision is forwarded as a recommendation to the City Commission for final consideration. In either case, any review by the City Commission is on the record and only issues raised before the Planning Commission may be raised before the City Commission. The City Commission decision is the City's final decision and is subject to review by LUBA within twenty-one days of when it becomes final.

E. The expedited land division (ELD) process is set forth in ORS 197.360 to 197.380. To qualify for this type of process, the development shall meet the basic criteria in ORS 197.360(1)(a) or (b). While the decision-making process is controlled by state law, the approval criteria are found in this code. The Community Development Director has twenty-one days within which to determine whether an application is complete. Once deemed complete, the Community Development Director has sixty-three days within which to issue a decision. Notice of application and opportunity to comment is mailed to the applicant, recognized neighborhood association and property owners within one hundred feet of the subject site. The Community Development Director will accept written comments on the application for fourteen days and then issues a decision. State law prohibits a hearing. Any party who submitted comments may call for an appeal of the Community Development Director's decision before a hearings referee. The referee need not hold a hearing; the only requirement is that the determination be based on the evidentiary record established by the Community Development Director and that the process be "fair." The referee applies the City's approval standards, and has forty-two days within which to issue a decision on the appeal. The referee is charged with the general objective to identify means by which the application can satisfy the applicable requirements without reducing density. The referee's decision is appealable only to the court of appeals pursuant to ORS 197.375(8) and 36.355(1).

Finding: The Applicant is requesting a Type III Planning Commission Variance to allow a higher fence height than is allowed through OCMC 17.54.

F. Decisions, completeness reviews, appeals, and notices in this Chapter shall be calculated according to OCMC 1.04.070 and shall be based on calendar days, not business days.

Finding: The application was submitted on February 3, 2020. It was deemed complete on February 18, 2020. The 120 Day Deadline date is June 17, 2020.

17.50.040 - Development review in overlay districts and for erosion control.

For any development subject to regulation of Geologic Hazards Overlay District under OCMC 17.44; Natural Resource Overlay District under OCMC 17.49; Willamette River Greenway Overlay District under OCMC 17.48; Historic Overlay District under OCMC 17.40, and Erosion and Sediment Control under OCMC 17.47, compliance with the requirements of these chapters shall be reviewed as part of the review process required for the underlying development for the site.

Finding: Not Applicable. No overlay districts are placed upon this property.

17.50.050 – Pre-application conference.

A Pre-application Conference. Prior to a Type II – IV or Legislative application, excluding Historic Review, being deemed complete, the applicant shall schedule and attend a pre-application conference with City staff to discuss the proposal, unless waived by the Community Development Director. The purpose of the pre-application conference is to provide an opportunity for staff to provide the applicant with information on the likely impacts, limitations, requirements, approval standards, fees and other information that may affect the proposal. To schedule a pre-application conference, the applicant shall contact the Planning Division, submit the required materials, and pay the appropriate conference fee.

At a minimum, an applicant should submit a short narrative describing the proposal and a proposed site plan, drawn to a scale acceptable to the City, which identifies the proposed land uses, traffic circulation, and public rights-of-way and all other required plans.

The Planning Division shall provide the applicant(s) with the identity and contact persons for all affected neighborhood associations as well as a written summary of the pre-application conference.

B. A pre-application conference shall be valid for a period of six months from the date it is held. If no application is filed within six months of the conference or meeting, the applicant shall schedule and attend another conference before the City will accept a permit application. The Community Development Director may waive the pre-application requirement if, in the Director's opinion, the development has not changed significantly and the applicable municipal code or standards have not been significantly amended. In no case shall a pre-application conference be valid for more than one year.

C. Notwithstanding any representations by City staff at a pre-application conference, staff is not authorized to waive any requirements of this code, and any omission or failure by staff to recite to an applicant all relevant applicable land use requirements shall not constitute a waiver by the City of any standard or requirement.

Finding: The Pre-application conference PA 20-01 was held on January 21, 2020.

17.50.055 - Neighborhood association meeting.

Neighborhood Association Meeting. The purpose of the meeting with the recognized neighborhood association is to inform the affected neighborhood association about the proposed development and to receive the preliminary responses and suggestions from the neighborhood association and the member residents.

A. Applicants applying for annexations, zone change, comprehensive plan amendments, conditional use, Planning Commission variances, subdivision, or site plan and design review (excluding minor site plan and design review), general development master plans or detailed development plans applications shall schedule and attend a meeting with the City-recognized neighborhood association in whose territory the application is proposed no earlier than one year prior to the date of application. Although not required for other projects than those identified above, a meeting with the neighborhood association is highly recommended.

B. The applicant shall request via email or regular mail a request to meet with the neighborhood association chair where the proposed development is located. The notice shall describe the proposed project. A copy of this notice shall also be provided to the chair of the Citizen Involvement Committee.

C. A meeting shall be scheduled within thirty days of the date that the notice is sent. A meeting may be scheduled later than thirty days if by mutual agreement of the applicant and the neighborhood association. If the neighborhood association does not want to, or cannot meet within thirty days, the applicant shall host a meeting

inviting the neighborhood association, Citizen Involvement Committee, and all property owners within three hundred feet to attend. This meeting shall not begin before six p.m. on a weekday or may be held on a weekend and shall occur within the neighborhood association boundaries or at a City facility.

D. If the neighborhood association is not currently recognized by the City, is inactive, or does not exist, the applicant shall request a meeting with the Citizen Involvement Committee.

E. To show compliance with this section, the applicant shall submit a copy of the email or mail notice to the neighborhood association and CIC chair, a sign-in sheet of meeting attendees, and a summary of issues discussed at the meeting. If the applicant held a separately noticed meeting, the applicant shall submit a copy of the meeting flyer, postcard or other correspondence used, and a summary of issues discussed at the meeting and submittal of these materials shall be required for a complete application.

Finding: The applicant contacted the Hillendale Neighborhood Association and a meeting was not able to be scheduled in a timely matter. The applicant held their own meeting on February 17, 2020 at the house in question (12777 Myrtlewood Way). A invitation letter was sent to all properties located within 300 feet of the property.

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

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

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

D. A one-hundred day period applies in place of the one-hundred-twenty day period for affordable housing projects where:

- 1. The project includes five or more residential units, including assisted living facilities or group homes;*
- 2. At least 50% of the residential units will be sold or rented to households with incomes equal to or less than 60% of the median family income for Clackamas County or for the state, whichever is greater; and*
- 3. Development is subject to a covenant restricting the owner and successive owner from selling or renting any of the affordable units as housing that is not affordable for a period of 60 years from the date of the certificate of occupancy.*

E. The one hundred twenty-day period specified in OCMC 17.50.070.C or D may be extended for a specified period of time at the written request of the applicant. The total of all extensions may not exceed two hundred forty-five calendar days.

F. The approval standards that control the City's review and decision on a complete application are those which were in effect on the date the application was first submitted.

Finding: The application was submitted on February 3, 2020. It was deemed complete on February 18, 2020. The 120 Day Deadline date is June 17, 2020.

17.50.080 - Complete application—Required information.

Unless stated elsewhere in OCMC 16 or 17, a complete application includes all the materials listed in this subsection. The Community Development Director may waive the submission of any of these materials if not deemed to be applicable to the specific review sought. Likewise, within thirty days of when the application is first submitted, the Community Development Director may require additional information, beyond that listed in this

subsection or elsewhere in Titles 12, 14, 15, 16, or 17, such as a traffic study or other report prepared by an appropriate expert. In any event, the applicant is responsible for the completeness and accuracy of the application and all of the supporting documentation, and the City will not deem the application complete until all information required by the Community Development Director is submitted. At a minimum, the applicant shall submit the following:

- A. One copy of a completed application form that includes the following information:
 - 1. An accurate address and tax map and location of all properties that are the subject of the application;
 - 2. Name, address, telephone number and authorization signature of all record property owners or contract owners, and the name, address and telephone number of the applicant, if different from the property owner(s);
- B. A complete list of the permit approvals sought by the applicant;
- C. A complete and detailed narrative description of the proposed development;
- D. A discussion of the approval criteria for all permits required for approval of the development proposal that explains how the criteria are or can be met or are not applicable, and any other information indicated by staff at the pre-application conference as being required;
- E. One copy of all architectural drawings and site plans shall be submitted for Type II-IV applications. One paper copy of all application materials shall be submitted for Type I applications;
- F. For all Type II – IV applications, the following is required:
 - 1. An electronic copy of all materials.
 - 2. Mailing labels or associated fee for notice to all parties entitled under OCMC 17.50.090 to receive mailed notice of the application. The applicant shall use the names and addresses of property owners within the notice area indicated on the most recent property tax rolls;
 - 3. Documentation indicating there are no liens favoring the City on the subject site.
 - 4. A receipt from the county assessor's office indicating that all taxes for the lot or parcels involved are paid in full for the preceding tax year.
 - 5. A current preliminary title report or trio for the subject property(ies);
- G. All required application fees;
- H. Annexation agreements, traffic or technical studies (if applicable);
- I. Additional documentation, as needed and identified by the Community Development Director.

Finding: The application was submitted on February 3, 2020. It was deemed complete on February 18, 2020. The 120 Day Deadline date is June 17, 2020.

17.50.090 - Public notices.

All public notices issued by the City announcing applications or public hearings of quasi-judicial or legislative actions, shall comply with the requirements of this section.

A. Notice of Type II Applications. Once the Community Development Director has deemed a Type II application complete, the City shall prepare and send notice of the application, by first class mail, to all record owners of property within three hundred feet of the subject property and to any city-recognized neighborhood association whose territory includes the subject property. The applicant shall provide or the City shall prepare for a fee an accurate and complete set of mailing labels for these property owners and for posting the subject property with the City-prepared notice in accordance with OCMC 17.50.100. The City's Type II notice shall include the following information:

- 1. Street address or other easily understood location of the subject property and city-assigned planning file number;
- 2. A description of the applicant's proposal, along with citations of the approval criteria that the City will use to evaluate the proposal;
- 3. A statement that any interested party may submit to the City written comments on the application during a fourteen-day comment period prior to the City's deciding the application, along with instructions on where to send the comments and the deadline of the fourteen-day comment period;
- 4. A statement that any issue which is intended to provide a basis for an appeal shall be raised in writing during the fourteen-day comment period with sufficient specificity to enable the City to respond to the issue;
- 5. A statement that the application and all supporting materials may be inspected, and copied at cost, at city hall during normal business hours;
- 6. The name and telephone number of the planning staff person assigned to the application or is otherwise available to answer questions about the application.

7. The notice shall state that a City-recognized neighborhood association requesting an appeal fee waiver pursuant to OCMC 17.50.290.C must officially approve the request through a vote of its general membership or board at a duly announced meeting prior to the filing of an appeal.

B. Notice of Public Hearing on a Type III or IV Quasi-Judicial Application. Notice for all public hearings concerning a quasi-judicial application shall conform to the requirements of this subsection. At least twenty days prior to the hearing, the City shall prepare and send, by first class mail, notice of the hearing to all record owners of property within three hundred feet of the subject property and to any City-recognized neighborhood association whose territory includes the subject property. The City shall also publish the notice on the City website within the City at least twenty days prior to the hearing. Pursuant to OCMC 17.50.080H., the applicant is responsible for providing an accurate and complete set of mailing labels for these property owners and for posting the subject property with the City-prepared notice in accordance with OCMC 17.50.100. Notice of the application hearing shall include the following information:

1. The time, date and location of the public hearing;
2. Street address or other easily understood location of the subject property and city-assigned planning file number;
3. A description of the applicant's proposal, along with a list of citations of the approval criteria that the City will use to evaluate the proposal;
4. A statement that any interested party may testify at the hearing or submit written comments on the proposal at or prior to the hearing and that a staff report will be prepared and made available to the public at least seven days prior to the hearing;
5. A statement that any issue which is intended to provide a basis for an appeal to the City Commission shall be raised before the close of the public record. Issues must be raised and accompanied by statements or evidence sufficient to afford the City and all parties to respond to the issue;
6. The notice shall state that a City-recognized neighborhood association requesting an appeal fee waiver pursuant to OCMC 17.50.290C. must officially approve the request through a vote of its general membership or board at a duly announced meeting prior to the filing of an appeal.
7. A statement that the application and all supporting materials and evidence submitted in support of the application may be inspected at no charge and that copies may be obtained at reasonable cost at the Planning Division offices during normal business hours; and
8. The name and telephone number of the planning staff person responsible for the application or is otherwise available to answer questions about the application.

C. Notice of Public Hearing on a Legislative Proposal. At least twenty days prior to a public hearing at which a legislative proposal to amend or adopt the City's land use regulations or Comprehensive Plan is to be considered, the Community Development Director shall issue a public notice that conforms to the requirements of this subsection. Notice shall be sent to affected governmental entities, special districts, providers of urban services, including Tri-Met, Oregon Department of Transportation and Metro, any affected recognized neighborhood associations and any party who has requested in writing such notice. Notice shall also be published on the City website. Notice issued under this subsection shall include the following information:

1. The time, date and location of the public hearing;
2. The City-assigned planning file number and title of the proposal;
3. A description of the proposal in sufficient detail for people to determine the nature of the change being proposed;
4. A statement that any interested party may testify at the hearing or submit written comments on the proposal at or prior to the hearing; and
5. The name and telephone number of the planning staff person responsible for the proposal and who interested people may contact for further information.

Finding: A public notice was sent to all properties within 300 feet of the site and signs were placed on the property within 20 days of the scheduled hearing.

17.50.100 - Notice posting requirements.

Where this chapter requires notice of a pending or proposed permit application or hearing to be posted on the subject property, the requirements of this section shall apply.

A. City Guidance and the Applicant's Responsibility. The City shall supply all of the notices which the applicant is required to post on the subject property and shall specify the dates the notices are to be posted and the earliest date on which they may be removed. The City shall also provide a statement to be signed and returned by the

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applicant certifying that the notice(s) were posted at the correct time and that if there is any delay in the City's land use process caused by the applicant's failure to correctly post the subject property for the required period of time and in the correct location, the applicant agrees to extend the applicable decision-making time limit in a timely manner.

B. Number and Location. The applicant shall place the notices on each frontage of the subject property. If the property's frontage exceeds six hundred feet, the applicant shall post one copy of the notice for each six hundred feet or fraction thereof. Notices do not have to be posted adjacent to alleys or unconstructed right-of-way. Notices shall be posted within ten feet of the street and shall be visible to pedestrians and motorists. Notices shall not be posted within the public right-of-way or on trees. The applicant shall remove all signs within ten days following the event announced in the notice.

Finding: A public notice was sent to all properties within 300 feet of the site and signs were placed on the property within 20 days of the scheduled hearing.

17.50.120 - Quasi-judicial hearing process.

All public hearings pertaining to quasi-judicial permits, whether before the Planning Commission, Historic Review Board, or City Commission, shall comply with the procedures of this section. In addition, all public hearings held pursuant to this chapter shall comply with the Oregon Public Meetings Law, the applicable provisions of ORS 197.763 and any other applicable law.

A. Once the Community Development Director determines that an application for a Type III or IV decision is complete, the Planning Division shall schedule a hearing before the Planning Commission or Historic Review Board, as applicable. Once the Community Development Director determines that an appeal of a Type II, Type III or Type IV decision has been properly filed under OCMC 17.50.190, the Planning Division shall schedule a hearing pursuant to OCMC 17.50.190.

B. Notice of the Type III or IV hearing shall be issued at least twenty days prior to the hearing in accordance with OCMC 17.50.090B.

C. Written notice of an appeal hearing shall be sent by regular mail no later than fourteen days prior to the date of the hearing to the appellant, the applicant if different from the appellant, the property owner(s) of the subject site, all persons who testified either orally or in writing before the hearing body and all persons that requested in writing to be notified.

D. The Community Development Director shall prepare a staff report on the application which lists the applicable approval criteria, describes the application and the applicant's development proposal, summarizes all relevant city department, agency and public comments, describes all other pertinent facts as they relate to the application and the approval criteria and makes a recommendation as to whether each of the approval criteria are met.

E. At the beginning of the initial public hearing at which any quasi-judicial application or appeal is reviewed, a statement describing the following shall be announced to those in attendance:

1. That the hearing will proceed in the following general order: staff report, applicant's presentation, testimony in favor of the application, testimony in opposition to the application, rebuttal, record closes, commission deliberation and decision;

2. That all testimony and evidence submitted, orally or in writing, shall be directed toward the applicable approval criteria. If any person believes that other criteria apply in addition to those addressed in the staff report, those criteria shall be listed and discussed on the record. The meeting chairperson may reasonably limit oral presentations in length or content depending upon time constraints. Any party may submit written materials of any length while the public record is open;

3. Failure to raise an issue on the record with sufficient specificity and accompanied by statements or evidence sufficient to afford the City and all parties to respond to the issue, will preclude appeal on that issue to the Land Use Board of Appeals;

4. Any party wishing a continuance or to keep open the record shall make that request while the record is still open; and

5. That the commission chair shall call for any ex-parte contacts, conflicts of interest or bias before the beginning of each hearing item.

6. For appeal hearings, only those persons who participated either orally or in writing in the decision or review will be allowed to participate either orally or in writing on the appeal.

F. Requests for continuance and to keep open the record: The hearing may be continued to allow the submission of additional information or for deliberation without additional information. New notice of a continued hearing need

not be given so long as a time-certain and location is established for the continued hearing. Similarly, hearing may be closed but the record kept open for the submission of additional written material or other documents and exhibits. The chairperson may limit the factual and legal issues that may be addressed in any continued hearing or open record period.

Finding: The Planning Commission Hearing date for this application is March 9, 2020. The Planning Commission will follow the procedure set out in the section above during the public hearings portion of this application.

17.50.140 – Financial guarantees.

When conditions of permit approval require a permittee to construct certain public improvements, the City shall require the permittee to provide financial guarantee for construction of the certain public improvements. Financial guarantees shall be governed by this section.

- A. *Form of Guarantee. Guarantees shall be in a form approved by the City Attorney. Approvable forms of guarantee include irrevocable standby letters of credit to the benefit of the City issued by a recognized lending institution, certified checks, dedicated bank accounts or allocations of construction loans held in reserve by the lending institution for the benefit of the City. The form of guarantee shall be specified by the City Engineer and, prior to execution and acceptance by the City shall be reviewed and approved by the City Attorney. The guarantee shall be filed with the City Engineer.*
- B. *Performance Guarantees. A permittee shall be required to provide a performance guarantee as follows.*
 - 1. *After Final Approved Design by The City: The City may request the Permittee to submit a Performance Guarantee for construction of certain public improvements. A permittee may request the option of submitting a Performance Guarantee when prepared for temporary/final occupancy. The guarantee shall be one hundred twenty percent of the estimated cost of constructing the public improvements as submitted by the permittee's engineer. The engineer's estimated costs shall be supported by a verified engineering estimate and approved by the City Engineer.*
 - 2. *Before Complete Design Approval and Established Engineered Cost Estimate: The City may request a permittee to submit a Performance Guarantee for construction of certain public improvements. A permittee may request the option of submitting a performance guarantee before public improvements are designed and completed. The guarantee shall be one hundred fifty percent of the estimated cost of constructing the public improvements as submitted by the permittee's engineer and approved by the City Engineer. The engineer's estimated costs shall be supported by a verified engineering estimate and approved by the City Engineer.*
- C. *Release of Guarantee. The guarantee shall remain in effect until the improvement is actually constructed and accepted by the City. Once the City has inspected and accepted the improvement, the City shall release the guarantee to the permittee. If the improvement is not completed to the City's satisfaction within the time limits specified in the permit approval, the City Engineer may, at their discretion, draw upon the guarantee and use the proceeds to construct or complete construction of the improvement and for any related administrative and legal costs incurred by the City in completing the construction, including any costs incurred in attempting to have the permittee complete the improvement. Once constructed and approved by the City, any remaining funds shall be refunded to the permittee. The City shall not allow a permittee to defer construction of improvements by using a performance guarantee, unless the permittee agrees to construct those improvements upon written notification by the City, or at some other mutually agreed-to time. If the permittee fails to commence construction of the required improvements within six months of being instructed to do so, the City may, without further notice, undertake the construction of the improvements and draw upon the permittee's performance guarantee to pay those costs.*
- D. *Fee-in-lieu. When conditions of approval or the City Engineer allows a permittee to provide a fee-in-lieu of actual construction of public improvements, the fee shall be one hundred fifty percent of the estimated cost of constructing the public improvements as submitted by the permittee's engineer and approved by the City Engineer. The percentage required is to ensure adequate funds for the future work involved in design, bid, contracting, and construction management and contract closeout. The engineer's estimated costs shall be supported by a verified engineering estimate and approved by the City Engineer. The fee-in-lieu shall be submitted as cash, certified check, or other negotiable instrument acceptable by the City Attorney.*

Finding: Not Applicable No financial guarantees are required for this application.

17.50.141 – Public improvements – Warranty

All public improvements not constructed by the City, shall be maintained and under warranty provided by the property owner or developer constructing the facilities until the City accepts the improvements at the end of the warranty period. The warranty is to be used at the discretion of the City Engineer or designee to correct deficiencies in materials or maintenance of constructed public infrastructure, or to address any failure of engineering design.

- A. Duration of Warranty. Responsibility for maintenance of public improvements shall remain with the property owner or developer for a warranty period of two years.*
- B. Financial Guarantee. Approvable forms of guarantee include irrevocable standby letters of credit to the benefit of the City issued by a recognized lending institution, bond, certified checks, dedicated bank accounts or allocations of construction loans held in reserve by the lending institution for the benefit of the City. The form of guarantee shall be specified by the City Engineer and, prior to execution and acceptance by the City shall be reviewed and approved by the City Attorney. The guarantee shall be filed with the City Engineer.*
- C. Amount of Warranty. The amount of the warranty shall be equal to fifteen percent of the estimated cost of construction of all public improvements (including those improvements that will become owned and maintained by the City at the end of the two year maintenance period), and shall be supported by a verified engineering estimate and approved by the City Engineer. Upon expiration of the warranty period and acceptance by the City as described below, the City shall be responsible for maintenance of those improvements.*
- D. Transfer of Maintenance. The City will perform an inspection of all public improvements approximately forty-five days before the two-year warranty period expires. The public improvements shall be found to be in a clean, functional condition by the City Engineer before acceptance of maintenance responsibility by the City. Transfer of maintenance of public improvements shall occur when the City accepts the improvements at the end of the two year warranty period.*

Finding: Not Applicable. No financial guarantees are required for this application.

CHAPTER 17.60 VARIANCES

17.60.020 - Variances—Procedures.

A. A request for a variance shall be initiated by a property owner or authorized agent by filing an application with the city recorder. The application shall be accompanied by a site plan, drawn to scale, showing the dimensions and arrangement of the proposed development. When relevant to the request, building plans may also be required. The application shall note the zoning requirement and the extent of the variance requested. Procedures shall thereafter be held under Chapter 17.50. In addition, the procedures set forth in subsection D. of this section shall apply when applicable.

B. A nonrefundable filing fee, as listed in OCMC 17.50.080, shall accompany the application for a variance to defray the costs.

Finding: Complies as Proposed. The applicant submitted a Type III Planning Commission Variance request. All required application materials and fees were submitted and the application was deemed complete on February 18, 2020

C. Before the planning commission may act on a variance, it shall hold a public hearing thereon following procedures as established in Chapter 17.50. A Variance shall address the criteria identified in OCMC 17.60.030, Variances — Grounds.

Finding: Complies as Proposed. The applicant has requested a Planning Commission Variance pursuant to the Type III review procedures.

D. Minor variances, as defined in subsection E. of this section, shall be processed as a Type II decision, shall be reviewed pursuant to the requirements in OCMC 17.50.030B., and shall address the criteria identified in OCMC 17.60.030, Variance — Grounds.

E. For the purposes of this section, minor variances shall be defined as follows:

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1. Variances to setback and yard requirements to allow additions to existing buildings so that the additions follow existing building lines;
2. Variances to width, depth and frontage requirements of up to twenty percent;
3. Variances to residential yard/setback requirements of up to twenty-five percent;
4. Variances to nonresidential yard/setback requirements of up to ten percent;
5. Variances to lot area requirements of up to five percent;
6. Variance to lot coverage requirements of up to twenty-five percent;
7. Variances to the minimum required parking stalls of up to five percent; and
8. Variances to the floor area requirements and minimum required building height in the mixed-use districts.
9. Variances to design and/or architectural standards for single-family dwellings, duplexes, single-family attached dwellings, internal conversions, accessory dwelling units, and 3-4 plexes in OCMC 17.14, 17.16, 17.20, 17.21, and 17.22.

Finding: Not Applicable. The applicant has requested a Variance to allow a 6 -foot fence in the front yard and within 40 feet, therefore, a Planning Commission Variance subject to the Type III review procedures is required.

17.60.030 - Variance—Grounds.

A variance may be granted only in the event that all of the following conditions exist:

A. That the variance from the requirements is not likely to cause substantial damage to adjacent properties by reducing light, air, safe access or other desirable or necessary qualities otherwise protected by this title;

Finding: Complies as Conditioned . The applicant has proposed a fence that is located 10 feet from the property line, which would be in an allowed location if the house was located at the closest setback allowed in the zone, which is 10 feet. The applicant has provided mitigation landscaping which softens the pedestrian edge and conceals the unsightly tower base.

B. That the request is the minimum variance that would alleviate the hardship;

Finding: Complies as Proposed. The applicant is proposed to set the fence 10-feet from the property line and about 3-5 feet in front of the transmission tower base. This is the minimum variance needed to meet the applicant's request to fence in the side yard under the easement.

C. Granting the variance will equal or exceed the purpose of the regulation to be modified.

Finding: Complies as Proposed. The purpose of the regulation is to provide a pedestrian-friendly environment and provide eyes of the street. The proposal meets both aims as the additional landscaping provides interest and softens the pedestrian experience and the fence is only proposed to be installed along the side of the house, which will still provide a direct visual connection to the street.

D. Any impacts resulting from the adjustment are mitigated;

Finding: Complies as Proposed. The applicant has proposed a combination of 30-35 shrubs and trees to be planted in the front of the fence along both street frontages as mitigation and to soften the pedestrian experience. A covenant will be placed upon the property to ensure that the landscaping will remain onsite and dead plants will be replaced. While landscaping is allowed within a Public Utility Easement (PUE), trees are not recommended as the roots may interfere with private utility lines that may be located in the PUE such as cable or gas lines. Development Services recommends that the applicant provide landscaping limited to shrubs and ground cover. A condition of approval has been added to reflect this concern.

E. No practical alternatives have been identified which would accomplish the same purpose and not require a variance; and

Finding: Complies as Proposed. An alternative to granting a variance would have the applicant place the 6-foot tall fence to the rear of the tower, which would greatly reduce the side yard., but more importantly to the community, would place the unsightly tower in full view of the neighborhood with no mitigation planting requirements.

F. The variance conforms to the comprehensive plan and the intent of the ordinance being varied.

Finding: Finding: Complies as Proposed. The proposed Variance would allow for the development of the subject site in accordance with the following Comprehensive Plan Goals and Policies.

Goal 2.1 Efficient Use of Land

Ensure that property planned for residential, commercial, office and industrial uses is used efficiently and that land is developed following principles of sustainable development.

Policy 2.1.1

Create incentives for new development to use land more efficiently, such as by having minimum floor area ratios and maximums for parking and setbacks.

Goal 2.4 Neighborhood Livability

Provide a sense of place and identity for residents and visitors by protecting and maintaining neighborhoods as the basic unit of community life in Oregon City while implementing the goals and policies of the other sections of the Comprehensive Plan.

Goal 10.1 Diverse Housing Opportunities

Provide for the planning, development and preservation of a variety of housing types and lot sizes.

Policy 10.1.1

Maintain the existing residential housing stock in established older neighborhoods by maintaining existing Comprehensive Plan and zoning designations where appropriate.

Policy 10.1.3

Designate residential land for a balanced variety of densities and types of housing, such as single-family attached and detached, and a range of multi-family densities and types, including mixed-use development.

Goal 14.2 Orderly Redevelopment of Existing City Areas

Reduce the need to develop land within the Urban Growth Boundary by encouraging redevelopment of underdeveloped or blighted areas within the existing city limits.

Policy 14.2.2

Encourage redevelopment of city areas currently served by public facilities through regulatory and financial incentives.

One of the primary goals of the 2004 Comprehensive Plan is to provide for increased livability for property owners in Oregon City. Approval would allow the applicant to meet the intent of the zoning code and Comprehensive Plan through effective utilization of this single-family property.

The requested variance would allow the applicant to efficiently utilize the subject property for single-family residential use, and maintain neighborhood livability as intended by the City Code and

Comprehensive Plan. The requested Variance would allow the applicant to provide for development of the site consistent with the Low-Density Residential designation and would meet all other R-6 zoning dimensional standards.

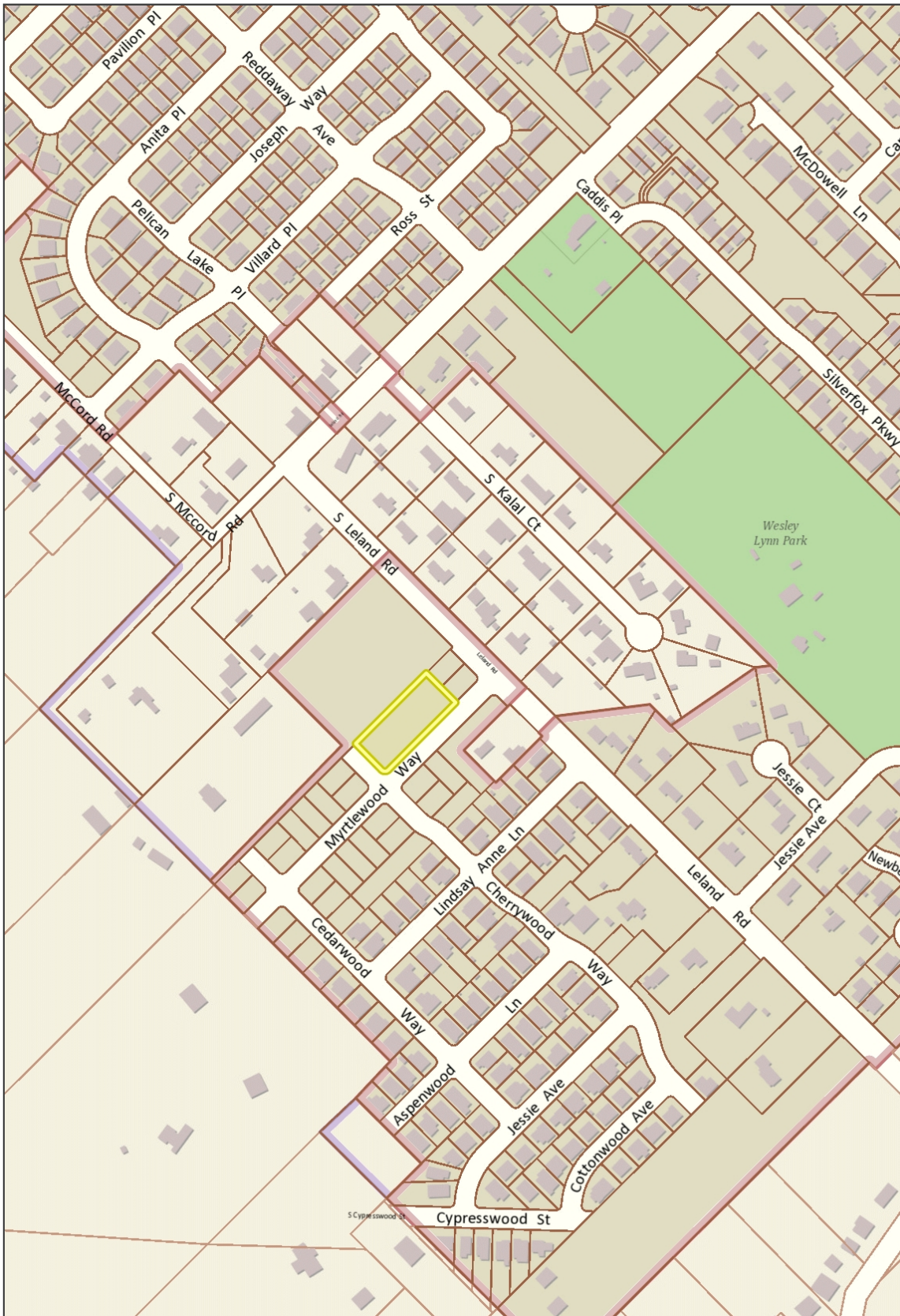
CONCLUSION AND RECOMMENDATION:

Based on the analysis and findings as described above, Staff recommends that the proposed Planning Commission Variance to fence height in the front yard applications for a site located at 12777 Myrtlewood Way/ Lindsay Anne Too, Lot 3, identified as Clackamas County Map 2-2E-18AB, Tax Lots 1100, meets the requirements as described in the Oregon City Municipal Code. Therefore, the Community Development Director recommends the Planning Commission approve files GLUA-20-0010/VAR 20-0004 Fence Height Variance, based upon the findings and exhibits contained in this staff report.

EXHIBITS:

1. Vicinity Map
2. Applicant's Narrative and Plans
3. Public Comments

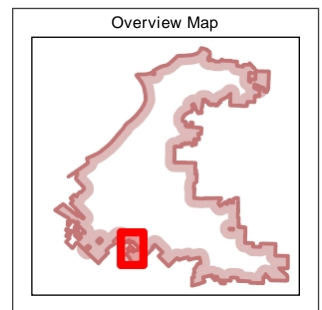
GLUA-20-001/VAR 20-0004 Fence Height Variance



Legend

- Street Names
- Taxlots
- Taxlots Outside UGB
- Unimproved ROW
- City Limits
- UGB
- Basemap

Notes



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0 400 Feet
1: 4,800

City of Oregon City
PO Box 3040
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OR 97045
(503) 657-0891
www.orcity.org



12777 Myrtlewood Way

S&W Construction, Inc
Oregon City, OR

I am asking permission to build a 6' fence along the front of lot 3 Lindsay Anne Too 12777 Myrtlewood Way extending from approximately 40 feet from the side of the house out to within 10 feet of the sidewalk.

This fence will be put a few feet in front of the electric tower, going the length of the property down to Cherrywood Street, which is 165'. Please see foundation certificate form with dotted line showing fence location.

Maps and pictures have been included to show the layout of the property and the location of the tower.

By building this fence I am trying to give the buyers a yard for their children and dog, BUT most importantly making it more appealing to anyone driving into the subdivision, by hiding the lower portion of the electric tower, with the fence and shrubs.

I propose to install landscaping in front of the fence, to include grass from the sidewalk back approximately 6 feet and then have a flower bed extending the full length (165') of the front fence. Which will include 3-4 small growing trees and approximately 30-35 lower growing shrubs in between.

Please feel free to contact me via email or cell if you have any questions or concerns.

S&W Construction, Inc
Wendy Forrester
503-899-3301
wendy@4star.biz

TYPE III – PLANNING COMMISSION VARIANCE

Applicant's Submittal

February 3, 2020

APPLICANT: Name *S&W Construction, Inc*
Address *PO Box 556*
Oregon City, OR 97045

OWNER: Name *Same*
Address

REQUEST: Description of project *install a 6' fence across the front of the lot located at*

LOCATION: Address *12777 Mrytlewood Way*
Map and tax lot number *Lot 3 Lindsay Anne Too*

I. BACKGROUND:

1. Existing Conditions

There is no fence to enclose the yard of the property to keep kids and dogs inside the property

2. Project Description

Install a 6' fence 10' behind the sidewalk and in front of the tower corner with shrubs in front of the 157' fence

II. RESPONSES TO THE OREGON CITY MUNICIPAL CODE:

CHAPTER 17.60 VARIANCES

17.60.010 - Authority.

According to procedures set forth in Section 17.60.030, the planning commission or the community development director may authorize variances from the requirements of this title. In granting a variance, the planning commission or community development director may attach conditions to protect the best interests of the surrounding property or neighborhood and otherwise achieve the purposes of this title. No variances shall be granted to allow the use of property for a purpose not authorized within the zone in which the proposed use would be located.

Applicant's Response: *I AM ASKING FOR A FENCE VARIANCE*

17.60.020 - Variances—Procedures.

17.60.020.A. A request for a variance shall be initiated by a property owner or authorized agent by filing an application with the city recorder. The application shall be accompanied by a site plan, drawn to scale, showing the dimensions and arrangement of the proposed development. When relevant to the request, building plans may also be required. The application shall note the zoning requirement and the extent of the variance requested. Procedures shall thereafter be held under Chapter 17.50. In addition, the procedures set forth in subsection D. of this section shall apply when applicable.

Applicant's Response: I AM REQUESTING A FENCE VARIANCE

17.60.020.B. A nonrefundable filing fee, as listed in Section 17.50.010, shall accompany the application for a variance to defray the costs.

Applicant's Response: I UNDERSTAND THE FEES

17.60.020.C. Before the planning commission may act on a variance, it shall hold a public hearing thereon following procedures as established in Chapter 17.50. A Variance shall address the criteria identified in Section 17.60.030, Variances — Grounds.

Applicant's Response: I AM ASKING FOR A FENCE VARIANCE (SEE ATTACHED PLOT PLAN)

17.60.020.D. Minor variances, as defined in subsection E. of this section, shall be processed as a Type II decision, shall be reviewed pursuant to the requirements in Section 17.50.030B., and shall address the criteria identified in Section 17.60.030, Variance — Grounds.

Applicant's Response: I UNDERSTAND THIS IS NOT A MINOR VARIANCE BUT A FULL VARIANCE THAT I AM ASKING FOR

17.60.020.E. For the purposes of this section, minor variances shall be defined as follows:

1. Variances to setback and yard requirements to allow additions to existing buildings so that the additions follow existing building lines;
2. Variances to width, depth and frontage requirements of up to twenty percent;
3. Variances to residential yard/setback requirements of up to twenty-five percent;
4. Variances to nonresidential yard/setback requirements of up to ten percent;
5. Variances to lot area requirements of up to five;
6. Variance to lot coverage requirements of up to twenty-five percent;
7. Variances to the minimum required parking stalls of up to five percent; and
8. Variances to the floor area requirements and minimum required building height in the mixed-use districts.

Applicant's Response: SEE ATTACHED PLOT PLAN

17.60.030 - Variance—Grounds.

A variance may be granted only in the event that all of the following conditions exist:

17.60.030.A. That the variance from the requirements is not likely to cause substantial damage to adjacent properties by reducing light, air, safe access or other desirable or necessary qualities otherwise protected by this title;

Applicant's Response: I AM ASKING FOR A FENCE VARIANCE BECAUSE OF THE PGE TOWER THAT IS IN THE MIDDLE OF THE LOT. I AM PROPOSING MORE PLANTS TO MEDIATE FOR THE VARIANCE. (SEE ATTACHED PLOT PLAN)

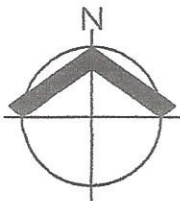
17.60.030.B. That the request is the minimum variance that would alleviate the hardship;

Applicant's Response: I DO NOT BELIEVE I CAN DO A MINIMUM VARIANCE

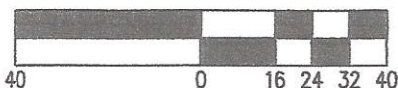
17.60.020.C + 17.60.020.E

FOUNDATION CERTIFICATION

LOT 3 OF "LINDSAY ANNE ESTATES TOO",
OREGON CITY, CLACKAMAS COUNTY, OREGON



SCALE: 1" = 40 FEET



PREPARED FOR

S&W CONSTRUCTION, INC.
PO BOX 556
OREGON CITY, OR 97045

PUE-PUBLIC UTILITY EASEMENT

DOC. NO.
2015-007761

125.0' PGE TRANSMISSION
LINE EASEMENT PER
BK 619, PG 42



08/01/2019

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Robert D. Rettig

OREGON
JANUARY 11, 2005
ROBERT D. RETTIG
60124LS

RENEWS: 12/31/20

CURVE TABLE				
CURVE	RADIUS	DELTA	LENGTH	CHORD
C1	14.00'	89°58'42"	21.99'	S88°39'34"W 19.80'

I, ROBERT D. RETTIG, A REGISTERED
PROFESSIONAL LAND SURVEYOR IN THE STATE
OF OREGON, HEREBY CERTIFY THAT I HAVE
STAKED THE FOUNDATION FOR LOT 3 OF
"LINDSAY ANNE ESTATES TOO" WITH HUBS AND
TACKS ON 08/01/2019.

LINDSAY ANNE ESTATES TOO

AKS ENGINEERING & FORESTRY, LLC
12965 SW HERMAN RD, STE 100
TUALATIN, OR 97062
P: 503.563.6151 F: 503.563.6152 aks-eng.com



LOT
3
DRWN: CRG
CHKD: RDR
AKS JOB:
5837

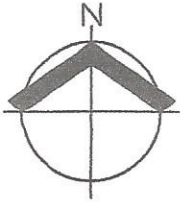
17.60.30.A

FOUNDATION CERTIFICATION

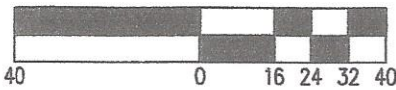
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PUE--PUBLIC UTILITY EASEMENT

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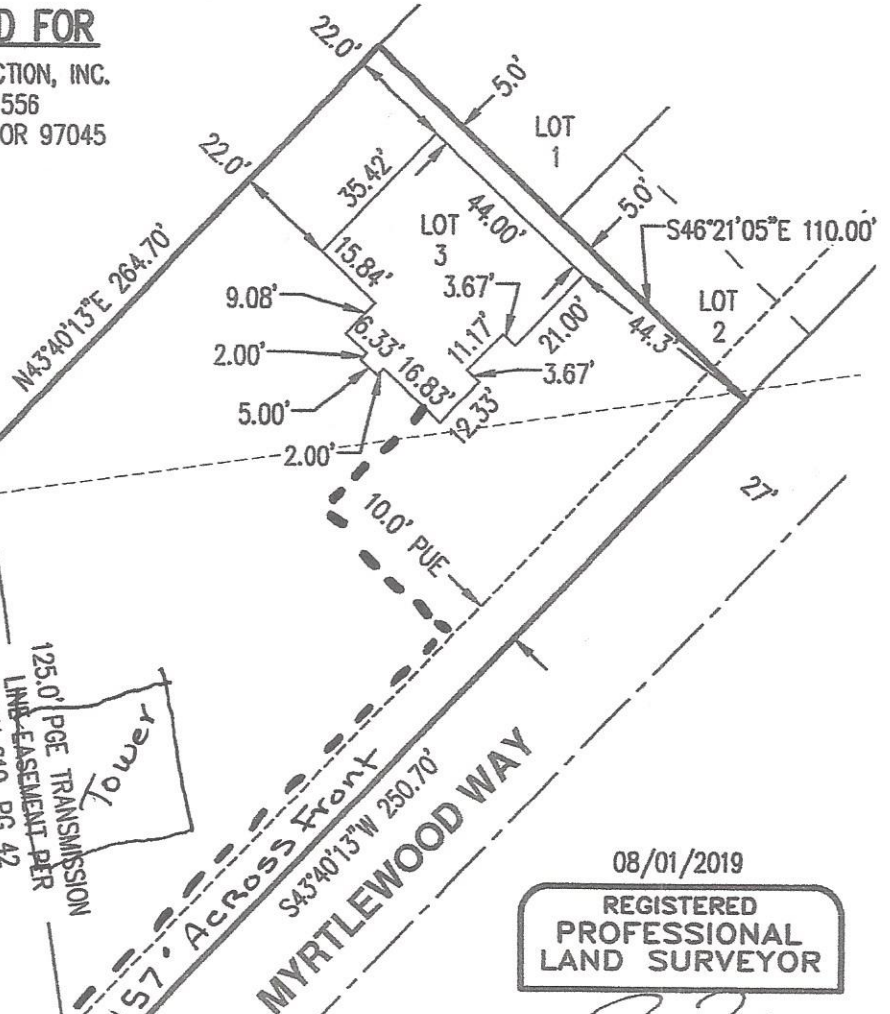
125.0' PGE TRANSMISSION
LINE EASEMENT PER
BK 619, PG 42

Tower

27'
N46°21'05"W 96.01'
CEDARWOOD WAY

C1 L=21.99'

27'
drain



08/01/2019

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Robert D. Rettig

OREGON
JANUARY 11, 2005
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AKS

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3
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17.60.030.C. Granting the variance will equal or exceed the purpose of the regulation to be modified.

Applicant's Response: **I DO NOT THINK SO**

17.60.030.D. Any impacts resulting from the adjustment are mitigated;

Applicant's Response: **THERE WILL BE NO IMPACT ON THE NEIGHBORS OTHER THAN TO IMPROVE THE ENTRANCE TO THEIR STREET. PGE WILL NOT BE IMPACTED BY THE FENCE BECAUSE I WILL INSTALL A GATE FOR THEM, AND THEY WILL PUT THEIR OWN LOCK ON.**

17.60.030.E. No practical alternatives have been identified which would accomplish the same purpose and not require a variance; and

Applicant's Response: **I HAVE NOT BEEN ABLE TO FIND ANY ALTERNATIVES TO THIS FENCE VARIANCE I AM ASKING FOR.**

17.60.030.F. The variance conforms to the comprehensive plan and the intent of the ordinance being varied.

Applicant's Response: **YES, I AM SUPPLYING 30-35 PLANTS FOR THIS VARIANCE**

CHAPTER 17.50 - ADMINISTRATION AND PROCEDURES

17.50.050 Preapplication Conference

A. Preapplication Conference. Prior to submitting an application for any form of permit, the applicant shall schedule and attend a preapplication conference with City staff to discuss the proposal. To schedule a preapplication conference, the applicant shall contact the Planning Division, submit the required materials, and pay the appropriate conference fee. At a minimum, an applicant should submit a short narrative describing the proposal and a proposed site plan, drawn to a scale acceptable to the City, which identifies the proposed land uses, traffic circulation, and public rights-of-way and all other required plans. The purpose of the preapplication conference is to provide an opportunity for staff to provide the applicant with information on the likely impacts, limitations, requirements, approval standards, fees and other information that may affect the proposal. The Planning Division shall provide the applicant(s) with the identity and contact persons for all affected neighborhood associations as well as a written summary of the preapplication conference. Notwithstanding any representations by City staff at a preapplication conference, staff is not authorized to waive any requirements of this code, and any omission or failure by staff to recite to an applicant all relevant applicable land use requirements shall not constitute a waiver by the City of any standard or requirement.

B. A preapplication conference shall be valid for a period of six months from the date it is held. If no application is filed within six months of the conference or meeting, the applicant must schedule and attend another conference before the city will accept a permit application. The community development director may waive the preapplication requirement if, in the Director's opinion, the development does not warrant this step. In no case shall a preapplication conference be valid for more than one year.

Applicant's Response: **SEE ATTACHED LETTER**

17.50.055 Neighborhood Association Meeting

The purpose of the meeting with the recognized neighborhood association is to inform the affected neighborhood association about the proposed development and to receive the preliminary responses and suggestions from the neighborhood association and the member residents.

1. Applicants applying for annexations, zone change, comprehensive plan amendments, conditional use, planning commission variances, subdivision, or site plan and design review (excluding minor site plan and design review), general development master plans or detailed development plans applications shall schedule and attend a meeting with the city-recognized neighborhood association in whose territory the application is proposed. Although not required for other projects than those identified above, a meeting with the neighborhood association is highly recommended.

2. The applicant shall send, by certified mail, return receipt requested letter to the chairperson of the neighborhood association and the citizen involvement committee describing the proposed project. Other communication methods may be used if approved by the neighborhood association.

3. A meeting shall be scheduled within thirty days of the notice. A meeting may be scheduled later than thirty days if by mutual agreement of the applicant and the neighborhood association. If the neighborhood association does not want to, or

12777 Myrtlewood Way

S&W Construction, Inc
Oregon City, OR

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This fence will be put a few feet in front of the electric tower corner, going the length of the property down toward Cherrywood Way, which is 157' then angled toward Cherrywood Way. Please see foundation certificate form with dotted line showing fence location.

Maps and pictures have been included to show the layout of the property and the location of the tower.

By building this fence I am trying to give the buyers a yard for their children and dogs, BUT most importantly making it more appealing to anyone driving into the subdivision, by hiding the lower portion of the electric tower, with the fence and shrubs.

I propose to install shrubs and trees that will not grow over 15' tall in front of the fence, from the sidewalk back approximately 10' the full length (157') of the front fence. Which will include approximately 30-35 shrubs and trees, to enhance the view from the sidewalk and street when entering the sub-division.

I have contacted PGE and received their permission to build a wood fence under the power lines and in front of the tower. I have agreed to install a 12' gate for their access to the tower if needed in the future. PGE will be installing a lock that can be accessed by the buyer as well as PGE.

Please feel free to contact me via email or cell if you have any questions or concerns.

S&W Construction, Inc
Wendy Forrester
503-899-3301
wendy@4star.biz

cannot meet within thirty days, the applicant shall hold their own meeting after six p.m. or on the weekend, with notice to the neighborhood association, citizen involvement committee, and all property owners within three hundred feet. If the applicant holds their own meeting, a copy of the certified letter requesting a neighborhood association meeting shall be required for a complete application. The meeting held by the applicant shall be held within the boundaries of the neighborhood association or in a city facility.

4. If the neighborhood association is not currently recognized by the city, is inactive, or does not exist, the applicant shall request a meeting with the citizen involvement committee.

5. To show compliance with this section, the applicant shall submit a sign-in sheet of meeting attendees, a summary of issues discussed, and letter from the neighborhood association or citizen involvement committee indicating that a neighborhood meeting was held. If the applicant held a separately noticed meeting, the applicant shall submit a copy of the meeting flyer, a sign in sheet of attendees and a summary of issues discussed.

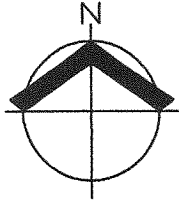
Applicant's Response: THERE IS NO HOA FOR THIS NEIGHTBORHOOD. MY UNDERSTANDING IS A MEETING IS SCHEDULED WITH THE PLANNING COMMITTEE TO DESIDE THIS ISSUE

FOUNDATION CERTIFICATION

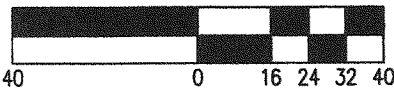
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PREPARED FOR

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SCALE: 1" = 40 FEET



PUE—PUBLIC UTILITY EASEMENT

DOC. NO.
2015-007761

125.0' PGE TRANSMISSION
LINE EASEMENT PER
BK 619, PG 42



MYRTLEWOOD WAY

08/01/2019

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JANUARY 11, 2005
ROBERT D. RETTIG
60124LS

RENEW: 12/31/20

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LOT
3
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AKS JOB:
5837



LAND USE APPLICATION FORM

Type I (OCMC 17.50.030.A)

- ☐ Compatibility Review
- ☐ Lot Line Adjustment
- ☐ Non-Conforming Use Review
- ☐ Natural Resource (NROD) Verification
- ☐ Site Plan and Design Review
- ☐ Extension of Approval

Type II (OCMC 17.50.030.B)

- ☐ Detailed Development Review
- ☐ Geotechnical Hazards
- ☐ Minor Partition (<4 lots)
- ☐ Minor Site Plan & Design Review
- ☐ Non-Conforming Use Review
- ☐ Site Plan and Design Review
- ☐ Subdivision (4+ lots)
- ☐ Minor Variance
- ☐ Natural Resource (NROD) Review

Type III / IV (OCMC 17.50.030.C)

- ☐ Annexation
- ☐ Code Interpretation / Similar Use
- ☐ Concept Development Plan
- ☐ Conditional Use
- ☐ Comprehensive Plan Amendment (Text/Map)
- ☐ Detailed Development Plan
- ☐ Historic Review
- ☐ Municipal Code Amendment
- ☒ Variance
- ☐ Zone Change

File Number(s): VAR-20-00004

Proposed Land Use or Activity: 6' fence to hide electrical tower

Project Name: _____ Number of Lots Proposed (If Applicable): _____

Physical Address of Site: 12777 Myrtlewood Way

Clackamas County Map and Tax Lot Number(s): 3 Lindsay Anne Too

Applicant(s):

Applicant(s) Signature: _____

Applicant(s) Name Printed: _____ Date: _____

Mailing Address: _____

Phone: _____ Fax: _____ Email: _____

Property Owner(s):

Property Owner(s) Signature: Wendy Forrester

Property Owner(s) Name Printed: Wendy Forrester Date: 1-31-2020

Mailing Address: _____

Phone: _____ Fax: _____ Email: _____

Representative(s):

Representative(s) Signature: _____

Representative (s) Name Printed: _____ Date: FEB 3 11:00AM

Mailing Address: _____

Phone: _____ Fax: _____ Email: _____

All signatures represented must have the full legal capacity and hereby authorize the filing of this application and certify that the information and exhibits herewith are correct and indicate the parties willingness to comply with all code requirements.

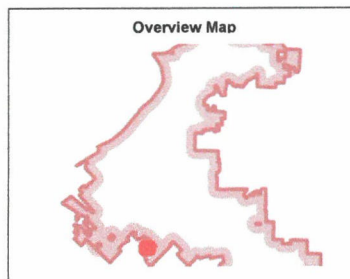
Oregon City GIS Map



Legend

- Street Names
- Taxlots
- Taxlots Outside UGB
- Unimproved ROW
- City Limits
- UGB
- Basemap

Notes



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0 100 200 Feet

1: 1,200

Map created 1/31/2020

City of Oregon City
PO Box 3040
625 Center St
Oregon City
OR 97045
(503) 657-0891
www.oregoncity.org



Oregon City GIS Map



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0 100 200 Feet

1: 1,200

Legend

Street Names

☐ Taxlots☐ Taxlots Outside UGB

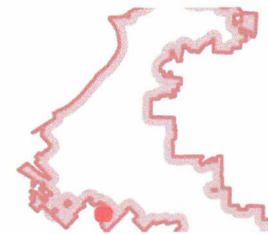
Unimproved ROW

 City Limits UGB

Basemap

Notes

Overview Map



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Oregon City GIS Map

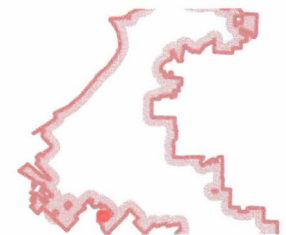


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Overview Map



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0 50 100 Feet

1: 600

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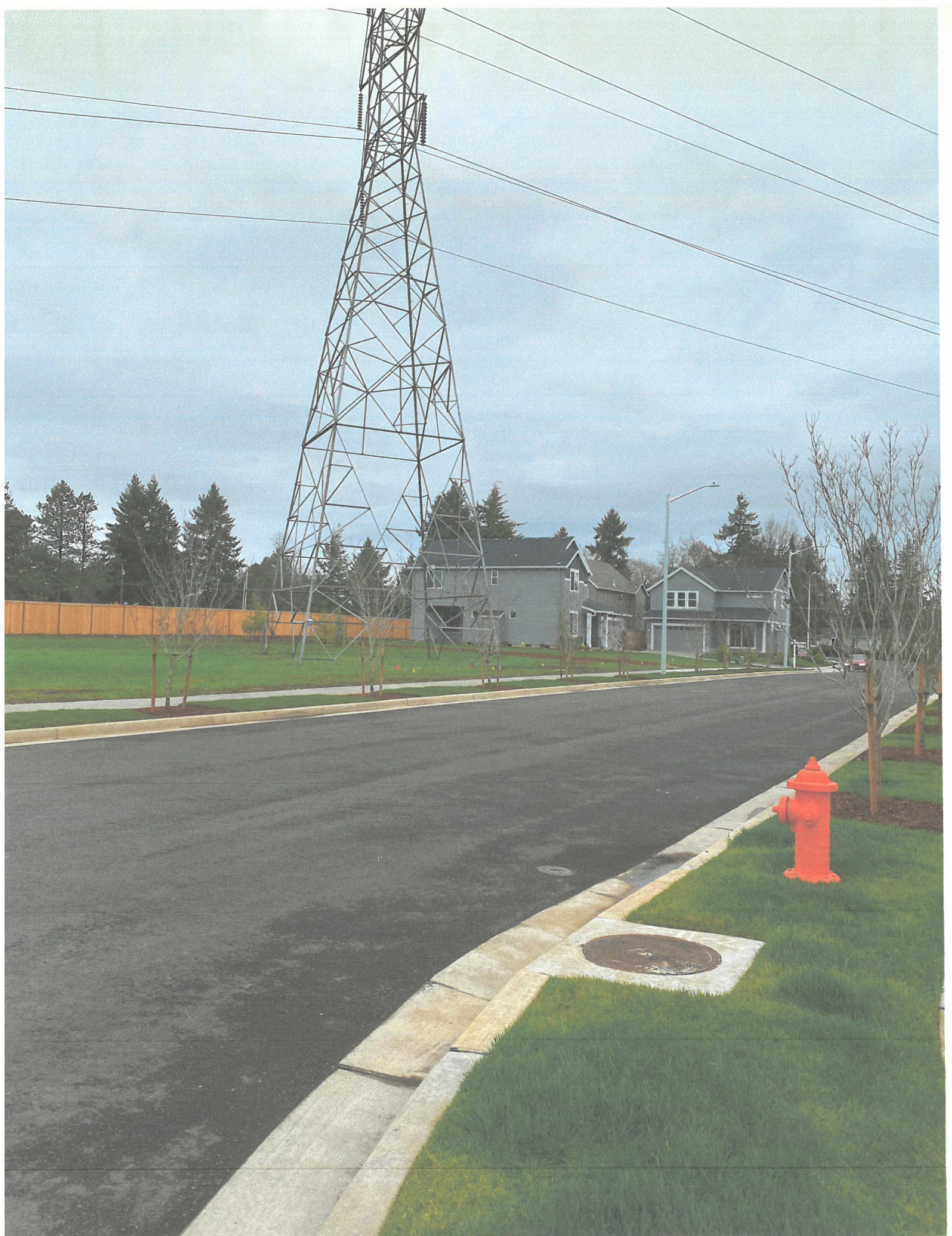


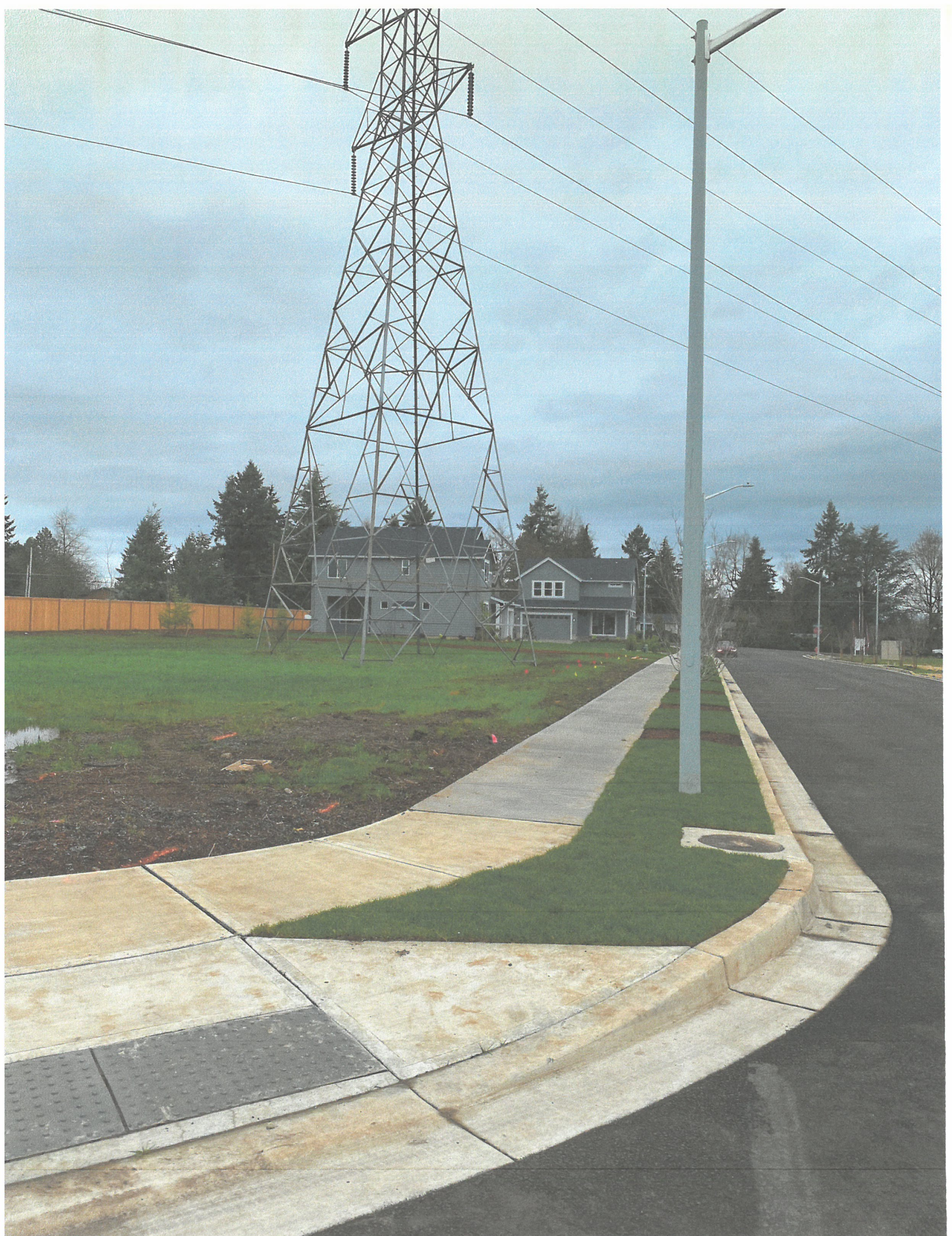


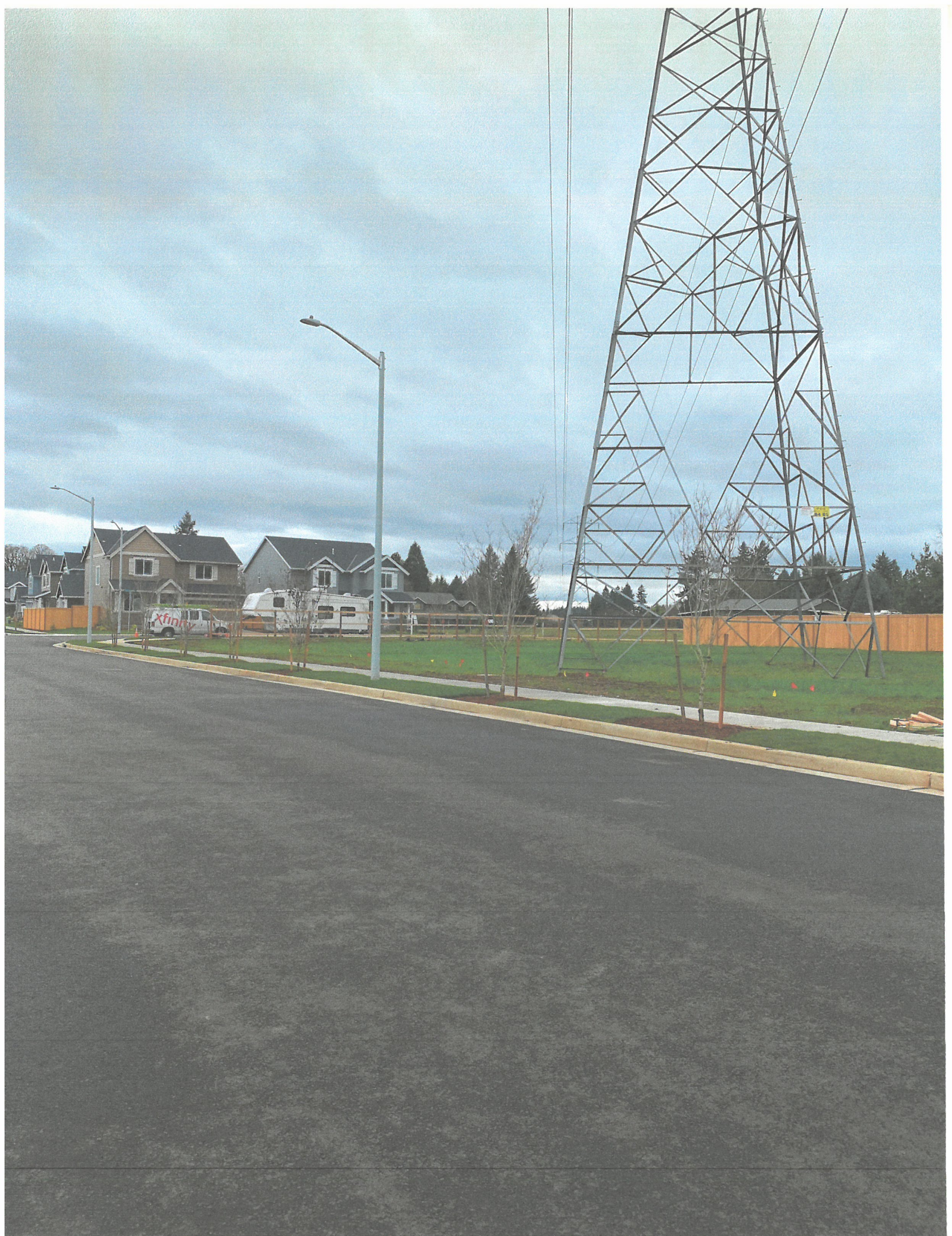












From: [William Gifford](#)
To: [Christina Robertson-Gardiner](#)
Cc: [wendy@4star.biz](#); "[Vern Johnson](#)"; "[Ray Stobie](#)"; "[Debbie Derusha](#)"
Subject: RE: GLUA-20-0010/VAR 20-0004 Fence Height Variance - Link Fixed!
Date: Wednesday, February 19, 2020 11:41:48 AM
Attachments: [image002.png](#)
[image003.png](#)

 X The proposal does not conflict with our interests.

Christina,

After chatting with Wendy Forrester, the applicant, she's come to understand that we were not able to arrange a Hillendale NA meeting in a timely manner for her. My understanding is that she will arrange her own meeting for property owners within 300 feet of the property. That's fine with us. I've spoken to the other officers and no one has any objection to this fence.

Sincerely,
In Peace through Understanding,

William Gifford
OCBA
Oregon City Business Alliance
PO Box 1088
Oregon City, OR 97045-0593
WilliamG@ocbusinessalliance.com
www.OCBusinessAlliance.com



From: Christina Robertson-Gardiner <crobertson@orccity.org>
Sent: Wednesday, February 19, 2020 9:33 AM
Subject: GLUA-20-0010/VAR 20-0004 Fence Height Variance - Link Fixed!

IMENTS DUE BY: March 2, 2020
RING DATE: March 9, 2020
RING BODY: _ Staff Review; X PC; _____ HRB; _____ CC
& TYPE: GLUA-20-0010/VAR 20-0004 Fence Height Variance
JECT FILE: <https://www.orcity.org/planning/project/glua-20-001var-20-0004-fence-height-variance>
JNER: Christina Robertson-Gardiner, Senior Planner, 503-496-1564,
crobertson@orccity.org
ICANT: Wendy Forrester
JER: Wendy Forrester
JEST: Applicant is requesting approval of a Planning Commission Variance to the front yard fence height to accommodate the location of a transmission line tower onsite.

ATION:

12777 Myrtlewood Way/ Lindsay Anne Too, Lot 3

This application material is referred to you for your information, study and official comments. If extra copies are required, please contact the Planning Department. Your recommendations and suggestions will be used to guide the Planning staff when reviewing this proposal. If you wish to have your comments considered and incorporated into the staff report, please return the attached copy of this form to facilitate the processing of this application and insure prompt consideration of your recommendations. Please check the appropriate spaces below.

- _____ The proposal does not conflict with our interests.
- _____ The proposal conflicts with our interests for the reasons attached.
- _____ The proposal would not conflict our interests if the changes noted below are included.



Christina Robertson-Gardiner AICP

Senior Planner

crobertson@orccity.org

City of Oregon City

Community Development Division

PO Box 3040

698 Warner Parrott Rd.

Oregon City, Oregon 97045

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PUBLIC RECORDS LAW DISCLOSURE: *This e-mail is subject to the State Retention Schedule and may be made available to the public.*

From: [ODOT R1 DevRev](#)
To: [Christina Robertson-Gardiner](#)
Subject: RE: GLUA-20-0010/VAR 20-0004 Fence Height Variance
Date: Monday, February 24, 2020 9:42:17 AM

Hi Christina,

ODOT has no concerns with the proposed development. I've marked the appropriate space below accordingly. Please let me know if this is sufficient.

-

☐ The proposal does not conflict with our interests.

☐ The proposal conflicts with our interests for the reasons attached.

☒ The proposal would not conflict our interests if the changes noted below are included.

Thank you,

Kate (Wihtol) Hawkins

Associate Planner, Development Review

ODOT Region 1

kate.w.hawkins@odot.state.or.us

(503) 731 – 3049

she • her • hers

From: Christina Robertson-Gardiner <crobertson@orccity.org>
Sent: Wednesday, February 19, 2020 9:21 AM
Subject: GLUA-20-0010/VAR 20-0004 Fence Height Variance

IMENTS DUE BY: March 2, 2020
RING DATE: March 9, 2020
RING BODY: _ Staff Review; ☒ PC; _____ HRB; _____ CC
& TYPE: GLUA-20-0010/VAR 20-0004 Fence Height Variance
JECT FILE: <https://www.orcity.org/planning/project/glua-20-00003mas-20-00001willamette-falls-hospital-east-expansion>
JNER: Christina Robertson-Gardiner, Senior Planner, 503-496-1564, crobertson@orccity.org
ICANT: Wendy Forrester
JER: Wendy Forrester
JEST: Applicant is requesting approval of a Planning Commission Variance to the front yard fence height to accommodate the location of a transmission line tower onsite.
ATION: 12777 Myrtlewood Way/ Lindsay Anne Too, Lot 3

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copy of this form to facilitate the processing of this application and insure prompt consideration of your recommendations. Please check the appropriate spaces below.

- _____ The proposal does not conflict with our interests.
- _____ The proposal conflicts with our interests for the reasons attached.
- _____ The proposal would not conflict our interests if the changes noted below are included.



Christina Robertson-Gardiner AICP

Senior Planner

crobertson@orcity.org

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Oregon City Comprehensive Plan

June 2004



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Tom Lemons, Commission President
Doug Neeley, Commissioner
Bob Bailey, Commissioner
Gary Hewitt, Commissioner

Planning Commission Linda Carter, Chair
Dan Lajoie, Vice Chair
Renate Mengelberg
Lynda Orzen, First City
Tim Powell, Citizens Involvement Committee Council

**Citizens Involvement
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Oregon City Comprehensive Plan

June 2004



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Introduction

This document represents the first major revision of the 1982 *Oregon City Comprehensive Plan*. From 2002 to 2004, many, many citizens dedicated hundreds of hours assisting the City Commission, Planning Commission, and City staff revise the plan and the City Development Code (Title 17 of the *City of Oregon City Municipal Code*). The effort included several open houses, many work sessions, and several well-attended public hearings. The plan reflects the comments, suggestions, and vision of Oregon City residents and expresses that vision in its land-use policies, regulations, and map designations.

Oregon City's Comprehensive Plan and implementation ordinances must comply with applicable Statewide Planning Goals adopted by the Land Conservation and Development Commission as the result of a 1973 state law. The plan must also comply with the relevant portions of Metro's 1998 *Urban Growth Management Functional Plan*.

The plan is intended to do more than simply meet the requirements of the law, however. The City Commission firmly believes that the plan is necessary to protect and maintain the quality of life and social and economic vitality of the community. The City Commission understands that good planning is necessary to ensure that land resources are thoughtfully and efficiently used, that public services are cost-effective and adequate, that natural and historic resources that help define the city's character are protected and preserved, and that citizens will have continuing influence on the on-going decisions about the growth and development of their community.

Statements of Principle

Oregon City's Comprehensive Plan is founded on a number of principles, which shape the City Commission's vision for the future growth and development of the city. The principles help determine the scope of issues, concerns,

and actions that will guide development, and they are reflected in the plan's goals and policies. Statements of these principles, listed below, are not legally binding. They are instead intended to help citizens understand the kind of city this plan will help to achieve.

Promote sustainability and sustainable development. Images of the Earth taken from space in the late 1960s helped awaken people to the fact that the Earth's resources are finite. The City Commission agrees with citizens who believe it is incumbent on the City of Oregon City to use its land, water, and air resources in a sustainable manner, which means meeting the city's social, environmental and economic needs in a way that benefits all citizens but does not undermine the ability of future generations to meet their needs. This is the essence of sustainable development. Taken together, the policies in the Oregon City Comprehensive Plan will enhance the likelihood of a sustainable community but cannot guarantee it. Land-use decisions will be made with the concept of sustainability in mind to ensure that development enhances the long-term quality of life in Oregon City.

Contain urban development. Accommodating population growth while controlling the spread of development into surrounding rural resource lands is one the city's greatest challenges. The effects of suburban sprawl cause or contribute to a wide variety of economic and social losses, dislocations, environmental degradation, and ultimately, loss of civic identity. The City Commission strongly supports containing urban sprawl within a defined geographic extent of the city as it is in the best long-term interest of the citizens of Oregon City. Containment will promote redevelopment within older areas of the city, promote transportation alternatives, conserve and protect the rural lands surrounding the city, and help promote the identity of the City of Oregon City. Specifically, the Commission declares that the future southern limits of the City of Oregon City should extend no farther south than the northern edge of the steep topography of the Beavercreek canyon drainage and that the area to the south should remain rural.

Promote redevelopment. Oregon City's history is important to the culture, economy, and civic identity of the community. Redevelopment and restoration of historic structures and neighborhoods are increasingly embraced as necessary and desirable to maintain these values. Redevelopment of older and underutilized areas within the city makes efficient use of land and existing public services, protects the city's historic character, avoids sprawl into surrounding rural areas, and facilitates economic development. The City Commission will promote redevelopment through land-use policies and by making public investments in deteriorated public facilities and underutilized areas of the city, using Urban Renewal funding and other mechanisms.

Protect natural resources. The City of Oregon City contains abundant, diverse, and unique natural resources that contribute to the quality of life, help define the city's identity, and provide great enjoyment for residents. The most obvious of these resources are the Willamette River and its thunderous falls, the Clackamas River, Newell Creek canyon, and the steep cliffs and bluffs over which the city is draped. However, many other resources are present: small streams, wetlands, wooded areas and oak savannahs, views of the Cascade Mountains, and abundant fish and wildlife, including salmon, sturgeon, deer, ospreys, and bald eagles. The City Commission strongly supports protecting these many natural resources and is committed to measures to ensure that these resources are secure even as development proceeds within the city.

Foster economic vitality. Oregon City was once an economically prosperous city built on abundant timber and agricultural resources, cheap energy from the Willamette Falls, and ready transportation by river and rail. Today, Oregon City lacks a strong manufacturing and commercial economic base, which could provide residents with local jobs, build investment in the community, and support a strong tax base for city services. The City Commission will use this land-use plan to encourage and support sustainable economic development and promote and enable job creation. The commission has identified several areas within the city and Urban Growth Boundary that are designated for job creation as a top priority.

Provide efficient and cost-effective services. Water, sewer, fire protection, police services, streets, storm drainage, and other public services are directly affected by land-use decisions. This plan ensures that land-development decisions are linked to master plans for specific services such as water or sewer and to capital improvement plans that affect budgets and require taxes to build. The City Commission believes that citizens are economically well-served through compact urban form, redevelopment of existing areas, and public investments (for example, street improvements) that are carefully tied to private investments when development occurs.

Ensure a sense of history and place. The historical character of Oregon City is one of its defining features while its pivotal role in the great westward movement of the United States is the city's most profound legacy. The city's geographic setting is powerful. These are values that long-time residents cherish and new residents feel. The commission is committed to protecting and enhancing the city's strong sense of history and defined sense of place. These values will be respected and accounted for in development and land-use decisions.

Plan Contents

The Oregon City Comprehensive Plan is divided into 15 sections. The number of the section is the same as the Land Conservation and Development Commission (LCDC) Statewide Planning Goal the section is intended to show compliance with. Each section begins with background information, followed by goals and policies. A glossary of key terms is at the end of the document.

Goals and policies are official statements from the City Commission that provide standards for applying land-use plan designations to real property and making decisions about specific development. Because this plan is by law and necessity a comprehensive land-use plan, there is no hierarchy implied in the order of the sections and none of the goals or policies has priority except as stated in particular policies. When used to make decisions, all relevant goals and policies must be accounted for and considered.

Implementing the Plan

The Oregon City Comprehensive Plan is implemented through City Codes, ancillary plans, concept plans, and master plans.

City Codes are enforceable, detailed regulations regarding land use, land development, protection of natural resources, building design, traffic management, etc. For land use, City Codes particularly emphasize the City Zoning Ordinance, which lists specific standards for uses of land in the city; Subdivision Ordinance, which provides standards and regulations for new subdivisions and other land development; and related ordinances for issues such as steep slopes, tree cover, historic review, and site design or architectural design standards. The City Commission is responsible for adopting all code.

Ancillary plans are adopted by the City Commission for such things as parks and recreation, transportation systems, water facilities, and sewer facilities. Usually prepared by City departments through a public process, ancillary plans are approved by the City Planning Commission and adopted by the City Commission to provide operational guidance to city departments in planning for and carrying out city services. These plans are updated more frequently than the comprehensive plan.

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.

Master plans are required for large, phased development proposals for institutional uses such as the health services district around Willamette Falls Hospital. Master plans are intended to accommodate a variety of land uses types and address community factors at a neighborhood scale.

Section 1

Citizen Involvement

I know no greater depository of the ultimate powers of society but the people themselves. And if we think them not enlightened enough to exercise their control with a wholesome discretion, the remedy is not to take it from them, but to inform their indiscretion through education. That is the true corrective of abuses of constitutional power.

— Thomas Jefferson

This section is intended to show compliance with Land Conservation and Development Commission (LCDC) Statewide Planning Goal 1, Citizen Involvement, which requires local governments “to develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.” The Citizen Participation Goal in the 1976 *Land-Use Policies for Oregon City* is to “provide an active and systematic process for citizen and public agency involvement in the land use decision-making for Oregon City.” The goal is based on the philosophy that a neighborhood program would provide the best means for citizens to become involved in the planning process.

Recognizing the importance of providing citizens with opportunities to be informed about, and involved in, the planning process, Oregon City established a Citizen Involvement Program in the 1980s. The program has two major components: neighborhood associations and a Citizen Involvement Committee (CIC). The CIC is the officially recognized citizen advisory committee to meet LCDC Statewide Planning Goal 1, and as required by Goal 1, is responsible for developing, implementing, and evaluating the Citizen Involvement Program. The CIC coordinates and communicates various aspects of citizen participation in the community and advises the City Commission, the Planning Commission and other planning and advisory bodies. The City Manager provides a City Liaison, and the Public Affairs Manager provides staff assistance. The overall goal of the CIC is to help improve the quality of life in Oregon City.

Prior to beginning the Comprehensive Plan update in the spring of 2002, the CIC revised the citizen involvement procedures for Oregon City. The CIC developed a five-year strategic plan (*Citizen Involvement Program Five-Year Strategic Plan*, 2002), which includes a mission statement, vision, values, roles and

responsibilities; wrote bylaws, approved by the membership on January 11, 2000; and wrote a Citizen Involvement Handbook. The documents were developed over three years by the entire CIC, which consisted of the elected leadership of the City-recognized neighborhood associations in Oregon City.

The five-year strategic plan and bylaws were written to comply with the intent of LCDC Statewide Planning Goal 1, which requires citizens to be involved in all aspects of land-use planning and other livability issues.

The CIC serves the area within the current legal city limits and all areas of impact within the current Urban Growth Boundary such as county islands within the neighborhood association boundaries; areas of the county adjacent to recognized neighborhood associations; and areas of the county not adjacent to a recognized neighborhood association but within the Urban Growth

Boundary and not represented by a county-recognized neighborhood association (called Community Planning Organizations or CPOs).

In February 1999, the City sponsored a meeting to evaluate a proposal for a “visioning process” and how the city might benefit from the undertaking. At the meeting, it was concluded that the process could work if properly structured with realistic “visions” that could be accomplished by volunteers working with the community; government, medical community, educational leaders, and business organizations. From that meeting, the

First City’s Future Initiating Task Force was created.¹ The task force then developed a strategy to create a vision for Oregon City.

In November 2000, the task force held its first community-wide open house, which was attended by 125 community members and City staff. From that meeting, a vision statement emerged that brought forward shared common goals for the future of Oregon City (*First City’s Future, Visioning Project, Phase 1 Report*, 2001). The visioning process is an ongoing project and needs to be updated periodically. A successful visioning process is a constant, dynamic process that must be initiated and maintained by the community. The First City’s Future Initiating Task Force visioning effort represented a major citizen participation project.



Goal 1.1 Citizen Involvement Program

Implement a Citizen Involvement Program that will provide an active and systematic process for citizen participation in all phases of the land-use decision-making process to enable citizens to consider and act upon a broad range of

¹ “First City” is a reference to the fact that Oregon City was the first incorporated town west of the Rockies and the seat of the first provisional government of the Oregon Territory.

issues affecting the livability, community sustainability, and quality of neighborhoods and the community as a whole.

Policy 1.1.1

Utilize neighborhood associations as the vehicle for neighborhood-based input to meet the requirements of the Land Conservation and Development Commission (LCDC) Statewide Planning Goal 1, Citizen Involvement. The Citizen Involvement Committee (CIC) shall serve as the officially recognized citizen committee needed to meet LCDC Statewide Planning Goal 1.

Goal 1.2 Community and Comprehensive Planning

Ensure that citizens, neighborhood groups, and affected property owners are involved in all phases of the comprehensive planning program.

Policy 1.2.1

Encourage citizens to participate in appropriate government functions and land-use planning.

Policy 1.2.1

Encourage development and refinement of CIC and neighborhood association bylaws that will govern the groups' formation and operations.

Goal 1.3 Community Education

Provide education for individuals, groups, and communities to ensure effective participation in decision-making processes that affect the livability of neighborhoods.

Policy 1.3.1

Encourage training of volunteers involved with the CIC and neighborhood associations.

Goal 1.4 Community Involvement

Provide complete information for individuals, groups, and communities to participate in public policy planning and implementation of policies.

Policy 1.4.1

Notify citizens about community involvement opportunities when they occur.

Goal 1.5 Government/Community Relations

Provide a framework for facilitating open, two-way communication between City representatives and individuals, groups, and communities.

Policy 1.5.1

Support the CIC in initiating and planning events in cooperation with the City on issues of mutual interest. Topics may include such things as working with local schools regarding citizen involvement and stakeholders involved with Comprehensive Plan development and Urban Growth Boundary expansion.

Goal 1.6 CIC Continuous Development

Support the CIC's team spirit and dedication to community involvement to ensure continuous improvement.

Policy 1.6.1

Assist the CIC in finding funding for the Community Involvement Program's current and future development.

Policy 1.6.2

Support an Annual Leadership Development Conference for CIC members, to include updating the CIC strategic plan, if funding is available.

Goal 1.7 Neighborhood Plans

Adopt neighborhood plans that encompass a broad range of concerns for each neighborhood over a five- to ten-year period as refinements of the Oregon City Comprehensive Plan.

Policy 1.7.1

Ensure that neighborhood plans are consistent with the Comprehensive Plan.

Policy 1.7.2

Provide opportunities for property owners, residents, and businesses within the neighborhood to be involved in all phases of the preparation of a neighborhood plan.

Policy 1.7.3

Use the neighborhood plans to make recommendations to city boards, commissions, and agencies regarding public improvements and land-use decisions.

Goal 1.8 Advisory Committees

Establish and support citizen advisory committees and commissions.

Policy 1.8.1

Identify the areas of City government in which the counsel of a formal citizen advisory committee or commission is warranted if funding is available to provide appropriate staff support.

Policy 1.8.2

Solicit and support citizen participation on citizen advisory committees and commissions. Identify desirable expertise from the Portland metro area as needed to best serve the interests of Oregon City.

Section 2

Land Use

We abuse the land because we regard it as a commodity belonging to us. When we see land as a community to which we belong, we may begin to use it with love and respect.

— Aldo Leopold,
A Sand County Almanac,
1949

Land Conservation and Development Commission (LCDC) Statewide Planning Goal 2, Land Use Planning, establishes a land-use planning process and policy framework with which local Comprehensive Plans must comply. Another influence on local plans in the Portland metropolitan area is *Metro's 2040 Growth Concept* (1995), which defines regional growth and development, including a vision for Downtown Oregon City as a Regional Center.

This section of the Comprehensive Plan contains the City's land-use planning goals and policies, consistent with state and regional requirements. Oregon City's Comprehensive Plan Land-Use Map (Appendix A) shows the established land-use designations. Other relevant documents are the *Oregon City Waterfront Master Plan* (2002) and *Oregon City Downtown Community Plan* (1999), which will help revitalize the residential aspects of Downtown and the Clackamette Cove area and to implement the Regional Center vision for Downtown.

The Comprehensive Plan and Land-Use Map are used to guide land uses and development in the city. The map shows geographic areas that have been designated for general land uses in accordance with the Comprehensive Plan. The map also shows the general development pattern of the city and indicates which areas are best suited for residences, commercial, office, and industrial uses, and which areas should be left undeveloped.



[The city planning process] should undertake to develop principles ... [that] should be constructed into policies that will ensure that the resources of the city, site, and artifacts, are recognized as values and determinants of form, both in planning and the execution of works. Rio differs from Kansas City, New York from Amsterdam, and Washington [D.C.] from all of them, for good and sufficient reasons. They lie, at base, in the geological history, climate, physiography, soils, plants and animals that constitute the history of the place and the basis of its intrinsic identity.

— Ian McHarg,
Design with Nature, 1969

State and Metro Requirements

Comprehensive plans in Oregon must comply with the land-use planning process and policy framework established by LCDC Statewide Planning Goal 2. The goal requires land-use plans to identify issues and problems, conduct inventories of land, create policies, and implement ordinances to achieve applicable statewide planning goals. A primary focus of statewide land-use planning has been to require the efficient use of existing urban land to protect against unnecessary urban encroachment into prime agricultural and forest land.

In the mid-1990s, Metro adopted the *Regional Urban Growth Goals and Objectives* (RUGGO), which is part of the *Regional Framework Plan* (1997) and includes *Metro's 2040 Growth Concept* (1995). RUGGO was developed to implement regional compliance with state goals for land use in a coordinated way and to ensure that housing and employment growth could be accommodated equitably across the region. The *Urban Growth Management Functional Plan* (1998), or UGMFP, implements RUGGO and contains several requirements for local implementation.

Metro's 2040 Growth Concept requires cities and counties to draw boundaries for each of the design types as defined in Title 1 of the UGMFP. The design types correspond to the general boundaries shown in *Metro's 2040 Growth Concept* map (Appendix B). Design types applicable to Oregon City are Regional Centers, Industrial Areas, Corridors, Inner Neighborhoods and Outer Neighborhoods. Design types are defined in the glossary and shown on Oregon City's Comprehensive Plan Land-Use Map (Appendix A).

Regional Centers serve large market areas outside the central city and have connections via high-capacity transit and highways. Metro has designated Oregon City as one of nine Regional Centers. Molalla Avenue, 7th Street, Beaver Creek Road, and Highway 99 are identified as Corridors, which are intended to feature a high-quality pedestrian environment, convenient access to transit, and somewhat higher than current densities. A boundary between Inner and Outer Neighborhoods was drawn to distinguish residential areas with smaller lot sizes and more access to jobs and neighborhood businesses from residential areas with larger lot sizes that are farther from large employment centers. Industrial Areas are areas set aside primarily for industrial activities with limited supporting uses.

Oregon City's Comprehensive Plan

The Comprehensive Plan is the principal land-use planning ordinance and the City's controlling land-use document. It establishes the City's legal record of policy on land use and other development and conservation issues. As a land-use planning document, the Comprehensive Plan represents a future, desired vision of Oregon City.

All cities and counties in Oregon are required to prepare and adopt a fully developed Comprehensive Plan that addresses statewide goals. Oregon City must also comply with the relevant portions of Metro's *Urban Growth Management Functional Plan* (1998), or UGMFP. The UGMFP is a regional land-use plan that implements *Metro's 2040 Growth Concept* (1995). The previous Oregon City Comprehensive Plan was acknowledged by the state in 1982.

In 1999, the goals and policies from the *Oregon City Downtown Community Plan* (1999) were added to the 1982 Comprehensive Plan. The goals and policies have been incorporated in the Economic Development and Housing sections of this Comprehensive Plan (Sections 9 and 10, respectively). The *Downtown Community Plan* in its entirety (Phase 1) is considered ancillary to the Comprehensive Plan.

Efficient Use of Land

Mixed uses and promotion of infill and higher density redevelopment encourage more efficient land use. Regional Centers serve large market areas outside the central city and are connected to the city by high-capacity transit and highways.

Separating residential, commercial, and industrial activities was a major trend beginning in the early twentieth century; cities tried to prevent incompatible uses from creating problems for both citizens and businesses and to allow outward expansion without considering the cost in terms of loss of vibrancy in

downtowns or loss of resource lands. The trend has now shifted to include more mixed uses and more intensive development where appropriate. For example, retail and residential uses in central business districts can greatly enhance the safety, livability, and vibrancy of an area.

Policies that comply with other UGMFP requirements, such as minimum density standards, residential and job capacities, and protection of employment areas, are addressed in this section, in Section 9, Economic Development, and in Section 10, Housing.



Downtown and Corridor Redevelopment

Metro's 2040 Growth Concept (1995), as discussed above, includes the Regional Center and Corridor design types for Oregon City. The *Oregon City Waterfront Master Plan* (2002), *7th Street Corridor Design Plan* (1996), *McLoughlin Boulevard Enhancement Plan* (in progress), and *Oregon City Downtown Community Plan* (1999) will help revitalize the residential aspects of Downtown and the Clackamette Cove area, and implement a vision of the Downtown area as a Regional

Center. New policies to implement the Downtown community and waterfront master plans have been developed and are listed at the end of this section.

Transit corridors are designated with the new Mixed Use Corridors (MUC) district to encourage somewhat more intensive and mixed-use development than exists, creating more efficient land-use and travel patterns. The MUC designation is intended to implement Metro's vision of the Corridor design type.

Residential Development

Because neighborhood livability depends largely on good design and the efficient use of land, policies and action items should call for evaluating development standards and for developing incentives to ensure that new development contributes to the city's livability.



The City recognizes neighborhoods as the essential building blocks of a livable city. Neighborhoods and specific places within them give people an orientation, sense of history, community, and "groundedness." A place may be a feature such as a large public clock Downtown where people meet before going to lunch or a bench near the edge of a bluff with a great view. Place-making adds to the quality of life for a community. As the city grows, existing places should be protected and opportunities for creating new, special places explored.

Commercial Land Use

Policies that encourage neighborhood commercial uses are presented in this section as part of the City's desire to create more efficient land-use and travel patterns. However, retail uses are discussed in more detail in Section 9, Economic Development. Because several areas of the city lack convenient, small-scale neighborhood commercial centers that would reduce the distances residents must travel to obtain essential goods and services, policies that allow and encourage such development have therefore been adopted and are part of this Comprehensive Plan.



encourage such development have therefore been adopted and are part of this Comprehensive Plan.

Retail Business

Retail outlets and shopping areas are commonly classified by how much square footage they occupy, the types of private investment, the size of their market, and the type of commercial service provided. Classifications include Neighborhood Retail Centers, Community Retail Centers, and Regional Retail Centers. These classifications, described below, are critical for ensuring that the scale of commercial development and level of services are compatible with

their locations. For example, some neighborhoods are underserved by Neighborhood Retail Centers.

Neighborhood Retail Center. This provides convenience goods (foods, drugs and sundries) and personal services (laundry, dry cleaning, barbering, shoe repair) for the day-to-day needs of the immediate neighborhood. Size may range from 30,000 to 100,000 square feet.

Community Retail Center. This provides a wider range of facilities with a greater variety of merchandise. Many are built around a junior department store, variety store or discount department store as the major tenant. Others are built around multiple anchors in power centers or super community centers. Size may range from 100,000 to 300,000 (or more) square feet.

Regional Retail Center. This provides general merchandise, apparel, furniture and home furnishings in depth and variety, as well as a range of services and recreational facilities. It is built around one or two full-line department stores of generally not less than 75,000 square feet. Size may range from 250,000 to 900,000 square feet. A Regional Retail Center provides services typical of a business district but is not as extensive as the larger Super Regional Center, which may include aspects of big box development (industrial-style, stand-alone retail, typically with 20,000 to 200,000 square feet and 3 stories or height of 30 feet).

Industrial Land

There is often pressure to convert industrially zoned land to easily developable sites and other uses. The goals of the City are to protect existing industrial land from conversion, where appropriate, to annex industrial land and expand the Urban Growth Boundary to add urbanizable industrial land to the inventory, and to ensure that public facilities can serve future development.

Planned Land-Use Types

As the official long-range planning guide for land-use development in the city by type, density and location, the Oregon City Comprehensive Plan and Land -Use Map should be reviewed regularly. The land-use categories shown on the map (Appendix A) are:

- Low Density Residential (LR) — primarily single-family detached homes.
- Medium Density Residential (MR) — residential developments with dwelling unit types such as attached single-family units, rowhouses, and townhouses. Included in this classification is the McLoughlin Conditional Residential district, which is unique in that it allows existing residential uses, assuming they



were established legally, and new single-family homes on existing lots. More intensive new and redeveloped residential construction can be built at medium densities under certain circumstances.

- High Density Residential (HR) — typically high-density, multiple-dwelling residential. Permitted uses include apartments, condominiums, and single-family attached and rowhouse dwellings.
- Commercial (C) — commercial uses serving local, city-wide, and regional needs, such as retail and service commercial. Typically this classification is associated with newer, suburban development and located along arterial streets.
- Industrial (I) — uses related to manufacturing, processing and distribution of goods. Employment-based uses are encouraged. Intensive or heavy industrial uses are allowed in certain zones. Zones in the Comprehensive Plan Land-Use Map district are designed to comply with requirements of Title 4 of Metro's *Urban Growth Management Functional Plan* (1998).
- Mixed Use Corridor (MUC) — higher density mixed uses that are supportive of transit and conducive to pedestrian traffic. Urban density residential and commercial goods and services are typical uses. Zones in the Comprehensive Plan Land-Use Map district are intended to be compatible with Metro's Corridor design type.
- Mixed Use Employment (MUE) — employment-intensive uses such as offices, research and development, light manufacturing, and associated commercial uses.
- Mixed Use Downtown (MUD) — urban density, mixed uses that are conducive to pedestrian and transit uses. This category is intended to be used to implement the *Oregon City Downtown Community Plan* (1999), the *Oregon City Waterfront Master Plan* (2002), and Metro's Regional Center concept, particularly in terms of connecting the Downtown with the waterfront. A design overlay is included in this area and is intended to promote development consistent with Oregon City's traditional Downtown form.
- Public and Quasi-Public (QP) — publicly owned lands other than city parks, such as schools, cemeteries, undeveloped lands, open space, government buildings and public utility facilities, such as the sewage treatment plant and water reservoirs.
- Parks (P) — city parks.
- Future Urban Holding (FUH) — undesignated, pending development and approval of a "concept plan," a Metro requirement that cities plan land uses in areas being converted from rural to urban uses.

Comprehensive Plan Maintenance and Implementation

Maintaining the Comprehensive Plan simply means keeping it current. Changes in attitudes or needs may make some policies inapplicable. In addition, land-use information should be updated regularly and the Comprehensive Plan revised as required by the updated information.

The Comprehensive Plan and implementing ordinances should be reviewed for compliance with Metro's goals, objectives, and functional plans. In addition, land-use information should be kept current and changes made to the Comprehensive Plan periodically to reflect those changes.

In implementing the Comprehensive Plan, careful consideration should be given to the economic, environmental, social, and energy impacts of proposed programs and regulations. The Planning Commission is responsible for reviewing the Comprehensive Plan approximately every five years to determine if revisions or amendments to the goals and policies, Comprehensive Plan Land-Use Map, or implementing ordinances are needed. City staff is responsible for ensuring that the plan is consistent with current trends and complies with state and regional requirements.

Ancillary Plans. Since 1982, several documents have been adopted as ancillary to the 1982 Comprehensive Plan: the *Public Facilities Plan* (1990), *Oregon City Transportation System Plan* (2001), *Oregon City Downtown Community Plan* (1999), *Oregon City Waterfront Master Plan* (2002), *City of Oregon City Water Master Plan* (2003), *City of Oregon City Sanitary Sewer Master Plan* (2003), *Drainage Master Plan* (1988, updated in 1999 as the *City of Oregon City Public Works Stormwater and Grading Design Standards*), *Caufield Basin Master Plan* (1997), *South End Basin Master Plan* (1997), *Molalla Avenue Boulevard and Bikeway Improvements Plan* (2001), the *Oregon City Park and Recreation Master Plan* (1999), and the *Oregon City Trails Master Plan* (2004).

Two park-specific master plans for Jessie Court and Chapin Park were adopted as ancillary documents to the *Oregon City Park and Recreation Master Plan* (1999). This Comprehensive Plan references these documents but does not incorporate them as elements of, or as ancillary to, the plan because they contain details that are too specific for a Comprehensive Plan (for example, street standards). When those types of details need to be changed, an amendment to the Comprehensive Plan is therefore not necessary.

A new institutional and/or public facilities master planning process to accommodate the development of school, institutional, and government facilities has been developed. Plans that are developed during this planning process, if approved, can form the basis for Comprehensive Plan changes.

Zoning. Oregon City's zoning ordinance was adopted in 1954 and has been amended many times since. Most of the amendments to the 1982 Comprehensive Plan were changes to the zoning and subdivision ordinances. As a result of

piecemeal changes, there are inconsistencies and outdated concepts that should be corrected through a major code update.

Subdivision Regulations. Title 16 of the *City of Oregon City Municipal Code* (1991) governing subdivisions implement several provisions of the Comprehensive Plan.

Design Review. Site plan and design review provisions are intended to promote design integrity and neighborhood livability. New design guidelines were added to the zoning ordinance in 2001. It is expected that the guidelines will continue to be refined to strike the right balance of predictability for developers and neighborhood protection and livability. The City hopes to develop a design overlay for the Downtown.

Regular Review and Update. Periodically, technical review of the Comprehensive Plan should be conducted by City planning staff. Recommendations for updating the Comprehensive Plan should be presented to the Citizen Involvement Committee. The Planning Commission should make a recommendation to the City Commission for input and discussion. The technical review should consider:

- the plan implementation process
- adequacy of the plan to guide land-use actions, including an examination of trends
- whether the plan still reflects community needs, desires, attitudes and conditions, including changing demographic patterns and economics
- addition of updated information about the City by regional, state and federal governmental agencies

Goal 2.1 Efficient Use of Land

Ensure that property planned for residential, commercial, office, and industrial uses is used efficiently and that land is developed following principles of sustainable development.

Policy 2.1.1

Create incentives for new development to use land more efficiently, such as by having minimum floor area ratios and maximums for parking and setbacks.

Policy 2.1.2

Encourage the vertical and horizontal mixing of different land-use types in selected areas of the city where compatible uses can be designed to reduce the overall need for parking, create vibrant urban areas, reduce reliance on private automobiles, create more business opportunities and achieve better places to live.

Policy 2.1.3

Encourage sub-area master planning for larger developments or parcels, including re-development, where it may be feasible to develop more mixed uses, or campus-style industrial parks, with shared parking and landscaping areas. Allow developments to vary from prescriptive standards if planned and approved under this provision.

Policy 2.1.4

Use redevelopment programs such as urban renewal to help redevelop underutilized commercial and industrial land.

Goal 2.2 Downtown Oregon City

Develop the Downtown area, which includes the Historic Downtown Area, the “north end” of the Downtown, Clackamette Cove, and the End of the Oregon Trail area, as a quality place for shopping, living, working, cultural and recreational activities, and social interaction. Provide walkways for pedestrian and bicycle traffic, preserve views of Willamette Falls and the Willamette River, and preserve the natural amenities of the area.

Policy 2.2.1

Redefine the Metro Regional Center concept to recognize the unique character of Oregon City while being in accordance with *Metro’s 2040 Growth Concept*.

Policy 2.2.2

Support multi-modal transportation options throughout the Regional Center and to other Regional and Town Centers.

Policy 2.2.3

Develop and promote a vision for the economic development and redevelopment of the Downtown area that solidifies the *Oregon City Downtown Community Plan* and *Oregon City Waterfront Master Plan*.

Policy 2.2.4

Target public infrastructure investments and create public/private partnerships to leverage maximum benefits from public investment and to help ensure that the Regional Center develops to its maximum capacity and realizes its full potential.

Policy 2.2.5

Encourage the development of a strong and healthy Historic Downtown retail, office, cultural, and residential center.

Policy 2.2.6

Working with major stakeholders, develop and implement a strategy to help the Historic Downtown Area enhance its position as a retail district. Such a strategy might include funding for a “Main Street” or similar program.

Policy 2.2.7

Explore options for improving Downtown vehicle circulation and parking in a manner that promotes revitalization.

Policy 2.2.8

Implement the *Oregon City Downtown Community Plan* and *Oregon City Waterfront Master Plan* with regulations and programs that support compatible and complementary mixed uses, including housing, hospitality services, restaurants, civic and institutional, offices, some types of industrial and retail uses in the Regional Center, all at a relatively concentrated density.

Policy 2.2.9

Improve connectivity for vehicles, bicycles, and pedestrians within the Oregon City Downtown community and waterfront master plan areas and improve links between residential areas and the community beyond.

Policy 2.2.10

Develop the Clackamette Cove area through the implementation of the *Oregon City Waterfront Master Plan* to achieve a balance between the natural and built environments, including wildlife habitat, multi-family residential development, office and retail, and family recreation.

Policy 2.2.11

Investigate an interpretive scheme that incorporates the End of the Oregon Trail Interpretive Center, the waterfront, and Downtown. Describe environmental, social, and historic aspects including the concept of a greenway along Abernethy Creek and nearby structures of historic significance.

Policy 2.2.12

Ensure a master plan is developed at the Blue Heron Paper Company site at such time as the property owner proposes a large-scale development, which addresses transitioning the overall site from industrial to non-industrial land uses.

Policy 2.2.13

Monitor the redevelopment within the Downtown Design District and investigate the need to require retail and service uses on the first floor and limit residential and office uses to the second floor and above.

Goal 2.3 Corridors

Focus transit-oriented, higher intensity, mixed-use development along selected transit corridors.

Policy 2.3.1

Ensure planning for transit corridors includes facilities and access management, aesthetics (including signage and building facade improvements), infill

and redevelopment opportunities, high-density residential development, and business assistance to existing businesses.

Policy 2.3.2

Work with Clackamas County, Gladstone, Milwaukie, and Metro to develop a plan for the redevelopment of the 99E corridor that connects the Oregon City Regional Center with the Milwaukie Town Center.

Goal 2.4 Neighborhood Livability

Provide a sense of place and identity for residents and visitors by protecting and maintaining neighborhoods as the basic unit of community life in Oregon City while implementing the goals and policies of the other sections of the Comprehensive Plan.

Policy 2.4.1

Develop local neighborhood plans to strengthen and protect residential neighborhoods and historic areas from infill development; such as development along linear commercial corridors.

Policy 2.4.2

Strive to establish facilities and land uses in every neighborhood that help give vibrancy, a sense of place, and a feeling of uniqueness; such as activity centers and points of interest.

Policy 2.4.3

Promote connectivity between neighborhoods and neighborhood commercial centers through a variety of transportation modes.

Policy 2.4.4

Where environmental constraints reduce the amount of buildable land, and/or where adjacent land differs in uses or density, implement Comprehensive Plan and zoning designations that encourage compatible transitional uses.

Policy 2.4.5

Ensure a process is developed to prevent barriers in the development of neighborhood schools, senior and childcare facilities, parks, and other uses that serve the needs of the immediate area and the residents of Oregon City.

Goal 2.5 Retail and Neighborhood Commercial

Encourage the provision of appropriately scaled services to neighborhoods.

Policy 2.5.1

Encourage the redevelopment of linear commercial corridors in ways that encourage expansion of existing businesses and infill development, and at the same time reduces conflicting traffic movements, improves the aesthetic character of these commercial areas, and encourages trips by transit, bicycling and walking.

Policy 2.5.2

Allow and encourage the development of small retail centers in residential neighborhoods that provide goods and services for local residents and workers. Generally, these centers should be located at the intersections of two or more streets that are classified as neighborhood collectors or higher.

Policy 2.5.3

Review design standards and the sign code to ensure compatibility with existing neighborhoods.

Policy 2.5.4

Encourage the development of successful commercial areas organized as centers surrounded by higher density housing and office uses, rather than as commercial strips adjacent to low-density housing.

Policy 2.5.5

Encourage commercial and industrial development that enhances livability of neighborhoods through the design of attractive LEEDTM-certified buildings and environmentally responsible landscaping that uses native vegetation wherever possible, and by ensuring that development is screened and buffered from adjoining residential neighborhoods and access is provided by a variety of transportation modes.

Policy 2.5.6

Develop a concept plan for South End that includes commercial designations in an amount sufficient to serve the needs of the South End neighborhood. The area designated as “Future Urban Holding” on South End Road lacks sufficient commercial services.

Goal 2.6 Industrial Land Development

Ensure an adequate supply of land for major industrial employers with family-wage jobs.

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.

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 2.7 Oregon City Comprehensive Plan Land-Use Map

Maintain the Oregon City Comprehensive Plan Land-Use Map as the official long-range planning guide for land-use development of the city by type, density and location.

Policy 2.7.1

Maintain a sufficient land supply within the city limits and the Urban Growth Boundary to meet local, regional, and state requirements for accommodating growth.

Policy 2.7.2

Use the following 11 land-use classifications on the Oregon City Comprehensive Plan Land-Use Map to determine the zoning classifications that may be applied to parcels:

- Low Density Residential (LR)
- Medium Density Residential (MR)
- High Density Residential (HR)
- Commercial (C)
- Mixed Use Corridor (MUC)
- Mixed Use Employment (MUE)
- Mixed Use Downtown (MUD)
- Industrial (I)
- Public and Quasi-Public (QP)
- Parks (P)
- Future Urban Holding (FUH)

Policy 2.7.3

Recognize the design types of *Metro's 2040 Growth Concept*. Establish boundaries for the Regional Center in Downtown Oregon City; Corridors along 7th Street, Molalla Avenue, Beaver Creek Road, and Highway 99; Industrial areas; and for Inner and Outer Neighborhoods.

Section 3

Agricultural Lands

Land Conservation and Development Commission (LCDC) Statewide Planning Goal 3, Agricultural Lands, requires local governments “to preserve and maintain agricultural lands.” Comprehensive plans for counties are required to identify, preserve, and maintain lands for farm use, consistent with existing and future needs for agricultural products, forest and open space and with the state’s agricultural land use policy expressed in the Oregon Revised Statutes.

Goal 3 states that only land that lies outside Urban Growth Boundaries can be classified as agricultural. Oregon City, which lies wholly within an Urban Growth Boundary, therefore contains no agricultural land according to this definition. However, Oregon City supports preserving designated farm lands in rural areas outside its city limits by encouraging compact growth within the city. The efficient use of urban land in Oregon City slows urban expansion into rural areas. Section 14, Urbanization, discusses appropriate and timely urban expansion.

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Section 4

Forest Lands

Land and Conservation and Development Commission (LCDC) Statewide Planning Goal 4, Forest Lands, requires local governments “to conserve forest lands by maintaining the forest land base and to protect the state’s forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use on forest land consistent with sound management of soil, air, water, and fish and wildlife resources and to provide for recreational opportunities and agriculture.”

Under Goal 4, land is considered forest land if it was acknowledged as such when the goal was adopted. Oregon City has not identified any forest lands within its city limits and has therefore not adopted any goals or policies related to commercial forestry. However, Oregon City recognizes the importance of preserving trees in the urban environment and has adopted goals and policies pertaining to tree preservation (see Section 5, Open Spaces, Scenic and Historic Areas, and Natural Resources).

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Section 5

Open Spaces, Scenic and Historic Areas, and Natural Resources

This section addresses Land Conservation and Development Commission (LCDC) Statewide Planning Goal 5, which requires that open spaces and natural, scenic, and historic resources be protected.

Oregon City is blessed with a wealth of natural resources that visually and physically contribute to its high quality of life and provide a range of ecosystem services. The city's steep topography is carved into 13 watersheds, which benefit from western Oregon's ample rain and collectively support a wide variety of habitats. Oregon City is home to a number of species of fish, wildlife, and plants that are regionally and nationally significant.

As awareness of the importance of natural resources and their relationship to the quality of life has increased, so has concern for protecting the natural environment. Protecting the city's valuable natural resources is thus one of Oregon City's primary goals. In addition, the City must comply with federal, state, and regional laws protecting natural resources, including sensitive, threatened, and endangered species and their habitats.

Oregon City stands out in the region because of its historic character. This section is intended to foster protection of that character by identifying the resources that define the city's historic character and by promoting the development of an aggressive and systematic process that will preserve and enhance Oregon City's special identity.

Open Space

The *Oregon City Park and Recreation Master Plan* (1999) defines natural open space as undeveloped land that is completely or almost completely in a natural state and that is used for passive rather than active recreational purposes.

Open space is usually publicly owned or managed. According to the master plan, the City owns a total of about 38 acres of open space in four sites: Old Canemah Park, River Access Trail, Singer Creek Park, and Waterboard Park. Only Waterboard Park is entirely undeveloped. Clackamas County, Metro, the State of Oregon and the public schools own a total of approximately 278 acres of open space within Oregon City. The master plan recommends adding 250 acres of natural open space, most of which is in Canemah Bluff and Newell Creek Canyon. Metro has already purchased a significant amount of open space in Newell Creek Canyon, the Canemah Bluff and along the Willamette Greenway.

Scenic Views and Sites

Oregon City is blessed with topography that provides outstanding scenic views and sites that create a sense of place and civic identity for both residents and visitors. Distant views of Mount Hood and the Cascade Mountains, as well as



nearer views of the Willamette and Clackamas Rivers, Willamette Falls, scenic cliffs, and wooded areas such as Newell Creek Canyon, provide Oregon City with an abundance of scenic amenities, many dramatic and unique. The views and sites are economic and aesthetic resources that contribute to the overall distinctiveness and identity of Oregon City, and they should be protected.

While views of distant landscapes from promontories and high elevations are often protected, views from lower elevations of the higher topographic points of Oregon City have not been as appreciated or protected. These lower elevation views should be considered when development is proposed.

Views can be preserved in a variety of ways, from prohibiting development in particularly significant view corridors to designing structures that are appropriate to a site, using, for example, color and landscaping to hide or minimize visual incongruity. The City should develop guidelines for integrating the built environment with natural resources and continue to adopt and use guidelines to address scenic views, both looking down from higher points and up from lower points.

Major scenic views have been inventoried by the City.

Historic Preservation

[Preservation] ... is not just a romantic indulgence in nostalgia. It is a physical restatement of the long hallowed American values of frugality, good craftsmanship, and community responsibility.

— Bruce Chapman,
National Trust

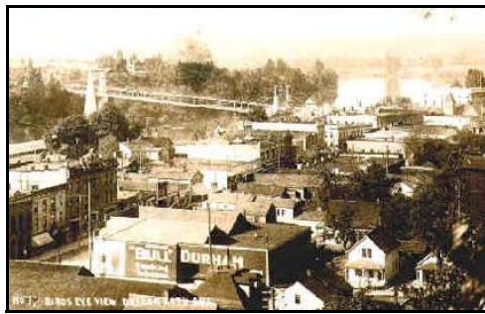
In the 1960s, many of the nation's older buildings were lost to urban renewal programs, which negatively affected inner-city core areas by destroying established residential neighborhoods. Many of these neighborhoods were mixed-use, offering a variety of housing and commercial opportunities. The misguided programs led to a loss of inner-city amenities and quality housing and encouraged residential dislocation into the suburbs.

A new attitude toward historic preservation and redevelopment has emerged in the last few decades. Losses in architectural and historic resources and the resulting urban dislocation created a new appreciation for and an awareness of the need to retain the character of neighborhoods. Areas where people have traditionally lived and worked are as worthy of preservation as individual landmarks and memorial sites.

Today, it is recognized that a variety of building types (residential and commercial) and styles contribute to the unique character of a community. When planning for historic preservation, an effort must be made to conserve whole neighborhoods. Retaining these irreplaceable assets requires strong community leadership and cooperation among private and public interests.

Preservation in Oregon City

It would be difficult to find a community in the West with more significant local, state and regional heritage than Oregon City. As the seat of the first provisional government of the Oregon Territory (1843–1849), capital of the Oregon Territory (1849–1850), and the first incorporated town west of the Rockies (1844), Oregon City has many homes, commercial buildings, and sites that are related to its important place in history.



Preservation of these community resources—landmark sites, historic buildings and areas, and archaeological sites—offers an opportunity to maintain and enhance Oregon City's unique identity. A well-developed preservation program can benefit property

owners, local historians, students, community spirit, and tourism and increase the appreciation residents have for their city's cultural heritage.

Certified Local Government Program

The State Historic Preservation Office (SHPO) has designated the City of Oregon City as a Certified Local Government (CLG). Administered by the National Park Service, a CLG Program integrates local governments with the National Historic Preservation Program through activities that strengthen decision-making regarding historic places at the local level. The CLG Program seeks to (1) maintain and develop local historic preservation programs that

influence zoning and permitting decisions critical to preserving historic properties, and (2) ensure the broadest possible participation of local governments in the National Historic Preservation Program while maintaining preservation standards established by the Secretary of the Interior. Participating in the CLG Program allows Oregon City to apply for non-competitive and competitive grants administered by SHPO. Surveys of the McLoughlin District in 2002 and the Historic Downtown in 2000 were funded using this grant process. The City is committed to maintaining an active participation in the CLG Program.

Archaeological Sites

Oregon City has important prehistoric and historic resources. For example, Willamette Falls was an important center in Native American culture and attracted great activity well before the 1800s.

Archaeological resources in Oregon have been overlooked by many communities, including Oregon City. Special attention should be given to proposed locations for new construction to avoid impacting archaeological sites. A number of state and federal antiquity laws now provide varying degrees of protection for archaeological sites. Once a site has been damaged by extensive building cover, archaeological values are likely to be lost. If it is likely that a site may yield archaeological resources, further review may be needed to ensure that the site can be protected.

Historic Districts

Historic Districts are areas where buildings with national or local historical and/or architectural significance are concentrated. A Historic District is recognized for retaining its “sense of place,” meaning that a traditional atmosphere of distinct character is evident. Generally, a Historic District designation requires, through the Historic Overlay Ordinance, that proposed construction, exterior alterations, and demolitions within the district’s boundaries be reviewed. To be designated as a Historic District, an area must:

- have architectural features that are well-related and have continuity
- appear as a discrete entity
- exhibit visual harmony in the character of public ways consistent with the architectural character of the area
- have generally compatible uses, including intended uses
- have a majority of properties with historic significance

Oregon City’s older areas are valued for their neighborhood character, architecture, and the identity they possess as a result of their role in the development of the city. Unfortunately, some structures have been allowed to deteriorate with a corresponding effect on the character of these areas.

Designation as an historic property ensures an owner that a compatible setting will be maintained. All residents and property owners benefit from the protection and enhancement of property values, incentives for revitalization, and stabilization of an area.

Existing Historic District: Canemah. Canemah is an important example of a relatively intact riverboat town with architectural resources dating from the 1860s. Having evolved from a community for the elite of the riverboat industry to a workers' community, Canemah retains essentially the same sense of place it had in the latter half of the 19th century. Situated above the Falls of the Willamette, it was an important portage town and the major shipbuilding center on the upper Willamette River.

Present Status. Canemah was listed as a Historic District in the National Register of Historic Places in 1977. The area was zoned in 1954 for industry along the river, commercial and multi-family along McLoughlin Boulevard, and multi-family along Third Avenue and portions of Fifth Avenue. In 1982, a majority of the area was rezoned as residential except for a small strip on McLoughlin Boulevard, which was rezoned to Historic Commercial.

In the last 20 years, many homes within the district have been rehabilitated, but some have not been maintained to a level that ensures their significance and status as contributing structures. New construction and exterior alterations need to be reviewed for their long-term effect on the neighborhood and National Register Historic District status.

Proposed Historic District: Downtown. Downtown Oregon City has historical significance as the original town site, following Dr. John McLoughlin's claim of the Willamette Falls area in 1829. The Downtown was surveyed by Sidney Moss in 1842 and Jesse Applegate in 1844. The city grew between the Willamette River and the bluff between 1843 and 1865. Industrial, commercial and residential development all took place. McLoughlin set aside a Mill Reserve in the area closest to the falls where the mills developed. Commercial establishments grew along lower Main Street, and residences were built throughout the area.

After the Civil War, industrial development increased rapidly. A woolen mill was built in 1865, and other small industries and trading establishments expanded. The residential quality of the area deteriorated as the commercial district grew. Access to the upper level was developed and residents relocated there, some physically moving their houses. Over the years, commercial uses have continued to grow, transforming the original pioneer settlement into a Central Business District.

While many of the original impressive Downtown buildings have been lost, a substantial number of historic and/or architecturally significant buildings still stand. The areas from 5th to 9th Streets and from the river to the bluff contain

the largest concentration of historic buildings that merit preservation. The area is generally cohesive, and intrusive or out-of-character uses are relatively few. Improvements could be made in the public rights-of-way to enhance the area as a district without disruption to commercial activity.

The proposed Downtown District consists of eight city blocks from the original Oregon City plat. Total land area of the district is approximately 21 acres. The area is commercial and professional office in use and character and contains approximately 44 structures. Parking lots exist on all but one block.

Present Status. In 2000, a re-survey of the Historic Downtown was conducted to determine the current status of buildings and the potential for the area to be listed as a National Register Historic District. Although the re-survey indicated that Oregon City's central business district is not eligible as a National Register Historic District, it did show that there is potential for restoring a sufficient amount of historic character to resources currently categorized as "Non Contributing in Current State," which would bring the percentage of "Contributing Resources" to an eligible level for a Historic District designation.

The Historic Downtown area is part of the Downtown Community Plan Phase II Implementation Program. Rezoning based on that plan, along with new design guidelines that directly address exterior alterations and new construction in the area, will ensure that future development is compatible with the significant structures of the area.

Proposed Historic District: McLoughlin Conservation District.

The McLoughlin District is currently designated as a city Conservation District. However, the findings of a 2002 re-survey of the district, as described below, support its designation as a National Register Historic District.

Conservation Districts

A Conservation District designation is intended to protect the buildings within the district through an ordinance that requires a review of proposed construction, exterior alterations to designated structures, and demolitions. Although not as comprehensive as a Historic District, a Conservation District can ensure that a neighborhood's significance does not erode.

Existing Conservation District: McLoughlin. Many of Oregon City's historic and architecturally significant buildings are above the bluff in the McLoughlin neighborhood. The original Oregon City plat includes the neighborhood area up to Van Buren Street, and it is within this area that early residential development took place, beginning in the 1850s. As the Downtown area changed from a residential to commercial district, home building

increased above the bluff. All of the churches that originally stood in the Downtown eventually relocated to the McLoughlin area as well.

Present Status. In 2002, a re-survey was undertaken to determine the current status of buildings and the potential for the area to be listed as a National Register Historic District. In 2003, Oregon City High School moved from the McLoughlin neighborhood to a new facility on Beaver Creek Road. Moving the school provides the City an opportunity to work with the school district to reuse the historic high school building. The City supports any rehabilitation of the campus that would continue its role as a community gathering place and keep it consistent with the Secretary of Interior Standards for Rehabilitation and the Goals and Policies of the Historic Review Board.

Proposed Conservation Districts. Other Historic Districts may exist in this historically important community. The Ely, Park Place, and Rivercrest neighborhoods have many historic properties and may be eligible for designation as Conservation Districts. An appropriate, well-constructed historic preservation plan will provide for identification and establishment of safeguards of these areas, which are important to the quality of Oregon City as a whole and to the identity of the Northwest.

Historic Buildings Outside Identified District Boundaries

There are many historic buildings outside the designated Historic Districts. Some of the buildings are among the oldest in the city, and many stand alone because they were originally built outside of “urban” Oregon City in what used to be farm and pastureland. City areas outside the Canemah and McLoughlin areas have been surveyed to identify the most significant buildings.

Present Status. Efforts to preserve individual historic buildings have been scattered. There is little public recognition of the historic value of significant buildings outside of McLoughlin and Canemah except for the more prominent and expensive estate homes. The Ely, Park Place, Rivercrest, and South End areas in particular have deteriorated, and some of the older homes have been demolished, often to the detriment of the area. Demolition and major incompatible remodeling are critical problems for historic preservation because they are usually irreversible. Private preservation and restoration efforts should be encouraged and assisted by local recognition of significant individual historic buildings throughout Oregon City.

Historic Landmarks

Historic landmarks are structures or sites with unusual historic importance and contribute to the city’s identity. Maintenance costs are often returned in tour-

ism revenues. Appreciation of local culture and history is enhanced. Criteria for designation as a historic landmark are:

- association with a major historic person
- association with an historic event or period of time
- association with a former or continuing institution that has contributed to the life of the city
- embodiment of the distinctive characteristics of a type, period, or method of construction, or representation of the work of a master, or possession of high artistic values, or representation of a significant and distinguishable entity where components may lack individual distinction
- association with a group, organization, enterprise in history



Natural Resources

Oregon City's natural resources are the result of the city's topographic complexity, which was created by volcanic activity, erosion and scouring from the post-Ice Age Missoula Floods, and erosion and deposition from the modern Willamette and Clackamas rivers, Abernethy and Newell creeks, and other minor streams. Metro has inventoried, evaluated, and mapped important Goal 5 resources in the region as part of developing a regionwide fish and wildlife habitat protection plan. Two large areas in Oregon City scored 6 (medium quality habitat) on a scale of 1 to 9: along the steep slopes and bluffs overlooking the Willamette River on the western edge of the city, and Newell Creek Canyon. Oregon City will coordinate with Metro to maintain the City's Goal 5 resources inventory in accordance with the new protection plan. The City will also coordinate with the Fisheries Department of the National Oceanic and Atmospheric Administration (NOAA Fisheries, formerly NMFS) and on actions that may affect salmonid habitats.

Anadromous fish, including salmonids such as coho, chinook, and chum salmon, as well as lamprey eel, were historically plentiful in Oregon City's major waterways. These species supported a rich ecosystem that included a wide range of animals, from insects and small invertebrates within the stream and riparian corridor to large animals such as seals and bears, and birds such as osprey and bald eagles. Native people also relied on these stream resources for food and culture, returning annually to Willamette Falls to harvest salmon and other fish. Declines in anadromous fish species in the Willamette River Basin is a consequence of a variety of land-use practices that have altered or destroyed habitat and changed the hydrographic profile of runoff. Several spe-

cies of salmonids, including chinook salmon and steelhead trout, have been listed as threatened under the federal Endangered Species Act (ESA), which has triggered significant protection and restoration activities throughout the region.

In Oregon City, the Clackamas River along the northern boundary of the city, as well as Abernethy, Newell, Holcomb, Potter, and other creeks provide both spawning and rearing habitat for steelhead trout, coho salmon, and cut-throat trout, which are not currently warranted for listing under the ESA. Riparian corridors, the areas on either side of a stream, are critical to protecting the stream ecosystem and quality of habitat for salmonids and other stream-dependent species.

Oregon City can protect or improve habitat conditions for salmonids and other species by:

- adopting standards and implementing programs that protect vegetation along riparian corridors from destruction or alteration
- removing invasive non-native plant species and re-planting native riparian vegetation
- reducing pulsed storm runoff that can erode banks and alter streambed profiles and gravels
- maintaining water quality and quantity in streams
- maintaining or providing fish passage in all streams

Because virtually all rainfall in the city eventually runs to a stream, these standards and programs need to be applied citywide. Ancillary plans such as the *Oregon City Waterfront Master Plan* (2002), *Oregon City Transportation System Plan* (2001), *Oregon City Park and Recreation Master Plan* (1999), and *City of Oregon City Public Works Stormwater and Grading Design Standards* (1999) are important in ensuring that these resources are protected.

Other unique and important habitats and ecological resources in Oregon City have been identified, including:

- Newell Creek Canyon
- Canemah Bluffs, which contain a variety of unique habitats and plant assemblages
- the rocky cliffs along the Willamette River, which are home to a number of rare plants
- Willamette Falls
- other streams, rivers, bogs and wetland areas

These habitats and resources will be inventoried in the Goal 5 update subsequent to adoption of this Comprehensive Plan.

Because lands surrounding the city within the Urban Growth Boundary have significant undeveloped habitat areas, these lands need to be inventoried to identify important ecological resources to ensure the resources are protected

before development occurs. The City and Clackamas County should ensure that Urban Growth Management Agreements contain provisions for identifying and protecting these resources.

Wetlands. Wetlands and their associated hydrology, soils, vegetation, and wildlife provide a wide range of valuable services to the public. Wetlands enable the City to efficiently meet a number of goals in maintaining the quality of life in Oregon City, such as:

- preventing degradation of stream quality and damage from flooding during storms by storing runoff from precipitation and moderating its release into stream networks
- preventing pollutants and sediments from roadways and other development from reaching streams by filtering the flow of groundwater toward streams
- recharging groundwater aquifers for slow release later into streams and through uptake by vegetation into the environment by reducing the speed of runoff and enabling water to percolate into the ground
- providing habitat for wildlife that is important to residents
- providing open space, recreational opportunities, aesthetic and landscape amenities to buffer various uses, all of which maintain the unique environmental setting of Oregon City

Important wetlands have been identified and mapped by the City and Metro in a Local Wetlands Inventory that will be the basis for protection measures through the Comprehensive Plan, implementing ordinances, and other measures. The inventory is kept by the City.

Streams. Streams define the physical configuration of Oregon City and thus its land-use patterns, transportation patterns, and community functions. The Willamette and Clackamas rivers, major waterways of regional significance, border two sides of the city and create an aesthetic and recreational setting of great value to the city. Other principal streams are:

- Abernethy Creek and Newell Creek, tributaries of the Willamette River; these creeks create major topographic and ecologic areas within the city
- Beaver Creek, a tributary of the Willamette River; Beaver's Creek's minor tributaries create the topographic definition of the city's southern edge
- other creeks that drain directly to the Willamette, such as Singer Creek and Coffee Creek, which drain from the Hilltop area through the McLoughlin and Canemah neighborhoods, respectively.

Together, these rivers and streams contribute to the uniqueness of Oregon City and to the variety of natural resource, recreational, and open space values enjoyed by residents and visitors.

Vegetation. The many wooded areas in the city—mainly parks, undeveloped slopes, and undeveloped lots within the Urban Growth Boundary—offer a variety of recreational opportunities, scenic views, and wildlife habitats. Trees in these and other areas should be preserved because trees provide a variety of benefits to the city. They are natural visual, noise, and wind buffers; enhance air quality; filter pollutants from rainwater; help control stormwater runoff; prevent erosion on steep slopes and riverbanks; and help separate conflicting land uses. Trees and treed areas are one means of providing an orderly transition from rural to urban land uses. Total tree cover in the city has diminished as development has occurred without mechanisms to protect urban trees.

The city could benefit from a comprehensive program to conserve and enhance tree cover on public lands and private property. Such a program should include standards and regulations pertaining to cutting of trees on private, undeveloped lands and in view corridors, planting of new trees as part of street or property landscaping, and incentives and assistance for tree planting and maintenance.

Water Quality. Oregon City receives an average of 46 inches of precipitation every year. Other parts of the Willamette and Clackamas river watersheds receive more than 80 inches per year. The city has significant ground- and surfacewater resources that contribute to the physical and cultural identity and natural heritage of the city and to the quality of life for residents. These water resources provide important habitat and ecological conditions for a wide range of fish, wildlife, and plants. Water resources include the Willamette and Clackamas rivers and tributaries of Abernethy, Newell, and Beaver creeks and associated minor creeks. Other water resources include bogs and wetlands perched on Oregon City's unique topography and groundwater that percolate under the city. Because land-use practices and patterns, development design, and city infrastructure and practices can affect the quality and quantity of water resources in the city, the City will seek to protect and restore these resources through a variety of means, including the application of a Water Resources Overlay District, development standards, and civic projects.

Groundwater. The geology of the rocks underlying Oregon City, coupled with high annual rainfall, create conditions for significant groundwater flowing beneath the city and, in some areas, a relatively high water table (groundwater is close to the surface). Groundwater is important to the city in several ways. It can affect the safety and function of buildings and other development, such as streets, when construction meets groundwater. It can also carry chemical pollutants from development, roads, landfills, and industrial sites into drinking water wells and streams. Groundwater provides a slow release mechanism for precipitation that would otherwise run quickly into streams and increase the likelihood of flooding. Groundwater has historically been the source of domestic drinking water for some residences and agricultural wells within the area.

Groundwater provides essential water for the vegetative cover that is so important to Oregon City.

Groundwater within 1.5 feet of the surface is defined as a “high water table.” High water tables are of special concern because of their vulnerability to contamination and interception. Because much of Oregon City lies on basalt bedrock that was scoured clean of overlying soils during the post-glacial Missoula Flood events, water does not penetrate deeply or rapidly. Consequently, there are many areas with high water tables in Oregon City. These areas have been inventoried by the State Department of Geology and Mineral Industries. The inventories are kept by the City. Proposed development in these areas is subject to the City’s development codes to ensure that it meets applicable engineering standards.

Goal 5.1 Open Space

Establish an open space system that conserves fish and wildlife habitat and provides recreational opportunities, scenic vistas, access to nature and other community benefits.

Policy 5.1.1

Conserve open space along creeks, urban drainage ways, steep hillsides, and throughout Newell Creek Canyon.

Policy 5.1.2

Manage open space areas for their value in linking citizens and visitors with the natural environment, providing solace, exercise, scenic views and outdoor education. Built features in open space sites should harmonize with natural surroundings.

Goal 5.2 Scenic Views and Scenic Sites

Protect the scenic qualities of Oregon City and scenic views of the surrounding landscape.

Policy 5.2.1

Identify and protect significant views of local and distant features such as Mt. Hood, the Cascade Mountains, the Clackamas River Valley, the Willamette River, Willamette Falls, the Tualatin Mountains, Newell Creek Canyon, and the skyline of the city of Portland, as viewed from within the city.

Policy 5.2.2

Maximize the visual compatibility and minimize the visual distraction of new structures or development within important viewsheds by establishing standards for landscaping, placement, height, mass, color, and window reflectivity.

Goal 5.3 Historic Resources

Encourage the preservation and rehabilitation of homes and other buildings of historic or architectural significance in Oregon City.

Policy 5.3.1

Encourage architectural design of new structures in local Historic Districts, and the central Downtown area to be compatible with the historic character of the surrounding area.

Policy 5.3.2

Evaluate the establishment of Historic and Conservation Districts to preserve neighborhoods with significant examples of historic architecture in residential and business structures.

Policy 5.3.3

Promote the designation of qualifying properties outside Historic and Conservation Districts as historic.

Policy 5.3.4

Support the preservation of Oregon City's historic resources through public information, advocacy and leadership within the community, and the use of regulatory tools and incentive programs.

Policy 5.3.5

Support efforts to obtain historic designation at the city, state and national levels for public and private historic sites and districts. Natural and cultural landscapes should also be considered.

Policy 5.3.6

Maintain Oregon City's status as a Certified Local Government in the National Historic Preservation Program.

Policy 5.3.7

Encourage property owners to preserve historic structures in a state as close to their original construction as possible while allowing the structure to be used in an economically viable manner.

Policy 5.3.8

Preserve and accentuate historic resources as part of an urban environment that is being reshaped by new development projects.

Goal 5.4 Natural Resources

Identify and seek strategies to conserve and restore Oregon City's natural resources, including air, surface and subsurface water, geologic features, soils, vegetation, and fish and wildlife, in order to sustain quality of life for current and future citizens and visitors, and the long-term viability of the ecological systems.

Policy 5.4.1

Conserve and restore ecological structure, processes and functions within the city to closely approximate natural ecosystem structure, processes, and functions.

Policy 5.4.2

Cooperate with Clackamas County, Metro and other agencies to identify and protect wildlife habitat, distinctive natural areas, corridors and linkages and other ecological resources within the Urban Growth Boundary and incorporate the information into the Urban Growth Management Agreement with Clackamas County.

Policy 5.4.3

Identify, initiate and cooperate in partnerships with other jurisdictions, businesses, neighborhoods, schools and organizations to conserve and restore natural resources within and adjacent to Oregon City.

Policy 5.4.4

Consider natural resources and their contribution to quality of life as a key community value when planning, evaluating and assessing costs of City actions.

Policy 5.4.5

Ensure that riparian corridors along streams and rivers are conserved and restored to provide maximum ecological value to aquatic and terrestrial species. This could include an aggressive tree and vegetation planting program to stabilize slopes, reduce erosion, and mitigate against invasive species and stream impacts where appropriate.

Policy 5.4.6

Support and promote public education, interpretation, and awareness of the city's ecological resources.

Policy 5.4.7

The City shall encourage preservation over mitigation when making decisions that affect wetlands and a "no net loss" approach to wetland protection.

Policy 5.4.8

Conserve natural resources that have significant functions and values related to flood protection, sediment and erosion control, water quality, groundwater recharge and discharge, education, vegetation and fish, and wildlife habitat.

Policy 5.4.9

Protect and enhance riparian corridors along streams in Oregon City to increase shade, reduce streambank erosion and intrusion of sediments, and provide habitat for a variety of plants, animals, and fish.

Policy 5.4.10

Encourage and promote the restoration of the hydrologic and ecological character and function of streams and wetlands that have been degraded by channeling or eliminated from the landscape by routing into culverts.

Policy 5.4.11

Maintain and enhance the function and quality of natural wetlands and create, where appropriate, wetlands or swales to moderate the quantity and velocity of water runoff entering streams during storm events and to reduce the amount of pollutants carried into streams.

Policy 5.4.12

Use a watershed-scale assessment when reviewing and planning for the potential effects from development, whether private or public, on water quality and quantity entering streams.

Policy 5.4.13

Adopt and/or establish standards for all new development that promote the use of pervious surfaces and prevent negative ecological effects of urban stormwater runoff on streams, creeks and rivers.

Policy 5.4.14

Comply with federal and state regulations for protecting, conserving and restoring threatened and endangered species and critical habitat.

Policy 5.4.15

Partner with Metro, Clackamas County, the Oregon Department of Transportation (ODOT) and other agencies to establish an invasive weeds management strategy.

Policy 5.4.16

Protect surfacewater quality by:

- providing a vegetated corridor to separate protected water features from development
- maintaining or reducing stream temperatures with vegetative shading
- minimizing erosion and nutrient and pollutant loading into water
- providing infiltration and natural water purification by percolation through soil and vegetation

Policy 5.4.17

Protect and maintain groundwater recharge through conservation and enhancement of wetlands and open space.

Policy 5.4.18

Encourage use of native and hardy plants such as trees, shrubs and groundcovers to maintain ecological function and reduce maintenance costs and chemical use.

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Section 6

Quality of Air, Water, and Land Resources

Land Conservation and Development Commission (LCDC) Statewide Planning Goal 6 deals with maintaining and improving the quality of these resources. Waste discharges, defined as solid waste, thermal, noise, atmospheric and water contaminants and pollutants that cause harm to human health or the environment, must not “violate or threaten to violate” federal or state statutes. With respect to the air, water and land resources described or included in state environmental quality regulations, 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.”

All manner of land uses can be sources of waste. The City’s influence over potential impacts from waste can be through direct regulation, such as with stormwater treatment standards, through ensuring compliance with federal and state standards, and through actions, such as education and development incentives, to encourage the reduction of impacts.

Air Quality

The quality of air is increasingly recognized as a key factor in the health of individuals, the attractiveness and livability of communities, and the ability of the community to attract and accommodate growth and development. Oregon City has a relatively high quality of air during most of the year, but it also receives airflows from other parts of the urban region that can carry airborne pollutants. Air quality tends to be lower when prevailing winds are from the northwest.

Motor vehicles are the largest source of air pollution in Oregon, and there is growing concern about “personal pollution” from cars, woodstoves, gasoline-



powered lawn mowers, boat engines, paint, outdoor burning, and aerosol products such as hairspray and air fresheners. Other sources of air pollution are dust from agriculture and land development and particulates in smoke from agriculture, forestry, and industry. The Portland metropolitan area is currently designated an “Air Quality Maintenance Area,” which means that the area has a history of not meeting National Ambient Air Quality Standards. However, a variety of pollution reduction programs have enabled the region to meet federal air quality standards.

Air quality standards are set by the Oregon Department of Environmental Quality (DEQ). Oregon City should continue to work with DEQ to ensure that existing and new sources of industrial and commercial pollution comply with state and federal standards and to encourage citizens to reduce the amount of air pollution they generate. One of the most important ways Oregon City can help reduce air pollution is to promote land-use practices and transportation alternatives that reduce the use of single-occupancy vehicles. It is also important for the City to encourage the conservation and enhancement of tree cover as a means of filtering particulate pollution in the air.

Water Quality

The City’s ground- and surfacewater resource is significant and adequate for its residents. Water resources are:

- the Willamette and Clackamas rivers
- tributaries of Abernethy, Newell, and Beaver creeks and associated minor creeks
- bogs and wetlands
- groundwater under the city

Because land-use practices, development design, and city infrastructure can affect the quality and quantity of water resources, the City will protect and

restore these resources through a variety of means.

One way is through the Water Resources Overlay District, which is a zoning overlay with development standards to protect surface waters. The overlay district implements the requirements of Title 3 of Metro’s *Urban Growth Management Functional Plan* (1998). Another way is through civic projects to restore water features. Restoration and protection of these resources is covered primarily in Section 5 (Open Spaces, Scenic and Historic Areas, and Natural Resources).





DEQ has mapped groundwater flows, also called aquifers, that are known to or have the potential to carry pollutants. Most of these sensitive aquifers are along Abernethy Creek in the floodplain along the Clackamas River. The aquifer in the Abernethy Creek area near the former Rossman's landfill has been contaminated during the past 100 years with a variety of pollutants from the landfill and other activities. Clearance from DEQ may be necessary for future development of properties in this area. DEQ does not allow the construction of drinking or irrigation wells because the contaminated groundwater in the aquifer could be released into the environment and adversely impact public health and safety. DEQ allows only groundwater wells that monitor contaminants associated with the landfill.

Erosion is defined as the movement of solids (earth, mud, and rock) by wind, water, or gravity. Erosion can be a natural process or caused by human activity. Erosion can cause a loss of productive soil, damage stormwater and the sanitary sewer infrastructure, and degrade water quality in streams and rivers, thus affecting habitat quality for aquatic species. Excessive sediment deposition behind dams can decrease reservoir storage capacity and increase the risk of flooding. Removing excess sediment from behind dams and areas of unwanted deposition, such as reservoirs and streams, can be costly. Soil runoff from construction sites is by far the largest source of excess sediment deposition in developing urban areas.

Complying with LCDC Statewide Planning Goal 6 requires adopting policies and standards that protect water quality. The erosion and sediment control requirements of Title 3 will significantly reduce sediment loading to receiving streams. LCDC Statewide Planning Goal 6 and Title 3 requirements are implemented in Oregon City through the Water Resources Overlay District, Erosion and Sediment Control standards, and other provisions of the *City of Oregon City Municipal Code* (1991).

Quality of Land Resources

Nighttime Light Pollution. Artificial light has extended many human activities well into evening and night and provides much-needed safety along roadways and at intersections. However, much of the nighttime light is wasted into space, as confirmed by satellite images of the earth at night from space. Nighttime light can interfere with viewing starry skies and other outdoor experiences, intrude through windows into homes, and lead to unsafe situations from glare and shadows. In Oregon City, the Haggart Astronomical Observatory at Clackamas Community College is an educational resource for the entire community that is diminished by nighttime light pollution.

New nighttime lighting technology makes nighttime light appropriate for the situation and prevents safety problems and pollution. The technology is readily available, and its benefits to the community are easy to understand. All that is required is a commitment to applying the technology in a flexible and appropriate way.

Noise Pollution. Noise is a part of city life. Noise is generated by, for example, vehicular traffic, emergency vehicles, industrial activities, railroads, aircraft, leaf blowers, sound systems, and construction. Loud, persistent noise is recognized as a serious environmental problem by both state and federal authorities. In 1971, the Oregon Legislature authorized the Environmental Quality Commission to adopt and enforce noise control standards, which are administered through DEQ. The standards cover noise from motor vehicles and industrial and commercial activities.

The most significant sources of noise in Oregon City are major vehicular corridors (for example, Interstate 205, McLoughlin Boulevard, Highway 213, Molalla Avenue, and South End Road), the railroad corridor through downtown and the Canemah neighborhood, the industrial operations of the Blue Heron Paper Mill, and the natural roar of Willamette Falls, especially during the winter. Nuisance noise can also originate from neighborhoods and homes. Local noise control is handled primarily through the Nuisance Code (Section 6 of the *City of Oregon City Municipal Code*) and through design review of development projects to ensure that industry and commercial activities do not negatively impact the immediate neighborhood environment.

Mineral and Aggregate Operations. The Oregon Department of Geology and Mineral Industries has inventoried four areas within Oregon City's Urban Growth Boundary that contain mineral and aggregate resources. These areas are listed in the Natural Resources Inventory of the 1982 *Oregon City Comprehensive Plan*. There are currently no commercial mineral or aggregate removal operations at any of the four sites. Although mineral and aggregate removal operations can be beneficial to a local economy, they are not compatible with urban land uses and quality of life in Oregon City because of noise, dust, traffic, water quality, and other issues.

Goal 6.1 Air Quality

Promote the conservation, protection and improvement of the quality of the air in Oregon City.

Policy 6.1.1

Promote land-use patterns that reduce the need for distance travel by single-occupancy vehicles and increase opportunities for walking, biking and/or transit to destinations such as places of employment, shopping and education.

Policy 6.1.2

Ensure that development practices comply with or exceed regional, state, and federal standards for air quality.

Policy 6.1.3

Set an example through City operations by using and demonstrating practices and technologies that reduce air pollution and protect air quality.

Policy 6.1.4

Encourage the maintenance and improvement of the city's tree canopy to improve air quality.

Goal 6.2 Water Quality

Control erosion and sedimentation associated with construction and development activities to protect water quality.

Policy 6.2.1

Prevent erosion and restrict the discharge of sediments into surface- and groundwater by requiring erosion prevention measures and sediment control practices.

Policy 6.2.2

Where feasible, use open, naturally vegetated drainage ways to reduce storm-water and improve water quality.

Goal 6.3 Nightlighting

Protect the night skies above Oregon City and facilities that utilize the night sky, such as the Haggart Astronomical Observatory, while providing for night-lighting at appropriate levels to ensure safety for residents, businesses, and users of transportation facilities, to reduce light trespass onto neighboring properties, to conserve energy, and to reduce light pollution via use of night-friendly lighting.

Policy 6.3.1

Minimize light pollution and reduce glare from reaching the sky and trespassing onto adjacent properties.

Policy 6.3.2

Encourage new developments to provide even and energy-efficient lighting that ensures safety and discourages vandalism. Encourage existing developments to retrofit when feasible.

Policy 6.3.3

Employ practices in City operations and facilities, including street lighting, which increases safety and reduces unnecessary glare, light trespass, and light pollution.

Goal 6.4 Noise

Prevent excessive noise that may jeopardize the health, welfare, and safety of the citizens or degrade the quality of life.

Policy 6.4.1

Provide for noise abatement features such as sound-walls, soil berms, vegetation, and setbacks, to buffer neighborhoods from vehicular noise and industrial uses.

Policy 6.4.2

Encourage land-use patterns along high-traffic corridors that minimize noise impacts from motorized traffic through building location, design, size and scale.

Goal 6.5 Mineral and Aggregate Operations

Protect the livability and environment of Oregon City by prohibiting commercial aggregate extraction operations within the city and Urban Growth Boundary.

Policy 6.5.1

Prohibit new commercial aggregate removal operations and encourage relocation of existing operations. Aggregate removal for habitat improvement or for public recreational needs is not considered a commercial operation.

Section 7

Natural Hazards

This section is intended to show compliance with Land Conservation and Development Commission (LCDC) Statewide Planning Goal 7, Areas Subject to Natural Hazards, which requires local governments to “... reduce risk to people and property from natural hazards.” The section is also intended to show compliance with Title 3 of Metro’s *Urban Growth Management Functional Plan* (1998), which requires local governments to comply with regional regulations pertaining to flooding and water quality.

The natural features and processes that shape the topographic, scenic, and natural resource setting of Oregon City present a variety of hazards to people and human activities, such as flooding, rock falls, landslides, wildfires, and earthquakes. Some of the hazards are related to steep topography, saturated soils and bedrock, and bare soil and rock that have been exposed by removing vegetation, movement of the earth, and erosion.

Floods that were once referred to as 100-year floods may occur more often now in Oregon City because humans have altered the watersheds and hydrology of the Willamette and Clackamas river systems. Heavy

winter rain events can saturate soils and cause localized landslides and rock falls that can damage roadways and buildings in areas where the topography is steep. Even the seemingly durable rocky cliffs around Oregon City are subject to thermal expansion in summer and freezing in winter that can lead to dangerous rock falls. Mt. Hood and other Cascade Mountain volcanoes erupt every several thousand years. Major subduction-zone earthquakes, potentially catastrophic, occur in the Pacific Northwest every 300 to 800 years, while smaller but nonetheless potentially destructive



earthquakes can occur every ten years. Wildfires are hazardous to people, especially in developed areas.

Reducing or eliminating long-term risk to people and property from natural hazards is called “hazard mitigation.” There are two basic types of mitigation. One is to manage the hazard itself, when this is possible, and the other is to manage development to avoid hazards. Both types require an understanding of geological processes, the use of engineering practices that address potential hazards at a reasonable cost over a reasonable time, and an understanding of the consequences of intervention. For instance, in some cases, it may be appropriate to keep a developed area dry by draining water from the area to control small-scale flooding or high water tables. In other cases, it may be safer, less costly, and ultimately wiser to prohibit development in high-velocity floodways or on slide-prone slopes.

City policies can help minimize the risks and impacts of natural hazards by limiting development in areas where hazardous events are most likely to occur and by working with the residents of these areas. In 1998, Oregon City adopted the *Oregon City Hazard Mitigation Plan*, written by a community planning team in consultation with a number of federal, state, and regional governmental agencies. The plan describes potential hazards in Oregon City, lists goals, objectives and mitigation measures, and describes an action plan. The plan also contains maps of the 100-year and 1996 flood areas, potential landslide areas, relative earthquake hazard, and the location of hazardous materials, natural gas pipelines, and essential facilities.

Flooding

Most flooding in Oregon City is the result of overflows of one or more of its three major streams—the Willamette River, Clackamas River, and Abernethy



Creek—although localized, minor flooding can occur during storms. Flooding is most likely between October and April and generally results from a series of heavy rainfall events that can be aggravated, as in 1964 and 1996, by concurrent snowmelt in the watershed.

Because the Willamette River is influenced by tidal height nearly to the base of the falls, flooding at the confluence of the Clackamas and Willamette rivers and Abernethy Creek can be exacerbated by high river levels caused by high winter tides and storm surge on the coast. Areas associated with the Willamette and Clackamas rivers and Abernethy Creek that are subject to flooding have been mapped and are shown in the *Oregon City Hazard Mitigation Plan* (1998).

Localized flooding also occurs in Oregon City, principally due to high water tables, relatively level topography that does not drain quickly, and alterations of natural streams by culverts and storm sewers that are inadequate during

storms. A *Drainage Master Plan* (1988), updated in 1999 as the *City of Oregon City Public Works Stormwater and Grading Design Standards*, contains an inventory of areas with drainage and localized flooding problems. A number of structures in these areas are subject to flooding, including key public facilities such as the wastewater treatment plant for Oregon City, West Linn, and Gladstone, the intake on the Clackamas River for the City's water treatment plant, the sub-regional solid waste transfer station, an electrical substation, and a site with hazardous waste.

In 1999, Oregon City adopted a Flood Management Overlay District as part of the *City of Oregon City Municipal Code*. An overlay district is an area that contains a specific resource or potential hazard and is subject to regulations related to the resource or hazard. Examples are historic areas and floodplains. The purpose of a Flood Management Overlay District is to minimize public and private losses due to flooding through a variety of means.



Areas in the Flood Management Overlay District are within the 100-year floodplain, flood areas, and floodways as shown on the Federal Emergency Management Agency flood insurance maps including areas of special flood hazard delineated in 1979 and the area inundated by the 1996 flood, and have physical or documented evidence of flooding based on aerial photographs of the 1996 flooding and/or the water quality and flood management areas maps.

Unstable Soils

Unstable soils are types of soils or soils in locations, such as on steep slopes, that are not stable enough to support development, and may be hazardous to surrounding uses. Unstable soils are subject to slumping or earth flow on slopes, high groundwater level, landslide or erosion, or identified by field investigation performed by a geotechnical engineer or engineering geologist. Areas of unstable foundation soils have been mapped for Oregon City and are on file at the Oregon City Planning Department. In 1994, the City adopted an Unstable Soils and Hillside Constraint Overlay District to provide “safeguards in connection with development on or adjacent to steep hillside and landslide areas and other identified known or potential hazard areas, thereby preventing undue hazards to public health, welfare and safety.” The hazardous areas in the overlay district were identified by the State of Oregon Department of Geology and Mineral Industries (DOGAMI) in 1979 and in subsequent mappings of Oregon City and by Portland State University in 1992. DOGAMI published its findings in *Geology and Geological Hazards of North Clackamas County, Oregon, Bulletin 99* (1979), and Portland State University published its findings in *Environmental Assessment of Newell Creek Canyon, Oregon City, Oregon* (1992). Other

areas of concern are shown on other city, county, state and federal maps. These publications are available at the Oregon City Planning Department.

Development and construction in areas with unstable soils require that special development standards be met on a site-specific basis to prevent or minimize damage caused by unstable soils. Maintaining existing vegetation or revegetating may be required for excavation and road slopes in areas designated as landslide-prone.

Landslides. Landslides include rockslides, mudslides, debris flows, earthflows, and slumping. These phenomena are natural geologic processes that occur principally when soils and rock in steep areas become saturated with water, increasing weight and lubricating the mass. Gravity pulls the affected areas downhill. Landslides can be exacerbated by adding fill material to a slope, removing vegetation, altering drainage and runoff patterns, and undercutting a slope. Landslides can be triggered by heavy rains, groundshaking from earthquakes and heavy traffic, and undercutting the lower edge of a slope, which can be caused by erosion along stream banks, and by development, such as cuts in road construction.

Areas most susceptible to landslides in Oregon City are those with slopes of greater than 25 percent. These areas have been mapped by DOGAMI and are shown in the *Oregon City Hazard Mitigation Plan* (1998). The Unstable Soils and Hillside Constraint Overlay District requires geotechnical surveys of other potential hazard areas and provides standards that are used to determine the potential risk of landslides on slopes with various degrees of steepness in relation to the development.

Seismic Activity

Although predicting seismic events is extremely difficult, some prediction is possible by looking at the history of a particular region. Oregon is in a region with a history of intense seismic activity, generated by the subduction of the Juan de Fuca Plate under the North American Plate and by the collision of the Pacific Plate with the North American Plate along the San Andreas Fault and associated faults in California. Known catastrophic subduction-zone seismic events in the Pacific Northwest, which have occurred every 300 to 800 years, have caused a down-drop of land, generated enormous tsunamis along the coast, and triggered major landslides throughout the region. The last such event took place in 1700.

Tectonic uplift of the entire Pacific Northwest region, driven by subduction of the Juan de Fuca Plate far offshore, has spawned many faults throughout the region, including the West Hills Fault along the axis of the toe of Portland's West Hills. An earthquake in March of 1993 near Molalla just south of Oregon City, dubbed the "Spring Break Quake," had a magnitude of 5.6 on the Richter

scale and caused significant damage to buildings throughout the region. In February 1999, a small earthquake with a magnitude of 2.7 cracked plaster at Oregon City High School.

Most of the damage to people and property from earthquakes is caused by groundshaking, which varies from place to place, depending on subsurface geology. Areas with floodplain soils, gravels, and significant water are likely to experience far more severe groundshaking than areas that stand on solid basalt bedrock, which resists movement. Areas of potential seismic hazard have been mapped by DOGAMI and are shown in the *Oregon City Hazard Mitigation Plan* (1998). Not surprisingly, the most hazardous area coincides with the most severe flood-prone area north of Abernethy Creek, due primarily to the alluvial soil and high water table that are most vulnerable to liquefaction during an earthquake. Areas in the McLoughlin neighborhood and on the Hilltop are far less vulnerable to groundshaking because they are underlain by basalt flows with little soil cover.

Oregon City can take several steps to minimize damage caused by seismic events. These include retrofitting existing public facilities and other buildings to withstand shaking, requiring new development to be built to new standards designed to withstand shaking, and developing an emergency response plan.

Other Hazards

Oregon City is also subject to wildfires, wind and ice storms, and volcanic activity, although the risk of these hazards is far less than the others discussed above.

Wildfires. Dry summers, dense vegetation, and the invasion of non-native weeds in parts of Oregon City make the city vulnerable to wildfires. Wildfires are particularly likely in areas with steep slopes and limited groundwater, leading to dry vegetation in late summer, where there is combustible brush or debris, and where structures with flammable exterior materials are present. The danger of wildfire can be exacerbated by a lack of adequate road access for fire equipment and by inadequate or poorly placed fire hydrants. While much of Oregon City is not vulnerable to wildfires, some areas are, especially in the so-called “wildland-urban interface” where dwellings are in the middle of heavily treed or vegetated areas and where steep, vegetated terrain can contribute to a “chimney effect” as fires burn uphill. The same conditions could apply to areas near Waterboard Park, Canemah Bluffs, Park Place, and canyons such as Singer Creek and Newell Creek.

Wind and Ice Storms. In fall and winter, major storms from the Pacific Ocean bring high winds to the Oregon coast but are generally moderated by the time they reach Oregon City. However some storm events result in damag-

ing high winds, as was the case in October 1962. More often, a combination of climatic conditions in winter result in freezing rain and ice storms throughout western Oregon, which can result in loss of life and property damage. These storms affect the entire city but damage can be more severe where trees are blown over and trees limbs droop onto power and telephone lines. Electrical power service can be interrupted because of downed lines, which can lead to additional safety and comfort complications for the city and for residents. Traffic signals, emergency communications, roads, and other public facilities are especially vulnerable. These events are usually of short duration, from a few hours to a few days.

Volcanic Activity. Oregon City's landscape was shaped by volcanic activity; much of Oregon City lies on a series of basalt flows that resulted from volcanic eruptions many thousands of years ago. Other small lava buttes and cinder cones form the forested buttes between Oregon City and Gresham. Mt. Hood, 35 miles northeast of the city, is the most visually attractive example of the volcanic activity, but it is only one of several volcanic features in the region. Other volcanoes in the Cascade Mountain Range include Mt. St. Helens, about 70 miles away in Washington state, which erupted in May and July of 1980, and South Sister, east of Eugene, which shows distinct signs of subsurface volcanic activity.

Although Mt. Hood has not erupted recently, it has the potential to erupt with lava, ash, and flows of hot ash mixed with water. These materials would flow swiftly down the flanks of the mountain and could reach the Columbia River. Depending on wind conditions, ash could drift across the city and present a health and structural hazard.

While volcanic events are rare, they can occur at any time and with enormous force. Scientists are developing the capability to predict when and where eruptions will occur. It is unlikely that Oregon City would be directly affected by a volcanic eruption in the region. More likely are secondary effects from airborne ash that would severely affect air quality. Ash, mudflows, and pyroclastic flows would affect the Clackamas River watershed, thus potentially compromising the supply of water for Oregon City and West Linn.

Goal 7.1 Natural Hazards

Protect life and reduce property loss from the destruction associated with natural hazards.

Policy 7.1.1

Limit loss of life and damage to property from natural hazards by regulating or prohibiting development in areas of known or potential hazards.

Policy 7.1.2

Protect existing development from natural hazards through mitigation measures identified in the *Oregon City Hazard Mitigation Plan*.

Policy 7.1.3

Reduce risk to residents and businesses by maintaining accurate information on the existence and potential of hazards.

Policy 7.1.4

Ensure that key public facilities (emergency service) are located outside recognized hazard areas.

Policy 7.1.5

Minimize the risk of loss of life and damage to property from flooding by limiting development in the 100-year floodplain and by ensuring that accepted methods of flood proofing are used.

Policy 7.1.6

Encourage the use of land and design of structures that are relatively unaffected by the periodic effects of flooding, such as parking and other uses not normally occupied by humans.

Policy 7.1.7

Prohibit uses in areas subject to flooding that would exacerbate or contribute to hazards posed by flooding by introducing hazardous materials, filling or obstructing floodways, modifying drainage channels, and other detrimental actions.

Policy 7.1.8

Provide standards in City Codes for planning, reviewing, and approving development in areas of potential landslides that will prevent or minimize potential landslides while allowing appropriate development.

Policy 7.1.9

Locate, design, and construct structures in conformance with current building codes and standards for seismic-resistant design.

Policy 7.1.10

Evaluate the need to retrofit existing public facilities such as water reservoirs, bridges, pipelines, and hospitals to better withstand earthquakes.

Policy 7.1.11

Prioritize roadways needed for public service, medical, and emergency vehicles during emergencies.

Policy 7.1.12

Ensure that key public services, such as water and sewer; and key public facilities such as police, fire, and hospital structures have the capability to back-up electricity during emergencies.

Policy 7.1.13

Minimize the risk of loss of life and damage to property from wildfires within the city and the Urban Growth Boundary.

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Section 8

Parks and Recreation

This section is intended to show compliance with Land Conservation and Development Commission (LCDC) Statewide Planning Goal 8, Recreation Needs, which directs jurisdictions to inventory recreational needs and opportunities and ensure that recreational facilities are appropriately sited with respect to compatibility with other land uses and availability of resources.

Because parks and recreational opportunities enhance the livability of a city and contribute to the well-being of its citizens, Oregon City is committed to providing its growing population with recreational facilities and services.

The major recreational facilities in Oregon City are the End of the Oregon Trail Interpretive center, McLoughlin House National Historic Site, Barclay House, the Buena Vista Club House, Ermatinger House, Aquatic Center, Carnegie Center, and Pioneer Community Center.

Major Recreational Facilities in Oregon City

The End of the Oregon Trail Interpretive Center. The End of the Oregon Trail Interpretive Center is located on an 8-acre site in the north portion of town adjacent to the County Maintenance Shops. While the City owns and maintains the site, the Oregon Trail Foundation maintains the site as well as operates the interpretive facility and a Visitor Information Center.

McLoughlin House National Historic Site and Barclay House. The McLoughlin House National Historic Site and the Barclay House (713 and 719 Center Street) are historic homes that are now museums. They are owned by

the National Park Service (NPS). The McLoughlin Memorial Association has operated the site but is transferring those responsibilities to NPS.

Buena Vista Club House. Owned and maintained by Parks and Recreation, the Buena Vista Club House at 1601 Jackson Street houses recreational programs and is available for community rentals.

Ermatinger House. One of the oldest buildings in Oregon, the Ermatinger House at 619 6th Street is managed by Parks and Recreation. The roof and foundation have been renovated, but some major structural upgrades are still needed to make it safe for large groups and a viable tourist attraction. Open hours are currently limited. Some special events and period teas are held.

Aquatic Center. The Aquatic Center is adjacent to the former Oregon City High School on Jackson Street. The facility has an indoor pool, wading pool, and meeting space and is used heavily by the school district for swimming lessons, the Oregon City High School Swim Team, and residents of Oregon City and surrounding areas. The center has deteriorated from age and inadequate maintenance, and parking is limited due to its location in a residential area. Because fixing these problems would require a significant public investment, a feasibility study should be conducted to investigate rehabilitating or expanding the facility or constructing a new facility either as a stand-alone pool or as part of a full-service community center in a more suitable location.



Carnegie Center. Formerly the home of the city library, the Carnegie Center is now a cultural arts facility with an art center, children's area, and coffee shop. The center sits on the 1.3-acre Library Park site in the middle of the McLoughlin neighborhood. Recent renovations include recreating the original façade and upgrading fire safety features to required standards. The park includes a spray pool, playground and pathway system. A recently completed plan calling for program upgrades, better marketing and relocation of the Children's Museum should be implemented.

Pioneer Community Center. The Pioneer Community Center at 615 6th Street is used primarily during the day for senior-citizen activities, and in the evenings and on weekends for recreational programs, classes, public meetings, social events and rentals. The main level is heavily used, but the basement is underutilized because there is neither an elevator nor a public stairway connecting the two floors. In addition, there are continuing problems with water damage. This facility has suffered from heavy use and many years of deferred

maintenance. Much of the equipment, especially in the kitchen, is original and needs to be replaced.

Additional facilities on the site are a peace garden, pathway system, and parking area.

Oregon City Park and Recreation Master Plan

The most recent *Oregon City Park and Recreation Master Plan* (1999) is one of the several ancillary documents to the Comprehensive Plan. It is the primary inventory, planning, and implementation document for those resources. The 1999 master plan substantially changed the way the City administers its parks and recreational services. In 2000, parks and cemeteries were combined with recreation (Carnegie Center, Aquatics, Pioneer Center and city-wide recre-

ational programming), paving the way for greater implementation of the entire master plan. The master plan also contains provisions for protecting open spaces and natural habitats, which are addressed in Section 5, Open Spaces, Scenic and Historic Areas, and Natural Resources.

Oregon City should continue to implement the master plan and periodically review it, with special attention given to areas that are experiencing rapid growth. Because it is difficult to purchase large tracts of parkland in developed areas, the City should look to newly annexed areas and to areas within potential expansions of the Urban Growth Boundary for possible regional and community park sites while relatively inexpensive property with substantial acreage still exists.

The City should partner with other service providers as well as private industry when possible to develop green spaces and sites for active recreation. A proposed sports complex near Clackamette Cove, under consideration in cooperation with Tri-Cities (Environmental Services),² is a prime example. When possible, the City should work with subdivision developers to include park sites that are established according to City standards and subsequently given to the City to operate and maintain.

Because of funding constraints and the need to maintain existing facilities, regional and community parks should include revenue-producing amenities that at least partially fund maintenance of the facilities. The City should create an endowment fund or some other steady source of revenue to offset adding maintenance responsibilities to an already overburdened system.

The development of bike and pedestrian connections through greenways, natural parks and existing parks as well as through newly acquired property and easements should be aggressively pursued. In particular, agreements with



² Tri-Cities consists of a consortium of the Cities of Oregon City, Gladstone, and West Linn that, under the guise of Clackamas County Environmental services, provide wastewater treatment.



Metro and Clackamas County to implement Metro's Regional Trail System through and around Oregon City should be pursued. The City should consider taking the lead in joint applications for state and federal trail grants.

Heavy emphasis needs to be placed on developing new recreational facilities as the City continues to grow. Demands for a community center with a swimming pool and other recreational amenities are increasing, as shown in the series of town hall meetings in 2001 as part of the First City's Future planning (see Section 1, Citizen Involvement). Programming for youth and families in Oregon City is becoming ever more important. Activities for teens appear to be the greatest current need.

With rapid growth bringing new families into the city and surrounding area, reviewing the 1999 *Oregon City Park and Recreation Master Plan* every five to ten years is imperative, as new residents bring new ideas and demands.

Goal 8.1 Developing Oregon City's Park and Recreation System

Maintain and enhance the existing park and recreation system while planning for future expansion to meet residential growth.

Policy 8.1.1

Provide an active neighborhood park-type facility and community park-type facility within a reasonable distance from residences, as defined by the *Oregon City Park and Recreation Master Plan*, to residents of Oregon City.

Policy 8.1.2

When property adjacent to an existing neighborhood or community park becomes available, consider adding property to the park and developing it to meet the current needs of existing neighborhoods.

Policy 8.1.3

Develop regional and community parks in such a way that revenue-producing amenities are included to bring in a revenue stream to partially fund maintenance of the parks system.

Policy 8.1.4

Create either an endowment fund or a steady revenue stream to offset adding maintenance responsibilities to an already overburdened system.

Policy 8.1.5

Identify and construct a network of off-street trails throughout the city for walking and jogging.

Policy 8.1.6

Provide land for specialized facilities such as sports fields and indoor recreational facilities.

Policy 8.1.7

Seek out opportunities to coordinate and partner with other departments, agencies, and jurisdictions to fulfill the aims of the *Oregon City Park and Recreation Master Plan*.

Policy 8.1.8

Explore the possibility of developing a full-service community recreation center that has an aquatics facility and that focuses on providing programming and activities for the youth and families of Oregon City.

Policy 8.1.9

Emphasize retaining natural conditions and the natural environment in proposed passive recreation areas.

Policy 8.1.10

Identify revenue-producing opportunities for inclusion in existing and future parks to offset operational costs.

Policy 8.1.11

Explore opportunities for the school district and the City to share recreational facilities such as athletic fields and meeting space.

Policy 8.1.12

Identify and protect land for parks and recreation within the Urban Growth Boundary.

Policy 8.1.13

Explore the development of a riverfront promenade along the Willamette River from River View Plaza at 5th Street to Clackamette Park.

Policy 8.1.14

Require or encourage developers to dedicate park sites as part of the subdivision review process. When possible, require or encourage developers to build parks to City standards and give them to the City to operate and maintain.

Policy 8.1.15

Investigate the possibility of forming a regional parks and recreational district to replace City-provided services.

Policy 8.1.16

Investigate partnerships with existing and new heritage organizations for joint programming and/or management of historic buildings such as the Ermatinger House and the Buena Vista Club House.

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Section 9

Economic Development

This section is intended to show compliance with Land Conservation and Development Commission (LCDC) Statewide Planning Goal 9, Economy of the State, which calls for diversification and improvement of the economy. Goal 9 also requires local governments “to inventory commercial and industrial lands, project future needs for such lands, and plan and zone enough land to meet those needs.” The section is also intended to show compliance with Title 1 of Metro’s *Urban Growth Management Functional Plan* (1998).

Oregon City should strive to increase economic activity that increases local, family-wage jobs. The amount of vacant, industrial land inside the Urban Growth Boundary should be monitored to ensure that there is a sufficient supply to support continued economic growth. In addition, industrial land should be used efficiently by encouraging uses that employ a relatively high number of employees per acre. Coordination between public agencies and the business community, adequate transportation for goods and services, job training, and support for home-based businesses are important methods for ensuring that employment lands are developed successfully.

This section, together with its resource document, the *Economic Development Technical Report* (2002), demonstrates that Oregon City’s supply of commercial and industrial land is sufficient to continue to promote opportunities for a healthy economy.

Oregon City has long had a significant role in commerce in Oregon and the Willamette Valley, in large part because of its location on the banks of the Willamette River. From early times, the need to portage around the Willamette Falls created an opportunity for development. Regular river steamer service beginning in 1850 made Oregon City a hub for the exchange and transfer of

goods from the upper and lower Willamette River and the land routes on the east side of the river. The first large industry in Oregon City, the Oregon Woolen Mills, built in 1864, was based on waterpower.

Currently, the city has a well developed by industrial and commercial base. Most of the land zoned for commercial uses has already been developed. Industrial areas, such as the Fir Street light industrial area and the Red Soils industrial park, are also near completion.

Employment

No single employer or sector dominates the employment picture in Oregon City because the majority of employers are small businesses. Seventy-four per-



cent (1,215 out of 1,632 registered businesses) have fewer than five employees. Less than 1 percent (9 employers) have 100 or more employees, while the top three have more than 200 employees: Willamette Falls Hospital (726), Fred Meyer (275), and Blue Heron Paper Company (250). These nine employers account for almost 20 percent of the total number of private-sector employees in Oregon City.

Based on business licenses and information from public agencies, in 2002 there were a total of 13,005 employees in Oregon City—9,718 in the private sector and 3,287 in the public sector. However, these numbers are likely to be low because not every business has a business license, and businesses may report a lower number of employees than they actually have since business license fees are based on number of employees. In addition, the public sector employment number does not include state and federal workers. If both the public and private employees are underestimated by 10 percent, a more accurate number of employees for 2002 is 14,305. In 1982, there were an estimated 7,291 employees.

With 726 employees, Willamette Falls Hospital is by far the largest private employer in Oregon City. Another 997 people are employed by other providers of health care. Willamette Falls Hospital and Clackamas Community College should both be supported in their effort to grow because in some respects, they are mutually supportive. For example, the medical technology and nursing programs at Clackamas Community College provide trained employees for the hospital and other health-care employers.

A breakdown of employment by industry sector reveals that 967 employees work in eating and drinking establishments,³ 400 in fabricated metals and primary metal industries, 250 in paper and allied products (at Blue Heron Paper Mill), 248 in auto repair services and auto repair shops, and 185 in credit agencies or banking.

³ Employment categories are Standard Industry Classifications.

About one-third of the total employment in Oregon City is in the public sector. With 1,080 employees, the Oregon City School District is currently the largest public employer. In 1982, Clackamas Community College was the largest public employer, with 750 to 850 seasonal employees, but the college now employs less than half that number (349). The City of Oregon City has fewer employees now than it did in 1982 (159 now compared to 165 in 1982). There are a total of 3,287 employees in the city and county governments, school district, and community college. There are also state and federal employees, such as the Oregon City Self-Sufficiency Center, which has 146 employees.

Buildable Land

In 2002, a consultant hired by the City inventoried the current buildable land that may be available for commercial and industrial development. The report, the *Economic Development Technical Report* (2002), indicates that there are few remaining buildable acres for commercial development within the city limits and the Urban Growth Boundary—only 22.7 developable acres of vacant and redevelopable, commercially zoned property. There were 181 acres of developable land zoned for, or planned to be used for, industrial purposes. Most of this land is in the Downtown area, north of Abernethy Creek and south of Highway 213, and near Clackamas Community College along both sides of Beaver Creek Road. Constraints on land north of Abernethy Creek make it more suited to mixed uses, and it was rezoned, reducing further the amount of industrial land available.



The report is available at the Oregon City Planning Department.

Metro Requirements

Metro's *Urban Growth Management Functional Plan* (1998) established employment targets and other economic policy directives for jurisdictions within Metro. Oregon City must comply with the functional plan or justify exceptions to it.

Metro has assigned a target of 8,185 jobs to Oregon City, the number of jobs the city should plan to accommodate between 1994 and 2017 within the 1996 city limits. Clackamas County has allocated 2,987 jobs to the area between the 1996 city limits and the Urban Growth Boundary, which was part of Clackamas County's employment and housing target distribution in the urban unincorporated area surrounding Oregon City (*Clackamas County Urban Growth Management Functional Plan Compliance Report* [2000]). Although Oregon City has never formally agreed to the County's employment distribution of 2,987

jobs, combining Metro's job capacity for Oregon City (8,185) with the County's allocation for the Urban Growth Boundary (2,927) results in a target of 11,172 new jobs to be created between 1994 and 2017.

The *Economic Development Technical Report* examines the density of commercial development and the number of employees per acre for different types of commercial and industrial land uses and estimates future employment capacity based on available land—how many employees could be accommodated within Oregon City and the current Urban Growth Boundary. The report concludes that, with the implementation of the *Oregon City Downtown Community Plan* (1999) and other modest changes to the zoning ordinance and the Comprehensive Plan Land-Use Map (changing the area north of the Fairways Airport land strip to industrial and adding two neighborhood commercial centers), Oregon City will be able to accommodate 9,048 jobs between 1994 and 2017. This is short of the 11,172 combined employment target by 2,124 employees; that is, Oregon City will be able to reach 81 percent of the target.



The Downtown area is designated as a Regional Center design type in *Metro's 2040 Growth Concept* (1995) and is planned to encourage the development of very high density, mixed-use retail, office, and residential uses, served by high-quality transit service and multi-modal street networks. The City has adopted the *Oregon City Downtown Community Plan* (1999), which is consistent with the Regional Center designation. The zoning proposed in the Downtown community plan assigns a new Mixed Use Downtown (MUD) zone designation for current industrial zone designations on some of the properties. The effect will be to replace some exclusively industrial land with mixed uses that will generate employment but not in light or heavy industries.

Another design type assigned to Oregon City in *Metro's 2040 Growth Concept* is Employment Areas. Oregon City has elected to apply the Industrial Area design type to its Comprehensive Plan Land-Use Map by including all industrial designations in that category.

Title 4 of Metro's *Urban Growth Management Functional Plan* (1998) restricts "big-box retailers" (i.e., single retailers with over 60,000 square feet of gross leasable space) from locating within areas identified as Employment Areas on Metro's Employment and Industrial Areas map. A new Mixed Use Employment District restricts retail uses to less than 60,000 gross square feet for a single business in a single building.

Once a concept plan is completed for the Urban Growth Boundary expansion along Beavercreek Road, it is anticipated that a significant amount of industrial land will be added to the city's industrial land supply. To ensure efficient, orderly, and adequate provision of services and creation of compatible industrial development, a concept plan (see Section 2, Land Use) must be adopted prior to any proposed urban levels of development.

Preserving and Growing Oregon City's Economy

Ensuring an adequate supply of industrial land is only part of the equation for economic health. The City can participate in other ways to help grow the local economy. The City can work with local businesses, organizations and other



jurisdictions to create development partnerships, create incentives to help promote development, and keep abreast of changing conditions that might require regulatory or plan adjustments. Other activities include encouraging the creation of a skilled workforce, working to retain and expand existing employers, promoting tourism and home-based businesses, and ensuring that the transportation system can meet the needs of industry and employees. Transportation bottlenecks can constrain the expansion of businesses and prevent new ones from locating here because of the added

costs that congestion imposes. Alternative transportation modes and transportation demand management strategies can relieve some of the pressures on the roadway system.

Economic Development Incentives. During the public involvement process for the Comprehensive Plan update, citizens recommended creating market-based incentives to encourage development in the Downtown and waterfront areas. Market-based incentives fall into several categories:

- Public commitments and actions such as locating city offices Downtown, supporting transit operations, and following through on critical City projects recommended in the Downtown community and waterfront master plans.
- Regulatory code compliance relief from development standards such as setbacks, parking, landscaping, and site coverage; relief from fees or charges such as System Development Charges.
- Public support, including design assistance, small business and marketing assistance, marketing studies or pro-forma analysis, promotion of Downtown in City publications, and support of special events like parades, farmers' markets, and antique fairs.
- Financial assistance from, for example, the City's Capital Improvement Program and Urban Renewal Program, improvements to public infrastructure and building parking lots, low-interest loans and direct grants, local improvement districts (with or without the City's assuming part of the design and administration costs), and property tax abatement.
- Direct assistance with development such as public/private partnerships or co-development (i.e., sharing the cost of building and maintaining a parking structure with spaces allotted to both the public and the private business), land assembly and resale, and loan guarantees.

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.

Policy 9.1.2

Contribute to the health of the regional and state economy by supporting efforts to attract “traded sector industries” such as high technology and production of metals, machinery, and transportation equipment. (Traded sector industries compete in multi-state, national, and international markets and bolster the state's economy by bringing money in from sales of goods and services outside of the state.)

Goal 9.2 Cooperative Partnerships

Create and maintain cooperative partnerships with other public agencies and business groups interested in promoting economic development.

Policy 9.2.1

Seek input from local businesses when making decisions that will have a significant economic impact on them.

Policy 9.2.2

Carefully consider the economic impacts of proposed programs and regulations in the process of implementing the City's Comprehensive Plan.

Policy 9.2.3

Simplify, streamline, and continuously improve the permitting and development review process.

Policy 9.2.4

Use financial tools available to the City, including its Urban Renewal Program and Capital Improvement Program, to support its economic development efforts.

Policy 9.2.5

Use public-private partnerships as a means to leverage private investment when appropriate.

Goal 9.3 Retention of Existing Employers

Retain existing employers, both public and private, and encourage them to expand their operations within the City.

Policy 9.3.1

Protect existing industries from encroachment by incompatible land uses, and ensure that expansion options are available to them wherever possible.

Policy 9.3.2

Support programs of Clackamas County, the Oregon Department of Economic and Community Development, the Small Business Administration and other agencies that provide business-related services such as low-interest loans, job training, and business counseling.

Policy 9.3.3

Encourage the retention and expansion of Clackamas County as a major employer inside the city.

Policy 9.3.4

Work cooperatively with Clackamas Community College, Clackamas County (for Red Soils Facility), and Willamette Falls Hospital to help facilitate their expansion, and encourage master planning for future expansions.

Goal 9.4 Education, Skills And Workforce Training

Ensure that the major employers in Oregon City are able to find qualified and skilled workers to meet their needs.

Policy 9.4.1

Encourage Clackamas Community College and the Oregon City High School to continue providing job training. Support partnerships between Clackamas Community College and potential employees such as Willamette Falls Hospital and other private businesses and new employers on the City's industrial lands, especially near the college.

Policy 9.4.2

Promote the development of ongoing partnerships between Clackamas Community College, the Oregon City School District, the Workforce Investment Council of Clackamas County, local and regional businesses, the Oregon Employment Department, and other agencies to train new workers.

Goal 9.5 Retail Service

Allow a variety of retail outlets and shopping areas to meet the needs of the community and nearby rural areas.

Policy 9.5.1

Develop local neighborhood or specific plans, when appropriate, to blend infill development along linear commercial areas into existing neighborhoods.

Policy 9.5.2

Develop plans to provide necessary public services to surrounding rural industrial lands for future development.

Goal 9.6 Tourism

Promote Oregon City as a destination for tourism.

Policy 9.6.1

Protect historic, recreational, and natural resources as the basis for tourism, such as the Historic Downtown Area.

Policy 9.6.2

Ensure land uses and transportation connections that support tourism as an important aspect of the City's economic development strategy. This could include connections to the End of the Oregon Trail Interpretive Center and the train depot.

Policy 9.6.3

Provide land uses in the Downtown Historic Area, 7th Street corridor, and the End of the Oregon Trail Interpretive Center that support tourism and visitor services.

Policy 9.6.4

Encourage and support citywide events that would attract visitors and tie to the historic attractions of the city. Preserve tourism-related transportation services like the Oregon City Elevator and trolley.

Policy 9.6.5

Encourage river-related tourism facilities and services, such as docking facilities, river transit and river tours.

Policy 9.6.6

Encourage private development of hotel, bed and breakfast, restaurant facilities and other visitor services.

Goal 9.7 Home-Based Businesses

Provide a supportive climate for home-based businesses.

Policy 9.7.1

Encourage home-based businesses that are low impact and do not disrupt the residential character of the neighborhoods in which they are located.

Policy 9.7.2

Encourage the support services that home-based businesses need.

Goal 9.8 Transportation System

Recognize the importance of the land use-transportation link and encourage businesses to locate in areas already served by the type of transportation system they need.

Policy 9.8.1

Through coordination with TriMet and local employers, encourage and promote the use of mass transit to travel between residential areas and employment areas.

Policy 9.8.2

Participate in regional efforts to encourage employers to promote telecommuting and other flexible work arrangements.

Policy 9.8.3

Assess the feasibility of implementing Transportation Management Associations in the city.

Policy 9.8.4

Promote “shared parking” and transportation demand management techniques such as transit vouchers, car or van pooling, and flexible schedules and telecommuting options to reduce peak hour trips.

Policy 9.8.5

Work with the Oregon Department of Transportation to preserve and improve the capacity of Highway 213 and its intersection with I-205.

Policy 9.8.6

Encourage the provision of multi-modal transportation to support major existing employers.

Policy 9.8.7

Assess methods to integrate the pedestrian, bicycle and elevator transportation modes into the mass transit system.

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Section 10

Housing

This section is intended to show compliance with Land Conservation and Development Commission (LCDC) Statewide Planning Goal 10, Housing. The goal requires cities to plan for needed housing types such as multi-family and manufactured housing, to inventory buildable residential land, to project future needs for the land, and to zone enough buildable land to meet those needs. The goal prohibits cities from discriminating against needed housing types. Oregon City is also subject to regional requirements to provide an adequate supply of vacant and buildable land for future residential growth. This section is supported by the resource document, *Housing Technical Report* (2002).

Oregon City recognizes that the health of the city depends largely on the health of its neighborhoods. The housing goals and policies listed in this section are intended to ensure that the integrity of existing neighborhoods is protected and that planning for new neighborhoods is comprehensive and inclusive of a range of housing types and residential services.

Oregon City is unique for its role in Oregon history and for the age and diversity of its housing. Many of the older homes and buildings have historical significance. Therefore, housing planning is aimed at both development of new housing and preservation or careful redevelopment of older historic housing. Like many other communities in the Willamette Valley, Oregon City's population grew more quickly than expected in the 1990s, nearly doubling (see table, next page). More housing will be needed to accommodate new residents and those wishing to move into different types of housing.

In 2002, the City hired a consultant to determine if existing Comprehensive Plan and zoning designations would accommodate growth in Oregon City through 2017. The report, *Housing Technical Report* (2002), includes an inven-

Oregon City's population, 1988 to 2003

Year	Population	Change from previous year	
		Number	Percentage
1988	15,030		
1989	14,975	-55	-0.4%
1990	16,100	+1,125	+7.5%
1991	16,760	+660	+4.1%
1992	16,810	+50	+0.3%
1993	17,315	+505	+3.0%
1994	17,545	+230	+1.3%
1995	18,980	+1,435	+8.2%
1996	20,410	+1,430	+7.5%
1997	21,895	+1,485	+7.3%
1998	22,560	+665	+3.0%
1999	23,405	+845	+3.7%
2000	24,940	+1,535	+6.6%
2001	26,200	+1,260	+5.1%
2002	26,680	+480	+1.8%
2003	28,100	+1,420	+5.3%

Source: City of Oregon City

tory of existing vacant buildable and underutilized land, characteristics of existing housing and demographics in Oregon City and how they compare to the region, and a forecast of housing needs.

According to the report, affordability of housing in Oregon City in 2002 was an issue, as it is in many cities. The U.S. Department of Housing and Urban Development has set 30 percent of monthly income as the maximum that should be spent on housing, and based on this figure, 12 percent of Oregon City's residents cannot afford a studio apartment and more than 23 percent cannot afford a two-bedroom apartment. Rent is slightly higher in the Portland metro area; 12 percent cannot afford a studio apartment and 26 percent cannot afford a two-bedroom apartment.

Other comparisons to the Portland metro area include the following:

- The percentage of people in Oregon City living in group quarters (for example, correctional institutions, nursing homes and residential care facilities) is higher (3.5 percent in Oregon City) than in the metro area (1.8 percent). The number of residents seeking housing in group quarters is likely to increase if the population ages and the Clackamas County correctional facility expands.
- Oregon City's population is slightly younger.

- The percentage of female-headed households in Oregon City living in poverty is significantly higher (25 percent in Oregon City; 20 percent in the metro area).
- Average household income is similar.
- Types of housing (for example, single-family detached and multi-family) are similar.
- Percentage of renters versus owners is similar.

State and Metro Requirements

As noted above, both the State of Oregon and Metro have requirements that Oregon City must fulfill with respect to its comprehensive planning for residential needs. Part of complying with Goal 10 is ensuring that there is an adequate supply of vacant and buildable land for future growth and that the land is designated for a variety of housing types to fit a range of incomes, needs, and preferences. Compliance with Goal 10 is demonstrated through a housing inventory and analysis, which is also one of Metro's requirements. The housing inventory and analysis completed for this updated Comprehensive Plan is discussed below within the context of compliance with *Metro's 2040 Growth Concept* (1995).

Oregon City has two Metro requirements to fulfill. The first is related to *Metro's 2040 Growth Concept*. The second is related to Title 7 of the *Urban Growth Management Functional Plan* (1998) and concerns provisions for affordable housing. Both requirements are discussed below.

Metro's 2040 Growth Concept defines regional growth and development in the Portland metropolitan region with policies, a map of land uses, and a *Regional Framework Plan* (1997), which further establishes the policy direction. Metro's

Urban Growth Management Functional Plan (1998) became the implementing ordinance that sets requirements for local governments. The functional plan established growth management regulations to ensure that the region complies with state goals for land use in a coordinated way and that housing and employment growth is accommodated equitably across the region.

After the Urban Growth Boundary was established, the affected cities and counties negotiated targets for new dwelling units and jobs. In 1994, Metro and Clackamas



County estimated that Oregon City should expect to need to accommodate 9,940 additional housing units between 1994 and 2017 within the city and the Urban Growth Boundary. To comply with the Metro target, Oregon City needed to demonstrate that, after subtracting units built between 1994 and 2002, the land-use designations on remaining vacant and underutilized land would accommodate the difference in needed new dwelling units. If Oregon

City could not do so, the City would need to find other ways to meet the capacity target, most likely through increasing minimum residential densities within the city and Urban Growth Boundary.



The 2002 housing inventory revealed that 3,665 dwelling units were built between 1994 and 2002, which left 6,075 new units needed to meet the Metro 2017 target. After accounting for expected future accessory dwelling units and environmentally constrained land, the overall planned density of residential land in Oregon City and within the Urban Growth Boundary was not sufficient to meet the dwelling unit target established by Metro. Full development of all vacant and partially vacant land under the current Compre-

hensive Plan designations would result in only 4,593 new units, falling short of the target by more than 1,400 units. The projected shortage of housing units would mean that future population growth, projected to increase from 28,100 in 2003 to approximately 47,500 in 2017, could not be accommodated with the City's current zoning and available land.

Two avenues were pursued to make up the shortfall: (1) map and zoning code amendments to increase densities in targeted areas, and (2) expansion of the Urban Growth Boundary in three locations. With input from a citizen advisory group, the City made changes to the Comprehensive Plan Land-Use Map and zoning code, providing additional units within the city limits. As part of encouraging more intensive development (as well as a wider range of housing types), a new designation of "Mixed Use" was developed to include the mixed-use zones planned for Downtown and other areas of the city suited to combinations of compatible uses. To increase the range of available housing types as well as add the potential for more units, some areas of the city were recommended



to be redesignated to more intense residential uses based on the following location criteria:

- along collectors, arterials and transit corridors
- close to business districts and employment and education centers
- in the Downtown mixed-use area
- adjacent to similar more intense densities

As part of the recent Urban Growth Boundary expansion process, Oregon City applied for and received approval of expansions at South End Road, Redland Road, and Beaver Creek Road. Land within the 2002 expanded Urban Growth Boundary provides additional land for future annexation and will help the City meet the demand for housing.

In 2001, Metro adopted amendments to Title 7 of the *Urban Growth Management Functional Plan* to implement the *Regional Affordable Housing Strategy* (2000), which identifies measures to provide adequate affordable housing in the Metro region. The amendments require local jurisdictions to consider adopting a number of tools and strategies for promoting the creation and retention of affordable housing. Metro defines an affordable housing unit as one that requires no more than 30 percent of household income for people earning 50 percent of the median household income in their jurisdiction. By that definition, an affordable housing unit in Oregon City in 2000 would cost \$570 per month or less. The 2002 housing inventory and analysis showed that the number of lower-cost units in Oregon City was inadequate to meet both the current (2002) and projected housing needs of the city's lower-income residents. Title 7 tools and strategies have been adopted as Goal 10.2 and Policies 10.2.1 through 10.2.4.

Many of the policies in the 1982 Comprehensive Plan have been retained in the updated plan because they are still relevant. Because the housing inventory conducted in 2002 established baseline data for housing, the City will track development as it occurs, to keep the information current.

Goal 10.1 Diverse Housing Opportunities

Provide for the planning, development and preservation of a variety of housing types and lot sizes.

Policy 10.1.1

Maintain the existing residential housing stock in established older neighborhoods by maintaining existing Comprehensive Plan and zoning designations where appropriate.

Policy 10.1.2

Ensure active enforcement of the *City of Oregon City Municipal Code* regulations to ensure maintenance of housing stock in good condition and to protect neighborhood character and livability.

Policy 10.1.3

Designate residential land for a balanced variety of densities and types of housing, such as single-family attached and detached, and a range of multi-family densities and types, including mixed-use development.

Policy 10.1.4

Aim to reduce the isolation of income groups within communities by encouraging diversity in housing types within neighborhoods consistent with the *Clackamas County Consolidated Plan*, while ensuring that needed affordable housing is provided.

Policy 10.1.5

Allow Accessory Dwelling Units under specified conditions in single-family residential designations with the purpose of adding affordable units to the

housing inventory and providing flexibility for homeowners to supplement income and obtain companionship and security.

Policy 10.1.6

Allow site-built manufactured housing on individual lots in single-family residential zones to meet the requirements of state and federal law. (Pursuant to state law, this policy does not apply to land within designated historic districts or residential land immediately adjacent to a historic landmark.)

Policy 10.1.7

Use a combination of incentives and development standards to promote and encourage well-designed single-family subdivisions and multi-family developments that result in neighborhood livability and stability.

Goal 10.2 Supply of Affordable Housing

Provide and maintain an adequate supply of affordable housing.

Policy 10.2.1

Retain affordable housing potential by evaluating and restricting the loss of land reserved or committed to residential use. When considering amendments to the Comprehensive Plan Land-Use Map, ensure that potential loss of affordable housing is replaced.

Policy 10.2.2

Allow increases in residential density (density bonuses) for housing development that would be affordable to Oregon City residents earning less than 50 percent of the median income for Oregon City.

Policy 10.2.3

Support the provision of Metro's Title 7 Voluntary Affordable Housing Production Goals.

Policy 10.2.4

Provide incentives that encourage the location of affordable housing developments near public transportation routes. Incentives could include reduction of development-related fees and/or increases in residential density (density bonuses).

Section 11

Public Facilities

This section is intended to show compliance with Land Conservation and Development Commission (LCDC) Statewide Planning Goal 11, Public Facilities. Goal 11 requires that public facilities and services be provided in a timely, orderly and efficient manner. The goal's central concept is that local governments should plan public services in accordance with the community's needs as a whole rather than be forced to respond to individual developments as they occur.

Public facilities and services include:

- wastewater collection and treatment, water distribution and storage, and stormwater management
- solid waste (trash) disposal
- transportation infrastructure
- fire protection and emergency services
- police protection
- library
- parks and recreation

Oregon City is committed to providing its residents with safe and accessible public facilities and services that are developed in a timely, orderly and efficient fashion and that contribute to their welfare and quality of life. Oregon City also has an interest in its citizens having access to utilities provided by other agencies and the private sector, such as electricity, gas, telecommunications, health care, and education.

Wastewater Collection and Treatment, Water Distribution, and Stormwater Management

Oregon City's wastewater collection and treatment, water distribution, and stormwater management facilities and services are funded by user fees and governed by the following ancillary documents:

- *City of Oregon City Sanitary Sewer Master Plan* (2003)
- *Caufield Basin Master Plan* (1997)
- *South End Basin Master Plan* (1997)
- *Drainage Master Plan* (1988), updated in 1999 as the *City of Oregon City Public Works Stormwater and Grading Design Standards*
- *City of Oregon City Water Master Plan* (2003)

Wastewater Collection and Treatment. The *City of Oregon City Sanitary Sewer Master Plan* (2003) contains specifications for the existing wastewater collection system and discusses how the specifications will need to change during the next 20 years, based on projected growth. According to the master plan, Oregon City's sanitary sewer system is in relatively good condition with isolated areas of capacity problems, and will remain adequate within the Urban Growth Boundary for the next 20 years. The greatest deficiency is the older pipes that need repair, rehabilitation, or replacement. The City continues to work with the Tri-City Service District to reduce inflow and infiltration into the collection system.

Wastewater is treated at the Tri-City Water Pollution Control Facility. Located in Oregon City, Tri-City treats wastewater from Oregon City, West Linn and Gladstone. Wastewater flows from the greater Clackamas County area were recently diverted to Tri-City as a result of a cost-efficient strategy that benefited Tri-City ratepayers. Flows to Tri-City may increase if the Kellogg Creek Water Pollution Control Plant in Milwaukie closes and as planned growth occurs in the Damascus area. The need for a major expansion of Tri-City will have to be weighed against preserving the valuable property around the treatment plant for future parks, recreation, and mixed-use development. Oregon City and Tri-City should continue to collaborate on the Clackamette Cove area improvements identified in the *Tri-City Service District, Tri-City Water Pollution Control Facility (WPCF) Master Plan Plant Advanced Facilities Plan* (2002) and the *Oregon City Waterfront Master Plan* (2002).

Water Distribution and Storage. Surface water from the Lower Clackamas River is the source of potable water for Oregon City and West Linn. The wholesale water supplier is the South Fork Water Board, which is owned equally by Oregon City and West Linn. Water is distributed by each city under separate utility departments. The South Fork Water Board has rights to withdraw 42.6 million gallons per day (mgd), which is expected to meet demand for

at least 30 years. However, Oregon City will need to increase water storage capacity within its distribution system.

Stormwater Management. The focus of stormwater management has changed over the years from underground stormwater and sanitary sewers combined and piped systems to open, natural drainage channels where possible. The *Caufield Basin Master Plan* (1997) and *South End Basin Master Plan* (1997) call for drainageways to remain in a natural state for maximum water quality, water resource preservation, and aesthetic benefits. The *City of Oregon City Public Works Stormwater and Grading Design Standards* (1999) encourages the use of open ponds for stormwater runoff control where feasible. Detention ponds that serve more than one development and regional detention facilities are preferred because they require a lower level of monitoring and maintenance effort than single- or on-site detention. Updated plans for all of the drainage basins in Oregon City should be developed using a watershed planning approach.

The City's stormwater management program is subject to the City's National Pollution Discharge Elimination System Municipal Separate Storm and Sewer System (NPDES) MS-4 permit, which is administered by the Oregon Department of Environmental Quality (DEQ) for the U.S. Environmental Protection Agency (EPA).

Oregon City and the other urban municipalities in Clackamas County have operated since 1996 under a joint NPDES permit that prescribes requirements for each agency. Oregon City is responsible for monitoring and maintaining its stormwater management system to ensure the environmental integrity of the system's receiving waters (the Willamette and Clackamas rivers), and for preparing annual reports showing permit compliance.

Solid Waste (Trash) Disposal

For most residences and businesses within the city limits, Oregon City Garbage Company, a private company contracted by Oregon City, collects garbage and recyclables at the curb for distribution to Metro disposal and transfer facilities. Metro oversees regional garbage disposal, recycling and waste reduction programs and owns the Metro South Transfer Station. Regional landfill sites are estimated to have the capacity to serve the region until mid-century (*Regional Solid Waste Management Plan, 1995-2005* [1999]). Therefore, no capacity issues are anticipated for the duration of this Comprehensive Plan.

Transportation Infrastructure

The transportation infrastructure in Oregon City is governed by the *Oregon City Transportation System Plan* (Oregon City TSP), adopted in 2001. Oregon City's transportation system is discussed separately in Section 12, Transportation.

Fire Protection and Emergency Services

Oregon City provided its own fire protection and emergency services until it contracted them out. In 1999, the responsibilities were contracted by Tualatin Valley Fire and Rescue (TVFR), East Division. Since July 2003, Clackamas County Fire District #1 has provided fire protection and emergency services.

There are three fire stations in Oregon City: the main station at the old City Hall in the McLoughlin Neighborhood, a substation along Molalla Avenue near Clackamas Community College, and a new station on South End Road.

Electricity, Gas and Telecommunications

Several utilities provide energy and communication services to residents and businesses in Oregon City. Portland General Electric, which owns generating and transmission facilities, provides electricity to Oregon City. The Bonneville Power Administration markets wholesale electrical power and operates a high-voltage transmission line south of Oregon City and east of Holly Lane in Newell Canyon. Currently, there is sufficient electricity capacity in the Oregon City area to support industrial, commercial, and residential expansion.

New transmission line facilities should be located underground where economically and technically feasible to preserve the aesthetic quality of neighborhoods and reduce the risk of power outages. Local service lines in new subdivisions should be underground. Development of a new program to bury existing power and telephone lines should be investigated.

Northwest Natural (NWN) pipes natural gas to homes and businesses in the Metro area. NWN's system is sized to support existing customers. Planning for future capacity needs is focused primarily on the supply of natural gas, rather than on the supply of pipelines. There are no infrastructure capacity constraints with the existing natural gas pipeline system.

Qwest Communications International, Inc., provides local, long distance, and wireless telephone services as well as broadband data, and voice and image communications for businesses and consumers. Qwest maintains both older telephone transmission lines and newer fiber-optic lines. Beaver Creek Telephone also provides local services.

Emerging technologies such as wireless communications, geographic information systems, and digital subscriber lines (DSL) are becoming increasingly important to the economy and education. However, these technologies are growing so rapidly and are so volatile that documenting information about

transmission resources, providers, demand, and use in the Oregon City area is extremely difficult. Because information transmission resources are federally regulated, the Federal Communications Commission maintains a list of its Clackamas County licensees, which indicates that all of these emerging technologies are or will be available to Oregon City residents. Because most of these resources are privately owned, the City's role in the information transmission system should be to inform residents and businesses about available resources and act as an advocate for providing up-to-date services to residents and businesses. City staff needs to keep abreast of methods of mitigating adverse impacts that can result from both the volatility of the industry and the construction of system infrastructure such as cell towers and in-ground fiber-optic lines.

Health Care

Healthcare services in Oregon City are provided by Willamette Falls Hospital, the Clackamas County Department of Human Services, and a variety of private entities such as retirement communities, assisted living facilities, and nursing homes. Clackamas County's health services are found in various locations throughout the city.

Willamette Falls Hospital anticipates the need for expansion during the next 10 to 20 years. The hospital has been purchasing nearby properties in anticipation of expansion, but traffic circulation continues to be a challenge and may hinder future expansion. The City and County should continue to work with the hospital to balance the needs of the neighborhood, patients, and the hospital. New facilities, such as medical and dental offices, should be compatible in size with the surrounding areas. A City-approved master plan is needed to ensure adequate facilities and infrastructure during construction.

Although regional healthcare planning is done by public and private healthcare providers, Oregon City should stay abreast of trends in health care and changes in population that may affect land uses. For example, "aging in place" refers to providing citizens accommodations that can be adapted to the physical limitations associated with aging, thereby limiting disruption to individuals. In addition, the City should support the revisions of the *Uniform Building Code* that accommodate accessibility for the disabled.

Education

K-12. The public education system in Oregon City consists of elementary schools, middle schools, and one high school. The Oregon City School District projects enrollment based on demographic trends and a ratio of 0.94 school children per residential household. A rolling five-year projection is done every

fall to ensure that the facilities will accommodate growth. The preferred number of students per classroom is 25, with the maximum considered to be 30.

To the extent possible, future school facilities should be located in, or at least adjacent to, residential areas to reduce traffic impact, maintain convenience for students, provide a focus for the neighborhoods, and promote energy conservation. Neighborhood schools and their athletic facilities should also serve as community centers by being available for community meetings and events in the evenings and on weekends.

The Oregon City School District and Oregon City should proceed with the disposition of the original high school, which was vacated in 2003, and other vacant school properties to ensure that the properties are used for the mutual benefit of all residents.

Post-Secondary. Clackamas Community College (CCC) has been, and will continue to be, an important resource and significant partner in the character and development of Oregon City. The college offers an array of educational opportunities, job training programs, social programs, recreational facilities, and meeting spaces that benefit the residents of Oregon City and the surrounding communities.

CCC is connected to Oregon City High School to the south by a foot path, giving high school students easy access to advanced classes. Development on nearby industrial land should offer opportunities for internships and employment for students at both the high school and CCC.

The TriMet hub on the center of campus will play a role in future public transportation routes through Oregon City and should be enhanced to improve service. The Environmental Learning Center offers a valuable community resource as an educational and demonstration site. The Haggart Observatory on the CCC campus has one of the largest telescopes in the Pacific Northwest and is an educational resource that should be protected. Because nighttime light pollution can impair the telescope's ability to see into space, the development of lighting standards, including minimum lighting standards where suitable, and appropriate shielding of parking, street, path, and building lights, would benefit the observatory. For more information on nighttime light pollution, see Section 6 (Air, Water, and Land Resources).

CCC and Oregon City should work together to zone CCC's 164-acre site to allow for taller buildings in order to increase the efficient use of the remaining vacant property in a compact and dense, urban form. Master planning of the site is also critical to ensuring that adequate facilities are available in a timely manner for students, and that the pedestrian and transportation system, including the extension of Meyers Road, will support the increased enrollment that will follow from the expanded services the college plans to provide. The City should support expansion that is consistent with good site planning and design and compatible with adjacent uses.

Police Protection

The Oregon City Police Department consists of three divisions: support, records, and operations (chiefly patrol, including traffic). The departmental facilities at City Hall are severely deficient. The City should develop additional funding to support the minimum level of police service as the city continues to grow.

Library

The Oregon City Public Library houses its collection of 98,000 items in a leased, 13,000-square-foot facility in Danielson's Hilltop Mall on Warner Milne Road. The library program is partially funded by a county library levy and the City's general fund. Funds are distributed to the libraries in the county based on size of service area and circulation of library materials.



A new facility is desperately needed to accommodate Oregon City's population. In 1993, a construction bond measure for a new library was unsuccessful. In 1995, the library was moved to its current location. The facility is not large enough to meet the needs of Oregon City residents and the county residents. According to Oregon Library Association standards, the number of Oregon City Public Library employees is inadequate for the size of its service area. The library does not have public meeting, study, or equipment rooms.

In 1998, Oregon City hired Providence Associates, Inc., a nationally recognized consultant in library building development, to evaluate the library and its services. Their report, *From One Century to the Next: A Twenty Year Needs Assessment for the Oregon City Public Library* (1998) indicated that a 59,000-square-foot facility would be needed to meet the needs of the residents in 2020.

In 2000, the City Commission discussed plans for building a new, 32,000-square-foot library. The Library Building Committee is currently searching for an appropriate site in the Hilltop area, near retail services and with good access to Oregon City neighborhoods, multiple modes of transportation (car, transit, pedestrian, bicycle), and major roads from rural areas to the east and south. The site must have at least four acres to be able to accommodate the building, parking and future expansion. A stand-alone facility and a civic complex that includes a library are both feasible options.

Parks and Recreation

Oregon City owns and maintains a number of parks and recreational facilities throughout the city. The major facilities are the End of the Oregon Trail Interpretive Center, McLoughlin House National Historic Site, Barclay House,

Buena Vista House, Ermatinger House, Aquatic Center, Carnegie Center, and Pioneer Community Center. See Section 8, Parks and Recreation, and the *Oregon City Park and Recreation Master Plan* (1999) for more information.

Other Public Facilities and Services

Reservoirs and Pump Stations. Reservoirs and pump stations are located at strategic locations throughout the city and are secured, controlled, and monitored through telemetry.

Operations Division of the Public Works Department. The Operations Division of the Public Works Department resides in facilities throughout the city. Facilities include staff offices, shops for sign fabrication and fleet maintenance, and storage for equipment, tools, and pump station and pipe maintenance equipment.



City Hall. City Hall, located on Warner Milne Road, contains offices and other facilities for the City Commission, City Manager, Municipal Court, and the departments of Community Development, Public Works, Finance, Police, and Community Services. City Hall consists of a permanent building connected by covered walkways to three portable buildings.

The Community Development Department provides long-range planning and development review. Within this department, Geographic Information System (GIS) services provide mapping and critical support for all planning functions.

The Public Works Department plans and constructs capital improvements, operates and maintains city infrastructure, administers the Downtown parking program, and provides code enforcement.

The Finance Department oversees the annual budget, is responsible for accounts receivable, accounts payable, and utility billing services, and provides human resources support for all departments.

The Community Services Department plans and operates the city's library and parks and recreational activities.

The facility City Hall occupies is severely undersized not only for existing staff but also for much needed additional staff. The City is continuing its efforts to develop a long-term plan for a permanent home for City Hall and the services it provides.

Funding. Oregon City's public facilities and services can be funded in a number of ways.

- The **General Fund** is a limited revenue source from property taxes and shared by a multitude of other governmental agencies and special districts.

- **Urban Renewal** funding comes from designating specific areas as deficient in assessed values and development ability and creating a plan for increasing property tax values and revenues through public infrastructure improvements and private development incentives. The Urban Renewal tax mechanism affords municipalities the opportunity to collect revenues for highly needed, value-based improvements for which other resources are insufficient. The improvements, in turn, provide a higher tax base for future City budgets.
- The **Capital Improvement Program** provides a detailed financial analysis of proposed projects. It is generally a short-term plan (one to five years) for public facility improvements and extension.
- **Special levies or bond issues** can be submitted to voters to raise funds for specific projects. These tools have traditionally been used for large projects such as school funding, construction or purchase of recreational facilities, and sewer or water system replacement.
- **Grants** may be available for many projects meeting certain federal and/or state guidelines.
- **Local Improvement Districts (LIDs)** are useful for many projects deemed necessary for small areas.
- **User fees** can be assessed for many services. Water, wastewater, stormwater, street maintenance, power, gas, telephone, garbage removal, health services, and some governmental services (courts and permit issuance) can be funded in this manner.
- **System development charges (SDCs)** are collected when building permits are issued and are used to construct infrastructure required to serve new development and growth of system needs. The SDC is directly related to the Capital Improvement Program for transportation, water, wastewater, stormwater, and parks.
- **Tax increases** may also be used, although they are usually insufficient and highly unpopular.
- **Zoning, subdivision control, site plan review.** Although funding is not directly addressed, many planning mechanisms, including zoning, subdivision control, site plan review, and others are used to require or encourage installation of many public facilities and services.
- **Better coordination of services and improved operating efficiency** are highly desirable, when possible.
- **Builders and residents.** The cost of public facilities serving new developments should be borne as much as possible by builders and residents of developments. Development proposals should be approved only if the vital public facilities

necessary for additional land development and population growth are existing or committed.

Goal 11.1 Provision of Public Facilities

Serve the health, safety, education, welfare, and recreational needs of all Oregon City residents through the planning and provision of adequate public facilities.

Policy 11.1.1

Ensure adequate public funding for the following public facilities and services, if feasible:

- Transportation infrastructure
- Wastewater collection
- Stormwater management
- Police protection
- Fire protection
- Parks and recreation
- Water distribution
- Planning, zoning and subdivision regulation
- Library services
- Aquatic Center
- Carnegie Center
- Pioneer Community Center
- City Hall
- Buena Vista House
- Ermatinger House

Policy 11.1.2

Provide public facilities and services consistent with the goals, policies and implementing measures of the Comprehensive Plan, if feasible.

Policy 11.1.3

Confine urban public facilities and services to the city limits except where allowed for safety and health reasons in accordance with state land-use planning goals and regulations. Facilities that serve the public will be centrally located and accessible, preferably by multiple modes of transportation.

Policy 11.1.4

Support development on underdeveloped or vacant buildable land within the city where public facilities and services are available or can be provided and where land-use compatibility can be found relative to the environment, zoning, and Comprehensive Plan goals.

Policy 11.1.5

Design the extension or improvement of any major public facility and service to an area to complement other public facilities and services at uniform levels.

Policy 11.1.6

Enhance efficient use of existing public facilities and services by encouraging development at maximum levels permitted in the Comprehensive Plan, implementing minimum residential densities, and adopting an Accessory Dwelling Unit Ordinance to infill vacant land.

Policy 11.1.7

Develop and maintain a coordinated Capital Improvements Plan that provides a framework, schedule, prioritization, and cost estimate for the provision of public facilities and services within the City of Oregon City and its Urban Growth Boundary.

Goal 11.2 Wastewater

Seek the most efficient and economic means available for constructing, operating, and maintaining the City's wastewater collection system while protecting the environment and meeting state and federal standards for sanitary sewer systems.

Policy 11.2.2

Plan, operate and maintain the wastewater collection system for all current and anticipated city residents within the existing Urban Growth Boundary. Plan strategically for future expansion areas.

Policy 11.2.2

Given the vision for Clackamette Cove, investigate strategies to deal with increased flows, including alternate locations for treatment, from growth in the Damascus area and the potential closure of the Kellogg Creek Water Pollution Control Plant.

Policy 11.2.3

Work with the Tri-City Service District to provide enough collection capacity to meet standards established by the Oregon Department of Environmental Quality (DEQ) to avoid discharging inadequately treated sewage into surface-water.

Policy 11.2.4

Seek economical means to reduce inflow and infiltration of surface- and groundwater into the wastewater collection system. As appropriate, plant riparian vegetation to slow stormwater, and to reduce erosion and stream sedimentation.

Policy 11.2.5

Implement the City's wastewater policies through the *City of Oregon City Sanitary Sewer Master Plan*.

Goal 11.3 Water Distribution

Seek the most efficient and economic means available for constructing, operating, and maintaining the City's water distribution system while protecting the environment and meeting state and federal standards for potable water systems.

Policy 11.3.1

Plan, operate and maintain the water distribution system for all current and anticipated city residents within its existing Urban Growth Boundary and plan strategically for future expansion areas.

Policy 11.3.2

Collaborate with the South Fork Water Board to ensure that an adequate water supply system is maintained for residents. Coordinate with the South Fork Water Board, the City of West Linn, and Clackamas River Water to ensure that there is adequate regional storage capacity.

Policy 11.3.3

Maintain adequate reservoir capacity to provide all equalization, operational, emergency, and fire flow storage required for the City's distribution system.

Policy 11.3.4

Adopt a progressive water rate structure that will encourage water conservation.

Goal 11.4 Stormwater Management

Seek the most efficient and economical means available for constructing, operating, and maintaining the City's stormwater management system while protecting the environment and meeting regional, state, and federal standards for protection and restoration of water resources and fish and wildlife habitat.

Policy 11.4.1

Plan, operate, and maintain the stormwater management system for all current and anticipated city residents within Oregon City's existing Urban Growth Boundary and plan strategically for future expansion areas.

Policy 11.4.2

Adopt "green streets" standards to reduce the amount of impervious surface and increase the use of bioswales for stormwater retention where practicable.

Policy 11.4.3

Ensure parking lot designs that mitigate stormwater impacts. Take measures to reduce waterflow and increase water absorption through the use of bioswales, vegetated landscaped islands with curb cuts to allow water inflow, and tree planting.

Policy 11.4.4

Maintain existing drainageways in a natural state for maximum water quality, water resource preservation, and aesthetic benefits.

Policy 11.4.5

Design stormwater facilities to discharge surfacewater at pre-development rates and enhance stormwater quality in accordance with criteria in *City of Oregon City Public Works Stormwater and Grading Design Standards*.

Policy 11.4.6

Regularly review and update the above standards to reflect evolving stormwater management techniques, maintenance practices, and environmental compatibility.

Policy 11.4.7

Provide stormwater management services and monitor, report and evaluate success of the services consistent with the NPDES MS-4 permit requirements.

Goal 11.5 Solid Waste

Seek to ensure that the most cost-effective, integrated solid waste plan is developed and implemented.

Policy 11.5.1

Acknowledge Metro's responsibility for preparing and implementing the *Regional Solid Waste Management Plan, 1995-2005* because solid waste disposal is a regional concern requiring regional solutions.

Policy 11.5.2

Coordinate with Metro and Clackamas County as needed to help implement the goals and objectives of the *Regional Solid Waste Management Plan, 1995-2005*.

Policy 11.5.3

Commit to long-term sustainability and recognize the link between reduction of solid waste, reuse and recycling of materials, and protection of natural resources.

Goal 11.6 Transportation Infrastructure

Optimize the City's investment in transportation infrastructure.

Policy 11.6.1

Make investments to accommodate multi-modal traffic as much as possible to include bike lanes, bus turnouts and shelters, sidewalks, etc., especially on major and minor arterial roads, and in regional and employment centers.

Policy 11.6.2

Advocate for local, state, and regional cooperation in achieving an integrated connected system such as for the Amtrak station, light rail, and bus transit.

Goal 11.7 Private Utility Operations

Coordinate with utilities that provide electric, gas, telephone and television cable systems, and high-speed internet connection to Oregon City residents to ensure adequate service levels.

Policy 11.7.1

Require local service lines in new subdivisions be placed underground.

Policy 11.7.2

Coordinate with private utility providers to install infrastructure during street construction and maintenance to reduce the need to repeatedly cut into newly paved streets.

Policy 11.7.3

Adopt lighting practices in streets and other public facilities, and encourage them in private development, that reduce glare, light pollution, light trespass, and energy use, while maintaining even lighting ensuring good visibility and safety for the public.

Policy 11.7.4

Encourage development of broadband networks in street rights-of-way in a coordinated way to provide state-of-the-art technology to residents.

Policy 11.7.5

Maintain and enforce the cell tower ordinance. Adopt, support and encourage innovations in reducing, camouflaging or screening cell towers.

Goal 11.8 Health and Education

Work with healthcare and education providers to optimize the siting and use of provider facilities.

Policy 11.8.1

Work with Clackamas County as needed to ensure that county services are sited appropriately and that citizens of Oregon City continue to have access to County health and human services.

Policy 11.8.2

Coordinate with the master planning efforts by Willamette Falls Hospital to address environmental, neighborhood and health provider concerns about expansion plans, parking, traffic, and circulation.

Policy 11.8.3

Coordinate with the Oregon City School District to ensure that elementary and middle school sites are located centrally within the neighborhoods they serve, to the extent possible.

Goal 11.9 Fire Protection

Maintain a high level of fire protection and emergency medical services.

Policy 11.9.1

Ensure that all areas, including newly annexed areas, receive fire protection and emergency medical services.

Policy 11.9.2

Attempt to maintain the City's Class IV fire insurance rating and work towards achieving a Class III rating, as funds are available.

Policy 11.9.3

Promote public awareness of fire prevention techniques, emergency management, and emergency preparedness education programs as important components of community safety.

Goal 11.10 Police Protection

Preserve the peace and provide for the safety and welfare of the community.

Policy 11.10.1

Maintain continuous liaison with other elements of the criminal justice system.

Policy 11.10.2

Strive to provide rapid response to emergency and non-emergency calls.

Policy 11.10.3

Promote traffic safety to reduce property loss, injuries and fatalities.

Policy 11.10.4

Continually evaluate operations to maximize effectiveness and efficiency.

Policy 11.10.5

Seek to have a department and community committed to the philosophy of community-oriented policing. Develop community partnerships so that both the community and department are empowered to solve problems and seek creative solutions.

Policy 11.10.6

In addition to law enforcement, help deter crime through proactive programs that emphasize education, prevention, and cooperation.

Goal 11.11 Civic Facilities

Strategically locate civic facilities to provide efficient, cost-effective, accessible, and customer friendly service to Oregon City residents.

Policy 11.11.1

Locate City facilities in a way that ensures customer service and provides easy access to the majority of residents. Access should be provided for the physically impaired and for those traveling by transit, bicycle, or foot.

Policy 11.11.2

Investigate options for obtaining or building a new City Hall.

Policy 11.11.3

Implement measures to maximize and leverage resources and increase services to the public.

Policy 11.11.4

Incorporate measures to meet long-term rising demand for services. Provide for future needs of increased staff, space and storage when purchasing or building new city facilities.

Goal 11.12 Library

Ensure that the library has an adequate facility and resources to maintain its vital role in the community and accommodate growth of services, programs and the population of the entire service area.

Policy 11.12.1

Identify and acquire, if possible, an appropriate site for a permanent library that is centrally located to the service area. This could include a mixed-use facility with retail space and Friends of the Library activities, etc.

Policy 11.12.2

Explore partnerships with schools and other community groups in regard to shared programming, public meeting rooms and other community-use spaces.

Policy 11.12.3

Develop, if possible, a means of funding a permanent library facility.

Section 12

Transportation

This section is intended to show compliance with Land Conservation and Development Commission (LCDC) Statewide Planning Goal 12, Transportation, which aims to provide “a safe, convenient and economic transportation system.” A transportation system that functions well contributes to a city’s well-being, enhances quality of life, and increases opportunities for growth and development.

Oregon City Transportation System Plan (TSP)

The 2001 *Oregon City Transportation System Plan* (TSP) is an ancillary plan to the Comprehensive Plan (ancillary plans are available at City Hall). The TSP functions as a guide for the management and development of Oregon City’s transportation facilities to the year 2020. It is based on a vision of a community that integrates efficient land use with a multi-modal transportation system. The goals and policies of the TSP are designed to enhance the quality of life in Oregon City and facilitate the movement of goods and services for local businesses. This section of the Comprehensive Plan summarizes key parts of the TSP.

The LCDC administrative rule known as the Transportation Planning Rule (TPR) (Oregon Administrative Rule 660-12) requires that TSPs contain a plan for roads, public transit, bicycles, pedestrians, rail and air travel, and transmission lines. The Oregon City TSP and its subdocuments provide details about the state and regional regulatory framework for transportation, plans for existing and future road, pedestrian, transit, and bicycle networks, and the projects and policies that are needed to implement those networks.

Other Transportation Plans

Other ancillary transportation plans are discussed in this section, including the *Oregon City Downtown Community Plan* (1999), *7th Street Corridor Design Plan* (1996), the *Molalla Avenue Boulevard and Bikeway Improvements Plan* (2001). The city is also working on plans for the Highway 99E corridor to improve access control, landscaping, pedestrian safety, and the connection to the riverfront.

Downtown Community Plan. Implementation of the *Oregon City Downtown Community Plan* would enable a more efficient land-use pattern to emerge in the Downtown area. Improved efficiency would result in a more vital and vibrant Downtown area that is better equipped to capture and serve the traveling public, particularly pedestrians and transit riders.

The McLoughlin Boulevard corridor represents a vital transportation link in achieving the goals of the *Oregon City Downtown Community Plan* and Metro's vision for Oregon City as a Regional Center (*Metro's 2040 Growth Concept* [1995]). Regional Centers serve large market areas outside the central city and have connections via high-capacity transit and highways, such as Highway 99, which is designated as a Corridor in *Metro's 2040 Growth Concept* (see Section 2, Land Use, for more detail). Oregon City will provide leadership to improve access by vehicles and transit to Downtown and to the connection between Downtown and the Willamette River.

7th Street Corridor and Molalla Avenue. Implementation of the *7th Street Corridor Design Plan* (1996) and the *Molalla Avenue Boulevard and Bikeway Improvements Plan* (2001) would enable the 7th Street corridor to evolve into one that is more accessible by pedestrians and transit with land uses that support multi-modal transportation. Additional land-use planning is needed for the redevelopment of underutilized parcels along Molalla Avenue that represent opportunities for transit-oriented development with higher density and mixed uses. These plans contain proposed improvements that are consistent with Metro's 2040 Corridor designation for this important transportation link.

The 7th Street plan contains a multi-modal vision of the corridor with recommended action items. The vision for the street is a cohesive design with a historical character, slower traffic, and lively pedestrian activity. One of the objectives is to revitalize the area by providing parking and transportation improvements. Support for rehabilitating building façades and the pedestrian environment is also discussed as a means to make the area more attractive to pedestrians, shoppers, and tourists. An emphasis is placed on pedestrians with easy access across 7th Street, benches, street trees, curb extensions, and other elements to identify "Pedestrian Places." Traffic would move more slowly with a narrower pavement width, curb extensions, traffic calming devices, and trees. Neighborhood safety would be enhanced by more pedestrian activity and mix of uses.

Visual and physical connections with Downtown and the McLoughlin neighborhood would improve the vitality of the corridor as well. The 7th Street plan calls for supporting the existing businesses and preserving the architectural heritage of the community. The business environment should invite new and complementary development and redevelopment that is compatible in scale and style with the neighborhood. New public facilities, such as a branch library, elementary school, civic institutions, and Community Theater, should be encouraged while existing public facilities like the park and promenade system should be retained and enhanced. Diverse mixed use and infill housing should be encouraged because increased density can contribute to the economic vitality of the corridor. The corridor could also function as a buffer between commercial uses and the adjoining single-family neighborhood.

The *Molalla Avenue Boulevard and Bikeway Improvements Plan* (2001) was developed to address deficiencies that arose from new development along the corridor and the limitations imposed by the mix of land uses, roadway configurations, and streetscape characteristics. This plan identifies regional, local, and neighborhood needs and objectives for the corridor, and integrates them into an overall vision. The plan includes specific recommendations for providing and maintaining safe and efficient facilities and services for public transportation, private automobiles, pedestrians, and bicyclists.

Highway 213. The *Highway 213 Urban Corridor Design Study* (2000) contains a detailed evaluation of existing and projected congestion on Highway 213 between Henrici Road and I-205 and recommended improvements. Highway 213 changes from a large high-volume facility on the north end to a rural, two-lane road at the south end. The preferred alternatives for improvements have been adopted into the Oregon City TSP, but a long-term solution to congestion on Highway 213 will also require improvements on I-205. The City, together with the Oregon Department of Transportation and Metro, should conduct a study of the I-205 corridor in this area.

Roadway System. A key component of the Oregon City TSP is a plan for a roadway system that will accommodate the expected needs of the street network in Oregon City to 2020. The plan includes:

- new alignments and connections for streets
- a road classification system that establishes a hierarchy of street types and the types of travel expected on them
- capital improvements that address near- and long-term roadway and intersection capacity, and operational and safety improvements
- identification of substandard roadway sections that should be upgraded to city standards

- street and access management standards to ensure that the roadway system fits adjacent land uses and accommodates expected demand

Land uses along roadways should be integrated with the roadway classification while keeping function, safety, aesthetics, and overall livability in mind.



Higher density housing and non-residential uses should be clustered around collectors and arterials. Single-family housing should be oriented to the front of the street to avoid backyards and associated fencing from creating a tunnel affect.

Roadway connectivity requirements are intended to create better circulation patterns that reduce average auto trip lengths, provide greater options for reaching deserved destinations and improve multi-modal accessibility. The Oregon City TSP contains proposed roadway connections and facilities that would improve circulation, access, and traffic operations and fulfill the long-term needs of the city's transportation network. The planned street connections are designed to comply with the *2000 Regional Transportation Plan*

(RTP) requirements for street connectivity.

In addition to the guidance provided by the Oregon City TSP for roadway connections, the *Street Connectivity Plan* (in progress) helps the City, land owners, and developers choose street connections that improve local access and circulation and preserve the integrity of the regional street system. The plan, expected to be adopted in 2005 as part of the Oregon City TSP, will comply with the design standards for street connectivity presented in the RTP.

Roadway Design Standards

Design standards for roadways are based on characteristics such as travel volume, capacity, travel speed, adjacent land use, composition of traffic, and

safety. The *City of Oregon City Street Design Standards*, a sub-document of the TSP, is intended to ensure that new and improved roadways are consistent with the overall plan for the road network.



Optional "green street" standards, intended to reduce the impact from roadways on water quality, stream corridors, and vegetation, will be added to the TSP. Examples of green street standards are minimizing the amount of impervious surface by making streets narrower, creating more permeable surfaces, and using swales for treatment and conveyance.

Multi-Modal Transportation

The Oregon City TSP contains recommended improvements in public transit and facilities for bicycles and pedestrians. The key objectives in the development of pedestrian and bicycle systems are to provide accessible and safe connections between major activity centers, such as housing, commercial areas, schools, recreation areas, and to improve the safety of pedestrians and bicyclists throughout the city.

Transit service provides mobility to residents who do not have access to automobiles and an alternative mode of transportation for those who do. Public transportation in the Oregon City is currently provided by TriMet, the South Clackamas Transit District, Canby Area Transit, and the Oregon City Municipal Elevator. The Pioneer Community Center operates two vans that provide transportation for seniors on a point-to-point, pre-arranged schedule.

Community input during development of the Oregon City TSP stressed the need for improved service on weekends, expanded service on weekdays, and expanded service area coverage in certain parts of the city. The City will continue to monitor the adequacy of the transit service and work with TriMet and other providers to expand service as necessary. In addition, both the City and TriMet should promote a greater public awareness of the public transit that is available. In particular, the City should promote the South Corridor bus and light rail that serves Oregon City. The City should also work with TriMet to locate park-and-ride facilities at convenient neighborhood nodes to facilitate access to regional transit.

Local transit service opportunities should be explored to promote non-single-occupancy vehicle travel to help prolong the adequacy of the infrastructure capacity.

A local Transportation Management Association (TMA) that would serve businesses and local trolley-type transit service along major and minor arterials should be considered. Trolley service would provide convenient, economical mobility for all ages and reduce the need for additional vehicular lanes. Connections to local transit corridors should be ensured by reliable links between Hilltop, Downtown, Beaver Creek (education and employment centers), and the surrounding neighborhoods.

Rail Transportation

Union Pacific Railroad (UPRR) provides freight rail service in the region. The UPRR rail line in Clackamas County is not experiencing capacity constraints although some at-grade crossings have caused some concern because of the slower speeds needed to maintain safety at the crossings. In areas where pedestrian and motor vehicle ways cross train tracks, trains are required to travel more slowly. With slower speeds, fewer trains can use the tracks, thereby affecting the efficiency of the rail system.



Four Amtrak passenger trains travel daily on the UPRR mainline. A new Amtrak station has opened on Washington Street west of the End of Oregon Trail Interpretive Center. The station provides rail connections to Portland, Eugene, and other Amtrak locations.

Because at-grade crossings and steep and varied topography constrain the rail system in the Oregon City area, the City should be involved with solving the problems associated with at-grade railroad crossings. The City should also be involved with maximizing safety where other transportation modes cross rail lines, minimizing capacity constraints on roadways that cross rail lines, and minimizing delays for trains and other transportation modes at railroad crossings. Possible policies and action items include:

- obtaining federal and state funding, where possible, for railroad-related improvements
- restoring a pedestrian and bicycle connection at the 17th Street crossing, which was closed because of the construction of the Amtrak station, to ensure non-auto connectivity between the End of the Oregon Trail area, the Oregon City Shopping Center, and Clackamette Cove; the connection could be restored by building a pedestrian overpass, underpass, or other alternative
- maintaining adequate active warning devices that control traffic during train crossings

Marine Transportation

The Willamette and Clackamas rivers are the navigable waterways within the City of Oregon City Urban Growth Boundary. The Willamette River provides a through-route for commercial vessels from the Willamette Valley to the Columbia River via the Willamette Falls Locks. There is one commercial dock



facility within Oregon City, at Sportcraft Marina. There are two recreational boat ramps, one at Clackamette Park and another at Sportcraft Marina. The Clackamas River is a recreational waterway only. In addition to the boat ramp at Clackamette Park on the Clackamas River, there is another Clackamas River boat ramp in Riverside Park at the end of Water Avenue, approximately one-half mile east of Gladstone.

Boats traveling upstream on the Willamette River past Oregon City must pass through the Willamette Falls Locks.

In continuous operation since 1873, the locks are the oldest multi-lock system in America. The locks contribute to Oregon City's recreational system, and while there is currently no commercial dock in the city, the locks also support

the regional commercial marine system. The City should continue to support the Willamette Falls Locks as both a recreational and commercial facility.

Oregon City and the Oregon Marine Board are in the process of building a floating commercial dock off John Storm Park between I-205 and the River-shore Hotel. The dock will provide a stopping point near Willamette Falls for commercial tours or private boats and connect via a gangway to the stairs behind the County Courthouse building and to Downtown. The dock should enhance commercial and recreational opportunities on the river and provide economic benefits to the city.

Oregon City's role in the Marine System Plan (part of the *Oregon City Transportation Plan*, 2001) at the regional level is to continue to ensure adequate commercial access to regional, national, and international marine services through associations with the Port of Portland, Metro, and the Oregon Department of Transportation. Oregon City's role at the local level is to facilitate connections between the roadway network and the waterway system for both commerce and recreation. It is especially important to Oregon City's development as a tourist destination to encourage the development of river-related tourism facilities and services, such as docking facilities, river transit, and river tours.

The City actively supports the continued presence of boat launches in the area for recreational users. The *Oregon City Waterfront Master Plan* (2002) incorporates existing and proposed boat launches and docks in its discussion of future development along the waterfront. The creation of multi-use paths and other facilities that promote the multi-modal use of the recreational areas along the shores of the Willamette and Clackamas rivers should also be encouraged. Finally, the City will encourage, and participate in, any regional study dedicated to the investigation of marine transport as an effective commuter transportation mode.

Air Transportation

Air transportation for Oregon City passengers and freight is provided primarily by four regional airports, all of which are owned and operated by the Port of Portland: Portland International Airport (PDX), Hillsboro Airport, Troutdale Airport, and Mulino Airport. Because none of the airports are located in Oregon City, Oregon City needs effective ground transportation service to the airports. As such, the City will focus on enhancing ground transportation and will consider supporting:

- improved connections to I-205 for better access to PDX, Hillsboro Airport, and Troutdale Airport
- improved connections to Highway 213 for better access to Mulino Airport
- the extension of light rail service to Oregon City along I-205 to provide a transit connection to PDX

- the development of, in cooperation with TriMet and other transportation service providers, an airport shuttle service and/or other public transportation connections

The City will also continue to play an active role in air transportation planning at the regional and statewide levels.

Information Technologies

Information technologies such as wireless communications, geographic information systems, and the Internet play a role in telecommuting and transportation system information. The City should focus on disseminating information about these resources and investigating ways to use these information technologies to improve the entire transportation system. The City will work to make the traffic and travel planning information that is available on the Internet also available to residents who do not have access to the Internet—perhaps through their employers. The City will also work with Internet providers to develop a network that provides space for broadband fiber-optic lines along road rights-of-way as roads are constructed or retrofitted.

Infrastructure Funding

Intelligent Transportation Systems (ITS) use advanced technology to solve transportation problems, improve safety, provide services to travelers, and help implement traffic management strategies. ITS can increase the efficiency of an existing transportation system while reducing the need to add capacity (for example, new travel lanes, transit equipment). Efficiency is achieved by providing better management of the transportation system, and by providing services and information to travelers and transportation system operators so they can (and will) make better travel decisions, thus reducing overall demand on the transportation systems. Clackamas County is the lead agency in developing a countywide ITS plan and Oregon City is a participant in that effort. The City should continue to look for appropriate ways to implement ITS to improve the efficiency of the city's transportation network and reduce the need to add capacity.

Parking

The Oregon City TSP complies with Metro's parking requirements in the *Urban Growth Management Functional Plan* (1998) by establishing maximum parking standards.

Oregon City's Code Enforcement Division operates, maintains, and provides enforcement for metered parking, city-owned parking lots, and other parking restrictions throughout Oregon City. Strategies for Downtown parking accessi-

bility should be reviewed regularly to support the *Oregon City Downtown Community Plan* (1999). To ease demand for parking in these areas, the City will work to provide better transit, pedestrian, and bicycle connections where appropriate.

The Oregon City Public Works Street Division maintains city streets. As of 2002, transportation infrastructure maintenance was funded primarily by a gas tax. The revenue provides no funding for improvements such as pavement reconstruction, curbs, and traffic signals. Oregon City has historically sold bonds to pay for improvements, but the pay-back obligation cripples maintenance funding. Based on pavement management data and capital improvement needs, alternative funding sources are needed to maintain the City's transportation infrastructure.

The City should work with TriMet to develop park-and-ride facilities at convenient neighborhood nodes to facilitate access to regional transit.

Goal 12.1 Land Use-Transportation Connection

Ensure that the mutually supportive nature of land use and transportation is recognized in planning for the future of Oregon City.

Policy 12.1.1

Maintain and enhance citywide transportation functionality by emphasizing multi-modal travel options for all types of land uses.

Policy 12.1.2

Continue to develop corridor plans for the major arterials in Oregon City, and provide for appropriate land uses in and adjacent to those corridors to optimize the land use-transportation connection.

Policy 12.1.3

Support mixed uses with higher residential densities in transportation corridors and include a consideration of financial and regulatory incentives to upgrade existing buildings and transportation systems.

Policy 12.1.4

Provide walkable neighborhoods. They are desirable places to live, work, learn and play, and therefore a key component of smart growth.

Policy 12.1.5

Investigate the possibility of a new street connection between South End Road and Highway 99E between Downtown and New Era.

Policy 12.1.6

Investigate the possibility of a new east-west connection from Highway 213 to Willamette Falls Hospital.

Goal 12.2 Local and Regional Transit

Promote regional mass transit (South Corridor bus, Bus Rapid Transit, and light rail) that will serve Oregon City.

Policy 12.2.1

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

Policy 12.2.2

Target local transit where it is expected to be particularly effective, such as frequent, reliable links between Hilltop, Downtown, Willamette Falls Hospital, the Beavercreek educational and employment centers, and the adjacent neighborhoods.

Policy 12.2.3

Work with TriMet to locate park-and-ride facilities at convenient neighborhood nodes to facilitate access to regional transit.

Policy 12.2.4

Consider establishing a local Transportation Management Association (TMA) to serve area businesses. The TMA would fund a local trolley or bus transit service along the major and minor arterials to reduce the need for widening rights-of-way for additional lanes as well as provide convenient and economical mobility to everyone.

Policy 12.2.5

Advocate for a new regional bus rapid transit and rail transit connections to Oregon City.

Goal 12.3 Multi-Modal Travel Options

Develop and maintain a transportation system that provides and encourages a variety of multi-modal travel options to meet the mobility needs of all Oregon City residents.

Policy 12.3.1

Provide an interconnected and accessible street system that minimizes vehicle-miles-traveled and inappropriate neighborhood cut-through traffic.⁴

Policy 12.3.2

Provide an interconnected and accessible pedestrian system that links residential areas with major pedestrian generators such as employment centers, public facilities, and recreational areas.

⁴ A 10-percent reduction in the number of vehicle miles traveled per capita has been assumed within the 20-year projection consistent with and reflected in the Metro travel demand forecasting model used to evaluate the transportation system and identify needs.

Policy 12.3.3

Provide a well-defined and accessible bicycle network that links residential areas, major bicycle generators, employment centers, recreational areas, and the arterial and collector roadway network.

Policy 12.3.4

Ensure the adequacy of pedestrian and bicycle connections to local, county, and regional trails.

Policy 12.3.5

Promote and encourage a public transit system that ensures efficient accessibility, mobility, and interconnectivity between travel modes for all residents of Oregon City.

Policy 12.3.6

Establish a truck route network that ensures efficient access and mobility to commercial and industrial areas while minimizing adverse residential impacts.

Policy 12.3.7

Promote the connection and expansion of rail and river transportation services to and through Oregon City.

Policy 12.3.8

Ensure that the multi-modal transportation system preserves, protects, and supports the environmental integrity of the Oregon City community.

Policy 12.3.9

Ensure that the city's transportation system is coordinated with regional transportation facility plans and policies of partnering and affected agencies.

Policy 12.3.10

Develop, if possible, dock facilities along the Willamette River to support a range of public and private boat and water transportation opportunities.

Goal 12.4 Light Rail

Promote light rail that serves Oregon City and locate park-and-ride facilities at convenient neighborhood nodes to facilitate access to regional transit.

Policy 12.4.1

Support light rail development to Oregon City.

Policy 12.4.2

Explore local service transit opportunities to promote non-single-occupancy vehicle travel and prolong infrastructure capacity.

Policy 12.4.3

Ensure efficient use of local transit by providing frequent, reliable links between the land uses and community associated with the Hilltop, Downtown, the Hospital, the Beavercreek educational and employment centers, and the adjacent neighborhoods.

Goal 12.5 Safety

Develop and maintain a transportation system that is safe.

Policy 12.5.1

Identify improvements that are needed to increase the safety of the transportation system for all users.

Policy 12.5.2

Identify and implement ways to minimize conflict points between different modes of travel.

Policy 12.5.3

Improve the safety of vehicular, rail, bicycle, and pedestrian crossings.

Goal 12.6 Capacity

Develop and maintain a transportation system that has enough capacity to meet users' needs.

Policy 12.6.1

Provide a transportation system that serves existing and projected travel demand.

Policy 12.6.2

Identify transportation system improvements that mitigate existing and projected areas of congestion.

Policy 12.6.3

Ensure the adequacy of travel mode options and travel routes (parallel systems) in areas of congestion.

Policy 12.6.4

Identify and prioritize improved connectivity throughout the city street system.

Goal 12.7 Sustainable Approach

Promote a transportation system that supports sustainable practices.

Policy 12.7.1

Support "green street" construction practices.

Policy 12.7.2

Encourage the use of materials geared for long life cycles in both public and private transportation facilities.

Policy 12.7.3

Encourage the use of reused and recycled materials.

Policy 12.7.4

Promote multi-modal transportation links and facilities as a means of limiting traffic congestion.

Policy 12.7.5

Treat roadway pollution along transportation routes through the most effective means.

Goal 12.8 Implementation/Funding

Identify and implement needed transportation system improvements using available funding.

Policy 12.8.1

Maximize the efficiency of the Oregon City transportation system, thus minimizing the required financial investment in transportation improvements, without adversely impacting neighboring jurisdictions and facilities.

Policy 12.8.2

Provide transportation system improvements that facilitate the timely implementation of the *Oregon City Downtown Community Plan* and protect regional and local access to the End of the Oregon Trail Interpretive Center.

Policy 12.8.3

Provide incentives for private sector contributions to multi-modal transportation links and facilities, for example, establishing new standards in the zoning code.

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Section 13

Energy Conservation

This section is intended to show compliance with Land Conservation and Development Commission (LCDC) Statewide Planning Goal 13, Energy Conservation. Goal 13 declares that “land and uses developed on the land shall be managed and controlled so as to maximize the conservation of all forms of energy, based upon sound economic principles.”

Consumption of energy is affected by many things—land use, placement of structures, modes of transportation, and proximity of different types of land uses, among others. Oregon City’s goals and policies related to Goal 13, to be implemented through development ordinances, internal policies, and private sector incentives, are intended to demonstrate the City’s commitment to energy conservation.

As fossil fuels become scarcer and the cost of non-renewable energy increases, it is becoming more and more important to conserve the remaining available energy and to find new sources of energy. Energy conservation and sources of renewable energy are part of a larger concept of sustainability. The State of Oregon defines sustainability as “using, developing and protecting resources at a rate and in a manner that enables people to meet their current needs and also provides that future generations can meet their own needs.” Energy conservation and sustainable consumption can be enhanced by efficient land-use patterns and sustainable land development practices.

The objectives of Goal 13 are to:

- improve the efficiency of fossil fuel consumption
- encourage design that takes advantage of natural light and energy resources
- encourage energy contributions from solar energy systems
- slow increases in central station generation demand

- reduce energy demand during peak periods
- promote non petroleum-fueled transit
- encourage conservation of materials
- enable full potential to be taken from new energy supply technologies and efficient measures

Energy Sources

Oregon City lies near the Willamette River Falls, which was a principal energy source for the emerging settlement in the 1800s and which subsequently provided the electricity for the first long-distance transmission of electrical energy from Oregon City to Portland. The falls have been modified as subsequent electrical and direct waterpower technologies were applied. Today, the Willamette Falls Hydroelectric Project combines power generated by Portland General Electric (PGE) and the Blue Heron Paper Company at the falls on the Oregon City side of the Willamette River. In addition, the West Linn Paper Company has power-generating facilities on the West Linn side of Willamette Falls. PGE retains ownership of the former hydroelectric site at the Willamette Falls and is in the process of obtaining a permit to re-license the facility. It is not likely that the electrical-generating capability at Willamette Falls will be expanded dramatically for a variety of economic and ecological reasons.

Solar energy is not likely to be a significant source of energy for Oregon City because of the climate, but new technologies make solar energy a viable supplemental source to help heat building space and water. Solar energy can also be converted directly into electricity in specific applications such as powering remote communication facilities.

No sources of natural gas or petroleum are known in the city. However, methane gas from the former Rossman landfill on the north end of the city and co-generation of electricity from methane generated from operations at the Tri-Cities Waste Water Treatment Facility may be supplemental sources of energy.

A significant source of energy is the energy that is conserved by citizens and businesses. Unused energy is a source that can be used as surely as if it were newly created energy. The City can promote and stimulate this source by advocating efficient land-use development patterns and sustainable development practices through an appropriate balance of incentives and regulations. These conservation methods are discussed in the following sections.

Conservation Method: Land Use

The way urban land is used affects energy consumption both directly and indirectly. Energy is used directly for heating, cooking, driving, and other similar tasks. Energy is used indirectly by creating consumer goods and services that

consume energy. Conservation techniques in land use address both types of energy use.

Zoning regulations often segregate types of land use—industrial, commercial and residential—to separate incompatible uses. The result is often longer travel distances from work to home and to other destinations. Regulations that instead promote mixed-use development, compact development, residential clustering, increased densities near activity centers, flexible parking requirements, increased landscaping for cooling purposes, water quality, and home-based occupations can promote energy conservation.

Subdivision design can contribute to energy conservation. For example, how a home is oriented affects how much solar energy the home will generate and use. For example, the largest wall and window areas should face north and south rather than east and west because the south side of a building at a latitude of 40 degrees receives three times as much winter sun as the east or west side. Factors such as street connections, environmental constraints like steep slopes and wetlands, and infill development may make solar orientation impractical, but accommodating these factors properly can contribute to resource conservation.

Landscaping can increase the benefits of sun exposure. Trees reduce heat loss from buildings in winter and absorb radiation in summer. Trees on the south, southeast or southwest sides of a building are preferably deciduous, providing summer shade while allowing low winter sun to shine through.

Planned unit developments (PUDs) should be encouraged to allow for energy-efficient higher density and mixed uses within neighborhoods. PUDs can reduce the use of energy for transportation between living, working and shopping areas. The neighborhood commercial district concept is another way to reduce energy by shortening the trips people need to make to obtain necessities. Commercial, office, and industrial uses should be located along or near major transit corridors. Residential density usually decreases as one moves away from these corridors. To encourage alternative means of transportation, sidewalks and bikeways should be designed for maximum safety, convenience and weather protection, and should allow access to working and shopping areas and schools from residential areas.

Existing structures should be preserved and materials recycled to save energy that is required to manufacture building materials and construct new buildings. Recycling collection and storage facilities should be encouraged, not only in industrial areas, but also in more convenient commercial areas. Metro's South Transfer Station near Highway 213 and Washington Street provides an opportunity for residents to drop off recyclable materials.

Conservation Method: Transportation

Transportation systems can help conserve fossil fuels by designing them for maximum efficiency. Land use in Oregon City should encourage alternatives to single-occupancy vehicles such as walking, carpooling, transit, and bicycling.

Bikeways should be constructed along with safe bicycle parking areas. Designated “bikes only” lanes along major streets should be developed where possible, such as the recently designated lanes along Warner Parrott Road, South End Road, and Molalla Avenue. Multi-use paths should be built in appropriate areas where bicycle- and pedestrian-generator uses are located. Local merchants should be required to supply bicycle racks (preferably under some type of cover) for riders’ convenience and as an incentive for bicycle use. Streets should be designed for efficient multi-modal transportation while also helping to protect the quality of the region’s stream systems.

Use of carpools, transit, and preference parking should be examined. Vanpools operated by large firms and agencies in Oregon City for their local employees should also be considered. Areas with employment concentrations—Oregon City Shopping Center, Downtown, the hospital area, and Molalla/7th Street—should also be considered for use of vanpools. Amenities for transit riders, such as appropriate shelters and or seating, can be required or encouraged in association with site development along transit routes.

See Section 12 (Transportation), the *Oregon City Transportation System Plan* (2001), and Section 8 (Parks and Recreation) for more information on this topic.

Conservation Method: Structures

The purpose of this section is to suggest policies designed to optimize energy efficiency and conservation in structures.

Alternative renewable energy systems should be considered. Energy from the wind, sun, water, and solid waste will become increasingly important as fossil fuel supplies diminish. Interior improvements designed to save energy include insulating water heaters and pipes and appropriately locating windows and doors. Architectural design can also play a major part in conservation. Integration of green design techniques, especially the use of low-cost green design and construction practices will help the City move towards its energy goals. Some general design practices to be encouraged are building design strategies, siting, land use and landscaping, energy systems, resource-friendly products and materials, and increased salvage practices on job sites.

Incentives and Implementation

Implementation of energy conservation policies typically occurs through both public and private sector incentives and through development ordinances. For example, density bonuses can be awarded as incentives to developments that incorporate energy-efficient design.

Transportation policies from the *Oregon City Transportation System Plan* (2001) and other ancillary documents are designed to create more efficient travel networks for alternative modes such as walking, biking, and public transit by improving facilities and connections between modes.

The *Uniform Building Code* is the major implementing device for structural conservation methods. This code describes minimum building standards and should be strictly enforced by the City.

The City should carry out recycling in its own operations and facilitate resource recovery and recycling throughout the community.

Goal 13.1 Energy Sources

Conserve energy in all forms through efficient land-use patterns, public transportation, building siting and construction standards, and city programs, facilities, and activities.

Policy 13.1.1

Maintain the historic use of Willamette Falls as an energy source for industrial and commercial development.

Policy 13.1.2

Encourage siting and construction of new development to take advantage of solar energy, minimize energy usage, and maximize opportunities for public transit.

Policy 13.1.3

Enable development to use alternative energy sources such as solar through appropriate design standards and incentives.

Policy 13.1.4

Wherever possible, design and develop public facilities to take advantage of solar energy, develop co-generation, and conserve energy in operations and public access.

Goal 13.2 Energy Conservation

Plan public and private development to conserve energy.

Policy 13.2.1

Promote mixed-use development, increased densities near activity centers, and home-based occupations (where appropriate).

Policy 13.2.2

Create commercial nodes in neighborhoods that are underserved to reduce vehicle miles traveled.

Policy 13.2.3

Plan for complementary mixed uses when considering annexation of new, under- or undeveloped areas so that new urban residential areas have closer access to jobs and services.

Policy 13.2.4

Encourage use of carpools and transit in cooperation with TriMet and other state and regional transportation agencies.

Policy 13.2.5

Construct bikeways and sidewalks, and require connectivity of these facilities to reduce the use of petroleum-fueled transportation.

Policy 13.2.6

Support the concept of sustainability over the long term by:

- encouraging education efforts such as developing and/or distributing educational materials to the public about energy efficiency and sustainability
- encouraging designs that achieve a minimum Leadership in Energy and Environmental Design (LEED) certification
- implementing sustainable concepts within the Oregon City government facilities that receive a minimum “Platinum” LEED rating
- implementing design guidelines that address sustainability for private sector development
- taking advantage of up-to-date technology to reduce energy use
- developing incentive programs to apply to private sector development, where feasible

Section 14

Urbanization

This section is intended to show compliance with Land Conservation and Development Commission (LCDC) Statewide Planning Goal 14, Urbanization. Goal 14 requires cities to estimate future growth and the need for land and to zone enough land to meet that need. The goal calls for each city to establish an “urban growth boundary” to “identify and separate urbanizable land from rural land.”

As Oregon City continues to grow, it must manage the growth for the benefit of its citizens and businesses. The goals and policies of this section are intended to ensure that the city grows in ways that are fiscally sound, result in high-quality development, allow services to be provided efficiently and protect natural resources. Oregon City will urbanize in a thoughtful and deliberate manner to protect, preserve, and enhance the positive facets of city life.



Urbanization is the conversion of rural or natural resource lands to urban uses. In 1982, Oregon City occupied 3,000 acres. In 2002, the city occupied 7,295 acres—5,892 acres within the city limits and 1,403 acres outside the city limits but within the Urban Growth Boundary. Urbanization at the edge of Oregon City is constrained by the Willamette

River and the City of West Linn to the west, Clackamas River and the City of Gladstone to the north, and steep topography to the south and east.

A 1990 Urban Growth Management Agreement (UGMA) between the City and Clackamas County guides land-use designations and the extension of public services to urbanizing areas. Under the agreement:

- Oregon City, rather than Clackamas County, provides public services in urbanizing areas.

- Oregon City Comprehensive Plan designations apply within urbanizing areas.
- The County zones properties inside the Urban Growth Boundary to the Future Urbanizable (FU-10) zone district until the City annexes the property and applies a city zone district.

Because the City, under City land-development regulations, cannot provide sewer and water services to properties within the Urban Growth Boundary until the properties have been annexed or the property owners have agreed to annexation, urban-level development can occur only within city limits. The UGMA appears to be working well, in that urban-level development has not occurred outside the city limits, as has happened in other jurisdictions within the region. As expansion of the Urban Growth Boundary becomes more difficult, the UGMA may need to be amended to ensure that the City and County provide for the efficient transition and provision of public services.

Growth and Urbanization Issues

How will the city continue to urbanize? How do the City government and other governmental agencies that serve the city guide the type, location, quality and design of new development? Some of the challenges facing Oregon City are:

- protecting and enhancing existing development, including older development that is now considered historic, along with new growth
- ensuring an adequate supply of housing in a range of prices and types, including housing that is affordable to low- and moderate-income families
- attracting multi-story offices, unique commercial centers, vibrant mixed-use centers, and productive employment areas
- ensuring that the city's basic utilities and facilities, especially its transportation system, have the capacity to handle the growth
- creating an urban environment, while keeping significant amounts of open space and parks available and accessible to residents
- balancing private property rights with public goals and needs as the City adopts new programs and regulations aimed at shaping the city's built and natural environment

The City will need to use all available tools in a strategic and coordinated manner to encourage high-quality development and redevelopment in appropriate locations, and at the same time protect and enhance the livability of the city. The goals and policies to meet the challenges described above are in some measure implemented through other sections of the Comprehensive Plan, such as good urban design in development, compact growth to reduce the need for expansion of the Urban Growth Boundary, multi-modal transportation initia-

tives, and viable neighborhoods that have a variety of uses. Other themes the City should consider as it grows are discussed below.

Expansion of Boundaries. Oregon City cannot expand west or north because of rivers and the adjacent cities of West Linn and Gladstone. The city will ultimately run out of land on which to accommodate new development, both within the current city limits and the Urban Growth Boundary.

As the region grows, the city will need to expand its limits to accommodate a fair share of the future demand for housing and jobs. This should be done in a rational and planned manner, in coordination with the City's Capital Improvement Program and its ability to provide services to new areas. In addition, the City should consult with residents who would be affected by a proposed Urban Growth Boundary expansion to get their input, including what their concerns are and what they expect the impacts to be, and to assess the level of support.



The Urban Growth Boundary is established to identify and separate urbanizable land from rural land, as described in LCDC Statewide Planning Goal 14. Metro regulates the expansion of the Metro Urban Growth Boundary, which

includes Oregon City's Urban Growth Boundary, through Title 11 of the *Code of the Metropolitan Service District* (2003). However, Oregon City can apply for a major amendment to the Urban Growth Boundary every year except years in which Metro updates its five-year analysis of buildable land supply.

Metro considers the following when evaluating proposed changes to the Urban Growth Boundary:

- demonstrated need to accommodate long-range urban population growth
- need for housing, employment opportunities, and livability
- orderly and economic provision of public facilities and services
- maximum efficiency of land uses within, and on the fringe of, the existing urban area
- environmental, energy, economic and social consequences
- retention of high-quality, productive agricultural land
- compatibility of the proposed urban uses with nearby agricultural activities

An application for an expansion must demonstrate that growth cannot be reasonably accommodated within the current Urban Growth Boundary, that proposed uses would or could be compatible with existing uses, and that the long-term environmental, economic, social, and energy consequences after mitigation would not be significantly greater than they would be elsewhere in Metro's jurisdiction.

Title 11 requires cities to include the land within their Urban Growth Boundaries in their Comprehensive Plans prior to urbanizing that land. Title 11 intends to promote the integration of land added to the Urban Growth Boundary with existing communities by ensuring that concept plans are developed for areas proposed for urbanization or annexation. Concept plans must include a conceptual transportation plan; natural resources protection plan to protect areas with fish and wildlife habitat, water quality enhancement and mitigation and natural hazards mitigation; a conceptual public facilities and services plan for wastewater, water, storm drainage, transportation, parks, and police and fire protection; and a conceptual school plan. Metro requires Oregon City to adopt concept plans for areas added to the Urban Growth Boundary.

Once inside the Urban Growth Boundary, areas can be proposed for annexation. The Oregon City zoning code lists factors for evaluating a proposed annexation. The Planning Commission and City Commission should not consider issues related to annexations that are better suited to development reviews. The City should consider its ability to adequately provide public facilities and services to an area and leave development plans and related issues to the site development/design review process.



The City is required to refer all proposed annexations to the voters. Rather than asking voters to approve property owners' requests to annex one at a time, the City should implement an annexation plan. The City could then annex large blocks of properties, with voter approval, rather than in a piecemeal fashion. Annexation would be tied more directly to the City's ability to provide services efficiently, maintain regular city boundaries, and help the city meet Metro targets for housing and employment. The zoning of the property should be considered when the Planning Commission and City Commission review the annexation request.

Applications for annexation, whether initiated by the City or by individuals, are based on specific criteria contained in the *City of Oregon City Municipal Code*. An annexation may not be approved because the City cannot provide public services to the area in a timely fashion, as required by state and metro regulations. Therefore, an annexation plan that identifies where and when areas might be considered for annexation can control the expansion of the city limits and services to help avoid conflicts and provide predictability for residents and developers. Other considerations are consistency with the provisions of this Comprehensive Plan and the City's public facility plans, with any plans and agreements of urban service providers, and with regional annexation criteria.

Partnerships with Other Governments. The City does not provide all of the urban services within the city limits. Clackamas County, the Oregon City School District, the Oregon Department of Transportation, the TriCities Sewer

District, Clackamas Community College, and many other agencies also provide necessary services to residents and employees. In order to efficiently and effectively use the public dollars available to all of these different agencies, the City should be proactive in forming excellent working relationships with other agencies to address urban service issues.

Green Corridors. “Green corridors” are lands and waterways left in a natural condition to provide open space, recreational opportunities, habitat, and a sense of separation of various areas. Metro has identified green corridors in the region in *Metro’s 2040 Growth Concept* (1995). Although there are no green corridors within the city now, there may be in the future. Beavercreek and its tributaries are potential green corridors. Clackamas County is establishing green corridors adjacent to Oregon City on Highway 99E from Canemah to New Era and on Highway 213 from the Oregon City city limits to Molalla. The City recognizes the value of green corridors and will ensure that any such corridor within its city limits or Urban Growth Boundary is adequately protected.

Options for implementing green corridor concepts elsewhere include:

- providing a gradual transition from green corridor to urban environment
- implementing a green belt or green corridor policy of parks and open spaces along these corridors; this could include purchase and development of parks along corridors and restricting development in natural areas with steep slopes, wetlands, or other flooding issues from development along these corridors
- preserving these areas by adding zoning language to implement scenic roads policies
- reviewing development standards along the corridor to extend setbacks, increase landscaping requirements, encourage native vegetation
- developing incentive programs and educational programs
- linking tourism promotion or historic preservation to green corridors

Goal 14.1 Urban Growth Boundary

Establish, and amend when appropriate, the Urban Growth Boundary in the unincorporated area around the city that contains sufficient land to accommodate growth during the planning period for a full range of city land uses, including residential, commercial, industrial, and institutional.

Policy 14.1.1

The Urban Growth Boundary shall conform to Title 11 of the *Code of the Metropolitan Service District* and will provide sufficient land to accommodate 20-year urban land needs, resulting in efficient urban growth and a distinction between urban uses and surrounding rural lands, and promoting appropriate infill and redevelopment in the city.

Policy 14.1.2

Concept plans that provide more detail than the city's Comprehensive Plan will be required prior to development of lands within the Urban Growth Boundary.

Goal 14.2 Orderly Redevelopment of Existing City Areas

Reduce the need to develop land within the Urban Growth Boundary by encouraging redevelopment of underdeveloped or blighted areas within the existing city limits.

Policy 14.2.1

Maximize public investment in existing public facilities and services by encouraging redevelopment as appropriate.

Policy 14.2.2

Encourage redevelopment of city areas currently served by public facilities through regulatory and financial incentives.

Goal 14.3 Orderly Provision of Services to Growth Areas

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.

Policy 14.3.1

Maximize new public facilities and services by encouraging new development within the Urban Growth Boundary at maximum densities allowed by the 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.

Policy 14.3.3

Oppose the formation of new urban services districts and oppose the formation of new utility districts that may conflict with efficient delivery of city utilities within the Urban Growth Boundary.

Policy 14.3.4

Ensure the cost of providing new public services and improvements to existing public services resulting from new development are borne by the entity responsible for the new development to the maximum extent allowed under state law for Systems Development Charges.

Goal 14.4 Annexation of Lands to the City

Annex lands to the city through a process that considers the effects on public services and the benefits to the city as a whole and ensures that development

within the annexed area is consistent with the Oregon City Comprehensive Plan, City ordinances, and the City Charter.

Policy 14.4.1

Promote compact urban form and support efficient delivery of public services by ensuring that lands to be annexed are within the City's Urban Growth Boundary, and contiguous with the city limits. Do not consider long linear extensions, such as cherry stems and flag lots, to be contiguous with the city limits.

Policy 14.4.2

Include an assessment of the fiscal impacts of providing public services to unincorporated areas upon annexation, including the costs and benefits to the city as a whole as a requirement for concept plans.

Policy 14.4.3

Evaluate and in some instances require that parcels adjacent to proposed annexations be included to:

- avoid creating unincorporated islands within the city;
- enable public services to be efficiently and cost-effectively extended to the entire area; or
- implement a concept plan or sub-area master plan that has been approved by the Planning and City Commissions.

Policy 14.4.4

Expedite the annexation of property as provided by state law in order to provide sewer service to adjacent unincorporated properties when a public health hazard is created by a failing septic tank sewage system.

Goal 14.5 Partnerships with Other Governments

Create and maintain cooperative, collaborative partnerships with other public agencies responsible for servicing the Oregon City area.

Policy 14.5.1

Amend as necessary the 1990 Urban Growth Management Agreement with Clackamas County to control land uses in the unincorporated area around the city to ensure that conversion of rural lands to urban uses upon annexation is orderly and efficient and in conformance with the Comprehensive Plan for Oregon City.

Policy 14.5.2

Coordinate public facilities, services and land-use planning through intergovernmental agreements with the school district, Clackamas Community College, Clackamas County Fire District #1, Tri-Cities Services District and other public entities as appropriate.

Policy 14.5.3

Coordinate with Clackamas County and Metro to contain city boundaries and future urban land uses to areas on relatively level land north of the steep lands of Beaver Creek and its tributaries that border the southern portion of the city and the steep lands of the tributaries to Abernethy Creek that border the east and southeasterly portions of the city.

Goal 14.6 Green Corridors and Green Belts

Promote green corridors and green belts in lands beyond Oregon City's Urban Growth Boundary to maintain the rural character of the landscape and unincorporated communities and to protect the agricultural economy of the region.

Policy 14.6.1

Support green corridor policies and practices along major transportation routes designated by Clackamas County to neighboring cities.

Policy 14.6.2

Maintain a green belt around the southern and eastern edge of the city by confining urban land uses to the relatively level lands north of the steep slopes of Beaver Creek and its tributaries along the southern portion of the city and the steep lands of the tributaries to Abernethy Creek that border the eastern and southeastern portions of the city.

Policy 14.6.3

Maintain the rural forested appearance along the Willamette River along US Highway 99E and from Canemah to South End Road at Beaver Creek by requiring vegetative screening and setbacks to provide a visual buffer and by regulating signage and lighting.

Section 15

Willamette River Greenway

This section is intended to show compliance with Land Conservation and Development Commission (LCDC) Statewide Planning Goal 15, Willamette River Greenway. Goal 15 sets forth procedures for administering the 300 miles of greenway that protect the Willamette River.

In 1973, the Oregon State Legislature designated the Willamette River Greenway (WRG) to protect the Willamette River corridor from Eugene to the confluence with the Columbia River. The intent was to protect the corridor's natural, scenic and recreational qualities and to preserve its historical sites, structures, facilities, and objects for education and enjoyment.

The *Willamette River Greenway Plan* was developed by the Oregon Department of Transportation (ODOT), pursuant to ORS 390.318. In 2004, responsibility for overseeing the plan was transferred from ODOT to the Oregon Parks and Recreation Department. The plan contains an inventory of resource lands and the location of the WRG boundary for all affected jurisdictions, the resources that are to be protected, policy considerations, and development review criteria. LCDC implemented Goal 15 to carry out the legislative directive and to provide the parameters within which the Department of Transportation's Greenway Plan could be carried out by local

governments in their Comprehensive Plans. LCDC is authorized under Goal 15 to determine whether local Comprehensive Plans satisfy the requirements of the statutes.

Goal 15 requires local jurisdictions to plan for and protect uses within the WRG by adopting the relevant portions of the Greenway Plan into their Comprehensive Plans. Consequently, the City of Oregon City is required to establish a WRG boundary, the uses allowed within the WRG boundary, the Compati-



bility Review Boundary (within 150 feet of the ordinary low waterline of the Willamette River), and the processes for development review and criteria for approval. In addition, each Comprehensive Plan must discuss areas that have been identified for possible public acquisition and the conditions under which such acquisitions may occur as set forth in the state's Greenway Plan.

The WRG boundary was established after significant inventory work had been done in the early 1980s, and the inventory was included in the 1982 Comprehensive Plan. The City is responsible for mapping and updating the boundary, and a map showing the boundary is available at the Oregon City Planning Department. Land within the WRG in Oregon City is subject to the goals and policies of this section of the Comprehensive Plan and to the regulations in applicable implementing ordinances.

The goals and policies herein provide the basis for an overlay zone in Title 17 of the *City of Oregon City Municipal Code* (1991), which regulates allowed uses within the WRG boundary. Oregon City reviews proposals for any change, or intensification of use, or development (as defined in Goal 15) within the WRG through Greenway permit applications. Land within 150 feet of the ordinary low waterline is considered to be within the WRG Compatibility Review Boundary and is subject to a compatibility review through the conditional use process. Compatibility review is an additional level of protection for sensitive resources at the river's edge to ensure the best possible balance of appearance, habitat, water quality, public access, and scenic, economic, and recreational qualities. Procedures for, and criteria to be used in, the conditional use/compatibility review processes are consistent with requirements in Goal 15 and are implemented through the Willamette River Greenway Overlay District.

This section of the Comprehensive Plan discusses properties that may become available to Oregon City for acquisition and the conditions under which the acquisitions could occur.

Documents Affecting Implementation of the WRG

Several documents adopted since 1982 affect future and existing development within the Willamette River Greenway. They are:

- *Oregon City Waterfront Master Plan* (2002), which highlights open space improvements and mixed-use redevelopment within the district, generally along the waterfront from 5th Street in downtown north to the Clackamas River and east along the Clackamas River to I-205
- *Oregon City Downtown Community Plan* (1999), which establishes a framework for preserving and strengthening the historic character of Oregon City, refining the mix of land uses and emphasizing pedestrian-oriented design (see Section 2, Land Use)

- Water Resources Overlay District of Title 17 (zoning) of the *City of Oregon City Municipal Code* (1991), which implements Title 3 of Metro's *Urban Growth Management Functional Plan* (1998)
- Flood Management Overlay District of Title 17 of the *City of Oregon City Municipal Code*
- Erosion and sediment control requirements of the *City of Oregon City Municipal Code*

The adoption of the *Oregon City Waterfront Master Plan* (2002) and the *Oregon City Downtown Community Plan* (1999) and the regulations to implement them has the potential to complicate the regulations that apply to land within the WRG. Some of the implementing ordinances that affect the WRG conflict with the regulations that apply to the WRG, particularly development regulations. The City will review these ordinances, remove any conflicts, ensure that the goals of the Greenway Plan are met, and add substance where needed. In 1999, after the 1996 flood that inundated portions of the greenway, a new floodplain section in the natural resources section of the Comprehensive Plan was adopted to better address the management of development in the floodplain. See Section 5, Open Spaces, Scenic and Historic Areas, and Natural Resources. In addition, a city-sanctioned Natural Resources Committee was established by ordinance in 2002 and should be encouraged to provide input in projects or concerns relating to the Greenway.

Privately Owned Land within the WRG

During the 1990s, the City acquired many of the privately owned parcels along the Willamette and Clackamas rivers that the 1982 Comprehensive Plan recommended acquiring. Parcels along Clackamette Drive near the I-205 bridge around Clackamette Cove were acquired in the late 1990s.

The majority of waterfront properties in the Canemah District remain in private ownership. It is important for the City to acquire and maintain open space in Canemah to provide bike and pedestrian connections along Highway 99E to the Willamette River Trail as well as river access and view corridors. Equally important is the protection and enhancement of degraded riparian areas in the Canemah District through municipal, public service, and community planting projects.

The remaining privately owned parcels within the WRG Compatibility Review Boundary are owned primarily by the Union Pacific Railroad and Blue Heron Paper Company. The railroad is an important link in the transportation system and plays a critical role in regional freight and passenger transportation (Amtrak).

The Blue Heron Paper Company continues to play a vital role in providing jobs in Oregon City. The existing use plays a role in enhancing the river-related



economic resources (that being power and raw material for the pulp and paper manufacturing). However, it makes it difficult for the City to achieve compatibility with the Greenway goals of protecting natural, recreational and scenic resources of the river corridor and inside the WRG Compatibility Review Boundary. Debris cleanup and riparian planting projects involving citizens working with the Blue Heron Paper Company are currently possible and should be pursued.

Oregon City should not pursue acquiring parcels adjacent to McLoughlin Boulevard that have commercial or office uses. These parcels will be zoned to implement the *Oregon City Downtown Community Plan* and are integral to the Greenway Plan's goals as well as *Metro's 2040 Growth Concept* (1995) regional goals for Oregon City as a regional center.

Goal 15.1 Protect the Willamette River Greenway

Ensure the environmental and economic health of the Willamette River by adopting goals, policies and procedures that meet LCDC Statewide Planning Goal 15, Willamette River Greenway.

Policy 15.1.1

Protect the significant fish and wildlife habitat of the Willamette River by maximizing the preservation of trees and vegetative cover.

Policy 15.1.2

Preserve major scenic views, drives and sites of the WRG.

Policy 15.1.3

Encourage access to and along the river consistent with the *Oregon City Park and Recreation Master Plan* and the *Oregon City Waterfront Master Plan*.

Policy 15.1.4

Restrict new substations and power line towers in the WRG and river view corridor.

Policy 15.1.5

Protect and maintain parks and recreation areas and facilities along the Willamette River to minimize effects in the WRG, in accordance with the *Oregon City Park and Recreation Master Plan* and the *Oregon City Waterfront Master Plan*.

Policy 15.1.6

Review uses proposed for inside the Willamette River Greenway Compatibility Review Boundary for consistency with local goals and policies for that area.

Appendix A

Oregon City's Comprehensive Plan
Land-Use Map

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City of Oregon City

GEOGRAPHIC INFORMATION SYSTEM

Comprehensive Plan Map

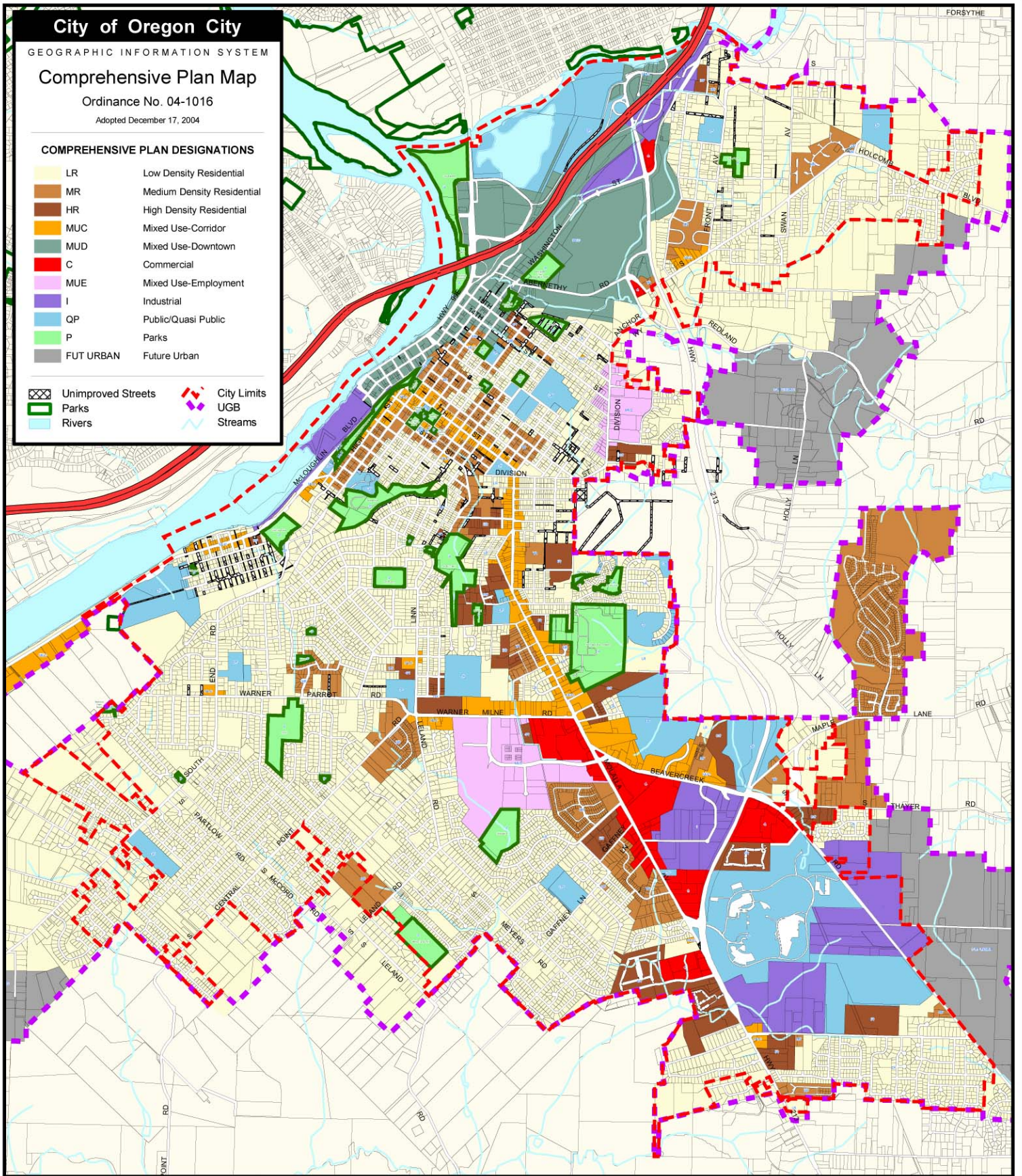
Ordinance No. 04-1016

Adopted December 17, 2004

COMPREHENSIVE PLAN DESIGNATIONS

LR	Low Density Residential
MR	Medium Density Residential
HR	High Density Residential
MUC	Mixed Use-Corridor
MUD	Mixed Use-Downtown
C	Commercial
MUE	Mixed Use-Employment
I	Industrial
QP	Public/Quasi Public
P	Parks
FUT URBAN	Future Urban

	Unimproved Streets
	Parks
	Rivers
	City Limits
	UGB
	Streams



MAP FOR REFERENCE PURPOSES ONLY.
The information on this map is derived from Oregon City's digital database. However, there may be map errors or omissions. Please contact Oregon City directly to verify map information. Notification of any errors is appreciated.



0.5 0.25 0 0.5 Miles

2,000 1,000 0 2,000 4,000 Feet

Please recycle with colored office grade paper.

City of Oregon City
P.O. Box 3040
320 Warner Milne Rd.
Oregon City, OR 97045
503-657-0891 phone
503-657-6629 fax
www.ci.oregon-city.or.us



Plot date: January 19, 2005
Plot name: Comprehensive_8_5x11P_No_Addresses_20050119.pdf
Map name: Comprehensive Map - 8_5x11 portrait.mxd

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Appendix B

Metro's 2040 Growth Concept Map

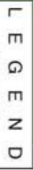
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2040 Growth Concept



Metropolitan Region

- 1



- Clark County**
- | | |
|---|----------------------------------|
|  | Farm and Forest Land |
|  | Rural Residential |
|  | Low Density Residential |
|  | High Density Residential |
|  | Commercial |
|  | General Commercial / City Center |
|  | Public Facility |
|  | Light Industrial |
|  | Heavy Industrial |
|  | Parks and Open Space |
|  | Vacuumed City Center |
|  | Medium Density Residential |
|  | Accessory Dwellings |
|  | Transit Corridor |
|  | Paid Off Properties |

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Glossary

Accessory dwelling unit. Attached or detached dwelling that is secondary to the primary dwelling unit and intended to provide a convenient and affordable housing opportunity.

Active recreation area. Area suitable for intensive recreation. Often open, with trees or shrubs along the perimeters, providing areas for sports fields, large built facilities such as swim centers and sports complexes and areas for large celebrations and events.

Affordable housing. Defined by Metro as a housing unit that requires no more than 30 percent of household income for people earning 50 percent of the median household income in their jurisdiction.

Aggregate resource. Rock, sand, or gravel.

Ambient noise. Average level of background noise.

Ancillary plan. Auxiliary, subordinate, or supplement to a comprehensive plan, such as a transportation system plan or a park and recreation master plan.

Capital Improvements Program. Description of when a community's major public facilities (e.g., roads, libraries, sewer systems, police stations) will be built, how much it will cost, and source of funding. Usually covers three to ten years.

Carrying capacity. Level of use that can be accommodated and sustained without unacceptable damage to the environment, including air, land, and water quality.

Comprehensive plan. Official document of a local government that includes goals and policies that direct how the community will develop. It may also include action measures or strategies for implementing the goals and policies. Oregon Administrative Rules further define a comprehensive plan as a “generalized, coordinated land use map and policy statement of the governing body of a local government that interrelates all functional and natural systems and activities relating to the use of lands, including, but not limited to, sewer and water systems, transportation systems, educational facilities, recreational facilities, and natural resources and air and water quality management programs.” In Oregon, a comprehensive plan is adopted by ordinance, has the force of law, and is the basis for zoning and subdivision ordinances. A number of other City planning documents support and/or implement the plan.

Corridor. See “Design types.”

Dark skies. Night skies unaffected by light pollution.

Density. The number of families, individuals, dwelling units, households, or housing structures per unit of land.

Design types. Conceptual areas described in the *Metro 2040 Growth Concept* text and map in Metro’s regional goals and objectives.

Corridor. Major street that serves as a key transportation route for people and goods. Served extensively by transit. While some are continuous, narrow bands of high-intensity development along arterial roads, others are more “nodal,” that is, a series of smaller centers at major intersections or other locations along an arterial that have high-quality pedestrian environments, good connections to adjacent neighborhoods and good transit service. As long as the average target densities and uses are allowed and encouraged along the corridor, many different development patterns-nodal or linear-may meet the corridor objective. Along good quality transit lines, a corridor features a high-quality pedestrian environment, convenient access to transit, and somewhat higher than current densities. An average of 25 persons per acre is recommended.

Employment Areas. Areas with mixed types of employment including manufacturing, distribution and warehousing, commercial and retail development, as well as some residential development. Retail uses should primarily serve the needs of people working or living in the immediate employment area. Exceptions to this general policy can be made only for certain areas indicated in a functional plan. Various types of employment and some residential development are encouraged in employment areas with limited commercial uses. Average recommended density is 20 persons per acre.

Industrial Area and Freight Terminal. Serves as hub for regional commerce, industrial land and freight facilities for truck, marine, air and rail cargo. Provides the ability to generate and move goods in and out of the region. Access centered on rail, regional freeway system, and key roadway connections. Keeping these connections strong is critical to maintaining a healthy regional economy.

Inner Neighborhood. Residential area accessible to jobs and neighborhood businesses with smaller lot sizes.

Main Street. Similar to a Town Center, a Main Street has a traditional commercial identity but on a smaller scale with a strong sense of the immediate neighborhood. A Metro concept for streets with a concentration of retail and service establishments, typically accessible by transit, that serve neighborhoods and draw some people from other parts of the region. Includes residential uses but does not imply that the City will meet Metro's density guidelines.

Neighborhood. Under Metro's 2040 Growth Concept, most existing neighborhoods will remain largely the same. Some redevelopment can occur so that vacant land or under-used buildings could be put to better use. New neighborhoods are likely to have an emphasis on smaller single-family lots, mixed uses and a mix of housing types including row houses and accessory dwelling units. The growth concept distinguishes between slightly more compact inner neighborhoods, and outer neighborhoods, with slightly larger lots and fewer street connections.

Neighboring City/Green Corridor. Communities such as Sandy, Canby, Newberg and North Plains have a significant number of residents who work or shop in the metropolitan area. Cooperation between Metro and these communities is critical to address common transportation and land-use issues. Neighboring cities are connected to the metro area by Green Corridor transportation routes

Outer Neighborhood. Residential neighborhoods farther away than Inner Neighborhoods from large Employment Centers with larger lot sizes and lower densities.

Regional Center. As a center of commerce and local government services serving a market area outside the central city, accessible to hundreds of thousands of people, a Regional Center is the focus of transit and highway improvements. Characterized by two- to four-story compact employment and housing development served by high-capacity transit and highways. Nine Regional Centers will become the focus of compact development, redevelopment and high-quality transit service and multimodal street networks

Design review guidelines. Standards related to the appearance and construction of buildings and related facilities (e.g., trees, street lights, and sidewalks). Typically applied to specific types of development or specific zones and reviewed by City staff. Can be either optional or mandatory but are often called guidelines because they are suggestions. Mandatory requirements are often referred to as development or design standards.

Drainageways. Open linear depressions, either natural or man-made, for collection and drainage of surface water. May be permanently or temporarily filled with water.

Ecological/scientific areas. Land or water that has retained much of its natural character, though not necessarily completely natural, and significant because of historical, scientific, palaeontological, or natural features.

Employment Area. See “Design types.”

Essential facilities. As defined in Oregon Revised Statutes 455.447 and pertaining to natural hazards regulations:

- hospitals and other medical facilities with surgery and emergency treatment areas
- fire and police stations
- tanks or other structures containing, housing or supporting water or fire-suppression materials or equipment required for the protection of essential or hazardous facilities or special occupancy structures
- emergency vehicle shelters and garages
- structures and equipment in emergency-preparedness centers
- standby power generating equipment for essential facilities
- structures and equipment in government communication centers and other facilities required for emergency response

Economic, Social, Environmental and Energy (ESEE) analysis. Required under Land Conservation and Development Commission Statewide Planning Goal 5. Purpose is to inventory natural resource sites and identify their relative resource value to determine an appropriate level of protection through land-use regulations.

Federal Emergency Management Agency (FEMA). Administrator of the National Flood Insurance Program.

Floodplain. Land subject to periodic flooding, including the 100-year floodplain as mapped by Federal Emergency Management Agency (FEMA)

Flood Insurance Studies or as indicated by other substantial evidence of flood events.

Floodway. Portion of watercourse required for the passage or conveyance of a given storm event, as identified and designated by the City. Includes the channel of the watercourse and the adjacent floodplain that must be reserved in an unobstructed condition in order to discharge the base flood.

4(d) Rule. Federal rule that establishes regulations to protect species listed as threatened under the Endangered Species Act (ESA). These requirements can be used by local governments to ensure that their activities and regulations are consistent with the ESA.

Goal 5 Rule. Oregon Administrative Rule requiring local governments to develop and maintain inventories of natural resources, scenic and historic areas, and open spaces. The rule provides cities with the option of following general requirements for identifying “significant” resources or using state criteria to determine which resources are significant.

Green streets. Transportation infrastructure that incorporates a variety of design and engineering concepts to reduce the adverse impacts of streets on air quality, water quality, wildlife habitat, and the pedestrian environment.

Historic District. An area containing a number of lots, blocks, and buildings that have special historical, architectural, or cultural significance as part of the heritage of the City. The McLoughlin area has been designated as a Historic District.

Home occupation. Any activity carried out for gain by a resident and conducted as a customary, incidental, and accessory use in the resident’s home. Standards for home occupations are included in Oregon City’s Community Development Code.

Impervious surface. Solid surfaces, such as streets, parking lots, and roofs, that prevent rain from being absorbed into the soil, thereby increasing the amount of water runoff that typically reaches a receiving stream.

Industrial Area and Freight Terminal. See “Design types.”

Infill. Use of vacant lots in predominantly developed areas, or the undeveloped portion of developed lots, to make more efficient use of land resources.

Infiltration. Seepage of groundwater into cracks of sewer or stormwater collection pipes. Also used to describe the process of absorption of liquids into the ground.

Inflow. Entry of water into the sewer or stormwater collection system through manholes, gutters connecting to the stormwater system, and similar open facilities. Typically used in combination with infiltration to describe impacts on a sewer or stormwater collection system from unintended outside sources.

Infrastructure. Facilities and structures used to provide public services to City residents and businesses. Examples are roads, sewer and water transmission lines, administrative buildings, and parks and recreation properties and structures.

Inner Neighborhood. See “Design types.”

Land Use Compatibility Statement. Must be submitted by a business applying for a permit from the Oregon Department of Environmental Quality. Must be reviewed and signed by a local city planner approving or rejecting a new project. By signing, the City indicates that the proposed project is compatible with the comprehensive plan and other land-use ordinances.

Level of service (LOS). Used to measure the effectiveness for the operation of a public service or facility, most typically used when assessing the functioning level of road or street intersections or links. It is similar to a report card rating based on average vehicle delay. For example, with respect to roads, LOS A, B, and C indicate conditions where vehicles can move freely. LOS D and E are progressively worse. LOS F represents conditions where traffic volumes exceed the capacity of the facility or a specific movement.

Main Street. See “Design types.”

Median household income. Divides income distribution into two equal groups, one having incomes above the median, and other having incomes below the median. Median income for an area can be calculated from U.S. Census Bureau statistics.

Metro. Regional government of the metropolitan area, the elected Metro Council as the policy setting body of government.

Metro Title 3 Requirements. Regional requirements adopted by Metro to protect water quality and fish and wildlife habitat, primarily through standards for riparian areas and floodplains.

Metropolitan Statistical Area (MSA). Used by the U.S. Bureau of the Census to define urban areas. According to the Census Bureau, an MSA consists of a “large population nucleus, together with adjacent communities having a

high degree of social and economic integration with that core.” MSAs are defined by the U.S. Office of Management and Budget (OMB).

Mixed-use development. Combination of different types of uses. Most often refers to allowing homes and businesses to be located in the same area (e.g., apartments over shops or other businesses or apartments adjacent to grocery stores or other commercial establishments).

Natural resource. Functioning natural system such as a wetland, riparian corridor, or fish and wildlife habitat and associated vegetation, including significant trees.

Natural resource area. Land containing a natural resource that is to be protected.

Neighborhood. See “Design types.”

Neighborhood park. A combination playground and park intended primarily for non-organized recreation. It is generally relatively small (3 to 7 acres) and serves people who live within one-half mile of the park. Typical facilities include children’s playgrounds, picnic areas, trails, open, grassy areas for organized or passive activities, and outdoor basketball courts.

Neighborhood plan. Includes goals and policies that define and shape the unique characteristics of a neighborhood. It also includes specific improvement projects that enhance a neighborhood.

Neighboring City/Green Corridor. See “Design types.”

Noise-sensitive use. An activity or building that is particularly negatively impacted by noise, such as a home, school, library, or hospital.

Non-point pollution. Pervasive and from multiple sources, such as carbon monoxide from automobiles and urban stormwater runoff.

Open space. Land that is undeveloped and planned to remain so indefinitely. Encompasses parks, forests, and farm land. May refer only to land zoned as available to the public, including playgrounds, watershed preserves, and parks.

Outer Neighborhood. See “Design types.”

Out-of-direction travel. Travel that is not toward the eventual destination of a trip, often caused by a lack of adequate connections between destinations.

Passive recreation area. Suitable for unstructured uses and low intensity recreation. Passive spaces are planned landscapes that may vary from open meadows to areas with shrub plantings, trees, benches, tables and pathways.

Particulates. Small particles in the air that are a component of air pollution. They can be inhaled and when lodged in the lungs, may damage lung tissue and lead to respiratory problems.

Performance standards. Requirements that govern impacts or characteristics of facilities rather than uses. Standards may be related to building size, noise, air, and water pollution, traffic generation or other attributes. Can limit the kinds of uses based on these impacts or characteristics.

Planned Unit Development (PUD). A type of development based on a comprehensive design addressing the entire complex of land, structures, and uses as a single project. The design plan for the project takes the place of the general site development regulations of the zoning on the site, providing more flexibility in land use and site design.

Point source of pollution. Single, discrete facility or other source of air or water pollution such as a smokestack or sewage outfall pipe.

Public facilities plan. A plan for the sewer, water, and transportation facilities needed to serve a city. Less specific than a Capital Improvements Program and required by Oregon law for cities with a population of 2,500 or more.

Reclamation plan. Typically developed for sites formerly used for mining or waste disposal (e.g., landfills). Describes the proposed reclamation of land that has been adversely affected by a surface mining operation or exploration and how the land will be returned to a natural-appearing condition and potentially reused for another purpose (e.g., open space or recreational use or limited types of development). Plan must be submitted to and approved by the Oregon Department of Geological and Mineral Industries as required by Oregon statutes. Further defined in ORS 517.750.

Redevelopment. Additional or new residential, commercial, or industrial development on land that is already developed, but has the capacity for additional or more intensive development through remodeling or demolition and reconstruction.

Regional Center. See “Design types.”

Regional park. A recreation area that serves people who live in and outside the City. Usually a large site with unique facilities or characteristics, often

offering opportunities for a variety of active and passive uses (e.g., playing fields, hiking trails, picnic area, bird-watching, etc.). Mary S. Young State Park is an example.

Reuse plan. Proposal to transform or redevelop a site for another use that may be similar to or different from the previous one. Examples are using a former mine site (once it has been “reclaimed”) for a park or housing development, or converting a former warehouse into loft apartments.

Riparian area. Area associated with streams, lakes, and wetlands where vegetation communities are predominately influenced by their association with water.

Seismic hazard. Geologic condition that is potential danger to life and property that includes but is not limited to earthquake, landslide, liquefaction, tsunami inundation, fault displacement and subsidence.

Service District. Local government agency that provides one or more specific services to people within the district (e.g., water, sewer, or fire protection). May encompass or overlap multiple municipalities. Also used to describe the area served by the agency and sometimes used interchangeably with “special district,” defined by Oregon Statute as “any unit of local government, other than a city, county, metropolitan service district formed under ORS chapter 268 or an association of local governments performing land use planning functions under ORS 195.025 authorized and regulated by statute.”

Setback. Required separation between a structure and a road/right-of-way or property line (e.g., the distance from a sidewalk to the front of a house).

Special District. Any unit of local government, other than a city, county, metropolitan service district formed under ORS Chapter 268 or an association of local governments performing land-use planning functions under ORS 195.025, authorized and regulated by statute. Includes but not limited to water control districts, domestic water associations and water cooperatives, irrigation districts, port districts, regional air quality control authorities, fire districts, school districts, hospital districts, mass transit districts and sanitary districts. ORS 197.015.

Stormwater detention facility. Pond, swale, or other facility used to store and eventually disperse stormwater runoff from roads, parking lots, buildings, and other paved surfaces.

Stream. A body of running water moving over the earth’s surface in a channel or bed, such as a creek, rivulet, or river. Flows at least part of the year and

may be perennial or intermittent. Dynamic in nature with a structure that is maintained by build-up and loss of sediment.

Sustainability. An approach to development wherein society balances its social and economic desires and actions with those of providing for long-term environmental health and quality (Northwest Regional Council of the President's Council on Sustainable Development).

Telecommuting. Working at home using a computer and telecommunications to access one's place of employment.

Telecommunity center. A conveniently located place where people can access computers, the Internet, and other technology that make it efficient to get work done or obtain services electronically that otherwise might require longer trips.

Transit street. Provides exclusive transit lanes and/or transit priority measures on streets to facilitate operations for bus and light rail over an identified corridor.

Transportation Demand Management. Process or set of techniques used to control or reduce the amount of traffic in a given area, or at a specific time of day. Tools often focus on employer-based programs such as flexible work hours, telecommuting (see definition above), and providing free transit passes or other incentives to use different modes of transportation or travel at different times of day.

Transportation System Plan (TSP). Provides an inventory and service assessment of a community's existing and planned 20-year multi-modal transportation system.

Urban Growth Boundary. Line encompassing an area that is adopted and planned for urban development and within which urban services (e.g., public sewer and water facilities) will be provided. Outside the boundary, the provision of services and the level of development are restricted and development is restricted in intensity. Oregon City's Urban Growth Boundary is part of the regional boundary administered by Metro.

Urban Growth Management Functional Plan. A set of regional requirements adopted by Metro for cities and counties to implement the Metro's 2040 Growth Concept. Addresses issues such as projected housing and job growth, parking management, water quality, and the regional road system.

Urban Reserve. Former label used for lands outside an Urban Growth Boundary identified as having the highest priority for inclusion within the

boundary when additional urbanizable land was needed, consistent with the requirements of Land Conservation and Development Commission State-wide Goal 14 (Urbanization). Metro discontinued using the term in 1999.

Watershed. Geographical unit defined by the flow of rainwater or snowmelt. All land in a watershed drains to a common outlet, such as a stream, river, lake, or wetland.

Wetland. Area inundated or saturated by surface or groundwater at a frequency and duration sufficient to support and, under normal circumstances do support, vegetation primarily adapted for life in saturated soil. Generally include swamps, marshes, bogs, and similar areas. Areas identified and delineated by a qualified wetland specialist as set forth in the 1987 Corps of Engineers Wetland Delineation Manual.

Willamette River Greenway. Land along the banks of the Willamette River intended to be protected and conserved for its natural, scenic, historical, agricultural, economic, and recreational qualities. Cities and counties are responsible for administering the Willamette River Greenway Plan within their boundaries by restricting development and providing access for recreation.

Zoning (also base zone, zone district). Delineation of districts and establishment of regulations governing the use, placement, spacing, and size of land and buildings.

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References

- 2000 Regional Transportation Plan* (2000)
- 7th Street Corridor Design Plan* (1996)
- Caufield Basin Master Plan* (1997)
- Citizen Involvement Program Five-Year Strategic Plan* (2002)
- City of Oregon City Municipal Code* (1991)
- City of Oregon City Public Works Stormwater and Grading Design Standards* (1999)
- City of Oregon City Sanitary Sewer Master Plan* (2003)
- City of Oregon City Street Design Standards*, subdocument of *Oregon City Transportation System Plan* (2001)
- City of Oregon City Water Master Plan* (2003)
- Clackamas County Consolidated Plan* (2003)
- Clackamas County Urban Growth Management Functional Plan Compliance Report* (2000)
- Code of the Metropolitan Service District* (2003)
- Drainage Master Plan* (1988), updated in 1999 as the *City of Oregon City Public Works Stormwater and Grading Design Standards*
- Economic Development Technical Report* (2002)
- Environmental Assessment of Newell Creek Canyon, Oregon City, Oregon* (1992)
- First City's Future, Visioning Project, Phase I Report* (2001)
- From One Century to the Next: a Twenty Year Needs Assessment for the Oregon City Public Library* (1998)

Geology and Geological Hazards of Northwestern Clackamas County, Oregon, Bulletin 99 (1979)

Highway 213 Urban Corridor Design Study (2000)

Housing Technical Report (2002)

Land-Use Policies for Oregon City (1976)

Marine System Plan, part of the *Oregon City Transportation System Plan* (2001)

McLoughlin Boulevard Enhancement Plan (in progress)

Metro's 2040 Growth Concept (1995)

Molalla Avenue Boulevard and Bikeway Improvements Plan (2001)

Oregon City Comprehensive Plan (1982)

Oregon City Downtown Community Plan (1999)

Oregon City Hazard Mitigation Plan (1998)

Oregon City Park and Recreation Master Plan (1999)

Oregon City Trails Master Plan (2004)

Oregon City Transportation System Plan (2001)

Oregon City Waterfront Master Plan (2002)

Public Facilities Plan (1990)

Regional Affordable Housing Strategy (2000)

Regional Framework Plan (1997)

Regional Solid Waste Management Plan, 1995-2005 (1999)

Regional Urban Growth Goals and Objectives (RUGGO), part of the *Regional Framework Plan* (1997)

South End Basin Master Plan (1997)

Street Connectivity Plan, expected to be adopted in 2005 as part of the *Oregon City Transportation System Plan*

Tri-City Service District, Tri-City Water Pollution Control Facility (WPCF) Master Plan Plant Advanced Facilities Plan (2002)

Uniform Building Code

Urban Growth Management Functional Plan (1998)

Willamette River Greenway Plan, pursuant to ORS 390.318

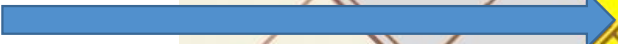
GLUA-20-0010/VAR 20-0004 Fence Height Variance

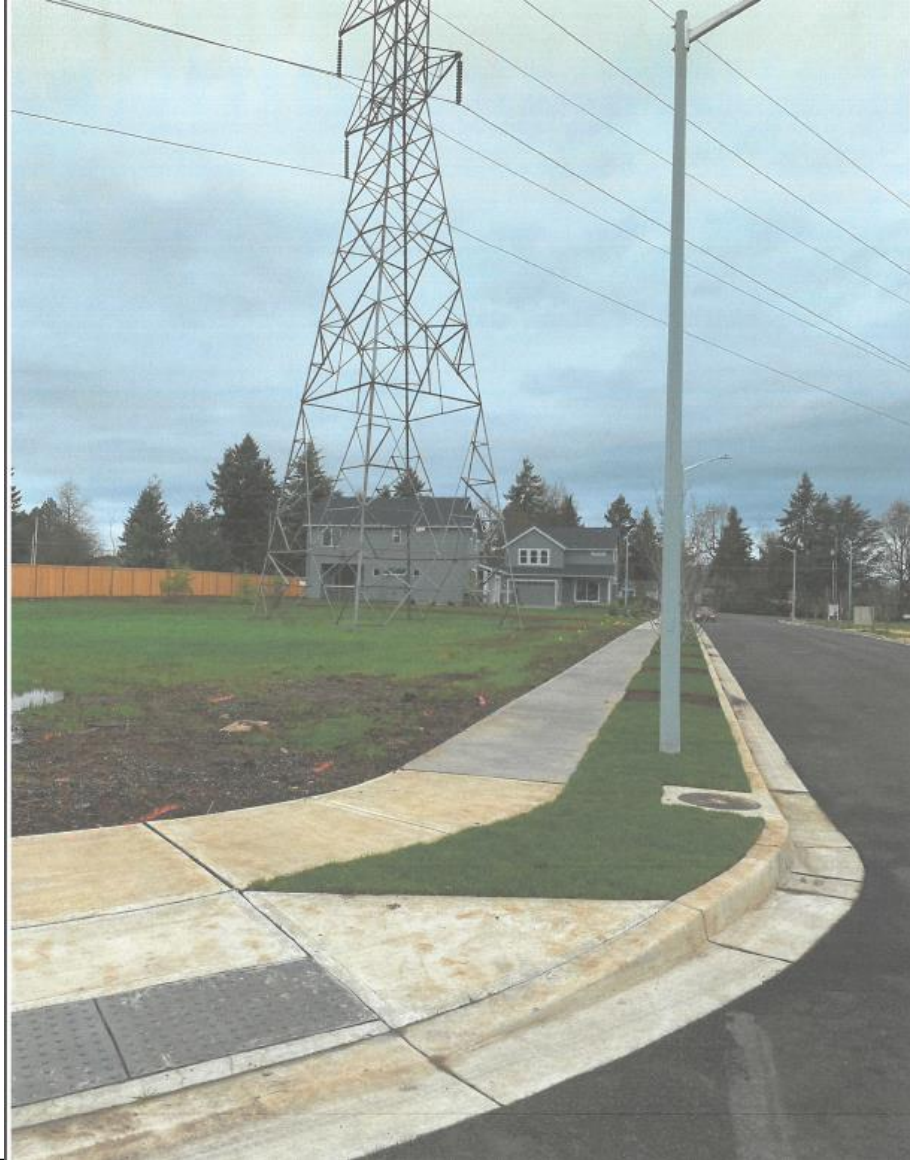
Christina Robertson-Gardiner, Senior Planner
March 9, 2020 Planning Commission



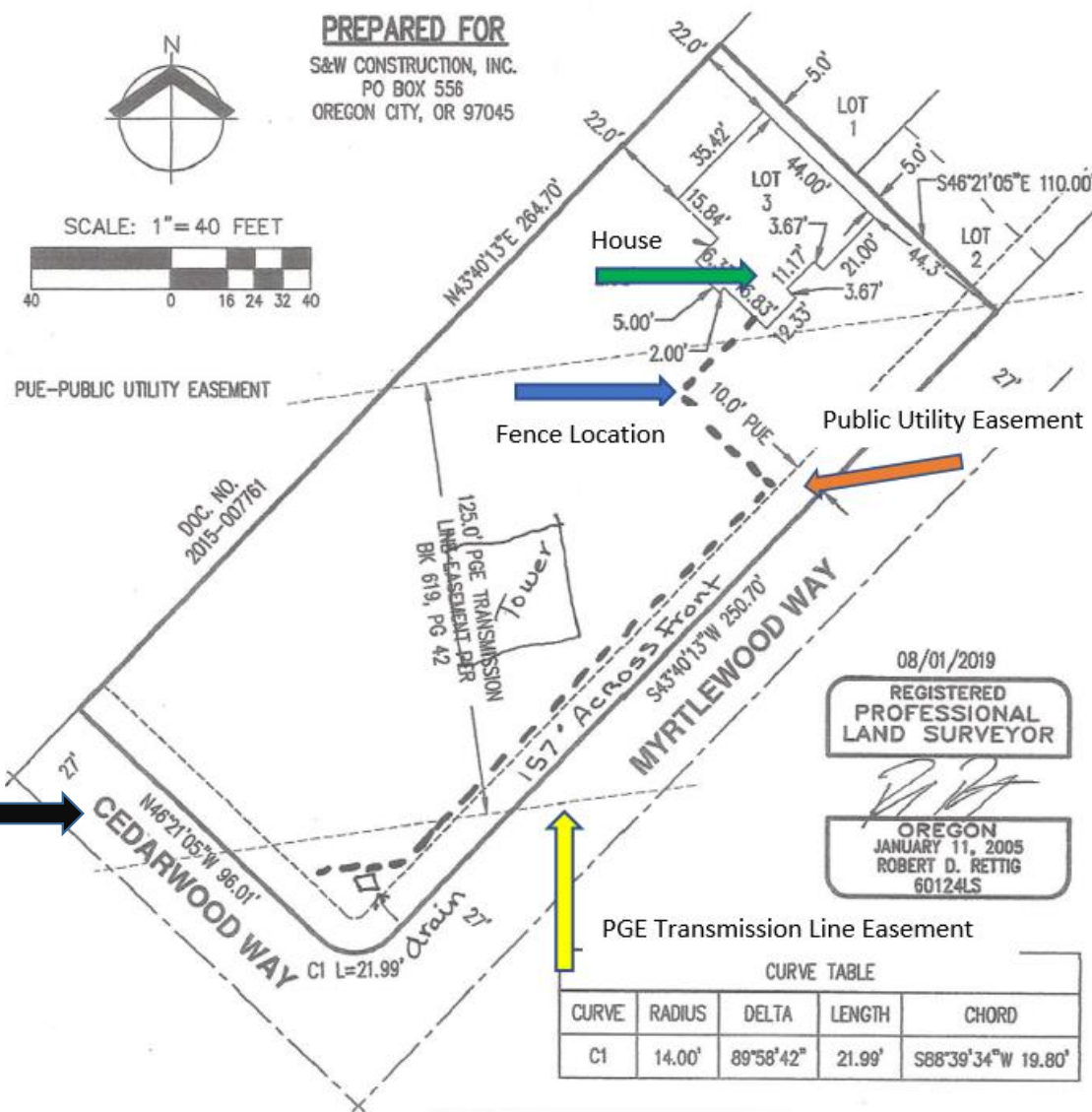


GLUA-20-0010/VAR 20-0004
Subject Site





GLUA-20-0010/VAR 20-0004
Site Photos



Applicant provided a map with incorrect street names . The corner street is platted as Cherrywood. The conditions of approval reflect the correctly named street.

GLUA-20-0010/VAR 20-0004
Fence Location



OCMC 17.60 Variance Criteria

A variance may be granted only in the event that the following conditions exist:

- A. That the variance from the requirements is not likely to cause substantial damage to adjacent properties by reducing light, air, safe access, or other desirable or necessary qualities
- B. That the request is the minimum variance that would alleviate the hardship
- C. Granting the variance will equal or exceed the purpose of the regulation to be modified
- D. Any impacts resulting from the adjustment are mitigated
- E. No practical alternatives have been identified which would accomplish the same purpose and not require a variance
- F. The variance conforms to the comprehensive plan and the intent of the ordinance being varied.



OCMC 17.60 Variance Criteria
GLUA-20-0010/VAR 20-0004

17.60.030.A. That the variance from the requirements is not likely to cause substantial damage to adjacent properties by reducing light, air, safe access, or other desirable or necessary qualities

- The applicant has proposed a fence that is located 10 feet from the property line, which would be in an allowed location if the house was located at the closest setback allowed in the zone, which is 10 feet.
- The applicant has provided mitigation landscaping which softens the pedestrian edge and conceals the unsightly tower base.

17.60.030.B. That the request is the minimum variance that would alleviate the hardship

- The applicant is proposed to set the fence 10-feet from the property line and about 3-5 feet in front of the transmission tower base.



**OCMC 17.60 Variance Criteria
GLUA-20-0010/VAR 20-0004**

17.60.030.C. Granting the variance will equal or exceed the purpose of the regulation to be modified

- Provide a pedestrian-friendly environment and provide eyes of the street.
- Additional landscaping provides interests and softens the pedestrian experience
- Fence is only proposed to being installed along the side of the house

17.60.030.D. Any impacts resulting from the adjustment are mitigated

- Combination of 30-35 shrubs and trees to be planted in the front of the fence along both street frontages as mitigation
- A covenant will be placed upon the property to ensure that the landscaping will remain onsite and dead plants will be replaced



**OCMC 17.60 Variance Criteria
GLUA-20-0010/VAR 20-0004**

17.60.030.E. No practical alternatives have been identified which would accomplish the same purpose and not require a variance

- Not granting a variance would require applicant place the 6-foot tall fence to the rear of the tower, which would greatly reduce the owner's side yard
- Unsightly tower in full view of the neighborhood with no mitigation planting requirements.

17.60.030.F. The variance conforms to the comprehensive plan and the intent of the ordinance being varied

- Goal 2.1 – Efficient Use of Land
 - Goal 2.4 – Neighborhood Livability
 - Goal 10.1 – Diverse Housing Opportunities
-
- Provide for increased livability for property owners in Oregon City.
 - Effective utilization of this single-family property.



OCMC 17.60 Variance Criteria
GLUA-20-0010/VAR 20-0004

1. The applicant shall provide written approval from PGE to place a fence or any plantings within their 125’ transmission line easement. If the applicant cannot provide written approval, the applicant is not allowed to place a fence taller than 3 ½ feet in the front yard of the property. (DS)

If the applicant can provide written approval from PGE to place a fence or any plantings within their 125’ transmission line easement, the following conditions apply:

2. The applicant is allowed to place a 6-foot tall fence in the front yard of the house which shall be no closer than 10 feet from the property line. No portion of the fence is allowed to be located within the 10’ public utility easement.(P)

3. The applicant shall record a covenant that requires a minimum of 35 shrubs be planted in front of the 6-foot tall fence with a minimum mature height of 2 feet and a maximum mature height of 5 feet . A minimum of 10 shrubs shall be planted along Cherrywood Way and a minimum of 25 shrubs shall be planted along Myrtlewood Way. The covenant shall require all dead or dying plants to be replaced with plants that meet the above requirements as long as there is a 6-foot fence located within the front yard or the Oregon City Municipal Code is amended to allow the fence location as installed without requiring a Variance. (P)

4. The required mitigation landscaping is located within the City’s Public Utility Easement (PUE). The property owner is responsible for replacing any landscaping that is damaged in the event the City or a private utility provider needs to access, place, or repair utility lines within the PUE. (P,DS)

5. The owner is encouraged to contact <https://digsafelyoregon.com/> to verify the location of any existing private utility lines within the PUE before planting landscaping. (DS)



Proposed Conditions of Approval

GLUA-20-0010/VAR 20-0004

OCMC 17.60 Variance Criteria

A variance may be granted only in the event that the following conditions exist:

- A. That the variance from the requirements is not likely to cause substantial damage to adjacent properties by reducing light, air, safe access, or other desirable or necessary qualities
- B. That the request is the minimum variance that would alleviate the hardship
- C. Granting the variance will equal or exceed the purpose of the regulation to be modified
- D. Any impacts resulting from the adjustment are mitigated
- E. No practical alternatives have been identified which would accomplish the same purpose and not require a variance
- F. The variance conforms to the comprehensive plan and the intent of the ordinance being varied.



OCMC 17.60 Variance Criteria
GLUA-20-0010/VAR 20-0004

Staff Recommendation

Staff recommends that the Planning Commission approve files GLUA-20-0010/VAR 20-0004 with conditions

QUESTIONS?



GLUA-20-0010/VAR 20-0004



Oregon City Comprehensive Plan

Laura Terway, AICP, Community Development Director

The background is a soft-focus photograph of a park. In the foreground, there is a flower bed with various flowers, including pink and purple daisies. A paved path leads into the distance, flanked by green grass and trees. The overall scene is peaceful and natural.

What is your vision for the future
of Oregon City?

Unified Vision of the Future

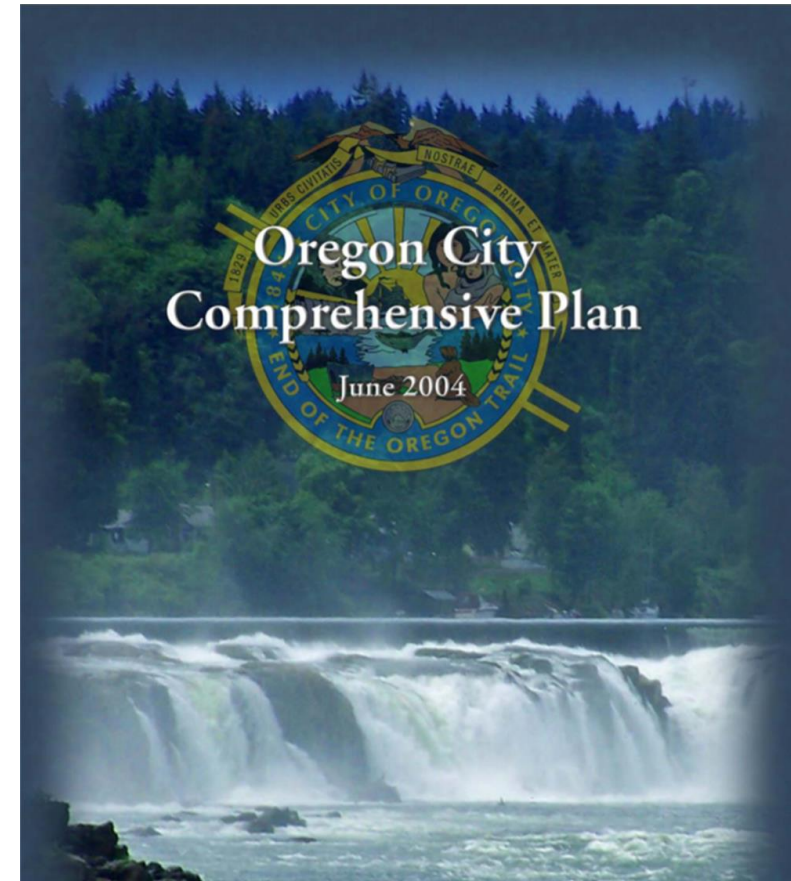
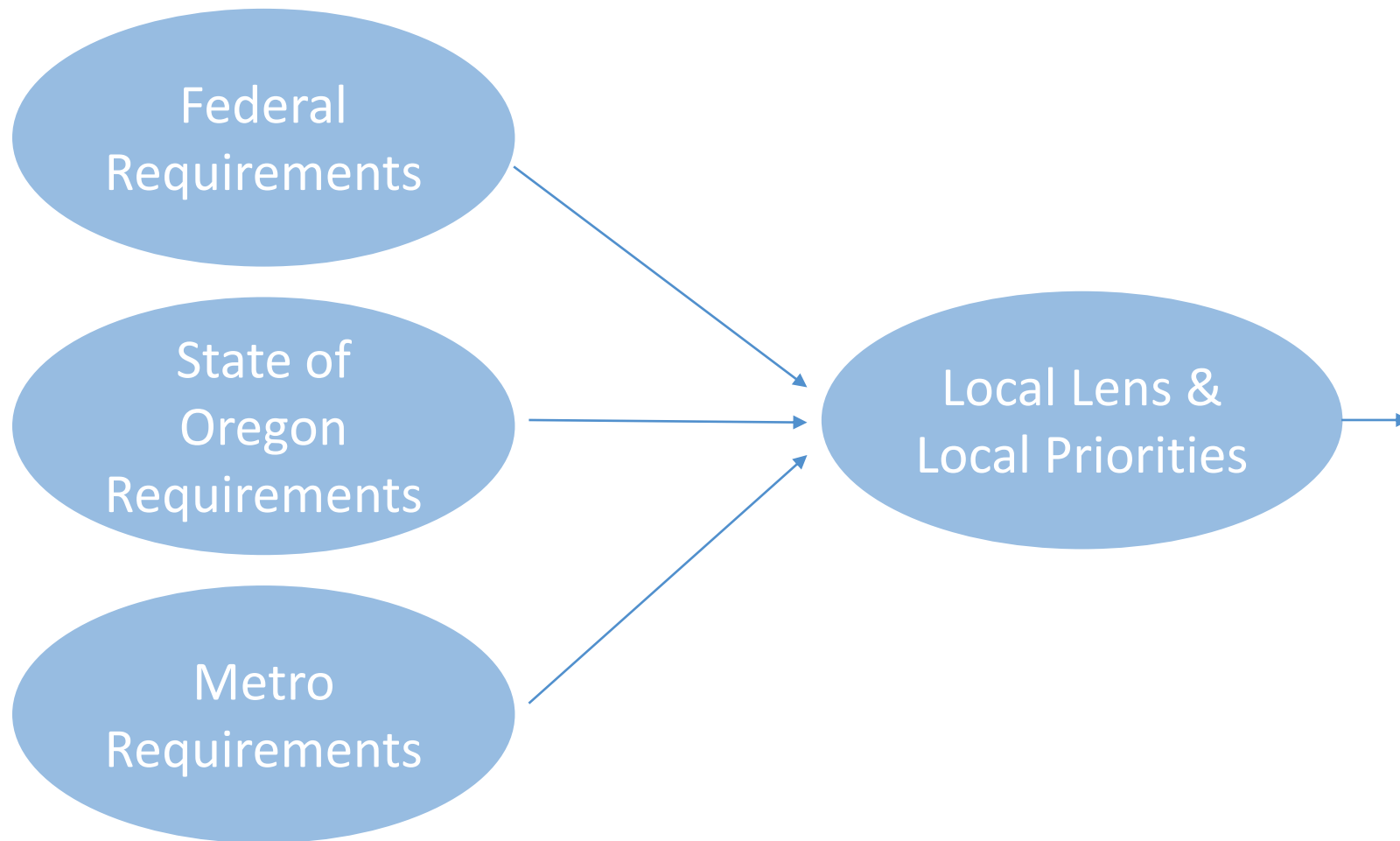


A long-range plan that helps:

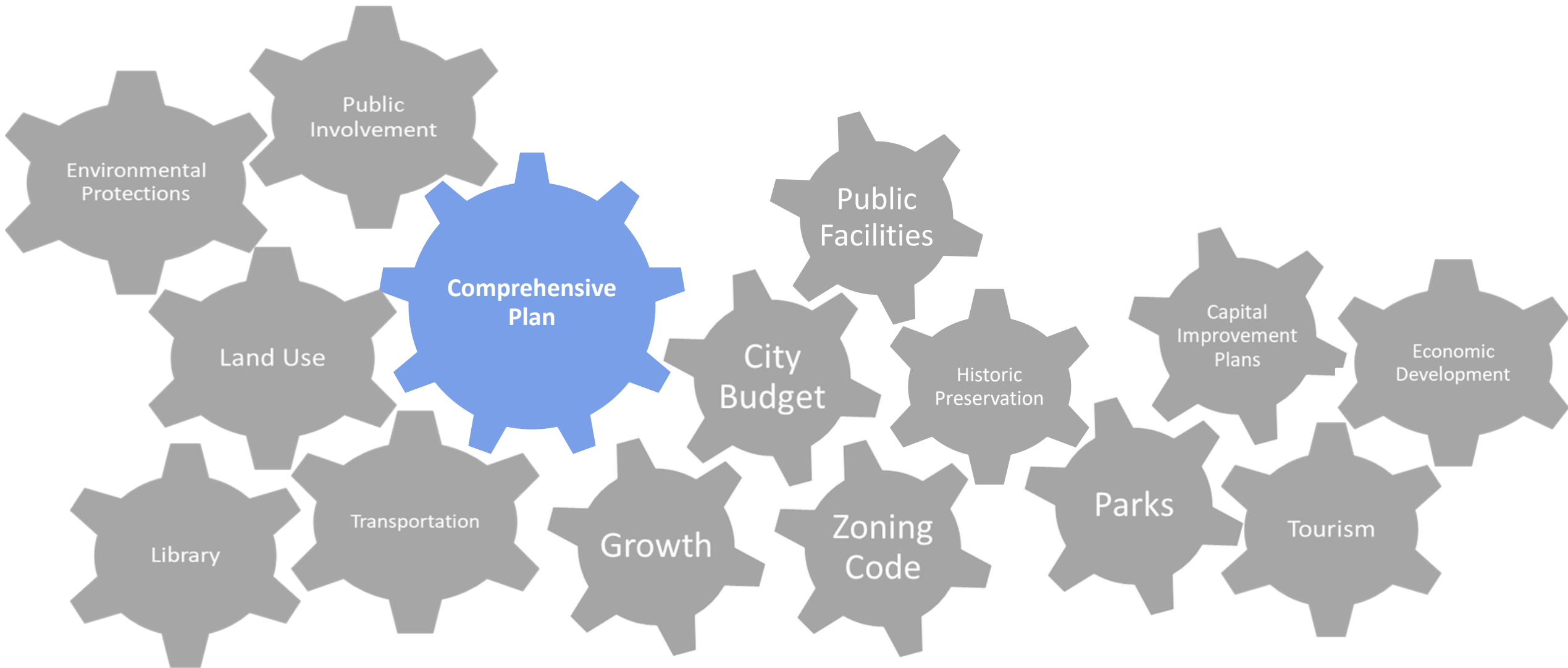
- Prepare for future changes in population and employment
- Guide land use decision and major public investments



What is the Comprehensive Plan?

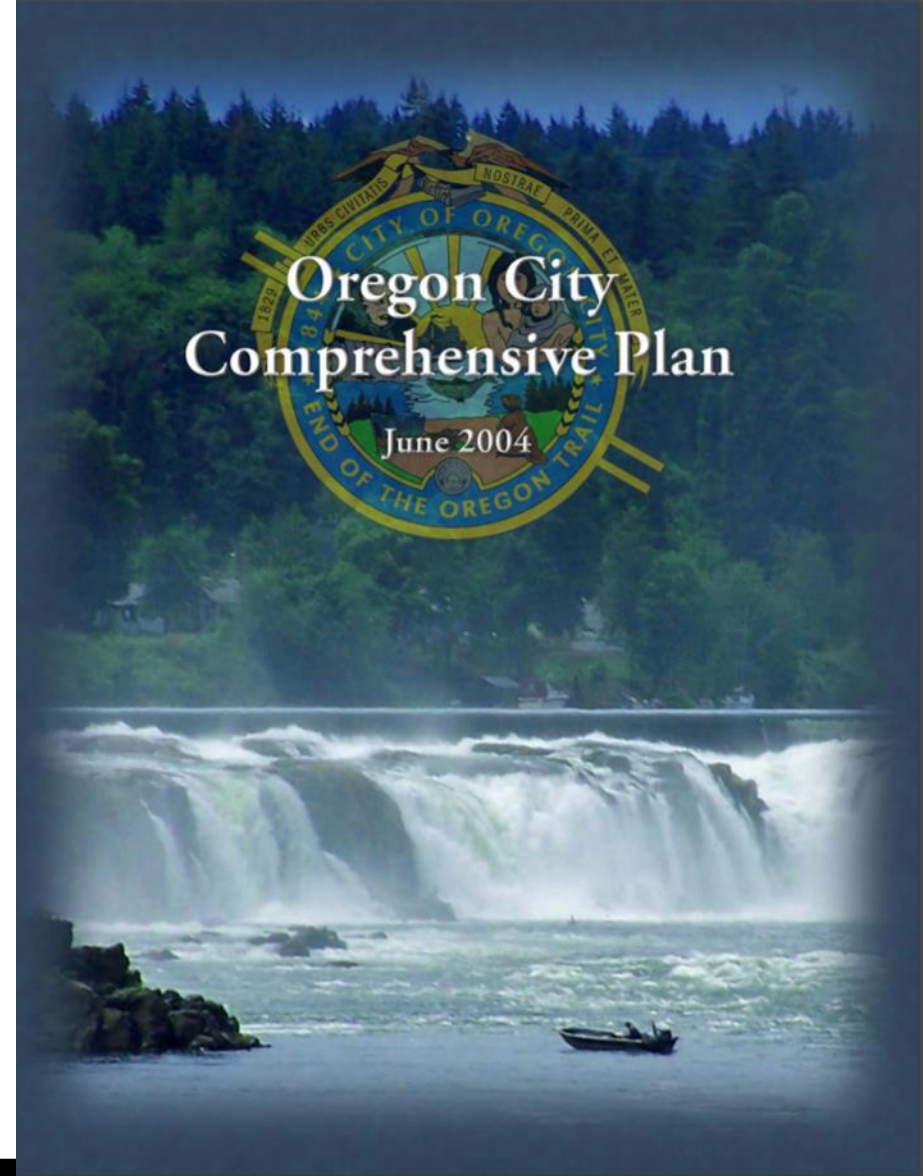


High Level Direction



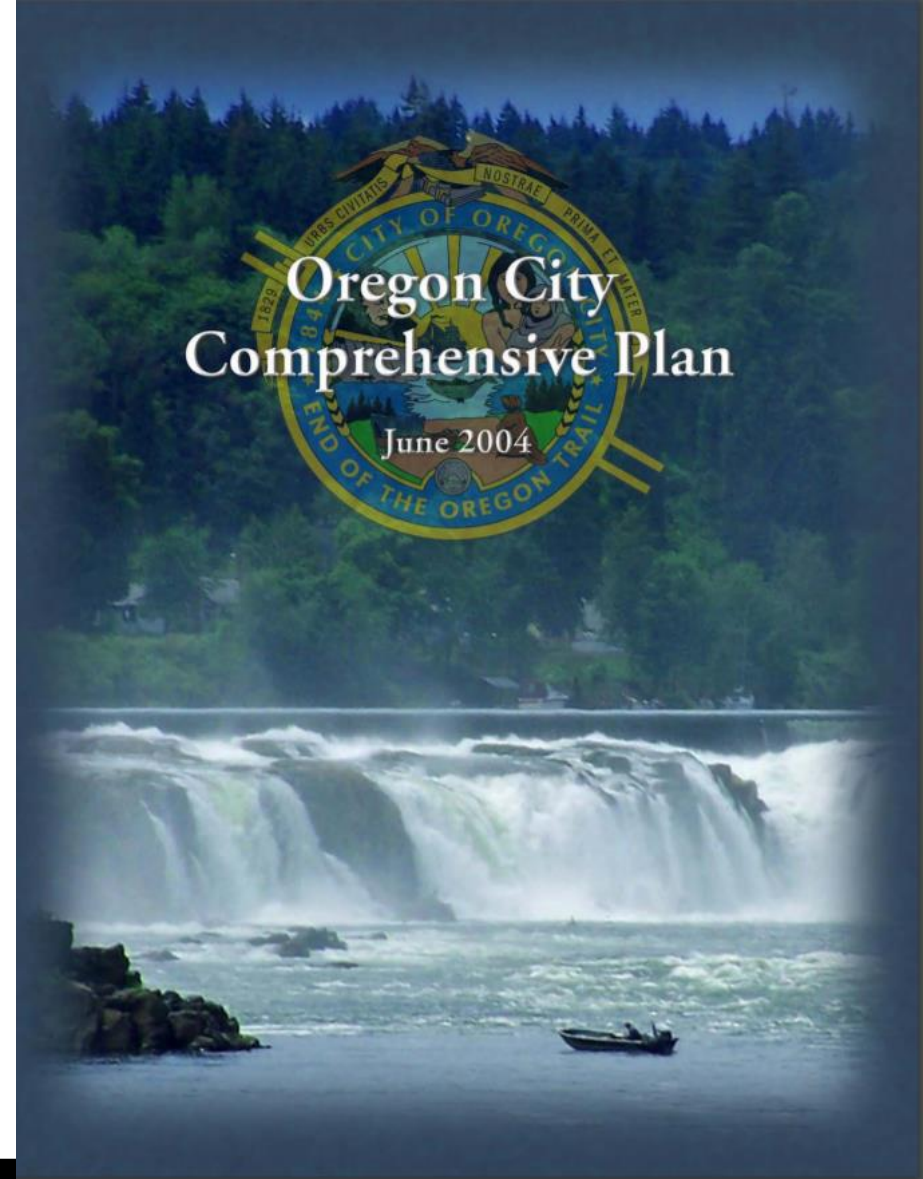
How is the Plan Implemented?

- Promote sustainability and sustainable development
- Contain urban development
- Promote redevelopment
- Protect natural resources
- Foster economic vitality
- Provide efficient and cost-effective services
- Ensure a sense of history and place



Statements of Principle

- Citizen Involvement
- Land Use
- Agricultural Lands
- Forest Lands
- Open Spaces, Scenic & Historic Areas, & Natural Resources
- Quality of Air, Water, & Land Resources
- Natural Resources
- Parks and Recreation
- Economic Development
- Housing
- Public Facilities
- Transportation
- Energy Conservation
- Willamette River Greenway



Existing Comprehensive Plan

Goals: 65
Policies: 291

Policy 1.4.1

Notify citizens
about community
involvement
opportunities
when they occur.

Goal 1.1 Citizen Involvement Program

Goal 1.2 Community and Comprehensive Planning

Goal 1.3 Community Education

Goal 1.4 Community Involvement

Goal 1.5 Government/Community Relations

Goal 1.6 CIC Continuous Development

Goal 1.7 Neighborhood Plans

Goal 1.8 Advisory Committees



Section 1: Citizen Involvement

Goals: 8
Policies: 13

Policy 2.2.1

Redefine the Metro Regional Center concept to recognize the unique character of Oregon City while being in accordance with *Metro's 2040 Growth Concept*.

Goal 2.1 Efficient Use of Land

Goal 2.2 Downtown Oregon City

Goal 2.3 Corridors

Goal 2.4 Neighborhood Livability

Goal 2.5 Retail and Neighborhood Commercial

Goal 2.6 Industrial Land Development

Goal 2.7 Oregon City Comprehensive Plan Land Use Map



Section 2: Land Use

Goals: 7
Policies: 41

Applies to land outside urban growth boundaries.



Section 3: Agricultural Lands

Goals: 0
Policies: 0

No designated forest lands.



Section 4: Forest Lands

Goals: 0
Policies: 0

Goal 5.1 Open Space

Goal 5.2 Scenic Views and Scenic Sites

Goal 5.3 Historic Resources

Goal 5.4 Natural Resources

Policy 5.1.1

Conserve open space along creeks, urban drainage ways, steep hillsides, and throughout Newell Creek Canyon.



Section 5: Open Spaces, Scenic & Historic Areas, & Natural Resources

Goals: 4
Policies: 30

Goal 6.1 Air Quality

Goal 6.2 Water Quality

Goal 6.3 Nightlighting

Goal 6.4 Noise

Goal 6.5 Mineral and
Aggregate Operations

Policy 6.2.1

Prevent erosion and restrict the discharge of sediments into surface- and groundwater by requiring erosion prevention measures and sediment control practices.



Section 6: Quality of Air, Water, and Land Resources

Goals: 5
Policies: 12

Policy 7.1.1

Limit loss of life and damage to property from natural hazards by regulating or prohibiting development in areas of known or potential hazards.

Goal 7.1 Natural Hazards



Section 7: Natural Hazards

Goals: 1
Policies: 13

Goal 8.1 Developing Oregon City's Park and Recreation System

Policy 8.1.1

Provide an active neighborhood park-type facility and community park-type facility within a reasonable distance from residences, as defined by the *Oregon City Park and Recreation Master Plan*, to residents of Oregon City



Section 8: Parks and Recreation

Goals: 1
Policies: 16

Policy 9.6.6

Encourage private development of hotel, bed and breakfast, restaurant facilities and other visitor services.

Goal 9.1 Improve Oregon City's Economic Health

Goal 9.2 Cooperative Partnerships

Goal 9.3 Retention of Existing Employers

Goal 9.4 Education, Skills And Workforce Training

Goal 9.5 Retail Service

Goal 9.6 Tourism

Goal 9.7 Home-Based Businesses

Goal 9.8 Transportation System



Section 9: Economic Development

Goals: 8
Policies: 30

Policy 10.1.1

Maintain the existing residential housing stock in established older neighborhoods by maintaining existing Comprehensive Plan and zoning designations where appropriate.

Goal 10.1 Diverse Housing Opportunities

Goal 10.2 Supply of Affordable Housing



Section 10: Housing

Goals: 2
Policies: 11

Goal 11.1 Provision of Public Facilities
Goal 11.2 Wastewater
Goal 11.3 Water Distribution
Goal 11.4 Stormwater Management
Goal 11.5 Solid Waste
Goal 11.6 Transportation Infrastructure
Goal 11.7 Private Utility Operations
Goal 11.8 Health and Education
Goal 11.9 Fire Protection
Goal 11.10 Police Protection
Goal 11.11 Civic Facilities
Goal 11.12 Library

Policy 11.6.1

Make investments to accommodate multi-modal traffic as much as possible to include bike lanes, bus turnouts and shelters, sidewalks, etc., especially on major and minor arterial roads, and in regional and employment centers.



Section 11: Public Facilities

Goals: 12
Policies: 52

Policy 12.7.1

Support “green street”
construction practices.

Goal 12.1 Land Use-Transportation Connection

Goal 12.2 Local and Regional Transit

Goal 12.3 Multi-Modal Travel Options

Goal 12.4 Light Rail

Goal 12.5 Safety

Goal 12.6 Capacity

Goal 12.7 Sustainable Approach

Goal 12.8 Implementation/Funding



Section 12: Transportation

Goals: 8
Policies: 39

Goal 13.1 Energy Sources

Goal 13.2 Energy Conservation

Policy 13.2.2

Create commercial nodes in neighborhoods that are underserved to reduce vehicle miles traveled.



Section 13: Energy Conservation

Goals: 2
Policies: 10

Policy 14.2.1

Maximize public investment in existing public facilities and services by encouraging redevelopment as appropriate.

Goal 14.1 Urban Growth Boundary

Goal 14.2 Orderly Redevelopment of Existing City Areas

Goal 14.3 Orderly Provision of Services to Growth Areas

Goal 14.4 Annexation of Lands to the City

Goal 14.5 Partnerships with Other Governments

Goal 14.6 Green Corridors and Green Belts



Section 14: Urbanization

Goals: 6
Policies: 18

Goal 15.1 Protect the Willamette River Greenway

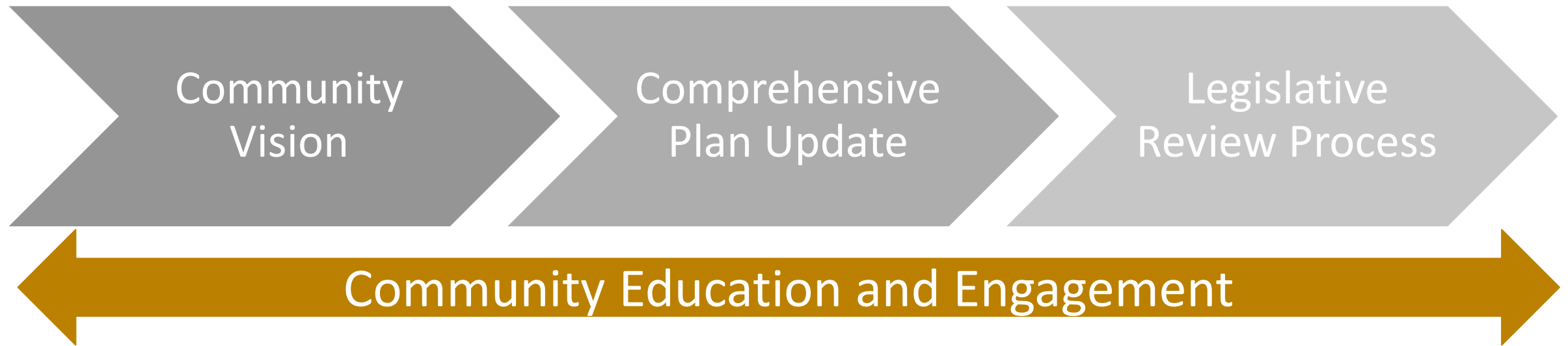
Policy 15.1.4

Restrict new substations and power line towers in the WRG and river view corridor.



Section 15: Willamette River Greenway

Goals: 1
Policies: 6



Process for Updating the Plan



Questions?



The City Commission firmly believes that the plan is necessary to protect and maintain the quality of life and social and economic vitality of the community. The City Commission understands that good planning is necessary to ensure that land resources are thoughtfully and efficiently used, that public services are cost-effective and adequate, that natural and historic resources that help define the city's character are protected and preserved, and that citizens will have continuing influence on the on-going decisions about the growth and development of their community.